



City Council Regular Meeting Agenda

March 18, 2025 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
Melanie Potyondy, 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

Delynn Coldiron
City Clerk

PROCLAMATIONS & PRESENTATIONS 5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

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/*
- *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 March 4, 2025 Regular meeting.**

The purpose of this item is to approve the minutes of the March 4, 2025 Regular meeting.

2. **Second Reading of Ordinance No. 026, 2025, Declaring a Portion of City-Owned Property at Pelican Marsh Natural Area as Public Right-of-Way.**

This Ordinance, unanimously adopted on First Reading on March 4, 2025, declares approximately 0.073 acres of Pelican Marsh Natural Area as Right-of-Way (ROW) for the US 287 and Triangle Drive Signal Installation (Project).

The Project would install a new traffic signal, perform utility relocations, and make active modes improvements at the intersection of US 287 and Triangle Drive. The Project would also stripe existing pavement for a northbound left and southbound right turn lanes onto Triangle Drive from US 287. All active modes improvements will meet Americans with Disabilities Act (ADA) requirements and provide pedestrian and bicycle connections between the Ridgewood Hills and Shenandoah neighborhoods west of US 287 to the Lakeview on the Rise Subdivision east of US

287. Pursuant to the Natural Areas Easement Policy (adopted by Council in 2012), adjustments were made to the proposal to minimize impacts to the natural resources, and Engineering will compensate Natural Areas for the property rights (including right of way) needed for the Project.

3. Items Relating to Development Contributions to Construction from The Landing at Lemay Development.

A. Second Reading of Ordinance No. 034, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Cordova Road Corridor Project and Related Art in Public Places.

B. Second Reading of Ordinance No. 035, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Vine and Lemay BNSF Overpass Project and Related Art in Public Places.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, appropriate development contributions from The Landing at Lemay development project to the Cordova Road Corridor (Cordova) and Vine and Lemay BNSF Overpass (Vine/Lemay) capital projects. If approved, this item will: 1) appropriate \$226,564 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Cordova project; 2) appropriate \$2,266 (1%) of the development contribution to construction to the Art in Public Places (APP) program; 3) appropriate \$290,163 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Vine/Lemay project; and 4) appropriate \$2,902 (1%) of the development contribution to construction to the Art in Public Places (APP) program. This item also apprises Council of the transfer of \$7,941 (3% of \$264,708) to the Transportation Capital Expansion Fee (TCEF) reserves fund for administering a Landing at Lemay payment to Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC.

4. Second Reading of Ordinance No. 036, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the College Avenue-Drake Road Intersection Improvements Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, appropriates a development contribution for construction from the King Soopers 146 – Midtown Gardens Marketplace Development to the College Avenue-Drake Road Intersection Improvements project (Project). The funds will be used for design services. If approved, this item will: 1) appropriate \$100,265 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$1,003 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

5. Second Reading of Ordinance No. 037, 2025, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for the Gardens on Spring Creek Internship Program.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, supports the Gardens on Spring Creek internship program by:

- Appropriating \$9,800 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and
- Utilizing matching funds in the amount of \$9,800 from existing 2025 appropriations into these new grant projects.

In January 2025 the CDA awarded the City a total of \$9,800 under the CDA's Agricultural Workforce Development Grant Program (AWDP). The Garden's Internship Program aligns with the objective of the AWDP in addressing the shortage of skilled agricultural workers in Colorado by providing training and support through internships. The City will be providing an additional \$9,800 in required matching funds. The award funds and City's matching funds will support hiring two interns for the Garden's' summer 2025 internship program.

The \$9,800 in funds through the CDA's Agricultural Workforce Development Grant Program are state funds and are pursuant to two separate State of Colorado purchase orders, with corresponding terms and conditions. Each award/purchase order provides up to \$4,900 for each paid internship provided through the Garden's summer 2025 internship program. There is no requirement that the City sign an agreement for either award. Rather, upon the City submitting the first request for reimbursement under each award/purchase order to CDA, the City agrees to all terms and conditions of the award.

6. Items Relating to the Fort Collins Police Services Victim Services Unit.

A. Second Reading of Ordinance No. 038, 2025, Making a Supplemental Appropriation of Funds Received from the Eighth Judicial District Victim Assistance and Law Enforcement Board in the General Fund for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 039, 2025, Making a Supplemental Appropriation of Funds Received from the Colorado Division of Criminal Justice Under the Federal Victim of Crime Act in the General Fund for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, help fund 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, 2025, to December 31, 2025. 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.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$17,505 for the period from January 1, 2025, to December 31, 2025, 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 25% of the salary for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

7. Second Reading of Ordinance No. 040, 2025, Approving an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins, Colorado, Downtown Development Authority Governing the Use of a Line of Credit for the Financing of Downtown Development Authority Projects and Programs and Delegating to the Downtown Development Authority Thereunder the Power to Incur Debt in Relation Thereto as Authorized by State Law.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, approves an ordinance to approve and authorize the Mayor to sign an intergovernmental agreement between the City and Downtown Development Authority (DDA) that will govern the processes for administering a line of credit for financing DDA projects and programs for a six-year term from 2025 through 2030 and a maximum per-draw limit of \$5 million.

The current Line of Credit (LOC) established in 2012 and renewed in 2018 by the City on behalf of the DDA expired at the end of 2024. The City and DDA began taking steps in early 2024 to renew this debt instrument with First National Bank of Omaha (FNBO) for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025 and continuing through 2030. The renewal of the bank authorized Line of Credit is needed by the DDA to satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II).

On November 6, 2024, the Council Finance Committee reviewed the purpose and approach for bringing forth a third IGA to accommodate the DDA's authorization to use a Line of Credit and satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II). The Council Finance Committee was supportive of advancement of the IGA to the City Council.

On February 13, 2025, the DDA Board adopted Resolution 2025-02 authorizing the DDA's approval of the IGA and the line of credit promissory note from First National Bank of Omaha. The IGA is now advanced to the City Council and pursuant to the DDA Act requires adoption by ordinance.

8. First Reading of Ordinance No. 041, 2025, Reappropriating Funds Previously Appropriated in 2024 But Not Expended and Not Encumbered in 2024.

The purpose of this item is to reappropriate monies in 2025 that were previously authorized by City Council for expenditures in 2024 for various purposes. The authorized expenditures were not spent or could not be encumbered in 2024 because:

- There was not sufficient time to complete bidding in 2024 and therefore, there was no known vendor or binding contract as required to expend or encumber the monies; or
- The project for which the dollars were originally appropriated by Council could not be completed during 2024 and reappropriation of those dollars is necessary for completion of the project in 2025.

Additionally, there may have been sufficient unspent dollars previously appropriated in 2024 to carry on programs, services, and facility improvements in 2025 for those specific purposes.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2024 and reflect no change in Council policies.

9. First Reading of Ordinance No. 042, 2025, Appropriating Prior Year Reserves and Authorizing Transfers Related to 49 U.S.C. § 5339(b) Program Funding for Accessibility Enhancements to the Transit System.

The purpose of this item is to support Transfort in enhancing accessibility throughout the Transfort system by:

- Appropriating \$2,411,550 in unanticipated grant revenue awarded to Transfort by the Federal Transit Administration (FTA);
- Transferring \$222,450 from the Community Capital Improvement Program (CCIP) Bus Stop Improvements to the Transit Service Fund where it will serve as local match for federal grant funding; and
- Appropriating a development contribution to construction of \$193,000 from CSU's Alternative Transportation Fee Advisory Board (ATFAB) to serve as local match for federal grant funding.

Transfort secured \$2,411,550 in competitive grant funding from the FTA to enhance accessibility and improve transit infrastructure, ensuring compliance with the Americans with Disabilities Act

of 1990 (ADA) throughout the Transfort system. These improvements align with the City's commitment to providing equitable, accessible, and inclusive transit services for all community members.

10. First Reading of Ordinance No. 043, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.

The purpose of this item is to request an appropriation of \$26,632 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.

11. First Reading of Ordinance No. 044, 2025, Appropriating Prior Year Reserves in the General Fund for Electric Vehicle Infrastructure Cost-sharing Fee Credits for Affordable Housing.

The purpose of this item is to continue funding for the pilot program providing Electrical Vehicle (EV) Infrastructure Offset Fee Credits for qualifying affordable housing projects. Originally, Council appropriated \$238,000 in 2022 and the balance of the funds were reappropriated in the 2023 and 2024 Reappropriation Ordinances. This item requests a supplemental appropriation for the remaining balance of \$200,000 to continue the pilot program.

12. First Reading of Ordinance No. 045, 2025, Making Supplemental Appropriation and Authorizing Transfer of Appropriation Related to FASTER Transit Program Funding for the FLEX Regional Route Operating Costs.

The purpose of this item is to support operating expenses for Transfort's commuter FLEX Regional Routes by:

- 1) Appropriating \$300,000 in unanticipated grant revenue awarded to Transfort by the Colorado Department of Transportation (CDOT) through its Fiscal Year 2024 (FY24) Funding Advancements for Surface Transportation and Economic Recovery Act of 2009 (FASTER) Transit Grant Program; and
- 2) Transferring \$300,000 of previously appropriated Transfort operational funds to meet the local match requirement for the FY24 FASTER grant.

13. First Reading of Ordinance No. 046, 2025, Making a Supplemental Appropriation of Multimodal Transportation and Mitigations Options Fund Grant Revenue for the Foothills Transit Station Project.

The purpose of this item is to appropriate unanticipated grant revenue awarded to Transfort by the North Front Range Metropolitan Planning Organization (NFRMPO). Transfort secured \$317,669 in discretionary state grant funding to construct the Foothills Transit Station and Roundabout, including design, electrical, right-of-way (ROW) acquisition costs, and related expenses, at the intersection of Overland Trail and West Elizabeth Street adjacent to Colorado State University's (CSU) Foothills Campus. The Foothills Transit Station will serve as the western terminus for multiple local and regional routes as well as the future West Elizabeth Bus Rapid Transit (BRT) line.

14. First Reading of Ordinance No. 047, 2025, Appropriating Prior Year Reserves in the Parking Fund for Hourly Expenses.

The purpose of this item is to appropriate prior year reserves from the Parking Fund to support 2025 hourly salaries.

15. Items Relating to the Carpenter and Timberline Intersection Project.

A. First Reading of Ordinance No. 048, 2025, Making a Supplemental Appropriation for the Carpenter and Timberline Intersection Project.

B. Resolution 2025-015 Authorizing the Execution of an Amendment to an Existing Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for the Carpenter and Timberline Intersection Project.

The purpose of these items is to enable the City to receive and expend Federal funds for the Carpenter and Timberline Intersection project (Project). The funds will be used for design and construction of improvements at the intersection of Carpenter Road and Timberline Road. If approved, the items will: 1) appropriate \$2,082,608 of Highway Safety Improvement Program (HSIP) grant funds to the Project; 2) authorize the Mayor to execute an amendment to the Intergovernmental Agreement (IGA) for the Project with Colorado Department of Transportation (CDOT).

The Project will not appropriate any money to the Art in Public Places Program as the Project is 100% grant funded at this time.

16. Items Relating to a State Carbon Reduction Program Grant to Fund ADA Bus Stop Improvements along Regionally Significant Corridors.

A. First Reading of Ordinance No. 049, 2025, Appropriating Prior Year Reserves and Authorizing Transfers to be Used as Local Match for Carbon Reduction Program Funding for ADA Bus Stop Improvements Projects.

B. Resolution 2025-016 Authorizing the Execution of an Intergovernmental Agreement Between the City and Colorado Department of Transportation to Fund Bus Stop Improvements Along Regionally Significant Corridors through the State Carbon Reduction Program.

The purpose of these items is to support Transfort in enhancing accessibility at bus stops in Transfort's service area.

The City was awarded \$538,447 in Carbon Reduction Program (CRP) grant funds from the Colorado Department of Transportation (CDOT) in support of Transfort performing bus stop improvements along Regionally Significant Corridors. The awarded funds and required local match of \$111,930 will support design, right-of-way (ROW) acquisition, the construction of concrete pads, and the installation of amenities such as shelters, benches, bike racks, and trash cans.

Approval of these items would support the City in enhancing accessibility at Transfort bus stops by:

- Authorizing the Mayor, by Resolution, to execute an Intergovernmental Agreement (IGA) with CDOT. This IGA will result in the receipt by Transfort of \$538,447 in CRP grant funds for fiscal year (FY) 2025.

- Transferring \$100,000 from the Community Capital Improvement Program Fund (CCIP) to the Transit Services Fund for ADA Bus Stop Improvements Projects where it will serve as local match for previously appropriated CRP Grant Funds.

17. First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions.

The purpose of this item is to amend the enforcement and penalty provision under City Code Section 9-4 to clarify that it applies to all violations under Chapter 9, including violations of the Open Fire and Burning Restrictions.

18. First Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments.

The purpose of this item is to repeal the 2021 International Fire Code and adopt the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended.

Since the City's adoption of and amendments to the 2021 IFC are being repealed in their entirety and replaced with adoption of and amendments to the 2024 IFC, all highlights and strikethrough formatting in the Ordinance show changes from the way the language appears in the 2024 IFC, as published by the ICC, not changes to the current provisions under City Code.

19. First Reading of Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The purpose of this item is to seek an amendment, as requested by the property owners of 509 Remington Street, to the Landmark boundary listed in the designation ordinance of the property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024. After review and consideration of the proposal at their February 19, 2025 hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the Landmark boundary.

20. First Reading of Ordinance No. 053, 2025, Amending the Boundary and Landmark Name of the Fred W. Stover House and Garage, 515 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The purpose of this item is to seek an amendment, as requested by the property owners of 515 Remington Street, a City Landmark designated in 1997, to the Landmark boundary and title listed in the designation ordinance of their property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024, and the barn that was shared between 515 and 509 Remington Street was relocated entirely within the 509 Remington Street parcel. After review and consideration of the proposal at their February 19, 2025, hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the boundary and the name of the Landmark.

21. Resolution 2025-017 Approving an Intergovernmental Agreement and Grant Agreement with Larimer County for a Grant From the City's Digital Inclusion Program.

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Larimer County for a Digital Inclusion grant made to the Larimer County Economic and Workforce Development to support the “Digital Roots” bilingual program.

22. Resolution 2025-018 Approving an Intergovernmental Agreement and Grant Agreement with Poudre School District for a Grant from the City’s Digital Inclusion Program.

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Poudre School District (PSD) for a grant from the City’s Digital Inclusion Program for the PSD Digital Literacy Liaison, who will support the technological literacy of PSD Family Liaisons, as well as the families and students that they serve.

23. Resolution 2025-019 Approving the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6.”

The purpose of this item is to consider the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “First Amendment”). The “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos.1 Through 6” (the “Public Benefits Agreement” or “PBA”) requires alley access to the garages of at least 40% of the total dwelling units. This First Amendment would require 45% of the total dwelling units to have non-street facing garages rather than the current requirement of 40% of total dwelling units being served by alley loaded garages. Alleys limit design flexibility for multi-unit buildings, and this First Amendment would meet the intent of the Public Benefits Agreement by ensuring garages do not dominate the streetscape within the Mulberry Metropolitan Districts 1 through 6 (the “Metro District”).

Clarifying this PBA requirement has become critical to reviewing development plans for the many phases of the planned unit development (“Bloom PUD”), while working to achieve the overall intent of providing more active and engaging streetscapes that are dominated by homes and front porches instead of driveways and garage doors.

24. Items Relating to Appointments to Various Boards and Commissions.

- A. Resolution 2025-020 Making an Appointment to the Active Modes Advisory Board.
- B. Resolution 2025-021 Making an Appointment to the Affordable Housing Board.
- C. Resolution 2025-022 Making Appointments to the Air Quality Advisory Board.
- D. Resolution 2025-023 Making Appointments to the Art in Public Places Board.
- E. Resolution 2025-024 Making Appointments to the Citizen Review Board.
- F. Resolution 2025-025 Making Appointments to the Cultural Resources Board.
- G. Resolution 2025-026 Making Appointments to the Disability Advisory Board.
- H. Resolution 2025-027 Making Appointments to the Economic Advisory Board.
- I. Resolution 2025-028 Making Appointments to the Energy Board.
- J. Resolution 2025-029 Making an Appointment to the General Employees Retirement Committee.

- K. Resolution 2025-030 Making Appointments to the Historic Preservation Commission.
- L. Resolution 2025-031 Making Appointments to the Human Relations Commission.
- M. Resolution 2025-032 Making Appointments to the Human Services and Housing Funding Board.
- N. Resolution 2025-033 Making Appointments to the Land Conservation and Stewardship Board.
- O. Resolution 2025-034 Making Appointments to the Land Use Review Commission.
- P. Resolution 2025-035 Making Appointments to the Natural Resources Advisory Board.
- Q. Resolution 2025-036 Making Appointments to the Parks and Recreation Board.
- R. Resolution 2025-037 Making an Appointment to the Planning and Zoning Commission.
- S. Resolution 2025-038 Making Appointments to the Senior Advisory Board.
- T. Resolution 2025-039 Making Appointments to the Transportation Board.
- U. Resolution 2025-040 Making Appointments to the Water Commission.
- V. Resolution 2025-041 Making an Appointment to the Women and Gender Equity Advisory Board.

The purpose of this item is to fill vacancies on various Boards and Commissions.

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

Federal Funding Update.

The purpose of this item is to share information regarding both direct and indirect impacts of federal funding shifts and executive orders on the City of Fort Collins and the community.

M) COUNCILMEMBER REPORTS

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

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION - No discussion items scheduled.

P) RESUMED PUBLIC COMMENT (if applicable)

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.)

R) ADJOURNMENT

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.

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 cuando sea posible. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.

File Attachments for Item:

1. Consideration and Approval of the Minutes of the March 4, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the March 4, 2025 Regular meeting.

March 18, 2025



AGENDA ITEM SUMMARY

City Council

STAFF

Delynn Coldiron, City Clerk

SUBJECT

Consideration and Approval of the Minutes of the March 4, 2025 Regular meeting.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the March 4, 2025 Regular meeting.

STAFF RECOMMENDATION

Staff recommends approval of the minutes.

ATTACHMENTS

1. Draft Minutes, March 4, 2025

March 4, 2025

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

**PROCLAMATIONS AND PRESENTATIONS
5:00 PM**

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. Declaring March 8, 2025 as International Women's Day.

PP 2. Declaring March 2025 as Fix-a-Leak Month.

Mayor Jeni Arndt presented the above proclamations at 5:00 p.m.

**REGULAR MEETING
6:00 PM**

B) CALL MEETING TO ORDER

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

C) PLEDGE OF ALLEGIANCE

Mayor Arndt led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

- Mayor Jeni Arndt
- Councilmember Susan Gutowsky
- Councilmember Julie Pignataro
- Councilmember Tricia Canonico
- Councilmember Melanie Potyondy
- Councilmember Kelly Ohlson

ABSENT

- Mayor Pro Tem Emily Francis

STAFF PRESENT

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

E) CITY MANAGER'S AGENDA REVIEW

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

- No changes to the published agenda.
- Items 1-19 on the Consent Calendar are recommended for adoption.
- Discussion Agenda items are due to split votes on respective First Readings.

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.)

Linda Hall requested the termination of the survey related to the Hughes Stadium site stating it has been corrupted. She stated she was selected as a community guide and commented on the two associated training sessions during which she discovered one of the other community guides was a professional actor who was an outspoken advocate for the cycling community. Hall stated she spoke to CSU about her disappointment with the process and spoke about the importance of collecting non-biased information. Additionally, Hall expressed support for a plan related to wild horse management on the site.

Rich Stave expressed questions regarding Item No. 3, *Second Reading of Ordinance No. 019, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Fort Collins Public Safety Services as Designated by the Donor*. He also noted the County already put in place a tax to fund the behavioral health facility. Additionally, Stave expressed concern about the opt-out fee for Republic trash services and questioned its legality. Further, he stated pdf files can be edited and questioned their placement in Council agendas.

Nicholas Sahwin spoke in support of the Connexion Workers' Coalition and its recognition by the City and City Manager. Sahwin stated an associated petition has collected over 400 signatures and stated they have yet to receive any information as to what it will take for the union to be recognized. He questioned whether Council is ignoring its employees and their interests and stated a framework is needed to assist in recognizing unions.

Robin (no last name given) spoke in support of the Connexion Workers' Coalition and stated the City needs to recognize the union. They also expressed concern about Transfort buses not giving priority to bicyclists at major intersections.

Jonah Salehi spoke in support of the Connexion Workers' Coalition and asked that the City recognize the union and develop a framework for City workers to unionize and achieve collective bargaining rights. He noted the firefighters' union was able to achieve its status without placing a question on the ballot.

Patricia Babbitt expressed concerns about the use of the civic assembly process for the use of the Hughes Stadium site stating the desire of voters was clear. She noted only Fort Collins voters were able to sign the petition that placed that question on the ballot, yet there is now an online survey that can be completed by anyone anywhere in the world. Additionally, she stated she has heard complaints about the accessibility of the survey from a technology and language perspective and questioned how objectively the responses will be interpreted. Babbitt also expressed concern about the transparency of the community guide aspect of the civic assembly process.

Public comment concluded at 6:19 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Councilmember Canonico thanked the speakers and requested staff input regarding the civic assembly process. Assistant City Manager Rupa Venkatesh replied 26 community guides were selected and their role is to go out into the community to conduct conversations and surveys, though there was limited time for them to do that, which is why the same survey was made available to the public on the City's website. She stated CSU's Center for Public Deliberation will be collating the survey data for themes and perspectives, not in a numerical fashion. Following that, the information will be given to the Information Committee who will be meeting to determine what the assembly will receive. Additionally, the survey is available for anyone to take; however, there are safeguards to ensure people are not responding multiple times.

Councilmember Canonico requested staff input regarding Mr. Stave's questions about Item #3. City Manager DiMartino replied the jail cells were an original part of the building intended to be temporary holding cells, though they have never been used as such. The donation will allow for the space to be reworked into office space.

Councilmember Pignataro requested information regarding Mr. Stave's question about the pdf files and whether they are ever changed. Assistant City Clerk Amani Chamberlin replied City Council's agenda is published for every meeting, and there are no changes made to that published agenda after that time unless it went through an amendment process. Additionally, he noted all pdf files are 'flattened' into a single document which does not allow for editing.

Councilmember Potyondy requested someone from staff reach out to Ms. Hall regarding her concerns about the civic assembly process. Additionally, she noted the Hughes Stadium ballot language did not zone the property as Natural Areas, but as Public Open Lands for use as parks, recreation, and open lands, natural areas, and wildlife rescue and restoration.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

None.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the February 18, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the February 18, 2025 Regular meeting.

Approved.

2. Second Reading of Ordinance No. 018, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received by City Give for Various Programs and Services as Designated by the Donors.

This Ordinance, unanimously adopted on First Reading on February 18, 2025, appropriates \$88,371.82 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. 019, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Fort Collins Public Safety Services as Designated by the Donor.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, appropriates \$450,000 in philanthropic revenue received by City Give from the Woodward Charitable Trust per the donor's designated purpose.

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.

4. **Second Reading of Ordinance No. 020, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Immigration Legal Fund, Neighborhood Services as Designated by the Donor.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, appropriates \$100,000 in philanthropic revenue received by City Give from the Colorado Health Foundation for the designated purpose of the Immigration Legal Fund.

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.

5. **Second Reading of Ordinance No. 021, 2025, Appropriating Prior Year Reserves of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Pedestrian Intersection Improvements Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, appropriates a development contribution to construction from the developer of The Standard at Fort Collins to the Pedestrian Intersection Improvements project (Project). The funds will be used for design and construction of pedestrian crossing improvements at West Prospect Road and Prospect Lane. If approved, this item will 1) appropriate \$20,000 received in 2018 as a development contribution to construction by an adjacent development and 2) appropriate \$200 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

Adopted on Second Reading.

6. **Second Reading of Ordinance No. 022, 2025, Making a Supplemental Appropriation of a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Willow Street Improvements – Linden Street to Lincoln Avenue Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, appropriates a development contribution to construction from the developer of the Bas Bleu Development to the Willow Street Improvements – Linden Street to Lincoln Avenue capital project (Project). The funds will be used for design services. If approved, this item will 1) appropriate \$29,545 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$295 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

Adopted on Second Reading.

7. **Second Reading of Ordinance No. 023, 2025, Making Supplemental Appropriations and Appropriating Prior Year Reserves and Authorizing Transfers for the College Avenue - Trilby Road Intersection Improvements Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, provides supplemental appropriations for the College Avenue - Trilby Road Intersection Improvements Project (Project). The funds will be used for construction of improvements at the intersection of South College Avenue and Trilby Road. If approved this item will: 1) appropriate \$1,294,934 from the Stormwater Reserves fund; 2) appropriate \$1,139,824 from Fort Collins-Loveland Water District (FCLWD) funds; 3) appropriate \$28,838 South Fort Collins Sanitation District (SFCSD) funds; 4) appropriate the unanticipated revenues from the sale of real property at 945 East Prospect Road; 5) transfer \$1,600,000 in Community Capital Improvement Program (CCIP) Arterial Intersection Improvements funds; 6) transfer \$246,503 from the Suniga Improvements project; 7) appropriate \$265,393 in Transportation Capital Expansion Fee (TCEF) reserve funds; and 8) appropriate \$30,789 (1% of additional funding) from the Project to the Art in Public Places (APP) program.

Adopted on Second Reading.

8. **Second Reading of Ordinance No. 024, 2025, Authorizing Transfers of Appropriations from the Laporte Avenue Bridges Project to the Laporte Avenue Multimodal Improvements Project.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, transfers funding from the Laporte Avenue Bridges project (Bridges) to the Laporte Avenue Multimodal Improvements project (Project). If approved this item will transfer the remaining \$165,075 from the Bridges to the Project.

Adopted on Second Reading.

9. **Second Reading of Ordinance No. 025, 2025, Removing a Condition on the Zoning Classification and Amending the Zoning Map of the City of Fort Collins for that Certain Property Known as the Second Fischer Rezoning.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, removes the condition on the zoning of these two parcels, which condition was part of a 2020 rezoning into the current zone district.

This is a request to rezone 1185 and 1201 Westward Drive to remain in the current zone district, but to remove a previously approved condition for a specific parking requirement in potential future development. Such a condition is currently in place upon the zoning.

Adopted on Second Reading.

10. **Second Reading of Ordinance No. 027, 2025, Annexing the Property Known as the Heritage Annexation to the City of Fort Collins, Colorado.**

This Ordinance, unanimously adopted on First Reading on February 18, 2025, annexes a 24.84-acre property located northeast of the intersection of International Boulevard and Mexico Way. The Initiating Resolution was adopted on January 7, 2025. A related item to zone the annexed property is presented as the next item on this Agenda.

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

Adopted on Second Reading.

11. Second Reading of Ordinance No. 028, 2025, Amending the Zoning Map of the City of Fort Collins, Classifying for Zoning Purposes the Property Included in the Heritage Annexation to the City of Fort Collins, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and the Lighting Context Area Map.

This Ordinance, unanimously adopted on First Reading on February 18, 2025, zones the property included in the Heritage Annexation into the Employment (E) zone district and place the property into the appropriate Non-residential Sign District and the LC1 Lighting Context Area.

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.

12. Items Relating to Election Code Changes.

- A. *Second Reading of Ordinance No. 029, 2025, Amending 7-145 of the Code of the City of Fort Collins to Clarify and Revise the Process for Enforcement of Campaign Violations.*
- B. *Second Reading of Ordinance No. 030, 2025, Amending Article V of Chapter 7 of the Code of the City of Fort Collins to Clarify and Revise the Restrictions and Requirements Related to Campaign Contributions in City Elections.*
- D. *Second Reading of Ordinance No. 032, 2025, Amending Section 7-165 of the Code of the City of Fort Collins to Clarify and Revise the Requirements for Petition Circulators.*
- E. *Second Reading of Ordinance No. 033, 2025, Amending Chapter 7 of the Code of the City of Fort Collins to Update Various Sections Related to City Elections for Consistency with the City Charter and Within Chapter 7.*

These Ordinances, unanimously adopted on First Reading on February 18, 2025, adopt amendments to the City Election Code. Ordinance No. 031 (C.) will be presented for second reading adoption under discussion due to a split vote.

A change was made to Ordinance No. 030, 2025 on First Reading with an amendment substituting in Section 2 of the Ordinance, which amends Code Section 7-135(a), "for Denver-Aurora-Lakewood" in the place of "Denver-Boulder-Greeley." This change has been incorporated into the Second Reading version that was published.

In 2015, Council formed an ad hoc committee (Election Code Committee) to review, discuss and recommend the most beneficial changes to the Code and City Charter regarding elections and other related matters. The ad hoc committee was changed to a standing committee in January 2017 for the purpose of identifying and evaluating ideas for improvements to City election laws and practices and anticipating adjustments that may be needed to adapt to a changing legal and technological environment. These items are coming forward for Council consideration based on recommendations by that Committee.

All Ordinances Adopted on Second Reading.

13. First Reading of Ordinance No. 026, 2025, Declaring Certain City-Owned Property at Pelican Marsh Natural Area as Right-of-Way and Approval of Financial Compensation to the Natural Areas Fund.

The purpose of this item is to declare approximately 0.073 acres of Pelican Marsh Natural Area as Right-of-Way (ROW) for the US 287 and Triangle Drive Signal Installation (Project).

The Project would install a new traffic signal, perform utility relocations, and make active modes improvements at the intersection of US 287 and Triangle Drive. The Project would also stripe existing pavement for a northbound left and southbound right turn lanes onto Triangle Drive from US 287. All active modes improvements will meet Americans with Disabilities Act (ADA) requirements and provide pedestrian and bicycle connections between the Ridgewood Hills and Shenandoah neighborhoods west of US 287 to the Lakeview on the Rise Subdivision east of US 287. Pursuant to the Natural Areas Easement Policy (adopted by Council in 2012), adjustments were made to the proposal to minimize impacts to the natural resources, and Engineering will compensate Natural Areas for the property rights (including right of way) needed for the Project.

Adopted on First Reading.

14. Items Relating to Development Contributions to Construction from The Landing at Lemay Development.

A. First Reading of Ordinance No. 034, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Cordova Road Corridor Project and Related Art in Public Places.

B. First Reading of Ordinance No. 035, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Vine and Lemay BNSF Overpass Project and Related Art in Public Places.

The purpose of this item is to appropriate development contributions from The Landing at Lemay development project to the Cordova Road Corridor (Cordova) and Vine and Lemay BNSF Overpass (Vine/Lemay) capital projects. If approved, this item will: 1) appropriate \$226,564 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Cordova project; 2) appropriate \$2,266 (1%) of the development contribution to construction to the Art in Public Places (APP) program; 3) appropriate \$290,163 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Vine/Lemay project; and 4) appropriate \$2,902 (1%) of the development contribution to construction to the Art in Public Places (APP) program. This item also apprises Council of the transfer of \$7,941 (3% of \$264,708) to the Transportation Capital Expansion Fee (TCEF) reserves fund for administering a Landing at Lemay payment to Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC.

Both Ordinances Adopted on First Reading.

15. First Reading of Ordinance No. 036, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the College Avenue-Drake Road Intersection Improvements Project and Related Art in Public Places.

The purpose of this item is to appropriate a development contribution for construction from the King Soopers 146 – Midtown Gardens Marketplace Development to the College Avenue-Drake Road Intersection Improvements project (Project). The funds will be used for design services. If approved, this item will: 1) appropriate \$100,265 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$1,003 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

Adopted on First Reading.**16. First Reading of Ordinance No. 037, 2025, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for the Gardens on Spring Creek Internship Program.**

The purpose of this item is to support the Gardens on Spring Creek internship program by:

- *Appropriating \$9,800 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and*
- *Utilizing matching funds in the amount of \$9,800 from existing 2025 appropriations into these new grant projects.*

In January 2025 the CDA awarded the City a total of \$9,800 under the CDA's Agricultural Workforce Development Grant Program (AWDP). The Garden's Internship Program aligns with the objective of the AWDP in addressing the shortage of skilled agricultural workers in Colorado by providing training and support through internships. The City will be providing an additional \$9,800 in required matching funds. The award funds and City's matching funds will support hiring two interns for the Garden's' summer 2025 internship program.

The \$9,800 in funds through the CDA's Agricultural Workforce Development Grant Program are state funds and are pursuant to two separate State of Colorado purchase orders, with corresponding terms and conditions. Each award/purchase order provides up to \$4,900 for each paid internship provided through the Garden's summer 2025 internship program. There is no requirement that the City sign an agreement for either award. Rather, upon the City submitting the first request for reimbursement under each award/purchase order to CDA, the City agrees to all terms and conditions of the award.

Adopted on First Reading.**17. Items Relating to the Fort Collins Police Services Victim Services Unit.**

- A. *First Reading of Ordinance No. 038, 2025, Making a Supplemental Appropriation of Funds Received from the Eighth Judicial District Victim Assistance and Law Enforcement Board in the General Fund for the Fort Collins Police Services Victim Services Unit.*
- B. *First Reading of Ordinance No. 039, 2025, Making a Supplemental Appropriation of Funds Received from the Colorado Division of Criminal Justice Under the Federal Victim of Crime Act in the General Fund for the Fort Collins Police Services Victim Services Unit.*

The purpose of these items is to help fund 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, 2025, to December 31, 2025. 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.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$17,505 for the period from January 1, 2025, to December 31, 2025, 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 25% of the salary 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 First Reading.

18. **First Reading of Ordinance No. 040, 2025, Approving the Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins, Colorado, Downtown Development Authority Governing the Use of a Line of Credit for the Financing of Downtown Development Authority Projects and Programs and Delegating to the Downtown Development Authority Thereunder the Power to Incur Debt in Relation Thereto as Authorized by State Law.**

The purpose of this item is to approve an ordinance to approve and authorize the Mayor to sign an intergovernmental agreement between the City and Downtown Development Authority (DDA) that will govern the processes for administering a line of credit for financing DDA projects and programs for a six-year term from 2025 through 2030 and a maximum pre-draw limit of \$5 million.

The current Line of Credit (LOC) established in 2012 and renewed in 2018 by the City on behalf of the DDA expired at the end of 2024. The City and DDA began taking steps in early 2024 to renew this debt instrument with First National Bank of Omaha (FNBO) for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025 and continuing through 2030. The renewal of the bank authorized Line of Credit is needed by the DDA to satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II).

On November 6, 2024, the Council Finance Committee reviewed the purpose and approach for bringing forth a third IGA to accommodate the DDA's authorization to use a Line of Credit and satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II). The Council Finance Committee was supportive of advancement of the IGA to Council.

On February 13, 2025, the DDA Board adopted Resolution 2025-02 authorizing the DDA's approval of the IGA and the line of credit promissory note from First National Bank of Omaha. The IGA is now advanced to Council and pursuant to the DDA Act requires adoption by ordinance.

Adopted on First Reading.

END OF CONSENT CALENDAR

Councilmember Pignataro moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-19 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 Pignataro asked about the Land Conservation and Stewardship Board's discussion related to Item No. 13, *First Reading of Ordinance No. 026, 2025, Declaring Certain City-Owned Property at Pelican Marsh Natural Area as Right-of-Way and Approval of Financial Compensation to the Natural Areas Fund*. Katie Donahue, Natural Areas Director, replied the Board had a number of questions, including concerns related to setting a precedent. She noted there is a process for how projects like this get reviewed and staff did clarify that process was fully followed. She noted the Board meeting minutes provided were in draft form and additional detail will be provided.

Councilmember Canonico commended the work of the mental health response team in the community and thanked Woodward Charitable Trust for recognizing that work and for the generous donation to make that work more robust, per Item No. 3, *Second Reading of Ordinance No. 019, 2025, Appropriating Unanticipated Philanthropic Revenue Received by City Give for Fort Collins Public Safety Services as Designated by the Donor*.

Councilmember Potyondy concurred and noted the mental health response team provides services that are different from and complimentary to the work being done at the County mental health facility. She also thanked staff for the balance that was found related to the Pelican Marsh item.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Mayor Jeni Arndt

- Attended the ICLEI board meeting in San Francisco and stated she now represents Fort Collins as a board member.

Councilmember Tricia Canonico

- All Councilmembers have been involved in Boards and Commissions interviews – thanks to all who applied, to the City Clerk’s Office, and Public Engagement Specialist Davina Lau for their support in the process.
- Attended the CML Legislative Workshop in Denver.

Councilmember Julie Pignataro

- Thanked those who applied for Boards and Commissions openings.

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

None.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

20. Second Reading of Ordinance No. 017, 2025, Adopting Rooted in Community, Fort Collins’ Urban Forest Strategic Plan as a Component of City Plan.

This Ordinance, adopted on First Reading on February 4, 2025, by a vote of 6-1 (Nay: Ohlson) adopts Rooted in Community, Fort Collins’ first Urban Forest Strategic Plan.

The Second Reading of this item was delayed to March 4, 2025, to allow the Planning and Zoning Commission to provide a recommendation during their meeting on February 20, 2025.

The adopted plan will align and guide future growth strategies for sustaining and growing a healthy and resilient urban forest for the people of Fort Collins and benefit the greater community as a whole.

STAFF PRESENTATION

None.

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilmember Ohlson stated he would be voting against this item again, but thanked staff for the memo on tree replacement. He commented on the importance of tree replacement in commercial and industrial zones.

Councilmember Ohlson stated he opposed the item, and will again vote against it, because it is unacceptable that the vested economic interests are the ones that are going to have the most impact on what comes to Council for potential policy changes.

Councilmember Pignataro moved, seconded by Councilmember Canonico, to adopt Ordinance No. 017, 2025, Adopting Rooted in Community, Fort Collins' Urban Forest Strategic Plan as a Component of City Plan, on Second Reading.

The motion carried 5-1.

Ayes: Mayor Arndt, Councilmembers Canonico, Gutowsky, Pignataro, and Potyondy.

Nays: Councilmember Ohlson.

21. Second Reading of Ordinance No. 031, 2025, Amending Section 7-103 of the Code of the City of Fort Collins to Remove Write-In Candidates in City Elections.

This Ordinance, adopted on First Reading on February 18, 2025 by a vote of 5-2 (Nays: Ohlson, Gutowsky), adopts an amendment to section 7-103 of City Code to remove write-in candidates in City Elections. Ordinance Nos. 029, 30, 32, 33 are being presented on second reading on the consent calendar (see item 12) because they were adopted unanimously on First Reading.

In 2015, Council formed an ad hoc committee (Election Code Committee) to review, discuss and recommend the most beneficial changes to the Code and City Charter regarding elections and other related matters. The ad hoc committee was changed to a standing committee in January 2017 for the purpose of identifying and evaluating ideas for improvements to City election laws and practices and anticipating adjustments that may be needed to adapt to a changing legal and technological environment. These items are coming forward for Council consideration based on recommendations by that Committee.

STAFF PRESENTATION

Cecilia Good, Senior Deputy City Clerk, discussed the requirements for nomination petitions to have a name added to the ballot, including having 25 signatures 70 days prior to the election. She noted write-in candidates do not currently require a nomination petition or signatures, just an affidavit of intent to run 64 days prior to the election, which in this year's election cycle would actually be 67 days prior due to the Labor Day holiday.

PUBLIC COMMENT

Rich Stave mentioned the City Clerk is not an elected position and stated write-in candidates represent the fundamental form of the democratic process. He expressed some concern about ranked choice voting and stated write-in candidates should be allowed.

COUNCIL DISCUSSION

Councilmember Ohlson asked if the Charter and Code include conflicting language related to whether a write-in candidate who won could not actually be seated. Mayor Arndt replied there is some difference of opinion on that; however, that is the language in the Charter.

Councilmember Ohlson stated he would like to see a follow-up process to allow for write-in candidates again via a Charter language change.

Councilmember Potyondy stated the language is ambiguous enough that the seating of a write-in candidate could be contested.

Councilmember Ohlson asked if there is a commitment or desire to create a process in the future that is not ambiguous or conflicting to add write-in candidates back into the process. Mayor Arndt replied that is fine with her; however, she did not want to bind any future Council. She added that the only difference between a nominated candidate and a write-in candidate is the 25 signatures and nomination petition 70 days prior to the election. She also noted that the ranked choice voting ballot would include blank lines for the number of people who filed an affidavit to be a write-in candidate.

Councilmember Potyondy noted Fort Collins does not use a system that allows for any name to be written on the ballot as a candidate must register in some form, either with or without the 25 signatures. City Clerk Coldiron confirmed there would be no blank line on a ballot if no write-in candidate affidavits are filed.

Councilmember Canonico noted allowing write-in candidates would increase the complexity of the election and may hinder having an accurate, trustworthy election.

Councilmember Ohlson stated he would like to keep the process as is given there is some ambiguity in the language. He stated he would like to see ballots include a blank line for a candidate that did not complete an affidavit.

Councilmember Pignataro provided her support for the City Clerk's Office and commented on the good work that is done in the office.

Councilmember Gutowsky stated that after hearing the discussion, she would be supporting it on Second Reading with the hope that a Charter change could be considered in the future.

Councilmember Pignataro moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 031, 2025, Amending Section 7-103 of the Code of the City of Fort Collins to Remove Write-In Candidates in City Elections, on Second Reading.

The motion carried 5-1.

Ayes: Mayor Arndt, Councilmembers Canonico, Gutowsky, Pignataro, and Potyondy.

Nays: Councilmember Ohlson.

P) RESUMED PUBLIC COMMENT

None.

Q) OTHER BUSINESS

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

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

None.

R) ADJOURNMENT

Mayor Arndt noted there will be no Council meeting next week due to the National League of Cities conference.

There being no further business before the Council, the meeting was adjourned at 6:55 p.m.

Mayor

ATTEST:

City Clerk

File Attachments for Item:

2. Second Reading of Ordinance No. 026, 2025, Declaring a Portion of City-Owned Property at Pelican Marsh Natural Area as Public Right-of-Way.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, declares approximately 0.073 acres of Pelican Marsh Natural Area as Right-of-Way (ROW) for the US 287 and Triangle Drive Signal Installation (Project).

The Project would install a new traffic signal, perform utility relocations, and make active modes improvements at the intersection of US 287 and Triangle Drive. The Project would also stripe existing pavement for a northbound left and southbound right turn lanes onto Triangle Drive from US 287. All active modes improvements will meet Americans with Disabilities Act (ADA) requirements and provide pedestrian and bicycle connections between the Ridgewood Hills and Shenandoah neighborhoods west of US 287 to the Lakeview on the Rise Subdivision east of US 287. Pursuant to the Natural Areas Easement Policy (adopted by Council in 2012), adjustments were made to the proposal to minimize impacts to the natural resources, and Engineering will compensate Natural Areas for the property rights (including right of way) needed for the Project.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Katie Donahue, Natural Areas Director
 Tawnya Ernst, Natural Areas Land Conservation Lead Specialist
 Marc Virata, TCEF Program Manager
 Jonathan Piefer, Sr Real Estate Specialist

SUBJECT

Second Reading of Ordinance No. 026, 2025, Declaring a Portion of City-Owned Property at Pelican Marsh Natural Area as Public Right-of-Way.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 4, 2025, declares approximately 0.073 acres of Pelican Marsh Natural Area as Right-of-Way (ROW) for the US 287 and Triangle Drive Signal Installation (Project).

The Project would install a new traffic signal, perform utility relocations, and make active modes improvements at the intersection of US 287 and Triangle Drive. The Project would also stripe existing pavement for a northbound left and southbound right turn lanes onto Triangle Drive from US 287. All active modes improvements will meet Americans with Disabilities Act (ADA) requirements and provide pedestrian and bicycle connections between the Ridgewood Hills and Shenandoah neighborhoods west of US 287 to the Lakeview on the Rise Subdivision east of US 287. Pursuant to the Natural Areas Easement Policy (adopted by Council in 2012), adjustments were made to the proposal to minimize impacts to the natural resources, and Engineering will compensate Natural Areas for the property rights (including right of way) needed for the Project.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

The 156-acre Pelican Marsh Natural Area is located about a half mile south of Trilby Road and immediately east of US 287. The site encompasses an irrigation reservoir, the 42-acre Robert Benson Lake. The lake provides habitat for American white pelicans, a variety of ducks, and other wetland birds, hawks, owls, and grassland birds. The natural area was acquired in 2002 in a single transaction. The proposed 0.073-acre ROW declaration and a related 0.474-acre slope alignment would cross the western boundary of the natural area adjacent to US 287. Total impacted area is approximately 0.55 acres.

The intersection of South College Avenue and Triangle Drive has a significant crash history over the past six years. There have been twenty crashes over this period with four injury crashes and one fatal crash.

Accidents have impacted resources in the Natural Area, as vehicles have left the roadway. The intersection is a priority for Fort Collins' Traffic Operations Department as it meets conditions for signalization. The intersection is also a priority for the Colorado Department of Transportation (CDOT) to make improvements that would reduce the number of crashes. The City applied for grant funding from CDOT in 2023 and CDOT committed \$682,211 towards a new signal and \$183,843 towards new pedestrian and bicycle accessibility for the intersection. In 2022, Council adopted the Active Modes Plans that recommended the construction of sidepaths on both sides of US 287 in this location.

In March 2023, the Engineering Department began design of the new signal and active modes improvements. The following design elements were identified as goals for the Project:

- New traffic signal
- Connection of the existing 8-foot sidepath on the east side of US 287 from the Lakeview on the Rise Subdivision to the intersection
- New Public ROW Accessibility Guidelines (PROWAG) compliant accessible ramps on all four corners of the intersection
- New striped crosswalks on the north and south side of Triangle Drive, across US 287
- Restriping of existing asphalt paving for a northbound left-turn, and southbound right-turn lane

Engineering staff determined that additional ROW would be necessary to install any sidepath and/or parkway and approached Natural Areas Department staff to determine if that was possible. Natural Areas staff outlined the process for a ROW declaration, as detailed in the City of Fort Collins Natural Areas and Conserved Lands Easement Policy. The process outlined reviewing practical alternatives and limiting the declaration request to be as small as possible while maintaining the identified goals of the Project.

Specifically, the City of Fort Collins Natural Areas and Conserved Lands Easement Policy (adopted by Council January 3, 2012) states the following:

"Widening or other street improvement projects on existing streets within natural areas or conserved lands will be allowed, consistent with the City Master Street Plan or comparable adopted Master Transportation Plan. The City will work to influence the alignment and design of any highway, road, or street improvement so as to avoid or minimize the effect on the natural area or conserved land."

Natural Areas and Engineering staff considered several alternatives. For illustrative purposes two alternatives were developed to demonstrate the minimum (Alternative A) and maximum (Alternative B) impacts to the natural area. (Attachment 3) Ultimately, staff and the City's consultant sought to maintain the goals of the Project while minimizing impact to the natural area. This led to the development of a Preferred Alternative described below.

On October 1, 2024, Council voted in favor of Resolution No. 120, 2024 authorizing the execution of an Intergovernmental Agreement between the City and CDOT for the Project. Subsequently on October 15, 2024, Council approved Ordinance No. 141, 2024 appropriating revenue to fund the Project.

Natural Areas staff brought the proposed ROW declaration request before the Land Conservation and Stewardship Board at their February 12, 2025, meeting. The Board voted 4 to 4, half supporting and half opposing a recommendation for Council adoption of the ROW declaration. This Agenda Item Summary provides additional information in response to comments made by the Board members for and against the ROW declaration. The Preferred Alternative specifically addresses the need to fulfill the enumerated goals of the Project while minimizing impacts to the natural area. Reducing the sidepath width would compromise the Project goal to meet the intent of the recommendations of the Active Modes Plan. Reducing the parkway width would jeopardize the ability for adequate roadway snow removal while keeping the sidepath open for active modes traffic. In addition, this would render the ramp access noncompliant with ADA and PROWAG standards. This would jeopardize the ADA funding being supplied to the Project by CDOT.

Preferred Alternative – Signal Poles and Modified Sidepath

The preferred alternative offers a compromise between Alternatives A and B and minimizes the impact to the natural area while also addressing safety concerns associated with an on-curb sidepath. This alternative includes the two signal poles, an 8-foot wide sidepath, detached from the curb along US 287 by a 6.5-foot-wide parkway. Between the two traffic signals, the parkway would be constructed with a hardscape concrete median cap as requested by the Natural Areas Department due to constraints to bringing in maintenance equipment. Outside of the intersection heading north, the parkway would be landscaped with an approved seed mix in conformance with the Natural Areas policy. The 250 feet of 8-foot wide sidepath would tie directly into the 8-foot sidewalk that was constructed along the entirety (1,500 feet) of the Lakeview on the Rise Subdivision.

Behind the sidepath there would be a 2-foot buffer before a grade change would tie into existing ground, within the proposed ROW. Within the proposed slope alignment, a 3:1 (recommended and requested by Natural Areas staff) grade behind the benched area would create a more gradual transition than the existing condition which will support restoration to a native seed mix. This will improve vegetation from its current condition which is primarily smooth brome.

Within the scope of the area defined by the Project, the existing barbed wire fence will be removed, as requested by the Natural Areas Department. The Project is in the process of securing an option letter from CDOT and hopes to finalize the plans for advertisement in March and begin construction in April 2025. The Project is anticipated to take two months to construct with completion in the Fall of 2025. Engineering Department staff are looking to coordinate the timing of the Project with the College and Trilby Intersection Improvements project to the north. Placement of a temporary signal at College and Triangle will facilitate the closure of Trilby Road to through traffic. This closure is necessary for the completion of work at the College and Trilby project.

Rather than an expanded ROW to match the existing ROW to the north, a narrower width is proposed to reduce the impacts to the Natural Area. North of Pelican Marsh the existing ROW is 75 feet east of the highway centerline. Along the Pelican Marsh Natural Area, the proposed ROW (existing and proposed) will be mostly 60 feet east of the highway centerline.

The proposed slope alignment is 81.5 feet wide at its widest point. The slope alignment covers an area that is already steeply sloped; however, the existing sloped land will be engineered and regraded to better support the highway infrastructure. The slope alignment document is intended to provide a formal record of the need to preserve the slope in its modified condition.

Environmental Impact

Natural Areas staff worked closely with Engineering to minimize impacts to the site and to identify opportunities to improve the ecological condition in this area. Currently, the site is steeply sloped (roughly a 1.5-1 slope ratio currently) and dominated by smooth brome. An ecological characteristics study (ECS) was conducted (October 2024) within a 500-foot buffer of the Triangle Drive and US 287 intersection. Vegetative species observed are typical of previously disturbed and overgrazed areas and include introduced and native grass and herbaceous species, such as smooth brome, showy milkweed, hairy willowherb, wiregrass, red sorrel and curly dock. No trees exist in the study area. The ECS also included a wetlands delineation which concluded approximately 0.034-acre of wetlands is within the ROW project's limits of disturbance. The wetland is dominated by rush (*Juncus* spp.) and broadleaf cattail (*Typha latifolia*).

No federally or state-listed threatened and endangered species are known to occur within the Project area. No prairie dog, fox, or coyote dens exist within the project area. Two sensitive and specially considered species, the common garter snake and rufous hummingbird, have the potential to occur with the Project area but were not observed. Within the Project area, common milkweed, an essential food source for the monarch butterfly and two-spotted skipper, is also present but is not highly concentrated.

The Project was reviewed by the City’s Stormwater Department to determine if it necessitated an MOP permit. However, since the Project is below the threshold for additional paved area, it did not trigger the need for additional water quality treatment.

In accordance with the City’s Land Use Code § 5.6.1(F)(2), construction activities will be timed to minimize the disturbance of and potential impacts to those species and their habitats. Temporary impacts are anticipated and are expected to be limited to construction and revegetation activities. An existing barb wire fence will be removed. All areas disturbed by construction activities will be restored to native vegetation using a seed mix approved by Natural Areas. Ongoing impacts other than infrequent maintenance are not anticipated.

CITY FINANCIAL IMPACTS

Application fee:	\$2,500
Mitigation fee:	\$7,792
Uplands: \$4,187/ac. @ .44 acres = \$1,842	
Wetlands: \$175,000/ac. @ 0.034 acres = \$5,950	
Easement/ROW Declaration fee: \$43,560/acre x 100% @ 0.073 acres	\$ 3,177
Slope notice of alignment fee: \$43,560/acre x 25% @ 0.474 acres	\$ 5,167
Total	\$18,636

Engineering will use the US 287 and Triangle Drive Signal Installation capital project funds to pay the fees to the Natural Areas Department to support administrative costs and land conservation efforts as defined in the Natural Areas Easement Policy. Real Estate Services staff completed a Comparative Market Analysis to derive the value of the ROW declaration and slope notice of alignment fees.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

At its February 12, 2025, meeting, the Land Conservation and Stewardship Board half supporting and half opposing a recommendation for Council adoption of the declaration of right-of-way on Pelican Marsh Natural Area for the Project.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration
2. Exhibit A to Ordinance

ORDINANCE NO. 026, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
DECLARING A PORTION OF CITY-OWNED PROPERTY AT
PELICAN MARSH NATURAL AREA AS PUBLIC RIGHT-OF-WAY

A. About one half mile south of Trilby Road, immediately east of Highway 287, the City owns the 156-acre Pelican Marsh Natural Area (the “Property”).

B. The City seeks to signalize the intersection at Highway 287 and Triangle Drive to address vehicle and pedestrian safety concerns (the “Project”). That intersection abuts the Property.

C. The Project will install a new traffic signal, as well as bicycle and pedestrian improvements using a sidepath to connect northeast towards the Lakeview on the Rise neighborhood. The improvements will meet accessibility requirements. On October 1, 2024, City Council authorized via Resolution 2024-120 the execution of an Intergovernmental Agreement between the City and the Colorado Department of Transportation for the Project. Subsequently on October 15, 2024, Council approved Ordinance No. 141, 2024, appropriating revenue to fund the Project.

D. The Project will use 0.073 acres of Pelican Marsh Natural Area as permanent right of way (the “ROW Parcel”). In addition, a notice of alignment is requested for related work to the Project – a 0.474-acre slope alignment. Total impacted area is 0.55 acres. The City’s Engineering Department, using Capital Project Fund monies, will pay the fees to the Natural Areas Department to support administrative costs and land conservation efforts as defined in the Natural Areas Easement Policy. Real Estate Services staff completed a Comparative Market Analysis to derive the value of the right-of-way declaration and slope notice of alignment fees. The fees total \$18,636.

E. In order to establish a public record that the ROW Parcel is intended for use by the City as right-of-way for a public roadway and related improvements, including public utilities, pedestrian, transit and bicycle access and improvements, landscaping, and such other related purposes as may now or in the future be determined appropriate, staff recommends that the City Council declare the ROW Parcel to be right-of-way.

F. Converting a piece of property owned by the City in fee simple to right-of-way constitutes a conveyance of an interest in the property, as doing so creates certain public rights in the property that would not otherwise exist on City-owned property.

G. Section 23-111(a) of the City Code authorizes the City Council to sell, convey or otherwise dispose of any interests in real property owned by the City, provided the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby declares that the real property described on Exhibit "A" shall constitute right-of-way at the Highway 287/Triangle Drive intersection and may be used for related improvements, including for public utilities, pedestrian, transit and bicycle access and improvements, landscaping, and such other related purposes as may now or in the future be determined appropriate, and hereby finds that such declaration is in the best interests of the City.

Section 2. The City Clerk shall cause this Ordinance to be recorded in the real property records of the Larimer County Clerk and Recorder's office once the Ordinance becomes effective.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Ted Hewitt

EXHIBIT OF
PROPERTY OWNED BY THE CITY OF FORT COLLINS
TO BE DECLARED AS RIGHT OF WAY

PT. OF COMMENCEMENT
W 1/4 COR. SEC 13-6-69
FD NO 6 REBAR WITH
3-1/4" ALUM CAP
STAMPED LS 20676
IN MONUMENT BOX

S89°44'19"E
50.00'

POINT OF
BEGINNING

CDOT R.O.W.

CITY R.O.W.

LAKEVIEW ON THE
RISE SUBD.

S89°44'19"E 25.37'

S0°05'14"E 2.62'

S25°57'40"W 31.88'

U. S. H I G H W A Y 2 8 7

S00°08'55"W 2668.04'
BASIS OF BEARINGS

N0°08'55"E 255.73'

AREA: 3,177 S.F.

S0°08'55"W 224.37'

CITY OF FORT COLLINS
REC. NO. 94093068

CDOT R.O.W. PER BOOK 1057 PAGE 400

N89°51'05"W 11.50'



JANUARY 20, 2025
1"=40'

SW COR. SEC 13-6-69
FD NO 6 REBAR WITH
3-1/4" ALUM CAP
STAMPED LS 20676
IN MONUMENT BOX

THIS EXHIBIT'S SOLE INTENT IS TO GRAPHICALLY
REPRESENT AND AUGMENT THE ATTACHED PROPERTY
DESCRIPTION. IT DOES NOT REPRESENT A MONUMENTED
LAND SURVEY AS DEFINED IN C.R.S. 38-51-102. IN
THE EVENT OF DIFFERENCES BETWEEN THIS EXHIBIT
AND THE ATTACHED PROPERTY DESCRIPTION, THE
INFORMATION CONTAINED WITHIN THE PROPERTY
DESCRIPTION TAKES PRIORITY.

File Attachments for Item:

3. Items Relating to Development Contributions to Construction from The Landing at Lemay Development.

A. Second Reading of Ordinance No. 034, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Cordova Road Corridor Project and Related Art in Public Places.

B. Second Reading of Ordinance No. 035, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Vine and Lemay BNSF Overpass Project and Related Art in Public Places.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, appropriate development contributions from The Landing at Lemay development project to the Cordova Road Corridor (Cordova) and Vine and Lemay BNSF Overpass (Vine/Lemay) capital projects. If approved, this item will: 1) appropriate \$226,564 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Cordova project; 2) appropriate \$2,266 (1%) of the development contribution to construction to the Art in Public Places (APP) program; 3) appropriate \$290,163 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Vine/Lemay project; and 4) appropriate \$2,902 (1%) of the development contribution to construction to the Art in Public Places (APP) program. This item also apprises Council of the transfer of \$7,941 (3% of \$264,708) to the Transportation Capital Expansion Fee (TCEF) reserves fund for administering a Landing at Lemay payment to Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Dana Hornkohl, Capital Projects Manager

SUBJECT

Items Relating to Development Contributions to Construction from The Landing at Lemay Development.

EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 034, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Cordova Road Corridor Project and Related Art in Public Places.

B. Second Reading of Ordinance No. 035, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the Vine and Lemay BNSF Overpass Project and Related Art in Public Places.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, appropriate development contributions from The Landing at Lemay development project to the Cordova Road Corridor (Cordova) and Vine and Lemay BNSF Overpass (Vine/Lemay) capital projects. If approved, this item will: 1) appropriate \$226,564 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Cordova project; 2) appropriate \$2,266 (1%) of the development contribution to construction to the Art in Public Places (APP) program; 3) appropriate \$290,163 received in 2025 from The Landing at Lemay as a development contribution to construction by an adjacent development to the Vine/Lemay project; and 4) appropriate \$2,902 (1%) of the development contribution to construction to the Art in Public Places (APP) program. This item also apprises Council of the transfer of \$7,941 (3% of \$264,708) to the Transportation Capital Expansion Fee (TCEF) reserves fund for administering a Landing at Lemay payment to Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

In 2024, TTRES CO Fort Collins Vine, LLC (“Developer”) entered into a Development Agreement (DA) with the City. (Attachment 3) The DA laid out the requirements and conditions for the development of The Landing at Lemay property bounded by North Lemay Avenue (west), Duff Drive (South), and the future extension of Cordova Road (east). The DA contemplated the Developer would make payments for the

improvements listed below that had been constructed and are to be constructed. These payments total \$781,435; the City collected these development contributions to construction in 2025:

1. Future Onsite Cordova Road (DA Section II.D.1): 233.5-feet at \$311 per foot, \$72,619
2. Future Offsite Cordova Road (DA Section II.D.2.a): 495.0-feet at \$311 per foot, \$153,945
3. North Lemay Avenue (DA Section II.D.4): 933.0-feet x \$311 per foot, \$290,163
4. Duff Drive (DA Section II.D.5): \$264,708

The Landing at Lemay's development contributions for Cordova Road (No. 1 and 2) are proposed to be appropriated to the Cordova capital project to aid in the design, acquisition, and construction of Cordova Road between Duff Drive and North Link Lane. Cordova Road is classified as a two-lane arterial roadway on the Master Street Plan adopted by Council on December 5, 2023. The establishment of the alignment and classification of Cordova Road originated with the East Mulberry Corridor Plan adopted by Council on September 17, 2002.

The Landing at Lemay's development contribution for North Lemay Avenue is for the reimbursement to the City for the local access portion of construction of the Vine/Lemay project along the development's frontage. Since the substantial completion of the Vine/Lemay project in December 2021 there have been changes to the Public Right-of-Way Accessibility Guidelines (PROWAG) and the Colorado Department of Public Health and Environment (CDPHE) groundwater discharge permit requirements. The changes impacted the Vine/Lemay project during the warranty period and led to significant additional costs. First, the traffic signal at Buckingham Street/Duff Drive and North Lemay Avenue was not finalized until recently because the intersection has just met warrants for traffic volumes. With the changes to PROWAG, there was a need to rework the accessible ramps and pedestrian push buttons to meet the updated standards. Second, changes to CDPHE groundwater discharge permitting rules led to significant groundwater monitoring costs. It was not contemplated during design and construction that groundwater discharge from the constructed pedestrian underpass would need to be monitored for contaminants. The CDPHE rule changes now require this monitoring. The development contribution to the Vine/Lemay project will help to offset these unforeseen costs.

The Landing at Lemay's development contribution for Duff Drive is a reimbursement of the local access portion of the development's frontage to the prior development to the south that constructed this roadway, Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC. This payment was calculated to be \$264,708. The City is entitled to 3% (\$7,491) as a fee to administer this reimbursement. This administration fee will be transferred to the TCEF reserves fund.

CITY FINANCIAL IMPACTS

The Landing at Lemay's development contribution to construction payments are allocated to two capital projects in this agenda item, the Cordova Road Corridor project and the Vine and Lemay BNSF Overpass project. The summaries of those project appropriations showing these funds from The Landing at Lemay are below.

The following is a summary of the funding anticipated for the design, acquisition, and construction for the Cordova Road Corridor project.

Prior Appropriated Funds	
Development Contributions to Construction	\$ 500,000
TOTAL PRIOR APPROPRIATION	\$ 500,000
Funds to be Appropriated per this Action	
Development Contributions to Construction	\$ 226,564
Total Funds to be Appropriated per this Action	\$ 226,564
Proposed Transfer to Art in Public Places	\$ 2,266
Total Proposed Project Funds	\$ 726,564

The total fund amount for the Cordova project is \$726,564 composed of prior appropriated funds and funds appropriated with this action.

The following is a summary of the funding anticipated for the design, acquisition, and construction for the Vine and Lemay BNSF Overpass project.

Prior Appropriated Funds	
General Fund	\$ 1,477,500
Transportation Capital Expansion Fee (TCEF) Funds	\$ 12,357,869
Transportation Services Fund Reserves	\$ 20,020
Special Revenue and Debt Services Funds	\$ 12,000,000
Conservation Trust Fund	\$ 1,242,000
Keep Fort Collins Great Fund	\$ 1,373,240
Utilities Water Reserves	\$ 850,000
Community Capital Improvement Program (CCIP) Grade Separated Crossing	\$ 500,000
Community Capital Improvement Program (CCIP) Reserves	\$ 283,000
TOTAL PRIOR APPROPRIATION	\$30,103,629
Funds to be Appropriated per this Action	
Development Contributions to Construction	\$ 290,163
Total Funds to be Appropriated per this Action	\$ 290,163
Proposed Transfer to Art in Public Places	\$ 2,902
Total Proposed Project Funds	\$30,393,792

The total fund amount for the Vine/Lemay project is \$30,393,792 composed of prior appropriated funds and funds appropriated with this action.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Cordova capital project is identified as part of the Master Street Plan adopted by Council on December 5, 2023. The project has not been presented to any board, commission, or committee at this time. It is anticipated that as the project moves forward, it will likely be brought before the Transportation Board and/or Council.

The Vine/Lemay project is substantially complete. Prior to construction, the project was presented to several boards and commissions including Council, Council Finance Committee, Downtown Development Authority Board of Directors, and Transportation Board.

PUBLIC OUTREACH

Staff will work with the Communications and Public Involvement Office to develop and implement a comprehensive public engagement plan for the Cordova capital project.

Prior to and during construction the Vine/Lemay capital project was presented at numerous public outreach events including open house events held in 2016, 2017, and 2019.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance A for Consideration
2. Ordinance B for Consideration

ORDINANCE NO. 034, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING A DEVELOPMENT CONTRIBUTION TO
CONSTRUCTION AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE CORDOVA ROAD CORRIDOR
PROJECT AND RELATED ART IN PUBLIC PLACES

A. The purpose of this item is to appropriate development contributions to construction that the City collected in 2025 from the developer of The Landing at Lemay development project to the Cordova Road Corridor capital project (the “Project”).

B. In 2024, TTRES CO Fort Collins Vine, LLC (“Developer”) entered into a Development Agreement (“DA”) with the City. The DA sets forth the requirements and conditions for the development of The Landing at Lemay property bounded by North Lemay Avenue (to the west), Duff Drive (to the south), and the future extension of Cordova Road (to the east). The DA contemplates that the Developer would make development contributions to construction payments for improvements including the future Cordova Road (DA Section II.D.1 and DA Section II.D.2.a).

C. The Landing at Lemay’s development contributions for Cordova Road are proposed to be appropriated to the Project to aid in the design, acquisition, and construction of Cordova Road between Duff Drive and North Link Lane. Cordova Road is classified as a two-lane arterial roadway on the Master Street Plan adopted by City Council on December 5, 2023. The establishment of the alignment and classification of Cordova Road originated with the East Mulberry Corridor Plan adopted by City Council on September 17, 2002.

D. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

E. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transportation Services fund and Capital Projects fund that this appropriation will not cause the total amount appropriated in Transportation Services Fund and Capital Projects fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this fund during this fiscal year.

F. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially

appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance

G. The City Manager has recommended the transfer of \$226,564 from the Transportation Services fund to the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

H. This Project involves construction estimated to cost more than \$250,000 and, as such, City Code Section 23-304 requires one percent of these appropriations to be transferred to the Cultural Services and Facilities Fund for a contribution to the Art in Public Places ("APP") program.

I. The total project cost of \$226,564 has been used to calculate the contribution to the APP program.

J. The amount to be contributed in this Ordinance will be \$2,266.

K. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made but continue until the completion of the capital project.

L. The City Council wishes to designate the appropriation herein for the Project as an appropriation that shall not lapse until the completion of the Project.

M. The appropriations in this Ordinance benefit public health, safety, and welfare of the residents of Fort Collins and the traveling public and serve the public purpose of improving transportation infrastructure within the city.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue in the Transportation Services Fund the sum of TWO HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED SIXTY-FOUR DOLLARS (\$226,564) to be expended in the Transportation Services fund for Transfer to the Capital Projects fund to be expended therein for the design of the Cordova Road Corridor Project.

Section 2. The unexpended and unencumbered appropriated amount of ONE THOUSAND SEVEN HUNDRED SIXTY-SEVEN DOLLARS (\$1,767) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein to fund art projects under the APP program.

Section 3. The unexpended and unencumbered appropriated amount of FOUR HUNDRED FIFTY-THREE DOLLARS (\$453) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the operation costs of the APP program.

Section 4. The unexpended and unencumbered appropriated amount of FORTY-FIVE DOLLARS (\$45) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the maintenance costs of the APP program.

Section 5. The appropriation herein for Cordova Road Corridor Project is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the completion of the project.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Heather N. Jarvis

ORDINANCE NO. 035, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING A DEVELOPMENT CONTRIBUTION TO
CONSTRUCTION AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE VINE AND LEMAY BNSF
OVERPASS PROJECT AND RELATED ART IN PUBLIC PLACES

A. The purpose of this item is to appropriate development contributions to construction that the City collected in 2025 from the developer of The Landing at Lemay development project to the Vine and Lemay Burlington Northern Santa Fe Railroad (“BNSF”) Overpass capital project (the “Project”).

B. In 2024, TTRES CO Fort Collins Vine, LLC (“Developer”) entered into a Development Agreement (“DA”) with the City. The DA sets forth the requirements and conditions for the development of The Landing at Lemay property bounded by North Lemay Avenue (to the west), Duff Drive (to the south), and the future extension of Cordova Road (to the east). The DA contemplates that the Developer would make a development contribution to construction payment for improvements on North Lemay Avenue (DA Section II.D.4).

C. The Landing at Lemay’s development contribution for North Lemay Avenue is for the reimbursement to the City for the local access portion of construction of the Project along The Landing at Lemay development’s frontage. After the substantial completion of the Project in December 2021, there have been changes to the Public Right-of-Way Accessibility Guidelines (PROWAG) and the Colorado Department of Public Health and Environment (CDPHE) groundwater discharge permit requirements. The changes impacted the Project during the warranty period and led to significant additional costs, including a traffic signal and needs brought on by PROWAG to rework the accessible ramps and pedestrian push buttons to meet the updated standards. The CDPHE groundwater discharge permitting rules led to significant groundwater monitoring costs not contemplated during design and construction. The development contribution to the Project will help to offset these unforeseen costs.

D. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

E. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transportation Services fund and the Capital Projects fund that this appropriation will not cause the total amounts appropriated in the Transportation Services fund and the Capital Projects fund to exceed the current estimate of actual and

anticipated revenues and all other funds to be received in these funds during this fiscal year.

F. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

G. The City Manager has recommended the transfer of \$290,163 from the Transportation Services fund to the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

H. This Project involves construction estimated to cost more than \$250,000 and, as such, City Code Section 23-304 requires one percent of these appropriations to be transferred to the Cultural Services and Facilities Fund for a contribution to the Art in Public Places ("APP") program.

I. The total project cost of \$290,163 has been used to calculate the contribution to the APP program.

J. The amount to be contributed in this Ordinance will be \$2,902.

K. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made but continue until the completion of the capital project.

L. The City Council wishes to designate the appropriation herein for the Project as an appropriation that shall not lapse until the completion of the Project.

M. The appropriations in this Ordinance benefit public health, safety, and welfare of the residents of Fort Collins and the traveling public and serve the public purpose of improving transportation infrastructure, safety, and accessibility within the city.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new or other revenue in the Transportation Services Fund the sum of TWO HUNDRED NINETY THOUSAND ONE HUNDRED SIXTY-THREE DOLLARS (\$290,163) to be expended in the Transportation

Services fund for Transfer to the Capital Projects fund to be expended therein for the Vine and Lemay BNSF Overpass Project.

Section 2. The unexpended and unencumbered appropriated amount of TWO THOUSAND TWO HUNDRED SIXTY-FOUR DOLLARS (\$2,264) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein to fund art projects under the APP program.

Section 3. The unexpended and unencumbered appropriated amount of FIVE HUNDRED EIGHTY DOLLARS (\$580) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the operation costs of the APP program.

Section 4. The unexpended and unencumbered appropriated amount of FIFTY-EIGHT Dollars (\$58) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the maintenance costs of the APP program.

Section 5. The appropriation herein for the Vine and Lemay BNSF Overpass Project is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the completion of the Project.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Heather N. Jarvis

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DEVELOPMENT AGREEMENT BETWEEN THE CITY OF FORT COLLINS AND
TTRES CO Fort Collins Vine, LLC

THIS DEVELOPMENT AGREEMENT (the "**Agreement**"), is made and entered into this 10th day of July 2024, by and between the CITY OF FORT COLLINS, COLORADO, a Municipal Corporation, hereinafter referred to as the "**City**"; and TTRES CO Fort Collins Vine, LLC, a Delaware limited liability company, operating as a foreign corporation subject to the requirements of the Colorado Secretary of State (ID# 20231145960), hereinafter referred to as the "**Developer**."

WITNESSETH:

WHEREAS, the Developer is the owner of certain real property situated in the County of Larimer, State of Colorado (hereafter sometimes referred to as the "**Property**" or "**Development**") and legally described as follows, to wit:

Lot 1, Block 1, LOCATED IN THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH P.M., City of Fort Collins, County of Larimer, State of Colorado, as further described as a portion of the plat recorded at Rec. No. 20240024906 in the real property records of the Larimer County Clerk & Recorder.

WHEREAS, the Development is known to the City as The Landing at Lemay, ID# PDP230004, and FDP230020; and

WHEREAS, the Developer desires to develop the Property and has submitted to the City all plats, plans (including utility plans), reports and other documents required for the approval of a final plan according to the City's development application submittal requirements master list (collectively, the "**Final Development Plan Documents**"), copies of which are on file in the office of the City Engineer and made a part hereof by reference; and

WHEREAS, the parties acknowledge that Developer intends to develop the Property in multiple phases (each, a "**Phase**") as generally described herein; and

WHEREAS, the parties hereto have agreed that the development of the Property will require increased municipal services from the City in order to serve such area and will further require the installation of certain improvements primarily of benefit to the Property and not to the City as a whole; and

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WHEREAS, the City has approved the Final Development Plan Documents submitted by the Developer, subject to certain requirements and conditions, which involve the installation of and construction of utilities and other municipal improvements in connection with the development of the Property, all as described herein.

NOW, THEREFORE, in consideration of the promises of the parties hereto and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, it is agreed as follows:

I. General Conditions

A. The Recitals set forth above are hereby incorporated in and made a part of this Agreement by this reference.

B. References to the City Code, Land Use Code, or other laws, regulations, or rules shall include subsequent amendments thereto or adopted laws, regulations, or rules intended to replace or otherwise supersede prior laws, regulations, or rules. By way of example, if the City were to adopt in the future a revised Land Use Code that replaces and supersedes the current Land Use Code, then the relevant section of the revised Land Use Code would apply in lieu of the Land Use Code provisions referenced herein. Notwithstanding, the foregoing language is not intended to alter or otherwise affect valid vested rights except as may be provided for in § 24-68-105, C.R.S.

C. The terms of this Agreement shall govern all development activities of the Developer pertaining to the Property. For the purposes of this Agreement, "**development activities**" shall include, but not be limited to, the following: (1) the actual construction of improvements, (2) obtaining a permit therefor, or (3) any change in grade, contour or appearance of the Property caused by, or on behalf of, the Developer with the intent to construct improvements thereon.

D. All water lines, sanitary sewer collection lines, storm sewer lines and facilities, streets, curbs, gutters, sidewalks, and bike paths shall be installed as shown on the Final Development Plan Documents and in full compliance with the standards and specifications of the City on file in the office of the City Engineer at the time of approval of the utility plans relating to the specific utility, subject to a three (3) year time limitation from the date of approval of the site specific development plan. In the event that the Developer commences or performs any construction pursuant hereto after the passage of three (3) years from the date of approval of the site-specific development plan, the Developer shall resubmit the utility plans to the City Engineer for reexamination. The City may then require the Developer to comply with the approved standards and specifications of the City on file in the office of the City Engineer at the time of the resubmittal.

E. No building permit for the construction of any structure within the Property shall be issued by the City until the public water lines and stubs to each lot, fire hydrants, electrical lines, sanitary sewer lines and stubs to each lot, and public streets (including curb, gutter, sidewalk, and pavement with at least the base course completed) serving

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such structure have been completed and accepted by the City. No building permits shall be issued for any structure within the Development located in excess of six hundred and sixty feet (660') from a single point of access, unless the structures contain sprinkler systems that are approved by the Poudre Fire Authority.

F. Any water lines, sanitary sewer lines, storm drainage lines, electrical lines, and/or streets described on Exhibit A, attached hereto and incorporated herein by reference, shall be installed within the time and/or sequence required on Exhibit A. If the City Engineer has determined that any water lines, sanitary sewer lines, storm drainage facilities and/or streets are required to provide service or access to other areas of the City, those facilities shall be shown on the Final Development Plan Documents and shall be installed by the Developer within the time as established under the Special Conditions section of this Agreement.

G. Except as otherwise herein specifically agreed, the Developer agrees to install and pay for all water, sanitary sewer, storm drainage facilities and appurtenances, all streets, curbs, gutters, sidewalks, bikeways and other public improvements required by this Development as shown on the Final Development Plan Documents and other approved documents pertaining to this Development on file with the City.

H. The street improvements described in this Agreement shall not be installed until all utility lines to be placed therein have been completely installed, including all individual lot service lines (water and sewer) leading in and from the main to the Property line and all electrical lines.

I. The installation of all public utilities shown on the Final Development Plan Documents shall be inspected by the Engineering Department of the City and shall be subject to such department's approval. Developer shall be responsible for obtaining any and all private/third party approvals required for the installation of any private utilities shown on the Final Development Plan Documents. The Developer agrees to correct any deficiencies in such installations in order to meet the requirements of the Final Development Plan Documents. In case of conflict, the Final Development Plan Documents shall supersede the City's standard specifications, except that if the conflicts are a result of Federal or State mandated requirements, then the Federal or State mandated requirements shall prevail.

J. Unless authorized by the City pursuant to law, the public right-of-way shall not be used for staging or storage of materials or equipment ("**Staging**") associated with the Development, nor shall it be used for parking by any contractors, subcontractors, or other personnel working for or hired by the Developer to construct the Development. The Developer shall find a location(s) on private property to accommodate any necessary Staging and/or parking needs associated with the completion of the Development. Information on the location(s) of these areas shall be provided to the City as a part of the Development Construction Permit application.

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K. All privately maintained streets within the Development shall be constructed in accordance with the Final Development Plan Documents. Public easements shall be provided for access, utilities, and drainage as required by the design and location of such infrastructure and as reflected in the Final Development Plan Documents. Alignment and grades on privately maintained streets and drives shall allow for safe access, ingress and egress by owners, visitors, the general public, and public safety officials and equipment, as set forth on the plat for the Property. Any private streets constructed at less than the standards set forth in the Larimer County Urban Area Street Standards ("LCUASS") will not be accepted by the City for ownership and maintenance until the streets are improved to meet LCUASS.

L. All storm drainage facilities shall be designed and constructed by the Developer so as to protect downstream and adjacent properties against injury and to adequately serve the Property (and other lands as may be required, if any). The Developer shall meet or exceed the minimum requirements for storm drainage facilities as have been established by the City in its Drainage Master Plans and Design Criteria. The Developer, for itself and its successor(s) in interest, does hereby indemnify and hold harmless the City from any and all claims that might arise, directly or indirectly, as a result of the discharge of injurious storm drainage or seepage waters from the Property in a manner or quantity different from that which was historically discharged and caused by the design or construction of the storm drainage facilities, except for (1) such claims and damages as are caused by the acts or omissions of the City in maintenance of such facilities as have been accepted by the City for maintenance; (2) errors, if any, in the general concept of the City's master plans (but not to include any details of such plans, which details shall be the responsibility of the Developer); and (3) specific written or otherwise documented directives that may be given to the Developer by the City. No language in this Paragraph shall be construed or interpreted as establishing in any way the City's liability for any act or omission and the terms of this Paragraph solely relate to the Developer's obligation to indemnify and hold harmless the City. The City agrees to promptly give notice to the Developer of any claim made against it to which this indemnity and hold harmless agreement by the Developer could apply, and the Developer shall have the right to defend any lawsuit based on such claim and to settle any such claim provided Developer must obtain a complete discharge of all City liability through such settlement. Failure of the City to give notice of any such claim to the Developer within ninety (90) days after the City first receives a notice of such claim under the Colorado Governmental Immunity Act for the same, shall cause this indemnity and hold harmless agreement by the Developer to not apply to such claim and such failure shall constitute a release of this indemnity and hold harmless agreement as to such claim. Approval of and acceptance by the City of any storm drainage facility design or construction shall in no manner be deemed to constitute a waiver or relinquishment by the City of the aforesaid indemnification. The Developer shall engage a Colorado licensed professional engineer to design the storm drainage facilities as aforesaid and it is expressly affirmed hereby that such engagement shall be intended for the benefit of the City, and subsequent purchasers of property in the Development.

M. The Developer shall pay the applicable "stormwater plant investment fee"

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in accordance with Chapter 26, Article VII of the Code of the City of Fort Collins (the "**City Code**"). This fee is included with building permit fees and shall be paid prior to the issuance of each building permit.

N. The Developer shall provide as-built drawings to the City for review and acceptance upon completion of each Phase of the construction. Utilities will not be initially accepted prior to as-built drawings being submitted to and approved by the City. Developer shall provide the City Engineer with certified Record Plan Transparencies on Black Image Diazo Reverse Mylars for acceptance prior to the issuance of the first certificate of occupancy for each Phase of the Project.

O. The Developer specifically represents that to its knowledge all property dedicated (both in fee simple and as easements) to the City associated with this Development (whether on or off-site) is in compliance with all environmental protection and anti-pollution laws, rules, regulations, orders or requirements, including solid waste requirements, as defined by the U. S. Environmental Protection Agency Regulations at 40 C.F.R., Part 261, and that such property as is dedicated to the City pursuant to this Development, is in compliance with all such requirements pertaining to the disposal or existence in or on such dedicated property of any hazardous substances, pollutants or contaminants, as defined by the Comprehensive Environmental Response Compensation and Liability Act of 1980, as amended, and regulations promulgated thereunder. The Developer, for itself and its successor(s) in interest, does hereby indemnify and hold harmless the City from any liability whatsoever that may be imposed upon the City by any governmental authority or any third party, pertaining to the disposal of hazardous substances, pollutants or contaminants, and cleanup necessitated by leaking underground storage tanks, excavation and/or backfill of hazardous substances, pollutants or contaminants, or environmental cleanup responsibilities of any nature whatsoever on, of, or related to any property dedicated to the City in connection with this Development, provided that such damages or liability are not caused by circumstances arising entirely after the date of acceptance by the City of the public improvements constructed on the dedicated property, except to the extent that such circumstances are the result of acts or omissions of the Developer. Said indemnification shall not extend to claims, actions or other liability arising as a result of any hazardous substance, pollutant or contaminant generated or deposited by the City, its agents or representatives, upon the property dedicated to the City in connection with this Development. The City agrees to give notice to the Developer of any claim made against it to which this indemnity and hold harmless agreement by the Developer could apply, and the Developer shall have the right to defend any lawsuit based on such claim and to settle any such claim provided the Developer must obtain a complete discharge of all City liability through such settlement. Failure of the City to give notice of any such claim to the Developer within ninety (90) days after the City first receives a notice of such claim under the Colorado Governmental Immunity Act for the same, shall cause this indemnity and hold harmless agreement by the Developer to not apply to such claim and such failure shall constitute a release of this indemnity and hold harmless agreement as to such claim.

P. The Developer acknowledges and agrees that the City, as the owner of any adjacent property (the "**City Property**") on which off-site improvements may be

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constructed, or that may be damaged by the Developer's activities hereunder, expressly retains (and does not by this Agreement waive) its rights as property owner. The City's rights as owner of the City Property may include without limitation those rights associated with the protection of the City Property from damage, and/or the enforcement of restrictions, limitations, and requirements associated with activities on the City Property by the Developer as an easement recipient.

Q. If the Developer or its contractor or any agent or representative of the Developer causes damage to any public infrastructure (including without limitation, any surface pavers, flagstones, or other stone or concrete surfaces, planters, street and decorative lights, or canopies) such damage shall be promptly repaired with the same kind, quality, color, serviceability and material composition aspects as was possessed by the infrastructure immediately prior to incurring such damage, unless otherwise expressly agreed to by the City in writing.

II. Special Conditions

A. Water Lines

Not applicable.

B. Sewer Lines

Not applicable.

C. Storm Drainage Lines and Appurtenances

1. The Developer agrees to provide and maintain erosion and sediment control improvements as shown on the Final Development Plan Documents until all disturbed areas in and adjacent to this Development's construction activities are stabilized. The Developer shall also be required to post security ("**Security**") in the amount shown in the Final Development Plan Documents prior to beginning construction to guarantee the proper installation and maintenance of the improvements described therein, and upon completion of construction, removal of the erosion and sediment control measures shown on the Final Development Plan Documents. Said Security shall be made in accordance with the criteria set forth in the City's Stormwater Criteria Manual ("**Criteria**") referenced at City Code § 26-500. When said Security is a letter of credit or a bond the Developer shall replace the Security no later than thirty (30) days before its expiration date. If the Security posted by the Developer is a letter of credit, and such letter has not been replaced or renewed within thirty (30) days of its expiration date, the City may elect to draw and hold the funds as it sees fit. The City shall have the option in any case to also withhold building permits and certificates of occupancy, as stated in Paragraph III.D of this Agreement, as it deems necessary in order to ensure that at all times the Developer is maintaining appropriate levels of security to guarantee completion of the erosion and sediment control improvements. If, at any time, the Developer fails to abide by the erosion control provisions of the Final Development Plan Documents or the erosion control provisions of the Criteria after receiving notice of the same or an

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emergency situation exists which would reasonably require immediate mitigation measures, then, in either event, and notwithstanding any provisions contained in Paragraph III.J to the contrary, the City may enter upon the Property for the purpose of making such improvements and undertaking such activities as may be necessary to ensure that the provisions of the Final Development Plan Documents and the Criteria are properly enforced. The City may apply such portion of the Security as may be necessary to pay all costs incurred by the City in undertaking the administration, construction, and/or installation of the erosion control measures required by said plans and the Criteria. In addition, subject to Section I.N above, Developer shall have the option to request building permits and certificates of occupancy for certain improvements prior to the completion of all Phases as long as Developer installs, maintains, and ultimately removes the erosion and sediment control measures as and when required by the City throughout the build-out of this Development. When identified, any violations of applicable laws, regulations, or policies regarding erosion and sediment control are to be corrected immediately per Part I.D.8 of the Developer's Colorado Discharge Permit System ("CDPS") Permit for Stormwater Discharges Associated with Construction Activity as required by the Colorado Department of Public Health and Environment ("CDPHE") and City Code § 26-498, Water Quality Control. If no CDPS Permit is required, violations of any applicable laws, regulations, or policies regarding erosion and sediment control are to be corrected immediately as required by the CDPHE and the Environmental Protection Agency ("EPA") in accordance with the Clean Water Act, and City Code § 26-498, Water Quality Control. Failure to correct any violation shall permit the City to issue a "stop work order" preventing the Developer from continuing construction of any kind within the Development until fully corrected. Upon stabilization of the disturbed areas, and upon the request of the Developer, the City will confirm that the Property is stabilized from potential erosion and sediment control discharges from construction activities and that all temporary erosion and sediment control measures used by the Developer are removed. In confirmation by the City that the Property is stabilized, any remaining portions of the Security that is associated with the adequate maintenance of erosion and sediment control improvements shall be returned to the Developer.

2. All on-site and off-site storm drainage improvements associated with this Development, as shown on the Final Development Plan Documents, shall be completed by the Developer in accordance with said Final Development Plan Documents prior to the issuance any certificate of occupancy. Completion of improvements shall include the certification by a professional engineer licensed in Colorado that the drainage facilities which serve this Development have been constructed in conformance with said Final Development Plan Documents. Said certification shall be submitted to the City for review and acceptance at least two (2) weeks prior to the issuance of any certificate of occupancy in this Development.

3. For private permanent water quality improvements located on private property associated with this Development (the "**Private Water Quality Improvements**"), on-site inspection by a City Inspector is required to verify the proper installation of such improvements at different stages of construction as specified in the City's Overall Site and Drainage Certification form. In the event of non-compliance, the City Inspector shall

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have the option to withhold building permits and certificates of occupancy. In addition, the City may avail itself of any other legal remedy that may be provided in the City Code, the Fort Collins Land Use Code (“**Land Use Code**”) or this Agreement, as deemed necessary in order to ensure that the Developer or its successor(s) in interest properly installs and maintains the Private Water Quality Improvements as specified in the Final Development Plan Documents.

4. The Developer or its successor(s) in interest shall be responsible for maintaining the structural integrity and operational function of all drainage facilities constructed as part of this Development including, but not limited to, all drainage facilities and water quality features, extended detention water quality basins, bioretention facilities and permeable pavement systems. These drainage facilities and features must be maintained in their original operational integrity throughout the build-out of this Development, following the completion of the construction of said facilities and features, and after acceptance of said facilities and features as certified to the City. If at any time following construction and certification (as required pursuant to Paragraph II.C.2 above) or during the construction of additional structures or lots within this Development, the City determines that said drainage facilities and features no longer comply with the Final Development Plan Documents, the City may give written notice to the Developer of all items that do not comply with the Final Development Plan Documents and request the restoration of the drainage facilities and features back to the function, standards and specifications designed and specified in the Final Development Plan Documents. Failure to maintain the structural integrity and operational function of said drainage facilities and features following certification will result in the withholding of the issuance of additional building permits and/or certificates of occupancy and, in addition, the City may avail itself of any other legal remedy that may be provided in the City Code, the Land Use Code and/or this Agreement until said drainage facilities and water quality features are repaired and restored to the physical characteristics, operational function and structural integrity originally specified in the Final Development Plan Documents approved by the City for this Development.

5. All lots must be graded to drain in the configuration shown on the Final Development Plan Documents. For this reason, the following requirements shall be followed for all buildings/structures on all lots:

- a. Prior to the issuance of a certificate of occupancy for any lot or building the Developer shall provide the City with certification that the lot has been graded in compliance with the Final Development Plan Documents. This grading certification shall demonstrate that the lot and building finish floor elevation has been built in accordance with the elevation specified on the Final Development Plan Documents. The certification shall also show that the minimum floor elevation or minimum opening elevation for any building constructed is in compliance with the minimum elevation as required on the Final Development Plan Documents. The certification shall demonstrate as well that any minor swales adjacent to the building or on the lot have been graded correctly and in accordance with the grades shown on the Final Development Plan Documents. The certification shall also show that the elevations of all corners of the lot are in accordance with the

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elevations shown on the Final Development Plan Documents. Said certification shall be completed by a Colorado licensed professional engineer and shall be submitted to the City for review and acceptance at least two (2) weeks prior to the requested date of issuance of the applicable certificate of occupancy.

- b. The Developer shall obtain the City's prior approval of any changes from the Final Development Plan Documents in grade elevations and/or storm drainage facility configuration that occur as a result of the construction of buildings and/or development of lots, whether by the Developer or others. The City reserves the right to withhold the issuance of building permits and certificates of occupancy for this Development until the City has deemed such changes as being acceptable for the safe and efficient delivery of storm drainage water.
- c. The Developer shall limit the construction of the off-site storm drainage improvements to the limits of construction as shown on the Final Development Plan Documents. The Developer shall re-seed and restore all areas that are disturbed during construction of the off-site storm drainage improvements in accordance with the Final Development Plan Documents promptly following construction. The Developer shall ensure that no negative impact occurs to the adjoining properties during the construction of these facilities. No grading shall be done outside of the approved areas as shown on the Final Development Plan Documents.
- d. Developer's drainage design for this Development includes evacuation of storm drainage runoff out of the water quality and detention facilities and into the drainage outfall system in a reasonable amount of time. The water quality and detention facilities have been designed to discharge stormwater runoff from frequent storms over a forty (40) hour period through a small diameter outlet. Under the intended operation of the water quality and detention pond, there will not be standing water in these facilities after more than forty-eight (48) hours after the end of a rainfall event. If after construction and acceptance of the detention facilities associated with this Development, surfacing or standing water conditions persist in these facilities, and if such conditions are beyond what can be expected in accordance with the approved stormwater design, the Developer shall promptly, upon such discovery, install an adequate de-watering system in the detention facilities. Such a system shall be reviewed and approved by the City prior to installation.
- e. Developer's drainage design for this Development includes evacuation of storm drainage runoff through bioretention facilities and into the drainage outfall system in a reasonable amount of time. These bioretention facilities have been designed to discharge stormwater runoff from frequent storms over a twelve (12) hour period. Under the intended operation of these bioretention facilities, there will not be standing water in the facility after more than twenty-four (24) hours after the end of a rainfall event. If after construction and acceptance of the bioretention facility associated with this Development, surfacing or standing water conditions persist in this facility, and if such conditions are beyond what can be expected in

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accordance with the approved stormwater design, the Developer shall promptly, upon such discovery, take appropriate action in order to return or modify (subject to City's approval of any such modification) the facility to function in accordance with the designed operation in accordance with the Final Development Plan Documents.

- f. The Developer shall be responsible for maintenance of all storm drainage facilities not identified as public in the Final Development Plan Documents in accordance with the Standard Operating Procedures ("**SOPs**") contained in Exhibit C, attached hereto and incorporated herein by reference.

D. Streets

1. Onsite Cordova Road Costs. A portion of Cordova Road will be located within the boundaries of the Property ("**Onsite Cordova Road**"). Developer shall make a "cash-in-lieu" contribution ("**Onsite Contribution**") to the City for the future construction of the Onsite Cordova Road. The Onsite Contribution shall be determined based on the linear frontage multiplied by the yearly local portion dollar amount that's adopted when the fee is paid. The length of linear frontage for the Onsite Cordova Road improvements is 233.5 linear feet. This payment must be made prior to the issuance of the first building permit for the Property.

2. Offsite Cordova Road Costs. Developer shall make a "cash-in-lieu" contribution ("**Offsite Contribution**") to the City for the future construction of the portions of Cordova Road that will be located outside the boundaries of the Property ("**Offsite Cordova Road**"). The Offsite Contribution shall include separate construction cost and right-of-way ("**ROW**") acquisition cost components, as follows:

- a. The construction cost component of the Offsite Contribution ("**Construction Cost Component**") shall be determined based on the linear frontage multiplied by the yearly local portion dollar amount that's adopted when the fee is paid. The length of linear frontage for the Offsite Cordova Road improvements is 495.0 linear feet. This payment must be made prior to the issuance of the first building permit for the Property. Cordova Road shall be constructed in accordance with the City's "Two Lane Arterial" standard and in accordance with plans to be approved by the City.
- b. The ROW acquisition cost component of the Offsite Contribution ("**ROW Cost Component**") shall be based upon the actual cost incurred by the City to acquire the ROW for the Offsite Cordova Road in accordance with applicable law, not to exceed Five Hundred Thousand Dollars (\$500,000.00) ("**ROW Acquisition Cost Cap**"). The City shall be responsible for acquiring the necessary ROW. The City may seek authorization to acquire the ROW through the use of eminent domain, and may also choose to defer ROW acquisition to an undetermined future date. The City and other parties (excluding Developer) will be responsible for ROW acquisition costs through the use of eminent domain that exceed the ROW Acquisition Cost Cap. Prior to the Developer's completion of construction of the

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final Phase of the Development, the City will either (i) complete the acquisition of the necessary ROW, or (ii) determine that the ROW acquisition costs exceed the ROW Acquisition Cost Cap. If the ROW acquisition is completed and actual costs (staff time, appraisal costs, land purchase price, and fees incidental to closing) are less than the ROW Acquisition Cost Cap, then the ROW Cost Component shall be equal to the actual cost of the ROW acquisition, and the remaining balance of the Offsite Contribution shall be refunded to Developer in a timely manner. If the ROW acquisition is not completed by the completion of the final Phase of the Development and Developer timely removes all encumbrances and other uses under its control that interfere with the City's acquisition or use of the Offsite Cordova Road ROW dedication parcel, including all activities associated with the provided license to stage and access the project for construction, the ROW Cost Component shall not exceed the ROW Acquisition Cost Cap. In either instance, the Offsite Contribution must be paid within ten (10) business days of the date the Development Construction Permit ("**DCP**") for the Property is issued. If this payment is not made by the end of the tenth business day following the DCP issuance, then the DCP shall be void without further action required of the City, and the Developer will forfeit the permit application fee and all amounts paid for other components of the Project.

Notwithstanding the foregoing, if the City is able to acquire fee title to the entirety of the Offsite Cordova Road prior to the completion of the final Phase of the Development ("**Offsite Cordova Road Acquisition Deadline**"), Developer shall be responsible for constructing approximately 495.0 linear feet of the Offsite Cordova Road using the Offsite Contribution. Both the Offsite Cordova Road and Onsite Cordova Road, including the portion of such road running from the intersection of Duff Drive up to and including the intersection with Link Lane (collectively, "**Full Cordova Road**") shall be fully constructed by Developer. If the City is unable to obtain fee title to the Offsite Cordova Road by the Offsite Cordova Road Acquisition Deadline, the City will retain the Offsite Contribution that Developer paid to the City contemporaneously with the DCP issuance until such time as it acquires the Full Cordova Road, at which point it will apply those funds to complete the Full Cordova Road.

3. Cordova Road Extension. The Final Development Plan Documents do not include constructing the Full Cordova Road. However, if 1) the entirety of the Offsite Cordova Road ROW is acquired by the City, and 2) the Developer has not completed construction of the final Phase in the Development, the Developer agrees to amend the Final Development Plan Documents to require the construction of the Full Cordova Road and related changes to stormwater improvements. If the Developer is obligated to construct the Full Cordova Road, the following provisions shall apply:

- a. Subject to the conditions of this Agreement, the City agrees to reimburse the Developer for oversizing the Full Cordova Road as shown on the Final Development Plan Documents ("**Oversizing Reimbursement**"). The Oversizing Reimbursement shall be equal to the cost to upgrade the streets from local access

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standards to the City's "Two Lane Arterial" standard and for the cost of acquiring the ROW necessary to accommodate the expansion of such street and sidewalk ("**Road Oversizing**"). The City shall pay the Oversizing Reimbursement to Developer in the manner provided in and in accordance with City Code Section 24-112. As identified in the City Code, the City shall not participate in the cost of transportation improvements required solely for the special use and benefit of the Development as may be required by the transportation impact study for the Development or by the City Traffic Engineer.

- b. The Developer acknowledges that the City shall have no obligation to pay the Oversizing Reimbursement unless funds for such payments are budgeted and appropriated from the transportation improvements fund by the City Council. The Developer does hereby agree to complete the Road Oversizing for the Full Cordova Road on the terms and conditions set forth herein with the understanding that the Developer may not be fully reimbursed by the City for the cost of such construction. The Developer further agrees to accept payment of the Oversizing Reimbursement in accordance with City Code Section 24-112(d) as full and final settlement and complete accord and satisfaction of all obligations of the City to make reimbursements to the Developer for construction of the Road Oversizing.
- c. It is understood that the improvements to be constructed in the public right-of-way described in this Section II.D are City Improvements. The term "**City Improvements**" shall mean either (1) existing improvements owned by the City that are to be modified or reconstructed, or (2) any improvements funded in whole or in part by the City. Any contract for the construction of City Improvements must be executed in writing. If the estimated cost of the City Improvements exceeds Sixty Thousand Dollars (\$60,000.00), the contract for construction of the City Improvements must be subject to a competitive bidding process resulting in an award to the lowest responsible bidder. Evidence must be submitted to the City prior to the commencement of the work showing that the award was given to the lowest responsible bidder. If the cost of the City Improvements exceeds One Hundred Thousand Dollars (\$100,000.00), the contract for construction of the City Improvements must be insured by a performance bond or other equivalent security.
- d. In the event the Developer does not construct the Full Cordova Road as part of its Development, the Developer, for itself and its successor(s) in interest, does hereby agree the City shall not be obligated to construct the Full Cordova Road, and hereby indemnifies and holds harmless the City from any and all claims that might arise, directly or indirectly, as a result of the City not constructing the Full Cordova Road, resulting from the Developer's inability to provide for the dedication and construction of the Full Cordova Road as shown on the approved Project Development Plan ("**PDP**"). The Developer, for itself and its successor(s) in interest understands that the inability to complete construction of the Full Cordova Road may result in perceived concerns that are including but not limited to increased response time for emergency services for community members in the

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Development, increased maintenance obligations for privately maintained streets located outside of City limits, and noise impacts to future community members in the Development at such time that the Full Cordova Road is built. The Developer, for itself and its successors and assigns, hereby agrees to pay all costs and fees incurred by the City in defense of any claims arising from these concerns, including, but without limitation, attorney's fees. The Developer further agrees to indemnify and hold the City harmless for any damages or awards arising from or relation to any such claim or civil action.

4. North Lemay Avenue ROW Costs. Pursuant to City Code Section 24-95(c), the Developer agrees to reimburse the City for the City's costs associated with constructing the local access portion of North Lemay Avenue adjacent to the Property ("**Local Access Contribution**"). The Local Access Contribution is calculated based on the linear frontage multiplied by the yearly local portion dollar amount that's adopted when the fee is paid. The length of linear frontage for North Lemay Avenue improvements is 933.0 linear feet. Payment shall be made to the City prior to the issuance of the first building permit for the Development.

5. Duff Drive ROW Costs. The Developer acknowledges there is a Reimbursement Agreement dated January 16, 2019 between the developer of the adjacent Capstone Cottages, Capstone Collegiate Communities – Fort Collins LLC project and the City, which attaches a reimbursement payment obligation on the Property for a portion of the costs for improvements constructed on the northern portion of Duff Drive abutting the Property ("**Duff Drive Contribution**") prior to any building permits being issued for the Development. The Developer agrees to provide a payment of Two Hundred Sixty-Four Thousand Seven Hundred Eight and 18/100 Dollars (\$264,708.18) to the City, pursuant to that prior Reimbursement Agreement, to satisfy the Developer's Duff Drive Contribution and to satisfy the associated local improvement reimbursement obligations attached to the Property. This payment must be made at the earlier of (a) the date that is fourteen (14) calendar days after the first Memorandum of Agreement for the purchase of any portion of the Offsite Cordova Road ROW is fully executed and recorded in the public records of Larimer County, and (b) prior to the date the first building permit is issued for the Development.

6. Street Standards. The pavement design and construction standards for privately maintained streets shall be the same as the standards for public streets, as set forth in the Land Use Code. Grades, alignments, and widths may be modified in accordance with accepted design principles, only on the condition that safe access is maintained for all future owners, visitors, the general public, and public safety officials and equipment. Such modifications from public street standards may be made only if approved by the City Engineer. Easements for access, utilities, and drainage shall be dedicated to the public and clearly shown on the plat.

7. Encroachments. As identified in Article III, Chapter 23 of the City Code (the "**Encroachment Regulations**") no encroachments or obstructions are allowed within the public rights-of-way without a permit ("**Encroachment Permit**"). The Developer

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understands and acknowledges that if the Final Development Plan Documents now or in the future, through an amendment process, include any encroachments or obstructions in the public ROW the Developer shall apply for, meet any requirements or conditions, and obtain an approved Encroachment Permit prior to the installation of the encroachment(s).

- a. All requirements and conditions as identified on the Encroachment Permit and identified in the Encroachment Regulations shall be met and maintained both prior to and after issuance of the Encroachment Permit. The Encroachment Permit, which is non-transferable, is issued to the property owner or to the lessee of the property (with the property owner's consent) to which the encroachment is adjacent to or benefits and the Developer understands that at such time as ownership of that parcel changes and/or a new lessee exists (as applicable) a new Encroachment Permit will need to be applied for and new liability insurance will need to be provided by the property owner. The permit is revocable pursuant to the Encroachment Regulations.
- b. The Developer, for itself and its successor(s) in interest, does hereby release and hold harmless the City from any damages to the encroachment arising from the City's actions in maintaining, repairing, and/or replacing the public infrastructure including utilities, except as caused by the City's gross negligence or willful misconduct.
- c. The City shall have no responsibility for the installation and maintenance of any encroachment and the Developer, for itself and its successor(s) in interest, does hereby indemnify and hold harmless the City from any and all claims that might arise, directly or indirectly, as a result of the Developer's installation or maintenance of any encroachments onto the public ROW.
- d. Only public utilities (defined as utilities owned and maintained by the City and gas utilities owned by Xcel Energy) and utilities installed by utility providers that have a franchise agreement with the City are allowed to be installed and located within public ROW and public easements. Private utilities are allowed to cross public ROW and easements provided that the crossing is perpendicular to the public ROW or easement, that sleeves are provided for the crossing in accordance with City standards, Encroachment Permits for such crossing are obtained, and the utility is registered with the utility locate center. Any private utilities serving the Property which are found within public ROW or easements not meeting the above criteria shall be required to be removed by the Developer at the Developer's expense, or the Developer shall apply for and obtain an approved Encroachment Permit. All sleeves across the ROW shall be designed and installed in accordance with City standards then in effect.
- e. If there is any conflict between this provision and the Encroachment Regulations, then the Encroachment Regulations will control. The Developer acknowledges

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that, as with any regulation, the Encroachment Regulations are subject to change and Developer agrees to abide by any changes to the Encroachment Regulations.

8. Traffic Improvements. Notwithstanding any provision herein to the contrary, the Developer shall be responsible for all costs for the initial installation of traffic signing and striping for this Development, including both signing and striping related to the Developer's internal street operations and the signing and striping of any adjacent or adjoining local, collector, or arterial streets that is made necessary because of the Development.

9. Maintenance. Following completion of all City Improvements, the Developer shall continue to have responsibility for maintenance and repair of said improvements in accordance with Sections 2.2.3, 3.3.1, and 3.3.2 of the Land Use Code of the City.

E. Natural Resources

Prior to the commencement of grading or other construction on the Property, burrowing owl surveys will be conducted by a qualified wildlife biologist according to Colorado Parks and Wildlife Division recommended protocols. If the site is cleared of burrowing owls, then prairie dogs inhabiting the site will be removed according to methods approved by the City Environmental Planner. No grading may occur until the removal is verified through an onsite inspection by the City Environmental Planner

F. Soil Amendment

In all areas associated with this Development that are to be landscaped or planted in accordance with the Final Development Plan Documents, and do not require a building permit, the soils within each applicable Phase shall be loosened and amended by the Developer in accordance with Land Use Code § 3.8.21 prior to the issuance of a Certificate of Occupancy in the applicable Phase of this Development, and as otherwise required as set forth herein or as set forth on Exhibit A. In all areas associated with this Development that are to be landscaped or planted in accordance with the Final Development Plan Documents, and which do require a building permit, the completion of soil amendments shall include certification by the Developer that the work has been completed in accordance with City Code §12-132. This certification shall be submitted to the City for review and acceptance at least two (2) weeks prior to the date of issuance of any certificate of occupancy for the applicable Phase of this Development.

G. Ground Water, Subdrains and Water Rights

1. The Developer, for itself and its successor(s) in interest, hereby agrees to indemnify and hold harmless the City against any damages or injuries sustained in the Development as a result of ground water seepage or flooding, structural damage, or other damage resulting from failure of any subdrain system build pursuant to the Final Development Plan Documents unless such damages or injuries are proximately caused by the City's negligent operation or maintenance of the City's storm drainage facilities in

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the Development. No language in this Paragraph shall be construed or interpreted as establishing in any way the City's liability for any act or omission and the terms of this Paragraph solely relate to the Developer's obligation to indemnify and hold harmless the City.

2. If the Development includes a subdrain system, any such subdrain system, whether located within private property or within public property such as street ROW or utility or other easements, shall not be owned, operated, maintained, repaired or reconstructed by the City and it is agreed that all ownership, operation, maintenance, repair and reconstruction obligations shall be those of the Developer or the Developer's successor(s) in interest. Such subdrain system is likely to be located both upon private and public property and, to the extent that it is located on public property, all maintenance, operation, repair or reconstruction shall be conducted in such a manner that such public property shall not be damaged, or if damaged, shall, upon completion of any such project, be repaired in accordance with then existing City standards. The City shall not be responsible for, and the Developer, for itself and its successor(s) in interest, hereby agrees to indemnify and hold harmless the City against any damages or injuries sustained in the Development as the result of groundwater seepage or flooding, structural damage or other damage resulting from failure of any such subdrain system.

3. Without admitting or denying any duty to protect water rights, the Developer, for itself and its successor(s) in interest, hereby agrees to indemnify and hold harmless the City against any damages or injuries to water rights caused, directly or indirectly by the construction, establishment, maintenance, or operation of the Development.

4. The City agrees to give notice to the Developer of any claim made against it to which the foregoing indemnities and hold harmless agreements by the Developer contained herein could apply, and the Developer shall have the right to defend any lawsuit based on such claim and to settle any such claim provided the Developer must obtain a complete discharge of all City liability through such settlement. Failure of the City to give notice of any such claim to the Developer within ninety (90) days after the City first receives notice of such claim under the Colorado Governmental Immunity Act for the same, shall cause the foregoing indemnities and hold harmless agreements by the Developer to not apply to such claim and such failure shall constitute a release of the foregoing indemnities and hold harmless agreements as to such claim.

H. Hazards and Emergency Access

1. No stockpiled combustible material will be allowed on the Property until a permanent water system is installed by the Developer and approved by the City.

2. Prior to beginning any building construction, and throughout the build-out of this Development, the Developer shall provide and maintain at all times a reasonable accessway to each building. Such accessway shall be adequate to handle any emergency vehicles or equipment, and the accessway shall be kept open during all

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phases of construction. Such accessway shall be constructed to an unobstructed width of at least twenty (20) feet with four (4) inches of aggregate base course material compacted according to City standards and with a one hundred (100) foot diameter turnaround at the building end of said accessway. The turnaround is not required if an exit point is provided at the end of the accessway. Prior to the construction of said accessway, a plan for the accessway shall be submitted to and approved by the Poudre Fire Authority and City Engineer. A digital plan set shall be submitted to the Poudre Fire Authority for review and processing. If such accessway is at any time deemed inadequate by the Poudre Fire Authority or City Engineer, the accessway shall be promptly brought into compliance and until such time that the accessway is brought into compliance, the City and/or the Poudre Fire Authority may issue a stop work order for all or part of the Development.

I. Footing and Foundation Permits

Notwithstanding any provision in this Agreement to the contrary, the Developer shall have the right to obtain Footing and Foundation permits upon the installation of all underground water, sanitary sewer, and storm sewer facilities, and an emergency accessway for the phase in which the permit is being requested. Facilities shall include but not be limited to all mains, lines, services, fire hydrants and appurtenances for the phase as shown on the Final Development Plan Documents.

J. Development Construction Permit

1. The Developer shall apply for and obtain a Development Construction Permit for this Development, in accordance with Division 2.6 of the Land Use Code, prior to the Developer commencing construction. The Developer shall pay the required fees for said permit and construction inspection, and post Security to guarantee completion of the City Improvements required for this Development as described herein, prior to issuance of the Development Construction Permit.

2. Prior to the issuance of a Development Construction Permit the Developer shall obtain the approval of a Construction Management Plan from the City. The Construction Management Plan shall define the management of the construction of the Development, establishing the timing, duration, location, delivery and storage of materials and idle equipment; the timing, duration, and location of parking; and the timing, duration, and location for the operation of equipment. The Construction Management Plan shall define the impacts (if any) to public rights-of-way, which would then be subject to the Encroachment Regulations as indicated in Paragraph II.D.6 of this Agreement.

K. Maintenance and Repair Guarantees

The Developer agrees to provide a two (2) year maintenance guarantee and a five-year repair guarantee covering all errors or omissions in the design and/or construction of the City Improvements, which guarantees shall run concurrently and shall commence upon the date of completion of the City Improvements and acceptance thereof

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by the City. More specific elements of these guarantees are noted in Exhibit B, attached hereto and incorporated herein by reference. Security for the maintenance guarantee and the repair guarantee shall be as provided in Section 3.3.2(C) of the Land Use Code. Notwithstanding the provisions of Paragraphs III. H. and I. of this Agreement to the contrary, the obligations of the Developer pursuant to this Paragraph II.K. and Exhibit B may not be assigned or transferred to any other person or entity unless the warranted improvements are completed by, and a letter of acceptance of the warranted improvements is received from the City by such other person or entity.

L. Forestry

1. A Street Tree Permit must be obtained from the City Forester pursuant to City Code Chapter 27, Art. II, Division 2, before any trees or shrubs noted on the Final Development Plan Documents are planted, pruned, or removed from any public ROW or City property. This includes areas between the sidewalk and curb, medians, and other City property. The City may withhold any certificate of occupancy for the Development if the Developer fails to obtain a Street Tree Permit until the Developer obtains a Street Tree Permit and the planting, pruning, and removal of trees or shrubs on or from the public ROW or City property is in compliance with the Street Tree Permit and Final Development Plan Documents. In addition to withholding any certificate of occupancy, the City may avail itself of any other legal remedy provided by law for the failure to obtain a Street Tree Permit. As a condition of the Street Tree Permit and of this Agreement, at least one (1) week prior to planting any trees the Developer shall: (1) allow City Forestry Division staff to inspect the proposed planting sites to review compliance with the Final Development Plan Documents and applicable regulations; and (2) allow City Forestry Division staff to inspect and approve, at the nursery if possible, all trees to be planted. City Forestry has the right to reject and/or substitute any trees that do not meet the Forestry Divisions standards.

2. All tree pruning and removal on the Property must be done by an arborist licensed by the City of Fort Collins and the name of such arborist shall be provided to the City Forestry Division prior to any pruning or removal commencing. A list of licensed arborists is maintained by the City Forestry Division and is available upon request or at fcgov.com/forestry. The use of heavy construction equipment, including but not limited to excavators, backhoes, and bulldozers to remove trees is not allowed without prior Forestry Division written permission.

M. Park Planning and Development

1. The Developer has agreed to confirm the exact location of the sidewalk connection from the Development to Lemay Avenue with the City Parks department prior to construction. Any irrigation lines, infrastructure, related equipment, or landscaping that is disturbed, destroyed, or moved shall be promptly replaced or repaired at no cost to the City.

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2. The Developer and its successor(s) in interest shall, in perpetuity, be responsible for irrigation and maintenance of public ROW landscaping along Cordova Road, as depicted in approved irrigation and landscape plans incorporated in the Final Development Plan Documents.

III. Miscellaneous

A. The Developer agrees to provide and install, at its expense, adequate barricades, warning signs and similar safety devices at all construction sites within the public ROW and other areas as deemed necessary by the City Engineer and Traffic Engineer in accordance with the City's "Work Area Traffic Control Handbook" and shall not remove said safety devices until the construction of the Development has been completed.

B. As required pursuant to Chapter 20, Article IV of the City Code, the Developer shall, at all times, keep the public ROW free from accumulation of waste material, rubbish, or building materials caused by the Developer's operation, or the activities of individual builders or subcontractors; shall remove such rubbish as often as necessary, but no less than daily and; at the completion of the work, shall remove all such waste materials, rubbish, tools, construction equipment, machinery, and surplus materials from the public ROW. The Developer further agrees to maintain the finished street surfaces so that they are free from dirt caused by the Developer's operation or as a result of building activity. Any excessive accumulation of dirt or construction materials shall be considered sufficient cause for the City to withhold building permits and/or certificates of occupancy until the problem is corrected to the satisfaction of the City Engineer. If the Developer fails to adequately clean such streets within two (2) days after receipt of written notice, the City may have the streets cleaned at the Developer's expense and the Developer shall be responsible for prompt payment of all such costs. The Developer also agrees to require all contractors within the Development to keep the public ROW clean and free from accumulation of dirt, rubbish, and building materials.

C. The Developer hereby agrees that it will require its contractors and subcontractors to cooperate with the City's construction inspectors by ceasing operations when winds are of sufficient velocity to create blowing dust that, in the inspector's opinion, is hazardous to the public health and welfare.

D. The Developer shall, pursuant to the terms of this Agreement, complete all improvements and perform all other obligations required herein, as such improvements or obligations may be shown on the Final Development Plan Documents, or any documents executed in the future that are required by the City for the approval of an amendment to a development plan, and the City may withhold (or to the extent permitted by law, revoke) such building permits and certificates of occupancy as it deems necessary to ensure performance in accordance with the terms of this Agreement. The processing and routing for approval of the various Final Development Plan Documents may result in certain of said documents carrying dates of approval or execution that are later than the

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date of execution of this Agreement. The Developer hereby waives any right to object to any such discrepancy in dates.

E. Nothing herein contained shall be construed as a waiver of any requirements of the City Code or the Land Use Code and the Developer agrees to comply with all requirements of the same.

F. In the event the City does not immediately pursue damages for any breach of this Agreement, no such delay or inaction shall be held or construed to be a waiver of any current or subsequent breach hereof.

G. All financial obligations of the City arising under this Agreement that are payable after the current fiscal year are contingent upon funds for that purpose being annually appropriated, budgeted and otherwise made available by the Fort Collins City Council, in its discretion.

H. This Agreement shall run with the Property, including any subsequent replatting of all or a portion of the Property. This Agreement shall also be binding upon and inure to the benefit of the parties hereto, their respective personal representatives, heirs, successors, grantees, and assigns. It is agreed that all improvements required pursuant to this Agreement touch and concern the Property regardless of whether such improvements are located on the Property. Assignment of interest within the meaning of this paragraph shall specifically include, but not be limited to, a conveyance or assignment of any portion of the Developer's legal or equitable interest in the Property, as well as any assignment of the Developer's rights to develop the Property under the terms and conditions of this Agreement.

I. In the event the Developer transfers title to the Property, pursuant to Section II.K, and is thereby divested of all or partial equitable and legal interest in the Property, as provided in the City's written assignment terms, the Developer shall be released from liability under this Agreement with respect to any breach of the terms and conditions of this Agreement occurring after the date of any such transfer of the subject interest. In such event, the succeeding property owner shall be bound by the terms of this Agreement.

J. Each and every term of this Agreement shall be deemed to be a material element hereof. In the event that either party shall fail to perform according to the terms of this Agreement, such party may be declared in default. In the event that a party has been declared in default hereof, such defaulting party shall be given written notice specifying such default and shall be allowed a period of ten (10) days within which to cure said default. In the event the default remains uncorrected, the party declaring default may elect to: (a) terminate the Agreement and seek damages; (b) treat the Agreement as continuing and require specific performance or; (c) avail itself of any other remedy at law or equity.

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K. In the event of the default of any of the provisions hereof by the Developer which shall require the City to commence legal or equitable action against the Developer, the Developer shall be liable to the City for its reasonable attorney's fees and costs incurred by reason of the default. Nothing herein shall be construed to prevent or interfere with the City's rights and remedies specified in this Agreement.

L. Except as may be otherwise expressly provided herein, this Agreement shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action hereunder for any cause whatsoever.

M. It is expressly understood and agreed by and between the parties hereto that this Agreement shall be governed by and its terms construed under the laws of the State of Colorado and the City of Fort Collins, Colorado.

N. Any notice or other communication given by any party hereto to any other party relating to this Agreement shall be hand-delivered or sent by certified mail, return receipt requested, addressed to such other party at their respective addresses as set forth below; and such notice or other communication shall be deemed given when so hand-delivered or three (3) days after so mailed:

If to the City: Engineering Development Review
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

With a copy to: City Attorney's Office
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

If to the Developer: TTRES CO Fort Collins Vine, LLC
111 Monument Circle, Suite 1500
Indianapolis, IN 46204
Attn: Brian Southworth

With a copy to: TTRES CO Fort Collins Vine, LLC
111 Monument Circle, Suite 1500
Indianapolis, IN 46204
Attn: Dana S. Grimes, Esq.

With a copy to: Western-Southern Life Assurance Company
400 Broadway
Cincinnati, OH 45202

If to the Owner: TTRES CO Fort Collins Vine, LLC

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111 Monument Circle, Suite 1500
Indianapolis, IN 46204
Attn: Josh Purvis

With a copy to: TTRES CO Fort Collins Vine, LLC
111 Monument Circle, Suite 1500
Indianapolis, IN 46204
Attn: Dana S. Grimes, Esq.

Notwithstanding the foregoing, if any party to this Agreement, or its successors, grantees or assigns, wishes to change the person, entity, or address to which notices under this Agreement are to be sent as provided above, such party shall do so by giving the other parties to this Agreement written notice of such change.

O. When used in this Agreement, words of the masculine gender shall include the feminine and all genders, and when the sentence so indicates, gendered words shall refer to any gender; and words in the singular shall include the plural and vice versa. This Agreement shall be construed according to its fair meaning, and as if prepared by all parties hereto, and shall be deemed to be and contain the entire understanding and agreement between the parties hereto pertaining to the matters addressed in this Agreement. There shall be deemed to be no other terms, conditions, promises, understandings, statements, representations, expressed or implied, concerning this Agreement, unless set forth in writing signed by all of the parties hereto. Further, paragraph headings used herein are for convenience of reference and shall in no way define, limit, or prescribe the scope or intent of any provision under this Agreement.

P. Lender Acknowledgment

1. The City acknowledges (i) that it has been informed by Western-Southern Life Assurance Company, an Ohio corporation (the "**Lender**"), that the Lender intends to extend a loan (the "**Loan**") to the Developer to finance the costs of constructing and equipping the Development.

2. The City acknowledges that, pursuant to Paragraph III.N of this Agreement, the Developer has requested that copies of all notices given by the City to the Developer shall also be given to the Lender at the address set forth therein. The City further acknowledges that the Lender has a right (but not the obligation) to remedy or cure any default by the Developer under this Agreement on behalf of the Developer and that the City will accept such remedy or cure if properly carried out by the Lender on behalf of the Developer.

3. Nothing contained herein shall be construed to impose any liability or obligation of the City to the Lender, except as expressly provided in this Paragraph III.P.

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Q. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., or under any other law.

The remainder of this page is intentionally left blank.
Signatures begin on the following page.

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THE CITY OF FORT COLLINS, COLORADO,
a Municipal Corporation

DocuSigned by:
By: Kelly DiMartino
0B06B5674B09400...

DocuSigned by:
Kelly DiMartino, City Manager



ATTEST:

DocuSigned by:
Heather L Walls
034E242B6309420...
Heather L Walls
City Clerk Deputy City Clerk

APPROVED AS TO CONTENT:

DocuSigned by:
Tim Dinger
0F6AA2700B004EA...
Tim Dinger
City Engineer Civil Engineer II

APPROVED AS TO FORM:

DocuSigned by:
Cyril Vidergar
0F62A09A46ED404...
Cyril Vidergar
Assistant City Attorney

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OWNER/DEVELOPER:

TTRES CO Fort Collins Vine, LLC, a Delaware limited liability company

By: *Brian Southworth*

Printed: Brian Southworth

Title: Authorized Rep

Date: 6/26/2024

STATE OF Indiana)
) ss.
COUNTY OF MARION)

The foregoing instrument was acknowledged before me this 26 day of JUNE, 2024, by BRIAN SOUTHWORTH as the AUTH. REP. TTRES CO Fort Collins Vine, LLC, a Delaware limited liability company.

Hannah J. Feick
Notary Public

My Commission Expires: 10-21-29

My County of Residence: MARION



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EXHIBIT A

1. Schedule of electrical service installation.

Electrical lines need to be installed prior to the installation of the sidewalk, curb returns, handicap ramps, paving and landscaping. If the Developer installs any curb return, sidewalk or handicap ramp prior to the installation of electrical lines in an area that interferes with the installation of the electrical line installation, the Developer shall be responsible for the cost of removal and replacement of those items and any associated street repairs.

2. Schedule of water lines to be installed out of sequence.

Not Applicable.

3. Schedule of sanitary sewer lines to be installed out of sequence.

Not Applicable.

4. Schedule of street improvements to be installed out of sequence.

Not Applicable

5. Schedule of storm drainage improvements to be installed out of sequence.

Not Applicable.

6. Schedule of street improvements installation.

Street improvements shall not be installed until all utility lines to be placed therein have been completely installed, including all individual lot service lines (water and sewer) leading in and from the main to the Property line and all electrical lines.

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EXHIBIT B

MAINTENANCE GUARANTEE:

The Developer hereby warrants and guarantees to the City, for a period of two (2) years from the date of completion and first acceptance by the City of the public improvements warranted hereunder, the full and complete maintenance and repair of the public improvements constructed for this Development. This warranty and guarantee is made in accordance with the City of Fort Collins Land Use Code. This guarantee applies to the streets and all other appurtenant structures and amenities lying within the rights-of-way, easements and other public properties, including, without limitation, all curbing, sidewalks, bike paths, drainage pipes, culverts, catch basins, drainage ditches and landscaping. Any maintenance and/or repair required on utilities shall be coordinated with the owning utility company or city department.

The Developer shall maintain said public improvements in a manner that will assure compliance on a consistent basis with all construction standards, safety requirements and environmental protection requirements of the City. The Developer shall also correct and repair, or cause to be corrected and repaired, all damages to said public improvements resulting from development-related or building-related activities. In the event the Developer fails to correct any damages within thirty (30) days after written notice thereof, then said damages may be corrected by the City and all costs and charges billed to and paid by the Developer. The City shall also have any other remedies available to it as authorized by this Agreement. Any damages which occurred prior to the end of said two (2) year period and which are unrepaired at the termination of said period shall remain the responsibility of the Developer.

REPAIR GUARANTEE:

The Developer agrees to hold the City of Fort Collins, Colorado, harmless for a five (5) year period, commencing upon the date of completion and acceptance by the City of the public improvements constructed for this Development, from any and all claims, damages, or demands arising on account of the design and construction of public improvements of the Property shown on the approved plans and documents for this Development; and the Developer furthermore commits to make necessary repairs to said public improvements, to include, without limitation, the roads, streets, fills, embankments, ditches, cross pans, sub-drains, culverts, walls and bridges within the right-of-way easements and other public properties, resulting from failures caused by design and/or construction defects. This agreement to hold the City harmless includes defects in materials and workmanship, as well as defects caused by or consisting of settling trenches, fills or excavations.

Further, the Developer agrees that the City shall not be liable to the Developer during the warranty period, for any claim of damages resulting from negligence in exercising

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engineering techniques and due caution in the construction of cross drains, drives, structures or buildings, the changing of courses of streams and rivers, flooding from natural creeks and rivers, and any other matter whatsoever on private property. Any and all monetary liability occurring under this paragraph shall be the liability of the Developer.

The obligations of the Developer pursuant to the "maintenance guarantee" and "repair guarantee" provisions set forth above may not be assigned or transferred to any other person or entity unless the warranted improvements are completed by, and a letter of acceptance of the warranted improvements is received from the City by, such other person or entity.

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EXHIBIT C
STANDARD OPERATING PROCEDURES (SOPs)

A. Purpose

In order for physical stormwater Best Management Practices (BMPs) to be effective, proper maintenance is essential. Maintenance includes both routinely scheduled activities, as well as non-routine repairs that may be required after large storms, or as a result of other unforeseen problems. Standard Operating Procedures (SOPs) clearly identify BMP maintenance responsibility. BMP maintenance is the responsibility of the entity owning the BMP.

Identifying who is responsible for maintenance of BMPs and ensuring that an adequate budget is allocated for maintenance is critical to the long-term success of BMPs. For this project, the privately owned BMPs shown in Section B below are to be maintained by the Developer (or successor in interest which may be a property owner, or Homeowners Association (HOA), or property manager). Developer acknowledges and accepts the obligation to keep maintenance records and provide these records to the City upon request.

B. Site-Specific SOPs

The following stormwater facilities contained within this development are subject to SOP requirements:

- Directly Connected Downspouts
- Perforated Subdrain
- Storm Drain Lines
- Dry Extended Detention
- Sedimentation Sump
- Pre-Sedimentation Forebay
- Bioswale
- Bioretention
- Vegetated and/or Cobble Swale
- Underground Detention

The location of said facilities can be found on the Landing at Lemay Utility Plans and Landscape Plans. Required inspection and specific maintenance procedures and frequencies are outlined in the following pages. General maintenance requirements and activities, as well as BMP-specific constraints and considerations shall follow the guidelines outlined in Volume 3 of the Urban Drainage and Flood Control District (UDFCD) Urban Storm Drainage Criteria Manual.

SOP Maintenance Summary Table

Stormwater Facility / BMP	Ownership / Responsibility	UDFCD Maintenance Reference
Directly Connected Downspouts	Private	N/A
Perforated Subdrain	Private	N/A

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Storm Drain Lines	Private	Follow guidelines for <i>Storm Sewer System Cleaning (Chapter 5, Source Control BMP Fact Sheet S-12)</i>
Dry Extended Detention	Private	Follow guidelines for <i>Extended Detention Basins (Chapter 6, Section 7.0)</i>
Sedimentation Sump	Private	N/A
Pre-Sedimentation Forebay	Private	Follow guidelines for <i>Pre-Sedimentation Forebay (Chapter 6, Section 9.0)</i>
Bioretention/Bioswale	Private	Follow guidelines for <i>Bioretention (Chapter 6, Section 5.0)</i>
Vegetated and/or Cobble Swale	Private	Follow guidelines for <i>Grass Buffers and Swales (Chapter 6, Section 4.0)</i> . Take note of native vegetation. Also follow recommendations on <i>Landscape Plans and Specifications</i> .
Underground Detention	Private	Follow guidelines for <i>Underground BMPs (Chapter 6, Section 12.0)</i>

Directly Connected Downspouts

Many of the downspouts connect directly to the storm drain system. The following SOP generally applies to all direct downspout connections.

This SOP can more specifically apply to those which drain directly to the reservoir areas beneath the Modular Block Pavers. At each of these connections, the downspout discharges to a perforated drain basin. The drain basins discharge directly to the MBP reservoir. The drain basins are designed to prevent debris and sediment from entering the MBP reservoir area. Debris and sediment compromise the functionality and effectiveness of the system.

Routine Maintenance Table for Directly Connected Downspouts

Required Action	Maintenance Objective	Frequency of Action
Inspections	Inspect the downspout and basin to ensure the system functions as it was designed. Repair or replace damaged downspouts as needed.	Routine
Sediment, Debris and Litter removal	Remove debris and litter from the basin. Remove sediment from the sump.	Routine – just before annual storm seasons (i.e., April/May); at the end of storm season after leaves have fallen; and following significant rainfall events.

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Perforated Subdrain

The perforated subdrain system storm drain outfall at the bottom of the Low Impact Development (LID) system is critical to the overall function of the system subbase. As such, special maintenance has been identified to ensure these perforated drain systems perform as they were designed.

Perforated subdrains leading away from the LID system is designed to provide faster release of water when accumulation occurs under the LID system. Outflow should be seen into downstream storm boxes. If not seen it is recommended that the system is inspected using a video camera to verify no clogging has occurred.

Perforated subdrains leading toward the LID system are designed to provide an opportunity for infiltration. These subdrains may lead to a drywell where additional infiltration capacity is available to reduce runoff per the stated LID goals adopted by the City.

Routine Maintenance Table

Required Action	Maintenance Objective	Frequency of Action
Inspection	Use a video camera to inspect the condition of the perforated drain pipes. Cleanout pipes as needed. If the integrity of the pipe is compromised, then repair the damaged section(s).	Every two to five years.
Inspection	Where accessible, expose inlet and/or outlet of perforated pipe and watch for water inflow and/or outflow.	Minimum Annually

Storm Drain Lines Maintenance Plan

Storm drain lines are subject to sedimentation as well as tree roots clogging the flow path or altering the pipe slope. Maintenance is important to ensure these storm drain systems perform as they were designed.

Routine Maintenance Table

Required Action	Maintenance Objective	Frequency of Action
Inspection	Use a video camera to inspect the condition of the storm drain pipes. Cleanout pipes as needed. If the integrity of the pipe is compromised, then repair the damaged section(s).	Every two to five years.

Dry Extended Detention Basin

Routine Maintenance Table (Summary from Chapter 6 of UDFCD)

Required Action	Maintenance Objective	Frequency of Action
Lawn mowing and Lawn care	Occasional mowing to limit unwanted vegetation. Maintain irrigated turf grass as 2 to 4 inches tall and non-irrigated native turf grasses at 4 to 6 inches.	Routine – Depending on aesthetic requirements.

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Sediment, Debris and Litter removal	Remove sediment, debris and litter from the entire pond to minimize outlet clogging and improve aesthetics.	Routine – Including just before annual storm seasons (that is, April and May), end of storm season after leaves have fallen, and following significant rainfall events.
Major Pond Sediment removal	Remove accumulated sediment from the bottom of the basin.	Non-routine – Performed when sediment accumulation occupies 20 percent of the WQCV. This may vary considerably. Inspections required every 10 years, non-routine maintenance performed at that time if necessary. Typical is 10 – 20 years if no construction activities take place in the tributary watershed.
Inspections	Inspect basins to ensure that the basin continues to function as initially intended. Examine the outlet for clogging, erosion, slumping, excessive sedimentation levels, overgrowth, embankment and spillway integrity, and damage to any structural element.	Routine – Annual inspection of hydraulic and structural facilities. Also check for obvious problems during routine maintenance visits, especially for plugging of outlets.

Sedimentation Sump Maintenance Plan

The sedimentation sumps located upstream of drywells or infiltration galleries are intended to reduce the accumulation of sediment and debris in underground systems. These sumps have a capacity provided for accumulated sediment that must be maintained. These sumps are located within manholes or inlets as shown on the utility plans and provided with snouts to reduce the hydrocarbon load dispersed into the undergrounds system that could compromise the functionality.

Routine Maintenance Table

Required Action	Maintenance Objective	Frequency of Action
Inspections and Debris Removal	Hydrocarbons and sediment will need to be removed regularly from the inlet. Sediment should be removed prior to the depth of the water reducing below 2' from the top of the sediment buildup to the snout bottom. The layer of hydrocarbons should be removed from the inlet prior to accumulation beyond half of the height of the snout. A vacuum truck should be used to remove all sediment, hydrocarbons and residual water from the inlet. Remaining sediment may be removed manually and disposed of in a legal manner. The sump should then be filled with clean water.	Routine – Inspect at least every other year or as conditions apply.
	The Snout apparatus should be replaced as age deterioration occurs and prior to failure. The seal should be checked regularly to ensure hydrocarbons are not bypassing the device.	

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Pre-Sedimentation Forebay

Routine Maintenance Table (Summary from Chapter 6 of UDFCD)

Required Action	Maintenance Objective	Frequency of Action
Debris and Litter removal	Remove debris and litter as needed. Floating debris can clog the overflow structure	Routine – Including just before annual storm seasons (that is, April and May), end of storm season after leaves have fallen, and following significant rainfall events.
Forebay Sediment removal	Remove accumulated sediment from the bottom of the basin before it becomes a significant source of pollutants for the remainder of the pond. Inspect to ensure that sediment does not result in excessive algae growth or mosquito production.	Non-routine – Performed when sediment accumulation appears to result in excessive algae growth or mosquito production. This may vary considerably, but expect to do this every approximately every 4 years, as necessary per inspection if no construction activities take place in the tributary watershed. More often if they do.
Inspections	Inspect to ensure that the facility continues to function as initially intended. Examine the outlet for clogging, erosion, slumping, excessive sedimentation levels, overgrowth, embankment integrity and damage to any structural element.	Routine – Annual inspection of hydraulic and structural facilities. Also check for obvious problems during routine maintenance visits, especially for plugging of outlets. Note the amount of sediment in the forebay and look for debris at the outlet structure.

Bioretention

Routine Maintenance Table (Summary from Chapter 6 of UDFCD)

Required Action	Maintenance Objective	Frequency of Action
Lawn mowing and vegetative care	Occasional mowing of grasses and weed removal to limit unwanted vegetation. Maintain irrigated turf grass as 2 to 4 inches tall and non-irrigated native turf grasses at 4 to 6 inches.	Routine – Depending on aesthetic requirements, planting scheme and cover. Weeds should be removed before they flower.
Debris and litter removal and snow stockpiling	Remove debris and litter from bioretention area and upstream concrete forebay to minimize clogging of the sand media. Remove debris and litter from the pond area and outlet orifice plate to minimize clogging. Remove debris and litter from curb channel and sidewalk chase outlets adjacent to pond if applicable to minimize clogging. Avoid stockpiling snow in the bioretention area to minimize clogging from sediment accumulation.	Routine – Including just before annual storm seasons and after snow season (April or May), end of storm season after leaves have fallen, and following significant rainfall events.

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Inspections	Inspect detention area to determine if the sand media is allowing acceptable infiltration. If standing water persists for more than 24 hours after storm runoff has ceased, clogging should be further investigated and remedied.	Routine – Biannual inspection of the hydraulic performance.
Growing media replacement	Restore infiltration capacity of bioretention facilities.	Non-routine – Performed when clogging is due to the migration of sediments deep into the pore spaces of the media. The frequency of replacement will depend on site-specific pollutant loading characteristics.

Grass Buffers and Swales

Routine Maintenance Table (Summary from Section 4.0, Chapter 6 of UDFCD)

Required Action	Maintenance Objective	Frequency of Action
Lawn mowing and Lawn care	Maintain irrigated grass at 2 to 4 inches tall and non-irrigated native grass at 6 to 8 inches tall. Collect cuttings and dispose of them offsite or use a mulching mower.	Routine – As needed.
Aeration	Reduces soil compaction and helps water move into the root zone.	Routine – at least once per year when ground is not frozen. Heavy traffic areas may require more frequent aeration.
Fertilizer, Herbicide and Pesticide Application	Use minimum amount of biodegradable nontoxic fertilizers and herbicides needed to establish and maintain dense vegetation cover that is reasonably free of weeds.	Frequency of application should be on an as-needed basis only and should reduce following the establishment of vegetation.
Debris and Litter removal	Remove litter and debris to prevent rill and gully development. Keep the swale area clean for aesthetic reasons, which also reduces the potential for floatables being flushed downstream.	Routine – As needed by inspection, but no less than two times per year.
Sediment removal	Remove accumulated sediment near the buffer interface with impervious area. Replace the grass areas damaged in the process.	Routine – As needed by inspection. Estimate the need to remove sediment from 3 to 10 percent of total length of interface per year, as determined by annual inspection. Expect turf replacement for the interface ever 10-20 years.
Inspections	Check the grass for uniformity of cover, sediment accumulation in the swale, and near culverts.	Routine – Inspect vegetation at least twice annually.

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Underground Detention - StormTech Subsurface Stormwater Management Chambers

Subsurface stormwater management chambers are located under the parking lot by Detention Pond 1 as shown in the Final Development Plan documents. The primary purpose of this system is to provide detention quantity storage. However, the chambers and associated Isolator Row provide additional water quality and low-impact development benefits as well.

An important component of any stormwater BMP is proper inspection and maintenance. The StormTech Isolator Row is a patented technique to improve Total Suspended Solids (TSS) removal and provide easy access for inspection and maintenance.

Routine Maintenance Table for Subsurface Stormwater Management Chambers

Required Action	Maintenance Objective	Frequency of Action
Inspection of Isolator Row	Inspect the Isolator Row for sediment. Using a flashlight and stadia rod, measure depth of sediment and record on maintenance log. If sediment is at, or above, a 1.5" depth Isolator Row must be cleaned. Reference StormTech Operations & Maintenance Guidelines for further information.	Inspect immediately following construction and every 6 months thereafter during the first year of operation. Adjust the inspection interval based on previous observations of sediment accumulation and high water elevations.
Cleaning of Isolator Row	Use a JetVac process with a fixed culvert cleaning nozzle and a rear facing spread of 45" or more. Apply multiple passes of JetVac until backflush water is clean. Vacuum structure sump as required. Reference StormTech Operations & Maintenance Guidelines for further information.	If sediment is at, or above, a 1.5" depth Isolator Row must be cleaned.
Inspection of Upstream and Downstream Structures	Inspect and clean all basins, manholes, and associated structures upstream and immediately downstream of the system.	Follow same schedule as Isolator Row inspections, or more frequently, if desired.

File Attachments for Item:

4. Second Reading of Ordinance No. 036, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the College Avenue-Drake Road Intersection Improvements Project and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, appropriates a development contribution for construction from the King Soopers 146 – Midtown Gardens Marketplace Development to the College Avenue-Drake Road Intersection Improvements project (Project). The funds will be used for design services. If approved, this item will: 1) appropriate \$100,265 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$1,003 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Jin Wang, Project Manager
Dana Hornkohl, Capital Projects Manager

SUBJECT

Second Reading of Ordinance No. 036, 2025, Appropriating a Development Contribution to Construction and Authorizing Transfers of Appropriations for the College Avenue-Drake Road Intersection Improvements Project and Related Art in Public Places.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 4, 2025, appropriates a development contribution for construction from the King Soopers 146 – Midtown Gardens Marketplace Development to the College Avenue-Drake Road Intersection Improvements project (Project). The funds will be used for design services. If approved, this item will: 1) appropriate \$100,265 received in 2025 as a development contribution to construction by an adjacent development and 2) appropriate \$1,003 (1%) of the development contribution to construction to the Art in Public Places (APP) program.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

The state highway intersection of College Avenue and Drake Road is a critical arterial-arterial intersection in midtown Fort Collins that presents safety concerns and congestion issues. The Urban Renewal Authority (URA) area adopted a plan that included several public improvements in this area that focus on intersection improvements for pedestrians, bicyclists, and vehicles. (Attachment 2) The Project was also identified in the Transportation Capital Projects Prioritization Study (“TCPSPS”) adopted by City Council on September 19, 2023.

There are several recent and active developments, both nearby and directly adjacent to the intersection. To effectively coordinate improvements to the intersection with the URA improvements, the City began conceptual and preliminary engineering and design in 2021.

In 2023, Dillon Companies, LLC (“Developer”) entered into a Development Agreement (“DA”) with the City. (Attachment 3) The DA laid out the requirements and conditions for the development of King Soopers 146 – Midtown Gardens Marketplace at the northwest corner of the intersection of College Avenue and Drake Road. Section II.D.4 of the DA contemplated construction of median improvements that the development would be responsible for providing as traffic volumes increase due to the development. The parties agreed the median would be best completed by the City’s intersection improvements Project. The Developer

agreed to contribute the cost of the median improvements to the City. The Developer and City staff estimated the cost of these median improvements to be \$100,265. The City collected the development contribution to construction early in 2025. This payment is proposed to be appropriated to the Project, which will construct the median improvements contemplated by the DA.

This Project will be done in conformance with City standards and approved and/or adopted plans, such as the Midtown in Motion Plan and the Active Modes Plan. The design team is coordinating closely with the Midtown Improvements Project south of the intersection that is also in the design phase. This appropriation will continue the design process and help to identify opportunities for cost savings, funding, right-of-way needs, Project constraints, and other items needed to understand the Project area. Continued involvement by the City will enhance flexibility in design and capture development momentum.

CITY FINANCIAL IMPACTS

The following is a summary of the funding anticipated for the thirty percent design for the College Avenue-Drake Road Intersection Improvements project.

Prior Appropriated Funds	
Transportation Capital Expansion Fee (TCEF) Funds	\$ 498,900
Transportation Services Fund	\$ 1,100
Development Contributions to Construction	\$ 243,300
Community Capital Improvement Program (CCIP) Arterial Intersection Improvements	\$ 50,000
TOTAL PRIOR APPROPRIATION	\$ 793,300

Funds to be Appropriated per this Action	
Development Contributions to Construction	\$ 100,265
Total Funds to be Appropriated per this Action	\$ 100,265

Proposed Transfer to Art in Public Places	\$ 1,003
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Total Proposed Project Funds	\$ 893,565
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The total fund amount projected for this Project is \$893,565 composed of prior appropriated funds and funds appropriated with this action.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Project is identified in the TCPPS adopted by Council on September 19, 2023. TCPPS was presented to the Transportation Board on three occasions during its development on June 16, 2021, June 15, 2022, and August 16, 2023, prior to its adoption by Council.

PUBLIC OUTREACH

Staff developed and continues to implement a public engagement plan for the Project in conjunction with the Communications and Public Involvement Office. The Project was presented as part of an open house in conjunction with the Midtown Improvements Project on May 31, 2023. The Project has also been highlighted at Transportation Project Fairs held on February 22, 2024, and February 23, 2023. The Project will be highlighted at the upcoming Transportation Projects Fair on March 6, 2025.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration

ORDINANCE NO. 036, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING A DEVELOPMENT CONTRIBUTION TO
CONSTRUCTION AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE COLLEGE AVENUE-DRAKE ROAD
INTERSECTION IMPROVEMENTS PROJECT AND RELATED
ART IN PUBLIC PLACES

A. The purpose of this item is to appropriate a development contribution from the developer of the King Soopers 146 – Midtown Gardens Marketplace Development for the construction of the College Avenue-Drake Road Intersection Improvements project (the “Project”). These funds will be used for Project design at the state highway Intersection of College Avenue and Drake Road, which is a critical arterial-arterial intersection in midtown Fort Collins that presents safety concerns and congestion issues.

B. In 2023, Dillon Companies, LLC (“Developer”) entered into a Development Agreement (“DA”) with the City, which set forth the requirements and conditions for the development of King Soopers 146 – Midtown Gardens Marketplace at the northwest corner of the intersection of College Avenue and Drake Road.

C. Section II.D.4 of the DA contemplates construction of median improvements that the Developer would be responsible as a result of the increase in traffic volumes due to the development. The DA provides that the City would construct the improvements when improvements are made to adjacent portions of Drake Road in concurrence with the Project.

D. The DA also provides that the Developer will contribute to the cost of the median improvements to the City. The Developer and City staff estimated the cost of these median improvements to be \$100,265. The City collected the development contribution for construction early in 2025. This payment is proposed to be appropriated to the Project, which will construct the median improvements contemplated by the DA.

E. The Project was identified in the Transportation Capital Projects Prioritization Study adopted by City Council on September 19, 2023. The Project will conform with City standards and adopted plans, such as the Midtown in Motion Plan and the Active Modes Plan. The Project design team is coordinating closely with the Midtown Improvements Project south of the intersection that is also in the design phase.

F. The Urban Renewal Authority adopted a plan that includes several public improvements in this College Avenue-Drake Road area that focus on intersection improvements for pedestrians, bicyclists, and vehicles, and there are several recent and active developments, both nearby and directly adjacent to the intersection. Conceptual and preliminary engineering and design of the Project aims to coordinate improvements to the intersection with Urban Renewal Authority plans and nearby developments.

G. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

H. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transportation Capital Expansion Fee fund and that this appropriation will not cause the total amount appropriated in the Transportation Capital Expansion Fee fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this fund during this fiscal year.

I. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance

J. The City Manager has recommended the transfer of \$100,265 from the Transportation Capital Expansion Fee fund to the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

K. This Project involves construction estimated to cost more than \$250,000 and, as such, City Code Section 23-304 requires one percent of these appropriations to be transferred to the Cultural Services and Facilities Fund for a contribution to the Art in Public Places ("APP") program.

L. The total project cost of \$100,265 has been used to calculate the contribution to the APP program.

M. The amount to be contributed by this Ordinance will be \$1,003.

N. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made but continue until the completion of the capital project.

O. The City Council wishes to designate the appropriation herein for the Project as an appropriation that shall not lapse until the completion of the Project.

P. The appropriations in this Ordinance benefit public health, safety, and welfare of the residents of Fort Collins and the traveling public and serve the public purpose of improving multimodal transportation infrastructure, safety, and accessibility within the city.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Transportation Capital Expansion Fee fund the sum of ONE HUNDRED THOUSAND TWO HUNDRED SIXTY-FIVE DOLLARS (\$100,265) to be expended in the Transportation Capital Expansion Fee fund for Transfer to the Capital Projects fund to be appropriated and expended therein for the design of the College Avenue-Drake Road Intersection Improvements project.

Section 2. The unexpended and unencumbered appropriated amount of SEVEN HUNDRED EIGHTY-TWO DOLLARS (\$782) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein to fund art projects under the APP program.

Section 3. The unexpended and unencumbered appropriated amount of TWO HUNDRED ONE DOLLARS (\$201) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the operation costs of the APP program.

Section 4. The unexpended and unencumbered appropriated amount of TWENTY DOLLARS (\$20) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the maintenance costs of the APP program.

Section 5. The appropriation herein for the College Avenue-Drake Road Intersection Improvements project is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the completion of the Project.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Heather N. Jarvis

File Attachments for Item:

5. Second Reading of Ordinance No. 037, 2025, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for the Gardens on Spring Creek Internship Program.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, supports the Gardens on Spring Creek internship program by:

- Appropriating \$9,800 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and
- Utilizing matching funds in the amount of \$9,800 from existing 2025 appropriations into these new grant projects.

In January 2025 the CDA awarded the City a total of \$9,800 under the CDA's Agricultural Workforce Development Grant Program (AWDP). The Garden's Internship Program aligns with the objective of the AWDP in addressing the shortage of skilled agricultural workers in Colorado by providing training and support through internships. The City will be providing an additional \$9,800 in required matching funds. The award funds and City's matching funds will support hiring two interns for the Garden's' summer 2025 internship program.

The \$9,800 in funds through the CDA's Agricultural Workforce Development Grant Program are state funds and are pursuant to two separate State of Colorado purchase orders, with corresponding terms and conditions. Each award/purchase order provides up to \$4,900 for each paid internship provided through the Garden's summer 2025 internship program. There is no requirement that the City sign an agreement for either award. Rather, upon the City submitting the first request for reimbursement under each award/purchase order to CDA, the City agrees to all terms and conditions of the award.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Hannah Krikorian, Gardens on Spring Creek
 Kerri Ishmael, Grants Administration

SUBJECT

Second Reading of Ordinance No. 037, 2025, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for the Gardens on Spring Creek Internship Program.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 4, 2025, supports the Gardens on Spring Creek internship program by:

- Appropriating \$9,800 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and
- Utilizing matching funds in the amount of \$9,800 from existing 2025 appropriations into these new grant projects.

In January 2025 the CDA awarded the City a total of \$9,800 under the CDA's Agricultural Workforce Development Grant Program (AWDP). The Garden's Internship Program aligns with the objective of the AWDP in addressing the shortage of skilled agricultural workers in Colorado by providing training and support through internships. The City will be providing an additional \$9,800 in required matching funds. The award funds and City's matching funds will support hiring two interns for the Garden's' summer 2025 internship program.

The \$9,800 in funds through the CDA's Agricultural Workforce Development Grant Program are state funds and are pursuant to two separate State of Colorado purchase orders, with corresponding terms and conditions. Each award/purchase order provides up to \$4,900 for each paid internship provided through the Garden's summer 2025 internship program. There is no requirement that the City sign an agreement for either award. Rather, upon the City submitting the first request for reimbursement under each award/purchase order to CDA, the City agrees to all terms and conditions of the award.

STAFF RECOMMENDATION

Staff recommend adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

The Colorado Department of Agriculture's (CDA) The Agricultural Workforce Development Program (AWDP) provides financial incentives to farms, ranches, and agricultural businesses to hire interns and provide them with hands-on training needed to begin a career in agriculture. Qualified businesses may be reimbursed for up to 50 percent of the actual cost of hiring an intern, not to exceed \$4,900 per internship.

The AWDP is the result of legislation introduced during the 2018 session of the Colorado General Assembly by the Young and Beginning Farmers Interim Study Committee. In its first five years, the AWDP has supported 130 internships at 107 different Colorado agricultural businesses.

As many City internships are unpaid, The Gardens on Spring Creek applied for funding to continue to provide paid internship opportunities for learners. By creating paid opportunities for students to support career readiness, we expect to increase students' skillsets to better prepare them for quality jobs, while decreasing the financial burden an unpaid internship can cause.

The Gardens was provided two \$4,900 awards to support horticultural internships for the summer of 2025. Each internship will be further supported by City funds, based on a required 50% match. One internship will work directly in the Garden of Eatin', an acre garden dedicated to food production where all produce is donated to the Food Bank of Larimer County, as well as with the Community Gardens Program, which allows residents to grow their own fruits, vegetables, herbs and annual flowers in one of the City's eight community gardens. The other internship will support the propagation and care of over 30,000 vegetable, annual and perennial crops grown for the community and to be planted onsite throughout the 12 acres of gardens.

CITY FINANCIAL IMPACTS

This item appropriates \$9,800 in unanticipated revenue from the CDA in support of the Garden's summer 2025 internship program. The \$9,800 in unanticipated revenue is through two separate \$4,900 awards that require independent tracking of allowable costs and reporting to CDA.

Both grants are reimbursement-type grants so Cultural Services Fund expenses will be reimbursed up to \$9,800.

Required matching funds in the amount of \$9,800 have already been appropriated in the Cultural Services Fund, specifically in the 2025 operating budget for the Gardens. Up to \$4,900 in required match will be transferred from the Gardens' 2025 operating budget to each grant project, totaling \$9,800 in transferred funds.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration

ORDINANCE NO. 037, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION AND
AUTHORIZING TRANSFER OF APPROPRIATIONS FOR THE
GARDENS ON SPRING CREEK INTERNSHIP PROGRAM

A. The Colorado Department of Agriculture’s (“CDA”) Agricultural Workforce Development Program (“AWDP”) provides financial incentives to farms, ranches, and agricultural businesses to hire interns and provide them with hands-on training needed to begin a career in agriculture.

B. The Gardens on Spring Creek applied for funding with the CDA to continue to provide the paid internship opportunities. By creating paid opportunities for students to support career readiness, the City expects to increase students’ skillsets to better prepare them for quality jobs, while decreasing the financial burden an unpaid internship can cause.

C. The Gardens was awarded funding through the AWDP for two horticulture internships of up to \$4,900 each for the summer of 2025 (the “Grants”). One intern will work directly in the Garden of Eatin’, a one-acre garden dedicated to food production where all produce is donated to the Food Bank of Larimer County, as well as with the Community Gardens Program, which allows residents to grow their own fruits, vegetables, herbs and annual flowers in one of the City’s eight community gardens. The second intern will support the propagation and care of over 30,000 vegetable, annual and perennial crops grown for the community and to be planted onsite throughout the 12 acres of the Gardens on Spring Creek. The Grants require a total City match of \$9,800, which is available and requires Council’s approval for transfer to the appropriate fund.

D. This appropriation benefits public health, safety and welfare of the citizens of Fort Collins and the interns’ work serves the public purpose of improving a public cultural facility.

E. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

F. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Cultural Services and Facilities Fund and that this appropriation will not cause the total amount appropriated in the Cultural Services and Facilities Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

G. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

H. The City Manager has recommended the transfer of \$9,800 from the Cultural Services and Facilities Fund Gardens on Spring Creek Operating Budget to the Cultural Services and Facilities Fund Gardens on Spring Creek Internship Budget and determined that the purpose for which the transferred funds are to be expended remains unchanged.

I. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant.

J. The City Council wishes to designate the appropriation herein for Garden's on Spring Creek Internship program as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

In light of the foregoing Recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Cultural Services and Facilities Fund the sum of NINE THOUSAND EIGHT HUNDRED DOLLARS (\$9,800) to be expended in Cultural Services and Facilities Fund for the Gardens on Spring Creek Internship program.

Section 2. The unexpended and unencumbered appropriated amount of NINE THOUSAND EIGHT HUNDRED DOLLARS (\$9,800) is authorized for transfer from the Gardens on Spring Creek Operating budget in the Cultural Services and Facilities Fund to the Gardens on Spring Creek Grant budget in Cultural Services and Facilities Fund and appropriated therein to be expended for the Gardens on Spring Creek Internship program.

Section 3. The appropriation herein for Gardens on Spring Creek Internship program grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Ted Hewitt

File Attachments for Item:

6. Items Relating to the Fort Collins Police Services Victim Services Unit.

A. Second Reading of Ordinance No. 038, 2025, Making a Supplemental Appropriation of Funds Received from the Eighth Judicial District Victim Assistance and Law Enforcement Board in the General Fund for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 039, 2025, Making a Supplemental Appropriation of Funds Received from the Colorado Division of Criminal Justice Under the Federal Victim of Crime Act in the General Fund for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, help fund 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, 2025, to December 31, 2025. 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.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$17,505 for the period from January 1, 2025, to December 31, 2025, 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 25% of the salary for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Brittany Davis, Victim Services Supervisor
 Lt. Sara Lynd, Criminal Investigations Lieutenant

SUBJECT

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

EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 038, 2025, Making a Supplemental Appropriation of Funds Received from the Eighth Judicial District Victim Assistance and Law Enforcement Board in the General Fund for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 039, 2025, Making a Supplemental Appropriation of Funds Received from the Colorado Division of Criminal Justice Under the Federal Victim of Crime Act in the General Fund for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on March 4, 2025, help fund 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, 2025, to December 31, 2025. 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.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$17,505 for the period from January 1, 2025, to December 31, 2025, 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 25% of the salary for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

The Victim Services Unit has received funding from the VALE grant since the inception of the program in 1996. Colorado state statutes mandate law enforcement agencies follow the Victim Rights Amendment to

the Colorado Constitution. Many of the stages in the mandated statutes are fulfilled by the Victim Services Unit. Services have been provided to thousands of victims and their family members who have become victims of violent crime in the community. Council has approved appropriations of the VALE grant revenue every year. Services to the community would be drastically cut without this grant award.

Funds from the VALE grant will be used for 30 hours a week toward the salary for the full-time contractual victim advocate who provides crisis intervention services during weekday hours and is housed in the Victim Services office. Funds will also pay for a portion of the operational expenses needed to provide 24-hour, 7-days/week services to victims of crime in the community.

The VOCA grant will be used to fund 10 hours a week toward the salary of the full-time contractual victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

Victim Services has received VOCA grant funding since 2020. VOCA funds will help fulfill the legal mandates under the Colorado Constitution as well by ensuring Fort Collins Police Services provides services to victims under the Colorado Victim Rights Amendment.

CITY FINANCIAL IMPACTS

The City has received a grant in the amount of \$70,000 from the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund victim services activities.

The City has also been awarded a grant in the amount of \$17,505 from the Federal Victim of Crime Act (VOCA).

Neither grant requires a cash or in-kind match from Fort Collins Police Services or the City of Fort Collins. Both grants will be appropriated into the General Fund.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance A for Consideration
2. Ordinance B for Consideration

ORDINANCE NO. 038, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION OF FUNDS
RECEIVED FROM THE EIGHTH JUDICIAL DISTRICT VICTIM
ASSISTANCE AND LAW ENFORCEMENT BOARD IN THE
GENERAL FUND FOR THE FORT COLLINS POLICE SERVICES
VICTIM SERVICES UNIT

A. Fort Collins Police Services has been awarded a grant in the amount of \$70,000 (the "Grant") for the period from January 1, 2025, to December 31, 2025, by the Eighth Judicial District Victim Assistance and Law Enforcement ("VALE") Board to support the Fort Collins Police Services Victim Services Unit ("Victim Services").

B. Victim Services provides crisis intervention, resources and referral services to victims of violent crime and other traumatic situations.

C. The Grant will be used to fund a part of the salary for the victim advocate who provides crisis intervention services, a part-time victim advocate, and to partially pay for operational expenses needed to provide 24-hour a day, 7-day a week services to victims of crime in the community.

D. Appropriation of the Grant serves a public purpose by assisting crime victims in the Fort Collins community

E. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

F. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the General Fund and that this appropriation will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

G. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or the City's expenditure of all funds received from such grant or donation

H. The City Council wishes to designate the appropriation herein from the Eighth Judicial District Victim Assistance and Law Enforcement Board as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the General Fund the sum of SEVENTY THOUSAND DOLLARS (\$70,000) to be expended in the General Fund for the Fort Collins Police Services Victim Services Unit.

Section 2. The appropriation herein from the Eighth Judicial District Victim Assistance and Law Enforcement Board is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Dawn Downs

ORDINANCE NO. 039, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION OF FUNDS
RECEIVED FROM THE COLORADO DIVISION OF CRIMINAL
JUSTICE UNDER THE FEDERAL VICTIM OF CRIME ACT IN THE
GENERAL FUND FOR THE FORT COLLINS POLICE SERVICES
VICTIM SERVICES UNIT

A. Fort Collins Police Services has been awarded a grant by the Colorado Division of Criminal Justice in the amount of \$17,505 (the "Grant") under the Federal Victim of Crime Act ("VOCA") to support the Fort Collins Police Services Victim Services Unit ("Victim Services") for the period from January 1, 2025, to December 31, 2025.

B. Victim Services provides crisis intervention, resources and referral services to victims of violent crime and other traumatic situations.

C. The Grant will be used to fund a part of the salary for the victim advocate who provides crisis intervention services for sexual assault victims between school ages of kindergarten through 12th grade.

D. Appropriation of the Grant serves a public purpose by assisting crime victims in the Fort Collins community.

E. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

F. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the General Fund and that this appropriation will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

G. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or the City's expenditure of all funds received from such grant or donation

H. The City Council wishes to designate the appropriation herein from the Colorado Division of Criminal Justice under the Federal Victim of Crime Act as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the General Fund the sum of SEVENTEEN THOUSAND FIVE HUNDRED FIVE DOLLARS (\$17,505) to be expended in the General Fund for the Fort Collins Police Services Victim Services Unit.

Section 2. The appropriation herein from the Colorado Division of Criminal Justice under the Federal Victim of Crime Act is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Dawn Downs

File Attachments for Item:

7. Second Reading of Ordinance No. 040, 2025, Approving an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins, Colorado, Downtown Development Authority Governing the Use of a Line of Credit for the Financing of Downtown Development Authority Projects and Programs and Delegating to the Downtown Development Authority Thereunder the Power to Incur Debt in Relation Thereto as Authorized by State Law.

This Ordinance, unanimously adopted on First Reading on March 4, 2025, approves an ordinance to approve and authorize the Mayor to sign an intergovernmental agreement between the City and Downtown Development Authority (DDA) that will govern the processes for administering a line of credit for financing DDA projects and programs for a six-year term from 2025 through 2030 and a maximum per-draw limit of \$5 million.

The current Line of Credit (LOC) established in 2012 and renewed in 2018 by the City on behalf of the DDA expired at the end of 2024. The City and DDA began taking steps in early 2024 to renew this debt instrument with First National Bank of Omaha (FNBO) for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025 and continuing through 2030. The renewal of the bank authorized Line of Credit is needed by the DDA to satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II).

On November 6, 2024, the Council Finance Committee reviewed the purpose and approach for bringing forth a third IGA to accommodate the DDA's authorization to use a Line of Credit and satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II). The Council Finance Committee was supportive of advancement of the IGA to the City Council.

On February 13, 2025, the DDA Board adopted Resolution 2025-02 authorizing the DDA's approval of the IGA and the line of credit promissory note from First National Bank of Omaha. The IGA is now advanced to the City Council and pursuant to the DDA Act requires adoption by ordinance.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Matt Robenalt, Executive Director, Downtown Development Authority
Kristy Klenk, Finance & HR Manager, Downtown Development Authority
Adam Halvorson, Sr Analyst, Treasury, City of Fort Collins

SUBJECT

Second Reading of Ordinance No. 040, 2025, Approving an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins, Colorado, Downtown Development Authority Governing the Use of a Line of Credit for the Financing of Downtown Development Authority Projects and Programs and Delegating to the Downtown Development Authority Thereunder the Power to Incur Debt in Relation Thereto as Authorized by State Law.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 4, 2025, approves an ordinance to approve and authorize the Mayor to sign an intergovernmental agreement between the City and Downtown Development Authority (DDA) that will govern the processes for administering a line of credit for financing DDA projects and programs for a six-year term from 2025 through 2030 and a maximum per-draw limit of \$5 million.

The current Line of Credit (LOC) established in 2012 and renewed in 2018 by the City on behalf of the DDA expired at the end of 2024. The City and DDA began taking steps in early 2024 to renew this debt instrument with First National Bank of Omaha (FNBO) for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025 and continuing through 2030. The renewal of the bank authorized Line of Credit is needed by the DDA to satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II).

On November 6, 2024, the Council Finance Committee reviewed the purpose and approach for bringing forth a third IGA to accommodate the DDA's authorization to use a Line of Credit and satisfy compliance with C.R.S. § 31- 25-807(3)(a)(II). The Council Finance Committee was supportive of advancement of the IGA to the City Council.

On February 13, 2025, the DDA Board adopted Resolution 2025-02 authorizing the DDA's approval of the IGA and the line of credit promissory note from First National Bank of Omaha. The IGA is now advanced to the City Council and pursuant to the DDA Act requires adoption by ordinance.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Title 31, Article 25, part 8, Colorado Revised Statutes and Chapter 2, Article IV, Division 1 of the City Code (the “DDA Statute”) has inherent processes that require the City and the DDA to work collaboratively to achieve the purpose of the legislation. Among these expected collaborations is the process for financing DDA activities. In 2012, Council adopted Ordinance No. 089, 2012, and the City and DDA established a line of credit (LOC) with First National Bank to satisfy the statutory requirement to generate proceeds from debt to be used by the DDA to execute its projects and programs and implement the DDA’s Plan of Development. The tax increment revenues are generated each year by the increase in property values within the boundaries of the DDA and the DDA Statutes require that those revenues be applied towards debt, and it is the proceeds from the debt that is technically used to fund projects and programs of the DDA.

In 2018, Council adopted Ordinance No. 066, 2018, to renew the LOC for another six-year term from 2019 to 2024 year end. This LOC expired at the end of 2024. The DDA and City began taking steps in 2024 to renew this debt instrument with First National Bank for another six-year term, as it will be needed by the DDA to execute its projects and programs beginning in budget year 2025.

Additionally, in 2012, Council approved Resolution 2012-081 and the DDA and City created an intergovernmental agreement (“2012 IGA”) that established the process by which the two organizations would:

- initiate requests for a draw from the LOC
- verify tax increment revenue cash available to repay the debt
- account for the loan proceeds released from the LOC, and
- execute repayment with tax increment within 7 days of the initial LOC draw

A second Intergovernmental Agreement Governing a Line of Credit for Financing Downtown Development Authority Projects and Programs was approved by City Council by Resolution 2018-046 to reflect the terms of the renewed LOC (“2018 IGA”).

What is New for 2025?

In 2023, Senate Bill 23-175 (“SB23-175”) was signed into law, amending state law to provide a new hybridized option for meeting the statutory requirements for financing the projects and programs of downtown development authorities. SB23-175 authorizes downtown development authorities to incur debt to be repaid by tax increment revenues if an intergovernmental agreement is in place between the municipality and the downtown development authority. Prior to SB23-175, the statute required that all debt issued for the benefit of the development authority be exclusively the debt of the municipality.

Many of the downtown development authorities in Colorado use the same line of credit financing approach as the Fort Collins DDA and City of Fort Collins. Because the approach has some steps that amount to busy-work for municipal finance staff, there was wide support to create an option to transfer much of the administrative burden to development authorities by allowing them to incur their own debt, pursuant to SB23-175.

To implement the authority granted by SB23-175, the staff of the City and the DDA began discussions as the 2018 IGA term ended on the steps necessary to establish a new line of credit. Staff also conferred with legal counsel serving the DDA and the City, as well as the bank through which the previous line of credit was issued, First National Bank. Based on these discussions, staff and legal counsel have drafted a third intergovernmental agreement to clearly define the scope of authority being delegated to the DDA and to establish the necessary procedural steps between the City, DDA and bank.

The draft 2025 intergovernmental agreement (the “2025 IGA”) and the line of credit loan promissory note from First National Bank of Omaha were approved by the DDA Board on February 13, 2025. The 2025 IGA has now advanced to the City Council for approval. This schedule for adoption is several months ahead of when the City will receive the distribution of the 2025 tax increment revenues from the County Treasurer that would be applied to pay off any draws from a new line of credit established pursuant to the 2025 IGA, and this timing is supportive of the DDA's cashflow timing needs for projects it will be funding in 2025.

CITY FINANCIAL IMPACTS

When the DDA and City began using the LOC financing approach in 2012, it provided benefits and positive impacts over the much more expensive forms of financing such as issuance of traditional revenue bonds, certificates of participation, or private-placement financing with banks and other investors. Using the LOC approach to finance DDA projects and programs results in a significantly shorter period of time in which the debt incurs interest. The savings on financing costs means that more funding is available to invest directly into projects and programs in the downtown, and less is spent on finance fees and interest expenses.

DDA staff analyzed the savings from this approach used between 2012-2024 against that of the other forms of traditional financing used by the City and DDA in the past. The financial savings is significant. Since 2012, the LOC total interest and financing fees for \$46,758,242 of principal debt was \$19,006. In contrast, the total interest and finance fees for the City/DDA financing approach that traditionally used certificates of participation and private placement bonds for \$15,279,063 of principal debt was \$3,412,065.

Other benefits and positive impacts using the LOC include:

- Strong expression of fiduciary stewardship of public funds;
- Recognition that investment of tax increment funds, derived from property tax assessments of overlapping tax entities, creates positive growth in assessed value and thereby increased the value of the property tax base for all overlapping entities. (82% of the DDA tax increment comes from tax entities other than the City such as Larimer County and Poudre School District who benefit financially from the DDA's automatic share back of tax increment and the rising value of base assessed valuation in the district);
- Funding partnerships of the DDA undertaken with the City and private sector require no cost of capital charges assessed to the projects because the DDA has found a very inexpensive method to finance its debt used to support these partnerships; and
- Every draw made on the LOC is paid off within seven (7) days, which means no effect at the end of the calendar year on the City's fund balance or City Annual Comprehensive Financial Report, in which the DDA's finances are reported.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

At its November 6, 2024, meeting, the Council Finance Committee was supportive of bringing the 2025 IGA forward to accommodate the renewal of the bank authorized Line of Credit to be used by the DDA and satisfy compliance with C.R.S. §31-25-807(3)(a)(II).

DDA Board

At its regular meeting on February 13, 2025, the DDA Board of Directors adopted Resolution 2025-02, recommending to the Fort Collins City Council the renewal of a Line of Credit with First National Bank of Omaha for a six (6) year period with a maximum per-draw limit of five million dollars (\$5,000,000) to be placed in the Downtown Development Authority's Financing Activity Fund for expenditure on certain projects and programs in accordance with the Downtown Development Authority Plan of Development and the approval of the Intergovernmental Agreement governing the Line of Credit.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration
2. Exhibit A to Ordinance

ORDINANCE NO. 040, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF FORT COLLINS AND THE FORT
COLLINS, COLORADO, DOWNTOWN DEVELOPMENT
AUTHORITY GOVERNING THE USE OF A LINE OF CREDIT FOR
THE FINANCING OF DOWNTOWN DEVELOPMENT AUTHORITY
PROJECTS AND PROGRAMS AND DELEGATING TO THE
DOWNTOWN DEVELOPMENT AUTHORITY THEREUNDER THE
POWER TO INCUR DEBT IN RELATION THERETO AS
AUTHORIZED BY STATE LAW

A. On April 21, 1981, City Council approved Ordinance No. 046, 1981 to establish the Fort Collins, Colorado, Downtown Development Authority (“DDA”), pursuant to the provisions of Title 31, Article 25, part 8, Colorado Revised Statutes and Chapter 2, Article IV, Division 1 of the City Code (the “DDA Statute”).

B. The DDA Statute requires that the organization of downtown development authorities will serve a public use; promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the people of this state; halt or prevent deterioration of property values or structures within central business districts; halt or prevent the growth of blighted areas within such districts; and assist municipalities in the development and redevelopment of downtowns and in the overall planning to restore or provide for the continuance of the health thereof.

C. The primary means of financing DDA projects and programs is through a property tax increment collected within the DDA boundaries, and C.R.S. § 31-25-807(3)(a)(II) requires that the City or DDA must incur some form of debt in order to finance such projects and programs of the DDA using property tax increment revenues collected within the DDA boundaries.

D. The property tax revenues of the DDA, once distributed to the City by Larimer County, Colorado, are deposited into an account held by the City (the “DDA Debt Service Fund”).

E. On October 15, 2012, the City and the DDA entered into an intergovernmental agreement to establish a line of credit drawn from the account in which property tax increment revenues were deposited in order to finance DDA projects and programs with a six-year term (the “2012 IGA”).

F. On September 19, 2018, the City and the DDA entered into a second intergovernmental agreement to extend agreement for another six-year term and to increase the per-draw line of credit to \$5,000,000 (the “2018 IGA”).

G. Effective August 7, 2023, C.R.S. § 31-25-807(3)(a)(II) was amended by Senate Bill 23-175 to provide that a city, pursuant to an intergovernmental agreement

with a downtown development authority and approved by city ordinance, may delegate to a downtown development authority the power to incur loans or indebtedness or obtain advances and to pledge tax increment money for the payment of any loans, advances, or indebtedness.

H. The City desires to delegate to the DDA the power to incur such indebtedness by establishing a line of credit with First National Bank of Omaha on the same general terms as the City under the 2012 IGA and 2018 IGA (the "DDA Line of Credit"), as authorized by C.R.S. § 31-25-807(a)(3)(II), as amended, which will allow for the shifting of certain administrative burdens related to the financing of DDA projects and programs from the City to the DDA, which is beneficial to the City and which the DDA is willing and able to perform.

I. In order to update and replace the line of credit arrangement established in the 2018 IGA, and to shift the administrative burden related to the financing of DDA operations from the City to the DDA, staff of the City and the DDA have negotiated a new intergovernmental agreement regarding the financing of DDA projects and programs using the DDA Line of Credit, in the form attached hereto as Exhibit "A" (the "2025 IGA"), which has a term of six years and provides for a maximum per-draw limit of five million dollars.

J. The Board of Directors of the DDA, through the adoption of Resolution 2025-02, has expressed its willingness to perform the administrative burdens of financing its operations, as described in the 2025 IGA, and recommends to the City Council approval of the 2025 IGA.

K. A line of credit established by the DDA with a financial institution, as authorized by the City under the 2025 IGA, meets the requirements of C.R.S. § 31-25-807(3)(a)(II), as amended, and the costs and interest associated with such a line of credit are much lower than would be the case with other types of financing.

L. A line of credit does not create a multi-fiscal year direct or indirect debt or financial obligation on the part of the City or the DDA within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision.

M. It is in the best interests of both the City and the DDA to reduce financing costs of DDA project and programs to preserve the maximum amount of property tax increment revenues for DDA projects and programs within its boundaries.

N. The City is authorized to enter into intergovernmental agreements to provide any function, service, or facility under Article II, Section 16 of the Charter of the City of Fort Collins and C.R.S. § 29-1-203, and the City desires to enter into the 2025 IGA.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF

FORT COLLINS that the Mayor is hereby authorized to execute the 2025 IGA on behalf of the City in substantially the form attached hereto as Exhibit "A", and incorporated in by this reference with such modifications as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading on March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Dianne Criswell

**THIRD INTERGOVERNMENTAL AGREEMENT
GOVERNING A LINE OF CREDIT FOR FINANCING
DOWNTOWN DEVELOPMENT AUTHORITY
PROJECTS AND PROGRAMS**

This INTERGOVERNMENTAL AGREEMENT (“IGA”) is entered into this ____ day of _____, 2025, by and between the FORT COLLINS, COLORADO DOWNTOWN DEVELOPMENT AUTHORITY, a body corporate and politic (the “DDA”) and the CITY OF FORT COLLINS, COLORADO, a Colorado municipal corporation (the “City”).

WITNESSETH:

WHEREAS, the DDA has been created pursuant to the provisions of Title 31, Article 25, part 8, Colorado Revised Statutes, and Chapter 2, Article IV, Division 1 of the City Code (the “DDA Statute”); and

WHEREAS, the DDA Statute has declared that the organization of downtown development authorities will serve a public use; promote the health, safety, prosperity, security, and general welfare of the inhabitants thereof and of the people of this state; will halt or prevent deterioration of property values or structures within central business districts; halt or prevent the growth of blighted areas within such district, and assist municipalities in the development and redevelopment of downtowns and in the overall planning to restore or provide for the continuance of the health thereof; and

WHEREAS, the DDA provides an invaluable service to the City by promoting the health, safety, prosperity, security and general welfare of those living and working within its boundaries; and

WHEREAS, pursuant to C.R.S. § 31-25-808(1)(f), the DDA is empowered to enter into contracts with governmental agencies and public bodies in furtherance of the statutory mission of the DDA; and

WHEREAS, Article II, Section 16 of the City Charter empowers the City Council of the City, by ordinance or resolution, to enter into contracts with other governmental bodies to furnish governmental services and make charges for such services or enter into cooperative or joint activities with other governmental bodies; and

WHEREAS, the primary means of financing DDA projects and programs is through the use of property tax increment collected within the DDA boundaries, and C.R.S. §31-25-807(3)(a)(II) requires that the City or DDA incur some form of debt in order to finance such projects and programs using property tax increment revenues collected within the DDA boundaries; and

WHEREAS, such property tax increment revenues, once remitted to the City by Larimer County, Colorado, are deposited into an account held by the City (the “DDA Debt Service Fund”); and

WHEREAS, on October 15, 2012, the parties entered in that certain agreement entitled “Intergovernmental Agreement Governing a Line of Credit for Financing Downtown Development Authority Projects and Programs” which established a line of credit to finance certain DDA projects and programs and defined the process for use of such line of credit (the “2012 IGA”); and

WHEREAS, the 2012 IGA had a term of six (6) years and expired on December 31, 2018; and

WHEREAS, on September 19, 2018, the parties entered in that certain agreement entitled “Second Intergovernmental Agreement Governing a Line of Credit for Financing Downtown Development Authority Projects and Programs” which extended the term of the line of credit established under the 2012 IGA and increased the per-draw limit under the line of credit to \$5,000,000 (the “2018 IGA”); and

WHEREAS, the 2018 IGA had a term of six (6) years and expired on December 31, 2024; and

WHEREAS, under both the 2012 IGA and the 2018 IGA, the line of credit was established between the City and First National Bank of Omaha (“First National Bank”) through execution of a line of credit agreement and promissory note, consistent with the DDA Statute, which at the time required that the City incur the debt necessary to finance DDA projects and programs using property tax increment revenues under C.R.S. § 31-25-807(3)(a)(II); and

WHEREAS, effective August 7, 2023, C.R.S. § 31-25-807(3)(a)(II) was amended by Senate Bill 23-175 to provide that a city, pursuant to an intergovernmental agreement with a downtown development authority, approved by ordinance of the city, may delegate to a downtown development authority the power to incur loans or indebtedness or obtain advances and to pledge tax increment money for the payment of any loans, advances, or indebtedness; and

WHEREAS, the City, under this IGA, desires to delegate to the DDA the power to incur the indebtedness evidenced by the line of credit agreement and promissory note, and related assignment of deposit account, described in Section 2 below, which will allow for the shifting of certain administrative burdens related to the financing of DDA operations from the City to the DDA, which is beneficial to the City and which the DDA is willing and able to perform; and

WHEREAS, the parties desire to enter into this IGA for the purpose of replacing the line of credit established under the 2012 IGA and the 2018 IGA, for a term of six (6) years, on the same general terms and conditions contained in the 2012 IGA and the 2018 IGA, except as described above and as depicted on Exhibit B (“Exhibit B” being defined and described in Section 3.4 below); and

WHEREAS, a line of credit established by the DDA with a financial institution, as authorized by the City pursuant to this IGA, meets the requirements of C.R.S. § 31-25-807(3)(a)(II), as amended, and the costs and interest associated with such a line of credit are much lower than would be the case with other types of financing; and

WHEREAS, it is in the best interests of both the DDA and the City to reduce financing costs of DDA projects and programs in order to preserve the maximum amount of property tax increment revenues for DDA projects and programs within its boundaries.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties as hereafter provided and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. TERM.

The term of this IGA shall commence upon execution by the parties and continue through December 31, 2030 (“Term”), unless earlier terminated by mutual agreement.

2. LINE OF CREDIT.

Attached hereto as **Exhibit A**, and incorporated herein by reference, is a copy of the Promissory Note and Agreement, and related Assignment of Deposit Account (collectively, the “LOC Agreement”), between the DDA and First National Bank establishing an annual revolving line of credit, renewable each fiscal year of the Term for the benefit of the DDA, and which, in addition to other terms and conditions for its use, provides for a maximum per-draw limit of Five Million Dollars (\$5,000,000) (the “Line of Credit”).

3. REQUIREMENTS FOR DRAWS ON LINE OF CREDIT.

Any draw on the Line of Credit by the DDA during the Term shall be in accordance with all of the following requirements:

3.1 The DDA Board shall annually adopt a resolution approving its budget and shall adopt a resolution recommending the City Council of the City appropriate DDA monies to fund the DDA budget; and

3.2 The City Council of the City shall annually approve the DDA budget and by ordinance appropriate funds therefor, including funds for debt service for the Line of Credit and expenditure of the Line of Credit proceeds, as applicable; and

3.3 Any draw on the Line of Credit shall be used only to pay the costs of DDA projects and programs approved in the annual DDA budget and for which funds have been appropriated by the City; and

3.4 The sequence of steps for drawing on the line of credit shall be as depicted in the flowchart contained in **Exhibit B**, attached hereto and incorporated herein by reference; and

3.5 At least fourteen (14) days prior to any draw on the Line of Credit, the DDA's Executive Director shall determine and report to the City's Chief Financial Officer the current level of total debt that has at that time been issued under the existing voter authorization for DDA debt and further shall verify and report to the City's Chief Financial Officer that there are sufficient tax increment monies in the DDA's Debt Service Fund to replenish the Line of Credit in the amount of the draw and the interest cost. The DDA's Executive Director shall supply the City's Chief Financial Officer with documentation supporting such determinations and reporting, with examples of the documentation to be supplied being depicted in **Exhibits C-1 through C-5**, attached hereto and incorporated herein by reference. The DDA shall also notify the City's Chief Financial Officer of the date on which the DDA intends to make a draw request. The City's Chief Financial Officer shall review such information and documentation reported, and shall promptly notify the DDA of any errors or deficiencies identified; and

3.6 The DDA shall have the authority to request any draw on the Line of Credit consistent with the LOC Agreement and this IGA; provided, however, that the DDA shall make no draw on the Line of Credit in excess of available debt authorization, available tax increment monies, or which would result in the repayment of the Line of Credit after the then fiscal year. The DDA shall notify the City's Chief Financial Officer of any draw request no later than twenty-four (24) hours after making any such request; and

3.7 At the time of a draw request by the DDA, the City's Chief Financial Officer shall initiate such action as is necessary to repay the draw using funds from the DDA's Debt Service Fund within seven (7) business days of the DDA's receipt of the draw, such that the Line of Credit is fully replenished to its Five Million Dollars (\$5,000,000) limit of available credit within seven (7) business days of receipt of each such draw; and

3.8 Upon receipt from First National Bank, the DDA shall transfer the proceeds from the related Line of Credit draw into the City-held DDA Financing Activity Fund, and the City's Chief Financial Officer shall cause such funds to be available to the DDA.

4. EARLY TERMINATION

In the event that for any reason the Line of Credit is terminated, the parties agree that they will work together in good faith to secure another line of credit that meets the purposes of this IGA, subject to such City Council and DDA Board approval as may be required. In such event, any such new letter of credit shall be subject to the provisions of, but shall not require an amendment to, this IGA. The parties acknowledge that the tax increment funds that comprise the DDA's Debt Service Fund are held in a First National Bank account owned by the City and that, under the section of the LOC Agreement entitled "Conditions Precedent to an Advance," the City must continue to hold such funds in a First National Bank account in order for the Line of Credit to remain in effect. In recognition thereof, the City agrees to notify the DDA, as soon as is practicable, of any decision to change banking providers, to allow the parties sufficient time to negotiate a replacement for the Line of Credit with the City's new banking provider.

5. NOTICE.

All notices to be given to parties hereunder shall be in writing and shall be sent by certified mail to the addresses specified below:

DDA: Downtown Development Authority
Attn: Executive Director
19 Old Town Square, Suite 230
Fort Collins, CO 80524

With a copy to: Joshua C. Liley
Liley Law, LLC
2627 Redwing Road, Suite 342
Fort Collins, CO 80526

CITY: City of Fort Collins
Attn: Chief Financial Officer
215 North Manson Street
Fort Collins, CO 80524

With a copy to: City of Fort Collins
Attn: City Attorney
300 LaPorte Avenue
Fort Collins, CO 80521

6. THIRD PARTY BENEFICIARIES.

This IGA shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action hereunder for any cause whatsoever.

7. INTERPRETATION.

Nothing in this IGA is intended or shall be deemed or construed as creating any multiple-fiscal year direct or indirect debt or financial obligation on the part of the City or the DDA within the meaning of Colorado Constitution Article X, Section 20 or any other constitutional or statutory provision.

8. GOVERNING LAW/SEVERABILITY.

The laws of the State of Colorado shall govern the construction, interpretation, execution and enforcement of this IGA. In the event any provision of this IGA shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this IGA.

IN WITNESS WHEREOF, the parties have executed this IGA the day and year first above written.

CITY OF FORT COLLINS, COLORADO,
a Colorado municipal corporation

By: _____
Jeni Arndt, Mayor

APPROVED AS TO FORM:

Dianne Criswell, Senior Assistant City Attorney

ATTEST:

Name: _____ Title: _____

THE FORT COLLINS, COLORADO,
DOWNTOWN DEVELOPMENT
AUTHORITY, a body corporate and politic

By: _____
David Lingle, Chair

ATTEST:

Cheryl Zimlich, Secretary

File Attachments for Item:

8. First Reading of Ordinance No. 041, 2025, Reappropriating Funds Previously Appropriated in 2024 But Not Expended and Not Encumbered in 2024.

The purpose of this item is to reappropriate monies in 2025 that were previously authorized by City Council for expenditures in 2024 for various purposes. The authorized expenditures were not spent or could not be encumbered in 2024 because:

- There was not sufficient time to complete bidding in 2024 and therefore, there was no known vendor or binding contract as required to expend or encumber the monies; or
- The project for which the dollars were originally appropriated by Council could not be completed during 2024 and reappropriation of those dollars is necessary for completion of the project in 2025.

Additionally, there may have been sufficient unspent dollars previously appropriated in 2024 to carry on programs, services, and facility improvements in 2025 for those specific purposes.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2024 and reflect no change in Council policies.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Kelly DiMartino, City Manager
 Gretchen Stanford, Interim Finance Director
 Lawrence Pollack, Budget Director

SUBJECT

First Reading of Ordinance No. 041, 2025, Reappropriating Funds Previously Appropriated in 2024 But Not Expended and Not Encumbered in 2024.

EXECUTIVE SUMMARY

The purpose of this item is to reappropriate monies in 2025 that were previously authorized by City Council for expenditures in 2024 for various purposes. The authorized expenditures were not spent or could not be encumbered in 2024 because:

- There was not sufficient time to complete bidding in 2024 and therefore, there was no known vendor or binding contract as required to expend or encumber the monies; or
- The project for which the dollars were originally appropriated by Council could not be completed during 2024 and reappropriation of those dollars is necessary for completion of the project in 2025.

Additionally, there may have been sufficient unspent dollars previously appropriated in 2024 to carry on programs, services, and facility improvements in 2025 for those specific purposes.

In the above circumstances, the unexpended and/or unencumbered monies lapsed into individual fund balances at the end of 2024 and reflect no change in Council policies.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Executive Team has reviewed the Reappropriation requests to ensure alignment with organization priorities and the Budget staff reviewed the requests to verify that all met qualification requirements.

This item was then reviewed by the Council Finance Committee on March 6, 2025, and the Committee approved moving it forward to the full Council for consideration on March 18, 2025.

Monies reappropriated for each City fund by this Ordinance are as follows:

General Fund	\$1,841,644
2050 Tax Climate Fund	53,424
2050 Tax Parks & Rec Fund	250,000
2050 Tax Transit Fund	14,000
Neighborhood Parkland Fund	18,583
Conservation Trust Fund	59,663
Cultural Services & Facilities Fund	103,032
Recreation Fund	96,669
Transportation CEF Fund	1,413,645
Transportation Services Fund	226,853
Parking Fund	1,093,142
Data & Communications Fund	401,885
Total	\$5,572,540

The 2025 Reappropriation requests are as follows, by fund:

GENERAL FUND

City Clerk’s Office

1) Ranked Choice Voting preparation - \$67,978

Purpose for funds: At the November 2022 election, voters approved ranked choice voting. Starting in 2025, the City of Fort Collins must use ranked voting methods to fill Mayor and District Councilmember seats for coordinated and/or City-run elections when there are three or more candidates. The City is required to provide the instructions, training, procedures and services required to educate the community and implement this new way of voting in collaboration with the County and others. Due to the increased cost of ranked voting that the City is responsible for, the election itself will likely exceed the budgeted amount for FY25. A portion of the reappropriated funds will be used for this purpose. Additionally, the City Clerk's Office is obligated to educate the public on this new style of voting, and the remaining reappropriated funds will be used on marketing and outreach to the community. This includes mailings, newspaper, social media and other advertising, event costs, necessary informational materials/video, mock election materials, and other supplies for effectively communicating this initiative to the public. While the City Clerk's Office is looking for creative ways to partner with other organizations and community groups, a large cost for planned outreach efforts is expected.

Reason funds not expensed in 2024: The City Clerk's Office has been in a state of transition over the last year, running under adequate staffing levels and bringing on new team members. While ranked voting was identified as a major priority, planning for outreach and coordination efforts in the first half of 2024 was not feasible. This was due, in part, to the efforts required to get Charter amendments and other ballot questions approved and then working with the County on a coordinated 2024 election. Planning discussions and staff education related to ranked voting began in the fall of 2024, but many of the necessary items could not be purchased or encumbered so far from the 2025 election date as related materials and other items had yet to be developed. This work is currently underway. Staff is working with the County, CSU, PSD and the League of Women Voters to find ways to collaborate on these efforts and share some costs. However, we expect there will continue to be a significant cost for the City related to ranked voting efforts to ensure we effectively get the word out and help train voters. Reappropriating these funds will contribute significantly to our communication and outreach strategies.

Economic Health Office

2) Construction Impact Grants - \$74,500

Purpose for funds: These funds are meant as small grants to local businesses that have been impacted by City Construction. Road construction can limit access, interrupt operations, and reduce customer traffic. These grants are meant to help mitigate those issues by providing resources to help with marketing, communication, signage, etc.

Reason funds not expensed in 2024: The funds were not fully expended in 2024 based on unanticipated major project timing shifts. The request for reappropriation is due to the confluence of two major capital project schedule changes: College and Trilby construction has been delayed, as well as Harmony Underpass schedule prioritization (happening sooner).

Police Services

3) K9 Donation - \$8,505

Purpose for funds: \$10,000 was given by a citizen for the purpose of supporting the K9 unit for any purpose. This has not yet been purchased and should be reappropriated according to the intent of the gift.

Reason funds not expensed in 2024: The reason that the funds weren't spent was because at the time all of the needs of K9 had been met with a portion of the gift and its existing budget. The team has plans for this money in 2025 and the remaining balance will be spent.

4) Leadership Summit Donation - \$90,797

Purpose for funds: This reappropriation is for the remaining amount of the funds that were donated for the Police Leadership Summit that was held last year. It will be held again in 2025 and paid for by the remaining donated funds.

Reason funds not expensed in 2024: The funds were originally donated by Angel Armor for rifle plates and then permission was given to repurpose the funds to pay for the Leadership Summit. In the interim other donors such as the Daniel's Fund donated more money which exceed the needed amount. Police will keep using the funds for their intended purpose to fund this event.

Social Sustainability

5) 24/7 Homeless Shelter Contribution - \$1,000,000

Purpose for funds: The City of Fort Collins recognizes the need for the construction of a new 24/7 shelter and seeks to provide \$1 million in local funds to Fort Collins Rescue Mission for construction of the shelter, which will serve men experiencing homelessness in the community. The new shelter will eliminate the need for winter overflow shelters and serve as a hub for community partners to collaboratively serve clients, including access to health services, job training, mental health support, and other critical resources.

These funds are intended to support a portion of capital expenses related to construction of the shelter, which will be released to Fort Collins Rescue Mission only after they receive both full funding and building permits.

Reason funds not expensed in 2024: Funds were not expended in 2024 because the development entitlement process was prolonged due to appeals. Fundraising is going well, and the Rescue Mission believes they will start work on site in Spring of 2025. SSD staff is working with the Rescue Mission on

a contract for this \$1M investment. Funding will not be made available until permits are pulled for the project to start construction.

City Manager's Office

6) Digital Accessibility - \$71,760

Purpose for funds: Staff is working on phase two of the Digital Accessibility work. They have a scope of work to audit digital platforms for each service area as well as digital documents, DocuSign templates, municipal code, Laserfiche, and Get FoCo. This work is needed to meet basic state compliance requirements.

Reason funds not expensed in 2024: The funds for this project were not expended in 2024 due to phase 1 of the Digital Accessibility audit taking longer than expected. This reappropriation will enable completion of this work in 2025.

City Attorney's Office

7) CAO Charter Review - \$12,500

Purpose for funds: Work was initiated in July 2024 on the City Council priority to update and modernize the City Charter. Outside special counsel was hired to assist with this work and \$25,000 was appropriated to support it. After work sessions in December 2024 and January 2025, work is underway to prepare ordinances that will put Charter amendments on the November ballot, to be presented to Council on April 1. Reappropriating these funds would make them available to support the completion of the work they were intended to fund.

Reason funds not expensed in 2024: The amount appropriated in summer 2024 provided the total amount of funds needed for the Charter Update work. However, the timing of the project work has been split between 2024 and 2025. As a result, roughly half of the funds were expended in 2024, and the remaining funds are needed to complete the work as scheduled.

8) Red Light Camera Radar (RLCR) Traffic Initiative - \$146,179

Purpose for funds: The City Attorney's Office prosecution team continues to move forward with implementation of the new Automated Vehicle Identification System traffic enforcement program (red light/camera radar). Preparing for and bringing on new staffing, training and development of procedural updates have been underway and cases from fixed cameras and in-person enforcement have continued to increase and are likely to continue to increase. These funds would be used to provide needed support for the prosecution team working on these issues in 2025, particularly as additional freestanding units, which have not yet been deployed, come online. Funds for already filled ongoing positions were funded in the 2025 budget for only April through December and these funds will help cover the resulting shortfall.

Reason funds not expensed in 2024: The rollout of the updated red light/camera program was delayed until late in 2024, as was staffing and onboarding of the prosecution team support. Some aspects of the program, including the new freestanding units, have not yet been implemented. These delays slowed the influx of cases, and the program will continue to grow significantly well into 2025. (The delays will also likely push into 2026, temporary expenses that were originally expected in 2024-25.)

Municipal Court

9) Case Management System (Tyler Tech) - \$227,912

Purpose for funds: 2024 Budgeting for Outcomes (BFO) Offer 68.8 funded a new court case management system for the Municipal Court. This offer was strongly supported by the City Attorney's office and the City's Information Technology department. The use of technology within the judicial world is critical to the functionality and efficiency of a court. After an extensive RFP process, a vendor was awarded this contract in Q2 of 2024. In July of 2024, this technology implementation project started. These funds will be used to support the project by funding a temporary employee serving as a co-project manager supporting the Court Administrator and to fund the contractual obligations associated with this project.

Reason funds not expensed in 2024: This project is an extensive year-long implementation project which merges several different systems into one updated case management system. Funding is disbursed throughout the implementation as contractual obligations and project milestones are completed by the vendor. The project started in July and is on schedule. Because of the complexity of the project, only a couple of project payment points/invoices were reached in 2024. The remaining payment/invoicing deadlines should be completed in 2025.

Operation Services

10) Edora Pool and Ice Center Hot Water System - \$85,000

Purpose for funds: These funds identified in Offer 15.14 Aging Facilities Maintenance were targeted to replace the hot water piping to the locker rooms at the Edora Pool and Ice Center (EPIC). During higher hot water demands in the locker rooms, the system fails to deliver hot water leaving patrons experiencing cold showers. This reappropriation request would use the funds to redesign the hot water system to resolve this ongoing issue for EPIC customers.

Reason funds not expensed in 2024: In December of 2023, temperature issues with the domestic hot water system at Edora Pool and Ice Center were apparent. Numerous complaints were received from patrons regarding the low water temperature in the showers. Several attempts to resolve this problem with the current system were unsuccessful.

In early 2024, the City partnered with a mechanical consulting engineer to redesign the piping for this part of the hot water system. This involved mapping the existing system, as well as providing construction documents and an estimate for the needed repairs. Due to the length of time for this redesign process and availability of vendors to perform the work, this project was unable to start in 2024 as originally scheduled.

11) Replace Northside Aztlan Methane Detection System - \$45,000

Purpose for funds: These funds identified in Offer 15.14 Aging Facilities Maintenance will replace an end of life methane detection system at the Northside Aztlan Community Center. This system is required by the State of Colorado to monitor the methane mitigation system that is integral to that facility.

Reason funds not expensed in 2024: This system is original to the 2007 construction of the building making the replacement of components a challenge. In July of 2024 the City partnered with a contractor for repairs to the Northside Aztlan Methane detection system. After several attempts to resolve this problem using the existing system were unsuccessful, it was determined a full replacement would be in the city's best interest. In December 2024, the city requested a proposal for the design and installation of a new system. Due to the length of time for this process, permitting, and availability of vendors, this project should be completed by mid-2025.

Parks

12) Pickleball Donation - \$11,513

Purpose for funds: Funding for a feasibility study for a future City-owned pickleball complex was appropriated in 2024 for Park Planning and Development staff to conduct an initial public engagement process and feasibility study. To date, staff have conducted 2 stakeholder meetings, one open house, and developed conceptual designs for two potential locations on community park properties.

The Fort Collins Pickleball Club awarded \$40,000 to the Park Planning & Development division (PPD) for this designated purpose. Past philanthropic partnerships by City Give have included The Hand That Feeds, Veterans Plaza of NoCo, a refresh of Eastside Park, and the 9-11 Memorial at Spring Park.

Reason funds not expensed in 2024: Not all funds were expensed in 2024 as the results of a noise impact study by an acoustic engineering firm were not available until Q1 2025. Continued outreach and communication with the donor group (Fort Collins Pickleball Club) will be completed to finalize the City's commitments per the gift agreement.

2050 TAX FUND – CLIMATE OCF

Natural Areas

13) Poudre River Health Assessment - \$53,424

Purpose for funds: This offer funds the Poudre River Health Assessment project, a sampling project that evaluates the health of the Cache la Poudre River from Gateway Natural Area to I-25 using a suite of biological, chemical, and physical indicators. The project builds on a previous effort completed by the City in 2017 and is a critical baseline for informing potential large-scale water projects. The funding for this offer covers that cost of sampling, analysis, and public outreach. The majority of the funds (\$246,473) are allocated in an existing PO with ICON Engineering for the sampling effort, with a portion of those already used as matching funds for our partners at the Coalition for the Poudre River Watershed (CPRW). CPRW is sampling the Upper and Lower zones of the watershed, while the City is focusing on the Middle Zone. As of the end of 2024, spending toward sampling and analysis have been addressed. The reappropriated funds will support development of final products and public outreach.

Reason funds not expensed in 2024: The project funds that were not fully expended in 2024 are for the last phase of the project: public and partner engagement. The team must first receive the results from the sampling effort to begin the engagement phase. The timeline of contracting process and the need to collect data across a full year in order to see a complete picture of river health caused this project to spill into 2025. Sampling is underway and engagement is scheduled for summer and fall 2025.

2050 TAX FUND - PARKS & REC

Recreation

14) Recreation 2050 Tax CIP Study - \$250,000

Purpose for funds: Ordinance 58 was approved appropriating \$250,000 to fund a Capital Improvement Plan (CIP) study for the Recreation department out of the 2050 Tax Fund - Parks & Rec. This study will inform the department's efforts to strategically leverage asset management investments, including from the Recreation Fund and the 2050 tax proceeds, and is similar to efforts which the Parks department has completed for their Infrastructure Replacement Program.

Reason funds not expensed in 2024: Award of the contract was delayed due to new internal City processes. Staff has worked through these processes and is underway with the RFP and expects funds will be fully spent in 2025.

2050 TAX FUND - TRANSIT

Transfort

15) Transfort Optimization Study - \$14,000

Purpose for funds: Transfort Optimization Study came in slightly under budget at \$36k out of \$50k original cost. Transfort will use remaining balance of unspent funds for costs outside of contract with the vendor such as incentives for focus groups and public meetings, additional translation costs, childcare incentives, etc.

Reason funds not expensed in 2024: The cost of the optimization study came in under budget and was only \$36,000 of the original \$50,000 anticipated cost. These expenses described above are directly associated with the study, helping to inform strategic business decisions.

NEIGHBORHOOD PARKLAND FUND

Parks

16) Veteran's Plaza Sign Donation - \$18,583

Purpose for funds: Funding was appropriated in 2024 for Park Planning and Development staff to design, construct and install an entry sign for the Veterans Plaza of Northern Colorado at Spring Canyon Community Park. To date, staff have completed design and design-build documents and material acquisition for the installation of the sign.

Gifts of \$25,000 and \$50 were received by the nonprofit group supporting the Veterans Plaza and an individual donor for this designated purpose.

Reason funds not expensed in 2024: Due to inclement weather conditions in Q4 of 2024 and contractor availability, construction has extended into 2025. Work is anticipated to be completed in Q1 2025.

CONSERVATION TRUST FUND

Parks

17) Bike Park Feasibility - \$59,663

Purpose for funds: Funding was intended for Park Planning and Development staff to conduct a community-scale bike park feasibility study as directed by Council at the June 11 Work Session. This feasibility study includes an evaluation of potential locations, identification of features and park amenities, and a community engagement process.

This project is in response to significant community feedback and input from the 2021 Parks and Recreation Plan: Recreate.

Reason funds not expensed in 2024: The project for which the dollars were originally appropriated by Council could not be completed during 2024 due to the project schedule overlapping years 2024/2025. Reappropriation of those dollars is necessary for completion of the project in 2025.

CULTURAL SERVICES & FACILITIES FUND

Cultural Services

18) Center for Creativity Furniture Donation - \$91,729

Purpose for funds: The requested funds to be reappropriated make up a sizeable and generous community donation from a local resident in 2024 intended to be utilized for venue vitalization, improvements, equipment purchases, and furniture expenses. Due to the expansive nature of the Center for Creativity renovation, and significant construction costs, donated funds such as this are important to our continuing work towards making the Historic Carnegie Library a vibrant destination for arts and culture in the Fort Collins community.

Funds used in 2024 purchased venue furniture items and equipment, along with basic infrastructure improvements not originally budgeted as part of the greater renovation project. Due to the funds not being received until 9/1/2024, staff was unable to fully spend them in 2024, as the building also was not brought fully back online until August 2024. Time was needed following completion of the renovation to best identify the areas these funds could best be put towards. We expect in 2025 to utilize these funds on continued facility improvements such as improved gallery hard goods and painted surfaces, access control upgrades, technical & performance related equipment, and other similar building infrastructure upgrades.

Reason funds not expended in 2024: Recognizing that these funds being requested for reappropriation were not received until late in the year 2024, it was expected that their use, as directed by the donation, would span more than just the year they were received. In an effort to leverage this generous donation in the most responsible manner, staff knew that they would need time once the CC was operational in August 2024 to best identify and outline how to use funding towards their intended purpose to support the venues ongoing equipment, furniture, and improvement needs.

19) Gardens on Spring Creek APGA Grant for Community Garden - \$11,303

Purpose for funds: In 2024, The Gardens on Spring Creek received \$20,000 grant from the American Public Garden Association (APGA) to support a project where we partner with the First Peoples Community Center to plan, design, plant and care for a garden plot at The Gardens for indigenous community use. This garden was born out of an expressed desire by the local indigenous community for more access to space to grow and harvest spiritual, medicinal and food plants for their community.

This funding is instrumental to the success of this project and our commitment to building trust and enduring relationship with the Indigenous Community. During the 2024 season the Garden produced 370lbs of produce for the community and engaged at least 30 members of the Native Community. The appropriation of the remaining funds will support the ongoing work of this project for 2025.

Reason funds not expended in 2024: Funds were deposited in 2024 and are committed to support this project in its entirety. Due to a shortage of candidates for our gardener position in the summer of 2024, resulting in late hiring, the funds were not expended as intended by the end of 2024. Staff is determined to spend these funds in 2025 to complete the project with this reappropriation.

RECREATION FUND

Recreation

20) Recreation Asset Management - \$53,410

Purpose for funds: The Recreation fund appropriated these expenses from revenues to support asset replacements, including the purchase of a replacement Kubota utility vehicle at the Farm at Lee

Martinez Park (\$45,000) and the replacement of an ADA pool lift at the Edora Pool and Ice Center (\$8,410). Funding these assets allows us to maintain better service levels to the community and promotes access.

Reason funds not expensed in 2024: Lead times for specialized equipment and work can be lengthy. Staff has received quotes and is ready to award the orders with high confidence in expending the funds in 2025.

21) Recreation Universal Pre-K (2024 State of CO Funding) - \$30,469

Purpose for funds: Ordinance 140 was approved in November '24 appropriating the unanticipated 2024 revenue from the State of Colorado (\$30,469) to fund the Universal Pre-school (UPK) '24 / '25 school year program at the Northside Aztlan Community Center in the Recreation Fund.

Reason funds not expensed in 2024: With the timing of the '24 / '25 school year spanning the City's fiscal years, hiring was delayed until funds were fully appropriated from Ordinance 140, as well as BFO Offer 46.5.

Ordinance 140 works in conjunction with BFO Offer 46.5 which was approved in the '25 / '26 Budget and appropriates future State revenue as well as expands the Universal Pre-K program by funding the hiring of 3 new FTEs (start dates in April '25). Ordinance 140, approved in November '24, allowed for the accelerated hiring of 1 new FTE in support of the '24 / '25 school year, this position will be funded through Offer 46.5 from April '25 forward. The team began the process of hiring 1 new FTE in November '24, the position was filled and the new employee began in January '25.

22) Recreation Childcare Bus Exterior Wrap & Finishes - \$12,790

Purpose for funds: Ordinance 124 was approved in September 2024 appropriating funds (\$169,500) for a new full-sized bus in support of the Recreation department's childcare programs. The bus has been ordered and this reappropriation is intended to move the remainder of the original appropriation to fund the expense of exterior wrapping once the bus is received by the City (estimated delivery: 2nd half of 2025).

Reason funds not expensed in 2024: The lead time for the bus will result in delivery in the 2nd half of 2025, the wrap and finish cannot be awarded and applied until the bus is onsite. The wrap will allow for the required City specific finishes.

TRANSPORTATION CEF FUND

Engineering

23) Waterfield Fourth Filing Development Reimbursement - \$1,413,645

Purpose for funds: These funds are for a developer reimbursement for construction of Suniga Road, Vine Drive, and Merganser Street improvements and for the dedication of right-of-way for Suniga Road beyond local access standards.

Reason funds not expensed in 2024: Funds were not expensed in 2024 because the City of Fort Collins has continued to wait for the developer to submit appropriate paperwork for reimbursement.

TRANSPORTATION SERVICES FUND

FC Moves

24) Foco Fondo Donation - \$5,000

Purpose for funds: The annual FoCo Fondo donation to Safe Routes to School is earmarked for new programming and/or new equipment to help get more kids bicycling in Fort Collins.

Reason funds not expensed in 2024: The funding was not used in 2024 due to the event occurring after the midway point in the year and needing to wait for the funding to be appropriated. That left no time to spend the funds on programming in the fall 2024 semester of school and little time to research and acquire new equipment before the end of the year. These funds will be expended in 2025.

Streets

25) Streets Building Office Remodel- \$221,853

Purpose for funds: The purpose of this request is to reappropriate \$221,853 for the buildout of the Streets Department office space. This budget had been set aside in 2024 to create new office space as the Streets team continues to grow. This expansion is essential to accommodate operational growth driven by the addition of new crews and staff, including the Timberline Recycling Center team, new Sweeping/Graffiti crew chief, new Asphalt Crew, new Asphalt Manager, and new Traffic Control Technicians/Classified Flaggers.

Reason funds not expensed in 2024: Initially, the project was scheduled to begin in 2024, with Operations Services providing an estimated cost of \$268,091. However, the estimate was significantly higher than anticipated, requiring additional time to identify cost-saving measures and ensure financial feasibility. Additionally, the pending approval of the 2025-2026 BFO requests for additional FTEs (Offers 21.7 and 21.8) introduced potential design impacts that needed to be considered before finalizing the project scope.

The timeline for project initiation was impacted by delays in receiving quotes and the additional effort required to identify a more cost-effective approach. As a result, construction was unable to begin before the end of 2024 and the project was delayed to 2025. The Streets Department now has final design plans in place and is prepared to proceed with the remodel, with an anticipated completion timeline in late Q3 of 2025. This timeline remains contingent on permitting and contractor availability.

PARKING FUND

Parking Services

26) Civic Center Parking Structure (CCPS) Maintenance Work - \$1,093,142

Purpose for funds: Following a 2019 condition assessment, the Civic Center Parking Structure (CCPS) stairwell was found to have repair needs. Due to the pandemic and resulting financial constraints, a pause to the maintenance schedule was approved by the contracted structural engineering firm. Maintenance repairs resumed in 2022, and a subsequent condition assessment identified that the southeast stairwell had degraded to an unsafe level resulting in its closure to the public in June 2022. Following the closure, a thorough assessment of the needed repairs, design and cost estimates was performed. Initial project funds of \$1.2M were requested and appropriated in 2024. The funds requested for reappropriation will be used to complete the necessary repairs to the stairwell.

Reason funds not expensed in 2024: Funding to repair the CCPS stairwell was approved in September of 2024 in the amount of \$1.2 million. At outset, this work was anticipated to take 1.5 years for completion and is currently on track to being completed by end of 2025.

DATA & COMMUNICATIONS FUND

Information Technology

27) ERP System Replacement - \$249,385

Purpose for funds: This offer will identify the components necessary for the City to implement a modernized ERP ecosystem, accounting for all readiness components, and will focus on the first two phases necessary to transform our business processes into a modern solution while minimizing customizations that exponentially increase implementation and support costs. To succeed this must become a business-led, technology-enabled transformation and we must plan this modernization in six key phases: 1) discovery and planning, 2) business process transformation, 3) design and development, 4) change management and training, 5) testing and implementation, and 6) operational support.

Maintaining our current platform amplifies the need for high-touch, manual support. Once we implement a new solution, we will lower our costs, while increasing our ability to support increased needs with no additional FTEs. A new ERP solution will implement industry best practices necessary to standardize and streamline processes, reduce costly customization, address talent resiliency while improving our risk management, and disaster recovery practices, and ensure compliance with our pending end-of-life support. Also, implementing a standard solution will reduce the 32+ interfaces necessary to support today.

Reason funds not expensed in 2024: The 2023-2024 funds were not fully utilized due to shifting priorities and resourcing challenges, as efforts focused on foundational planning, cross-departmental coordination, and learning from peer municipalities. In 2024, the City held an InfoTech partner led ERP workshop that brought together key stakeholders to refine the strategic vision, align business needs, and establish critical priorities for implementation. This workshop has shaped the program launch for 2025 by identifying key requirements, scope and priorities, identifying process gaps, and ensuring organizational readiness. The 2025 reappropriation will fund a dedicated ERP Project Manager to lead planning, RFP development, vendor selection, and resourcing. Funds will also help support backfilling key Finance, HR, and IT roles to allow subject matter experts to focus on ERP selection, and implementation. This initiative will transition from planning to execution, ensuring project readiness, structured system design, and phased implementation, ultimately modernizing the City's ERP system to improve efficiency, reduce costs, and ensure compliance with end-of-life support requirements.

28) Expansion of Enterprise Service Management System (ESM) - \$152,500

Purpose for funds: The original intent of this offer was to extend the "FreshService" Information Technology Service Management (ITSM) portal into an Enterprise Service Management (ESM) portal, encompassing Human Resources (HR), Operation Services (Operations), Communications & Public Involvement (CPIO), and Emergency Preparedness & Security (EPS). This centralization and standardization of service request management would offer all City employees visibility into the status of service requests, tracked communications, and a consistent framework across departments. The ongoing cost for licensing will increase \$68,500 annually.

Additionally, the implementation of ESM will be through a phased plan and tailored approach, requiring professional services to assess and create a service delivery practice for the City. The one-time cost for a 3-month assessment and to begin implementation will be \$87,500 for 3rd party professional services. This investment aligns with our goal of moving from complexity to simplicity by standardizing service requests, improving transparency, and enabling data-driven service enhancements. ESM will

streamline cross-department workflows, like onboarding new employees, ensuring a seamless, employee-centered service experience.

Reason funds not expensed in 2024: The 2023-2024 funds were not fully utilized as the ESM expansion took longer due to competing priorities across HR, Operations, IT, EPS, and CPIO. During this period, IT focused on foundational training, process development, and service catalog redesign to ensure a strong framework for expansion. The 2025 reappropriation is essential to fund guidance and training, enabling departments to transition successfully. Additionally, these funds will support licensing for new users as they configure and implement FreshService, ensuring a smooth rollout.

CITY FINANCIAL IMPACTS

This item increases 2025 appropriations by \$5,572,540. A total of \$1,841,644 is requested for reappropriation from the General Fund, \$1,413,645 is requested from the Transportation CEF Fund, \$1,093,142 is requested from the Parking Fund and \$1,224,109 from other funds. Reappropriation requests represent amounts budgeted in 2024 that could not be encumbered at year-end. The appropriations are from prior year reserves.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

- 1. Ordinance for Consideration

ORDINANCE NO. 041, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REAPPROPRIATING FUNDS PREVIOUSLY APPROPRIATED IN
2024 BUT NOT EXPENDED AND NOT ENCUMBERED IN 2024

A. City Council authorized expenditures in 2024 for various purposes in the General Fund, the 2050 Tax Fund, the Neighborhood Parkland Fund, Conservation Trust Fund, Cultural Services and Facilities Fund, the Recreation Fund, Transportation Capital Expansion Fee Fund, the Transportation Services Fund, the Parking Fund, and the Data and Communications Fund, portions of which were not spent or encumbered in 2024.

B. Article V, Section 11 of the City Charter provides that all appropriations unexpended or unencumbered at the end of the fiscal year lapse to the applicable general or special fund, unless it is an appropriation for capital projects or for federal, state, or private grants or donations that has been previously designated by City Council as a non-lapsing appropriation.

C. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

D. The City Manager has recommended the appropriation described herein and has determined that the funds to be appropriated as described herein are available and previously unappropriated from the Funds described herein and will not cause the total amount appropriated in the Funds as described herein to exceed the current estimate of actual and anticipated revenues and all other funds to be received in those Funds during this fiscal year.

E. It is in the best interests of the City and its residents to re-appropriate funds for the expenditures below, in furtherance of these expenditures and their respective public purposes authorized in 2024 for which such appropriated funds were not expended and not encumbered during 2024.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from prior year reserves in the General Fund the sum of ONE MILLION EIGHT HUNDRED FORTY-ONE THOUSAND SIX HUNDRED FORTY-FOUR DOLLARS (\$1,841,644) to be expended in the General Fund for the following purposes:

Ranked Choice Voting preparation	\$67,978
Construction Impact Grants	\$74,500

K9 Donation	\$8,505
Leadership Summit Donation	\$90,797
24/7 Homeless Shelter Contribution	\$1,000,000
Digital Accessibility	\$71,760
CAO Charter Review	\$12,500
RLCR Traffic Initiative	\$146,179
Case Management System (Tyler Tech)	\$227,912
Edora Pool and Ice Center Hot Water System	\$85,000
Replace Northside Atzlan Methane Detection System	\$45,000
Pickleball Donation	\$11,513
GENERAL FUND TOTAL	\$1,841,644

Section 2. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF Fund the sum of FIFTY-THREE THOUSAND FOUR HUNDRED TWENTY-FOUR DOLLARS (\$53,424) to be expended in the 2050 Tax Parks Rec Transit OCF Fund for the following purposes:

Poudre River Health Assessment	\$53,424
2050 TAX FUND - CLIMATE OCF TOTAL	\$53,424

Section 3. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF Fund the sum of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000) to be expended in the 2050 Tax Parks Rec Transit OCF Fund for the following purposes:

Recreation 2050 Tax CIP Study	\$250,000
2050 TAX FUND - PARKS & REC TOTAL	\$250,000

Section 4. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF Fund the sum of FOURTEEN THOUSAND DOLLARS (\$14,000) to be expended in the 2050 Tax Parks Rec Transit OCF Fund for the following purposes:

Transfort Optimization Study	\$14,000
2050 TAX FUND - TRANSIT TOTAL	\$14,000

Section 5. There is hereby appropriated from prior year reserves in the Neighborhood Parkland Fund the sum of EIGHTEEN THOUSAND FIVE HUNDRED EIGHTY-THREE DOLLARS (\$18,583) to be expended in the Neighborhood Parkland Fund for the following purposes:

Veteran's Plaza Sign Donation	\$18,583
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Streets Building Office Remodel	\$221,853
TRANSPORTATION SERVICES FUND TOTAL	\$226,853

Section 11. There is hereby appropriated from prior year reserves in the Parking Services Fund the sum of ONE MILLION NINTEY-THREE THOUSAND ONE HUNDRED FORTY-TWO DOLLARS (\$1,093,142) to be expended in the Parking Services Fund for the following purposes:

CCPS Maintenance Work	\$1,093,142
PARKING FUND TOTAL	\$1,093,142

Section 12. There is hereby appropriated from prior year reserves in the Data and Communications Fund the sum of FOUR HUNDRED ONE THOUSAND EIGHT HUNDRED EIGHTY-FIVE DOLLARS (\$401,885) to be expended in the Data and Communications Fund for the following purposes:

ERP System Replacement	\$249,385
Expansion of Enterprise Service Management System (ESM)	\$152,500
DATA & COMMUNICATIONS FUND TOTAL	\$401,885

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Dianne Criswell

File Attachments for Item:

9. First Reading of Ordinance No. 042, 2025, Appropriating Prior Year Reserves and Authorizing Transfers Related to 49 U.S.C. § 5339(b) Program Funding for Accessibility Enhancements to the Transit System.

The purpose of this item is to support Transfort in enhancing accessibility throughout the Transfort system by:

- Appropriating \$2,411,550 in unanticipated grant revenue awarded to Transfort by the Federal Transit Administration (FTA);
- Transferring \$222,450 from the Community Capital Improvement Program (CCIP) Bus Stop Improvements to the Transit Service Fund where it will serve as local match for federal grant funding; and
- Appropriating a development contribution to construction of \$193,000 from CSU's Alternative Transportation Fee Advisory Board (ATFAB) to serve as local match for federal grant funding.

Transfort secured \$2,411,550 in competitive grant funding from the FTA to enhance accessibility and improve transit infrastructure, ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) throughout the Transfort system. These improvements align with the City's commitment to providing equitable, accessible, and inclusive transit services for all community members.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Annabelle Phillips, Assistant Director, Transfort
Monica Martinez, Manager, PDT Finance

SUBJECT

First Reading of Ordinance No. 042, 2025, Appropriating Prior Year Reserves and Authorizing Transfers Related to 49 U.S.C. § 5339(b) Program Funding for Accessibility Enhancements to the Transit System.

EXECUTIVE SUMMARY

The purpose of this item is to support Transfort in enhancing accessibility throughout the Transfort system by:

- Appropriating \$2,411,550 in unanticipated grant revenue awarded to Transfort by the Federal Transit Administration (FTA);
- Transferring \$222,450 from the Community Capital Improvement Program (CCIP) Bus Stop Improvements to the Transit Service Fund where it will serve as local match for federal grant funding; and
- Appropriating a development contribution to construction of \$193,000 from CSU's Alternative Transportation Fee Advisory Board (ATFAB) to serve as local match for federal grant funding.

Transfort secured \$2,411,550 in competitive grant funding from the FTA to enhance accessibility and improve transit infrastructure, ensuring compliance with the Americans with Disabilities Act of 1990 (ADA) throughout the Transfort system. These improvements align with the City's commitment to providing equitable, accessible, and inclusive transit services for all community members.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

On February 8, 2024, the Federal Transit Administration (FTA) announced approximately \$390 million in funding through its Grants for Buses and Bus Facilities Competitive Program (49 U.S.C. § 5339(b)), designed to support the rehabilitation and construction of bus-related facilities.

Transfort, in partnership with Colorado State University (CSU), applied for and was awarded \$2,411,550 in Fiscal Year 2024 § 5339(b) funding. This grant requires a local match of \$415,450, which will be met

using \$222,450 of Community Capital Improvement Program (CCIP) Fund for Bus Stop Improvements and \$193,000 provided by CSU's Alternative Transportation Fee Advisory Board (ATFAB).

The awarded and local matching funds will be used to enhance accessibility of the Transfort system and improve transit infrastructure, ensuring enhanced compliance with the Americans with Disabilities Act (ADA). Transfort will utilize the award to upgrade concrete pads at existing bus stops, purchase and install amenities, improve the concrete infrastructure at the Downtown Transit Center, and construct new ADA-compliant bus stops to accommodate future transit expansion north.

Transfort also negotiated an Intergovernmental Agreement (IGA) with CSU, in which CSU has agreed to provide the local match for the portion of § 5339(b) funds that have been committed to the improvement of existing bus stops within CSU's jurisdiction as well as the purchase and installation of shelters. This IGA was fully executed on March 2, 2025.

These improvements will help promote social equity by making public transit services more accessible to individuals of all abilities. Additionally, the enhancements align with the City's strategic goals to advance equity, remove systemic barriers, and ensure individuals of all ages and abilities can engage in the community. The project also invests in equitable access to sustainable modes of travel and essential services.

CITY FINANCIAL IMPACTS

This Ordinance will 1) appropriate \$2,411,550 in unanticipated federal grant revenue, 2) transfer \$222,450 in CCIP Bus Stop Improvements Funds to the Transit Services Fund to cover a portion of the local match required for this project, and 3) appropriate a development contribution to construction of \$193,000 from CSU's ATFAB to cover CSU's contribution to the local match.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. FY24 FTA Bus and Low- and No-Emission Grant Awards
3. FY24 5339(b) - Accessibility Enhancements Map
4. CSU IGA FY24 5339(b) Local Match

ORDINANCE NO. 042, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS RELATED TO 49 U.S.C. § 5339(b) PROGRAM
FUNDING FOR ACCESSIBILITY ENHANCEMENTS TO THE
TRANSIT SYSTEM

A. Transfort and Colorado State University (“CSU”) provide coordinated public transit services within the City’s municipal boundaries and growth management area, including constructing and maintaining bus stop facilities for the public and students of CSU.

B. Transfort is working to upgrade bus stops throughout its service area to improve Americans with Disabilities Act of 1990 (“ADA”) accessibility and purchase new transit amenities, creating a more inclusive and welcoming environment for all riders of public transit (the “Project”).

C. To support the Project, Transfort applied for and was awarded \$2,411,550 in Fiscal Year 2024 grant funding (the “Grant”) through the Federal Transit Administration’s (“FTA”) Grants for Buses and Bus Facilities Competitive Program (49 U.S.C. § 5339(b)), which requires a local match of \$415,450.

D. Transfort will utilize the award and local match to upgrade concrete pads at existing bus stops, purchase and install transit amenities, improve the concrete infrastructure at the Downtown Transit Center, and construct new ADA-compliant bus stops to accommodate future northward expansion of the Transfort system.

E. A portion of the local match is being transferred from the Community Capital Improvement Program Fund in the amount of \$222,450.

F. Transfort also anticipates receiving a \$193,000 contribution for the local match from CSU pursuant to an IGA, which will reimburse the appropriated local matching funds for the portion of the Grant that has been committed to the improvement of nineteen existing bus stops within CSU’s jurisdiction as well as the purchase and installation of shelters. This portion of the local match is being appropriated as new and unanticipated revenue, to be provided by CSU’s Alternative Transportation Fee Advisory Board (“ATFAB”).

G. This appropriation benefits public health, safety, and welfare of the residents of Fort Collins and the traveling public and serves the public purpose by improving accessibility of the public transit system, removing systemic barriers, investing in equitable access to sustainable modes of travel and essential services, and ensuring individuals of all ages and abilities can engage in the community.

H. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance

at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

I. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transit Services Fund and that this appropriation will not cause the total amount appropriated in the Transit Services Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

J. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Community Capital Improvement Projects Fund and that this appropriation will not cause the total amount appropriated in the Community Capital Improvement Projects Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

K. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

L. The City Manager has recommended the transfer of \$222,450 from the Community Capital Improvement Program Fund to the Transit Services Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

M. All of the funds appropriated in this Ordinance for the Project are ineligible for use in the APP Program due to restrictions placed on them by the Federal Transit Authority and Colorado State University Funds, the source of these funds.

N. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

O. The City Council wishes to designate the appropriation herein for Accessibility Enhancements to the Transit System as an appropriation that shall not lapse

until the earlier of the expiration of the grant or the City’s expenditure of all funds received from such grant.

In light of the foregoing Recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Transit Services Fund the sum of TWO MILLION FOUR HUNDRED ELEVEN THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$2,411,550) to be expended in the Transit Services Fund for Accessibility Enhancements to the Transit System.

Section 2. There is hereby appropriated from new revenue or other funds in the Transit Services Fund the sum of ONE HUNDRED NINETY-THREE THOUSAND DOLLARS (\$193,000) to be expended in the Transit Services Fund for Accessibility Enhancements to the Transit System.

Section 3. There is hereby appropriated from prior year reserves in the Community Capital Improvement Program Fund the sum of TWO HUNDRED TWENTY-TWO THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$222,450) to be expended in the Community Capital Improvement Program Fund for transfer to the Transit Services Fund for Accessibility Enhancements to the Transit System.

Section 4. The appropriation herein for Accessibility Enhancements to the Transit System is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City’s expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan

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FY24 FTA Bus and Low- and No-Emission Grant Awards

State	Project Sponsor	Bus/Low-No	Description	Funding
AK	Alaska Department of Transportation, on behalf of City and Borough of Juneau, Capital Transit	BBF	Alaska Department of Transportation, on behalf of Capital Transit, will receive funding to buy new electric buses, install charging equipment, and initiate a workforce development program. The project will improve service, reliability and air quality throughout the city and borough of Juneau in Alaska's Southeast panhandle.	\$11,855,112

State	Project Sponsor	Bus/Low-No	Description	Funding
AL	City of Montgomery / The M Public Transit System	BBF	The city of Montgomery's The M transit system will receive funding to buy battery electric buses, charging equipment and to initiate a workforce training program. The project will ensure continued service reliability, maintain a state of good repair and, by improving air quality, advance environmental justice in the Montgomery community.	\$16,941,377
AR	Rock Region Metropolitan Transit Authority	Low-No	The Rock Region Metropolitan Transit Authority will receive funding to buy low-emission (compressed natural gas) buses to replace older diesel buses and a simulator to train staff in the new technology. The project will help improve service, reliability and air quality in Little Rock and North Little Rock.	\$3,149,667
AZ	City of Tucson, Sun Tran / Sun Van	BBF	The city of Tucson and Sun Tran will receive funding to replace aging equipment at its Northwest Bus Maintenance Facility and upgrade multiple bus stops. By installing dozens of shelters, adding trees for shade and improving signage through Braille, large print, wayfinding and audible information, the agency will make their system more accessible and equitable.	\$11,385,600
AZ	Salt River Pima-Maricopa Indian Community (SRPMIC)	BBF	The Salt River Pima-Maricopa Indian Community will receive funding to buy accessible vans to replace vehicles nearing the end of their useful life. The vans will provide on-demand service for residents to reach jobs, school, recreation and other essential services throughout Scottsdale, Mesa and Tempe.	\$425,001
CA	City of Davis	BBF	The city of Davis, California will receive funding to construct infrastructure and buy charging equipment to support its battery electric bus fleet. The equipment will allow the agency to continue to maintain safe and reliable public transit service to the University of California-Davis and throughout the community.	\$1,600,000
CA	California Department of Transportation, on behalf of Redwood Coast Transit Authority	BBF	The California Department of Transportation, on behalf of the Redwood Coast Transit Authority in Crescent City, will receive funding to buy new buses to help replace older buses that have reached the end of their useful life. The buses will create a more reliable fleet and help RCTA avoid service cuts.	\$474,478

State	Project Sponsor	Bus/Low-No	Description	Funding
CA	California Department of Transportation, on behalf of Humboldt Transit Authority	BBF	The California Department of Transportation, on behalf of the Humboldt Transit Authority in Eureka, CA, will receive funding to buy new buses to replace older buses that have exceeded their useful life. The new buses will ensure residents from southern Humboldt County will continue to have access to northern county services, such as healthcare and other social services.	\$639,000
CA	California Department of Transportation, on behalf of Morongo Basin Transit Authority	BBF	The California Department of Transportation, on behalf of the Morongo Basin Transit Authority, will receive funding to buy a battery-electric bus to replace an older vehicle. This project will improve air quality, safety, reliability and state of good repair in the San Bernadino County service area.	\$131,168
CA	Santa Barbara Metropolitan Transit District	BBF	The Santa Barbara Metropolitan Transportation District will receive funding to buy battery-electric buses and chargers to replace older diesel buses, which will improve service reliability and reduce air pollution.	\$2,894,131
CA	San Luis Obispo Regional Transit Authority	BBF	The San Luis Obispo Regional Transit Authority will receive funding to buy battery electric buses and chargers to replace older vehicles. This project will help meet ridership demand that had doubled between 2005 to 2019, and work toward the agency's goal to transition its fleet to all zero-emission vehicles.	\$2,572,888
CA	Twenty-Nine Palms Band of Mission Indians	BBF	The Twenty-Nine Palms Band of Mission Indians will receive funding to buy new passenger buses and build a maintenance facility to establish new transit services to connect tribal members and other residents to education, nutrition, recreation and other opportunities throughout California's Coachella Valley and high desert.	\$3,226,457
CA	California Department of Transportation, on behalf of Lassen Transit Service Agency	BBF	The California Department of Transportation, on behalf of Lassen Transit Service Agency, will receive funding to buy a new bus to replace an older, unreliable vehicle. The new bus will allow LTSA to maintain current service levels in rural northeastern Nevada and establish new service to Reno, connecting its growing senior population to essential medical facilities and other services.	\$154,367

State	Project Sponsor	Bus/Low-No	Description	Funding
CA	Omnitrans	Low-No	Omnitrans will receive funding to buy new battery electric buses and charging equipment and provide training, including apprenticeships, to help its workers maintain the electrified fleet. The new vehicles will transition Omnitrans's sbX Green Line to zero-emission buses, improving air quality in several disadvantaged communities along the route.	\$8,447,217
CA	Alameda-Contra Costa Transit District (AC Transit)	Low-No	Alameda-Contra Costa Transit District (AC Transit) will receive funding to buy new hydrogen fuel cell buses to replace older diesel buses and expand existing hydrogen fueling facilities. The funds will also initiate a workforce development program, which will help train staff on zero-emission bus technologies and improve service and reliability while also improving air quality.	\$15,000,000
CA	Kings County Area Public Transit Agency	Low-No	Kings County Area Public Transit Agency will receive funding to make critical upgrades to its renewable natural gas fueling station to ensure safe and reliable fueling for its fleet of low-emission compressed natural gas buses. This will maintain reliable low-emission transit service for Kings County's cities and disadvantaged communities and sets the stage for its transition to a zero-emission future.	\$1,610,875
CA	Western Contra Costa Transit Authority	Low-No	The Western Contra Costa Transit Authority will receive funding to buy hydrogen fuel cell buses to replace older diesel buses, and expand its hydrogen fueling station and maintenance facilities. This project will provide workforce training to support WCCTA's transition to an entirely zero-emission fleet and improve regional air quality.	\$20,646,189
CA	City of Commerce Transit	Low-No	City of Commerce Transit will receive funding to buy battery electric buses, charging equipment and supporting infrastructure to replace older compressed natural gas and diesel-powered buses. The new vehicles will improve fleet reliability and enhance access and mobility to underserved communities by increasing trip frequency on existing routes.	\$14,229,180
CA	Los Angeles County Metropolitan Transportation Authority (LA Metro)	Low-No	Los Angeles County Metropolitan Transportation Authority (LA Metro) will receive funding to buy dozens of battery electric buses and install new chargers at its West Hollywood bus yard. The buses will run on multiple lines and enhance access and mobility with direct access to all Metro rail lines. The project emphasizes environmental and air quality improvements while providing high-quality transit service to Los Angeles's residents and visitors.	\$77,536,675

State	Project Sponsor	Bus/Low-No	Description	Funding
CA	Sacramento Regional Transit District	Low-No	The Sacramento Regional Transportation District will receive funding to buy new hydrogen fuel cell buses to replace older buses, modernize a maintenance facility and initiate a workforce development program. The project will create jobs and improve service, reliability and air quality as SacRT works to convert its fleet to entirely zero emission by 2028.	\$76,847,678
CO	City of Greeley	Low-No	The city of Greeley will receive funding to buy compressed natural gas (CNG) buses for use on a new transit service between Greeley and Loveland, CO.	\$3,508,404
CO	Colorado Department of Transportation, on behalf of the Town of Telluride	BBF	The Colorado Department of Transportation, on behalf of the town of Telluride, will receive funding to modernize the Galloping Goose Transit Maintenance Facility. By helping staff more efficiently maintain the fleet, Galloping Goose will improve operations and better serve riders.	\$1,951,080
CO	Colorado Department of Transportation, on behalf of Archuleta County	BBF	Colorado Department of Transportation, on behalf of Archuleta County Mountain Express Transit, will receive funding to build a new park-and-ride facility in Aspen Springs, in part to support a new bus route from Aspen Springs to Pagosa Springs, Bayfield, and Durango. The facility, which will feature a lighted parking facility and , bus shelters will improve access and mobility.	\$418,359
CO	Colorado Department of Transportation, on behalf of Eagle Valley Transportation Authority	Low-No	The Colorado Department of Transportation, on behalf of Eagle Valley Transportation Authority, will receive funding to buy hybrid-electric buses. The buses will replace older diesel vehicles with new, more reliable vehicles that will provide better transit service and improve regional air quality.	\$4,573,000
CO	Colorado Department of Transportation, on behalf of Roaring Fork Transportation Authority	Low-No	The Colorado Department of Transportation, on behalf of the Roaring Fork Transportation Authority (RFTA), will receive funding to modernize its Glenwood Springs Operations and Maintenance Facility to support its planned zero-emission bus fleet. This project will help RFTA, which serves three counties and eight municipalities in rural central Colorado, achieve its goal of a fully zero-emission fleet by 2050.	\$32,837,664
CO	City of Loveland Transit	BBF	The city of Loveland will receive funding to complete construction of a transit center that will connect local bus routes and a regional bus line along the heavily traveled US 287 corridor. The facility will improve safety for riders, lessen congestion and attract new transit users.	\$3,967,007

State	Project Sponsor	Bus/Low-No	Description	Funding
CO	Colorado Department of Transportation, on behalf of the City of Durango	BBF	The Colorado Department of Transportation, on behalf of Durango Transit, will receive funding to replace aging buses and improve safety at several bus stops, many of which lack shelter or lighting. With Durango serving as a regional employment, medical, and shopping hub, Durango Transit services are critical and important for a high quality of life for the transit-dependent population.	\$659,089
CO	Colorado Department of Transportation, on behalf of Gunnison Valley Rural Transportation Authority	BBF	The Colorado Department of Transportation will receive funding to buy new buses to expand Gunnison Valley RTA's fleet. The new buses will improve access and mobility for riders by increasing service frequency and eliminating gaps in the route network.	\$1,516,108
CO	City of Fort Collins, Transfort	BBF	The city of Fort Collins will receive funding to improve transit infrastructure, including bus stops and its Downtown Transit Center, to make it safer and more accessible. These enhancements will promote access and advance equity and remove barriers to transit for people of all ages and riders with disabilities.	\$2,411,550
CT	Connecticut Department of Transportation (CTDOT)	Low-No	The Connecticut Department of Transportation will receive funding to buy battery-electric buses to replace diesel buses, including on the Central Connecticut CTFAstrak BRT, and supply their facilities with chargers. These buses reduce greenhouse emissions and improve air quality, while fulfilling CTDOT's goal of transitioning its entire CTFAstrak fleet to zero-emission by 2027.	\$38,888,800
DE	Delaware Transit Corporation	BBF	The Delaware Transit Corporation will receive funding to upgrade its Dover Transit Center into a more resilient and efficient facility. The upgrades include a solar-powered bus charging system, a solar-powered bus shelter, and safety improvements.	\$4,953,697
FL	Escambia County Board of County Commissioners	Low-No	Escambia County Area Transit (ECAT) will receive funding to buy battery electric buses and install a charging station, part of ECAT's plan to transition to a fully zero-emission fleet by 2035. The agency will prioritize deployment to areas with a higher percentage of underrepresented populations that rely heavily on transit and have been disproportionately impacted by pollution.	\$21,272,962

State	Project Sponsor	Bus/Low-No	Description	Funding
FL	Broward County	Low-No	Broward County Transit will receive funding to buy battery electric buses and on-route chargers to replace older diesel vehicles. The project also includes building a solar canopy that will provide renewable energy to the fleet and address the impacts of climate change.	\$25,000,000
FL	City of Gainesville, dba Gainesville Regional Transit System	Low-No	The city of Gainesville, FL will receive funding to buy new hybrid electric buses to replace older diesel buses and upgrade its maintenance facility. The project will reduce fuel and energy consumption and benefit the community by improving air quality and reducing urban heat island effects.	\$26,490,000
FL	Central Florida Regional Transportation Authority dba LYNX	Low-No	The Central Florida Regional Transportation Authority (LYNX) in Orlando will receive funding to buy compressed natural gas buses to replace older diesel buses on routes throughout Central Florida. This project will support LYNX's efforts to transition its entire fleet to a combination of low and zero-emission vehicles by 2028, as well as provide more efficient and reliable service to its riders.	\$27,609,656
FL	Pinellas Suncoast Transit Authority (PSTA)	Low-No	The Pinellas Suncoast Transit Authority will receive funding to buy new electric buses, hybrid buses, charging equipment, and initiate a workforce development program. The project will improve service, reliability, address air quality and noise pollution, and improve access to essential services for those living in Pinellas County and neighboring Hillsborough and Pasco Counties.	\$27,805,012
FL	Volusia Transit Management	Low-No	Volusia Transit Management (Votran) will receive funding to buy new low-emission propane-powered vehicles dedicated to on-demand paratransit service to replace diesel vehicles that have exceeded their useful life. This project will help connect people in the greater Daytona area to jobs and opportunities.	\$1,625,564
FL	City of Tallahassee	Low-No	The city of Tallahassee (StarMetro) will receive funding to buy new battery-electric buses to replace older vehicles and install charging equipment. The project will reduce emissions, improve service and reliability, and help the city achieve its goal for 100% battery electric bus transportation by 2035.	\$11,374,042
GA	Metropolitan Atlanta Rapid Transit Authority (MARTA)	BBF	The Metropolitan Atlanta Rapid Transit Authority (MARTA) will receive funding to build the South DeKalb Transit Hub, which will provide a central point for bus and rail connections in DeKalb County. The new facility will improve safety, comfort and accessibility for MARTA's riders, including those from disadvantaged communities.	\$25,347,982

State	Project Sponsor	Bus/Low-No	Description	Funding
GA	Chatham Area Transit Authority	BBF	Chatham Area Transit (CAT) will receive funding to replace older diesel buses with battery electric buses and chargers, along with workforce training activities. The project continues CAT's fleet transition to zero-emission vehicles, enhancing safety, modernizing the transit system, and improving access and mobility for riders.	\$7,889,840
GA	Augusta-Richmond County	BBF	Augusta Transit will receive funding to replace older buses with new, more reliable and efficient battery electric buses and buy a bus simulator to support workforce training. The new buses will provide quieter, safer, and more reliable transit service for riders.	\$12,080,384
HI	Hawaii Department of Transportation, on behalf of the County of Maui	BBF	The Hawaii Department of Transportation, on behalf of the County of Maui, will receive funding to buy hybrid electric buses to replace older diesel models. The hybrid buses will help the state reach its goal for a fully electric fleet by 2045 and help make service more efficient by replacing diesel buses that have exceeded their useful life.	\$5,000,000
IA	University of Iowa	Low-No	The University of Iowa's public transit system, CAMBUS, will receive funding to replace aging diesel buses with battery electric buses and expand and modernize its maintenance facility. The funding will allow the university to expand bus service and help meet sustainability goals to reduce greenhouse gas emissions on campus.	\$16,376,762
ID	Valley Regional Transit	BBF	Valley Regional Transit will receive funding to buy zero-emission battery electric buses and rehabilitate its transit station at Towne Square Mall. The revitalized station will feature a larger, covered passenger waiting area and additional bus bays, and will increase sustainability through solar panels and on-site electric bus charging.	\$16,723,347
ID	Shoshone-Bannock Tribes (SBT) Public Transit Program	BBF	Shoshone-Bannock Tribes will receive funding to replace transit buses and vans that are past their useful life, which will improve service and reliability for the Fort Hall Reservation community that relies on SBT Public Transit to reach jobs, schools, medical appointments, and other critical services.	\$722,400
ID	Idaho Department of Transportation, on behalf of Mountain Rides Transportation Authority	Low-No	Idaho Transportation Department, on behalf of Mountain Rides Transit Authority, will receive funding to buy battery electric buses and charging equipment, furthering MRTA's plan to transition to a 100% battery electric fleet.	\$4,228,500

State	Project Sponsor	Bus/Low-No	Description	Funding
IL	Rock Island County Metropolitan Mass Transit District	Low-No	The Rock Island County Metropolitan Mass Transit District, or MetroLINK, will receive funding to expand its operations and maintenance center to create capacity to continue its transition to battery-electric buses. The project includes building battery-electric storage areas with fire and hazard mitigation equipment and helps prepare MetroLINK to store electric buses and improve safety.	\$10,000,000
IL	Sangamon Mass Transit District	Low-No	Sangamon Mass Transit District will receive funding to replace its fleet of older buses with diesel-hybrid and compressed natural gas buses. The project will improve the fleet's state of good repair and support goals for reducing greenhouse gas emissions.	\$17,807,630
IL	Pace, the Suburban Bus Division of the Regional Transportation Authority	Low-No	Pace, the Suburban Bus Division of the Regional Transportation Authority, will receive funding to buy hybrid electric buses to replace vehicles that have exceeded their useful life and upgrade its maintenance facility to adapt to the new technology. Pace will also provide training to operators and mechanics as it works toward a goal of a fully zero-based emissions fleet by 2040.	\$30,911,000
IL	Greater Peoria Mass Transit District	Low-No	Greater Peoria Mass Transit District will receive funding to buy battery-electric buses to replace diesel-engine vehicles. The project will lower emissions, increase safety and provide more reliable transportation to underserved communities in Peoria and surrounding areas.	\$14,415,095
IN	Fort Wayne Public Transportation Corporation	Low-No	Citilink will receive funding to buy electric-hybrid buses to replace diesel-engine buses and continue transitioning its bus fleet to hybrid electric. This project will provide Fort Wayne residents with an efficient and more environmentally friendly transit system.	\$10,987,062
IN	Greater Lafayette Public Transportation Corporation	Low-No	The Greater Lafayette Public Transportation Corporation (GLPTC) will receive funding to buy zero- and low- emission buses, install a hydrogen refueling station and modify its bus maintenance facility to store their fleet indoors. Through this project, GLPTC can provide safer, more reliable transportation to the greater Lafayette area.	\$10,531,030
KS	Johnson County Transit	BBF	Johnson County Transit will receive funding to buy new energy-efficient propane and compressed natural gas buses to replace diesel-powered vehicles that have exceeded their useful life. Alongside improving efficiency, the project will reduce greenhouse gas emissions and improve air quality.	\$7,650,000

State	Project Sponsor	Bus/Low-No	Description	Funding
KY	Transit Authority of the Lexington-Fayette Urban County Government	Low-No	The Transit Authority of the Lexington-Fayette Urban County Government (Lextran) will receive funding to buy low-emission compressed natural gas buses. These new buses will replace diesel buses that have exceeded their useful life, providing immediate and long-term economic, environmental, and community benefits.	\$4,223,340
KY	Transit Authority of River City (TARC)	BBF	Transit Authority of River City (TARC) will receive funding to buy zero-emission battery-electric buses to replace buses that have exceeded their useful life. TARC will improve its fleet's state of good repair and provide more environmentally friendly transportation for riders to jobs, school, healthcare and more.	\$3,643,825
LA	Jefferson Parish Transit	Low-No	Jefferson Parish Transit will receive funding to replace aging diesel vehicles with low-emission hybrid buses. This project will improve transit access, equity, and accessibility for riders.	\$5,459,550
LA	SporTran	Low-No	SporTran Transit will receive funding to replace diesel-powered buses in its fleet with low-emission buses. The project will reduce maintenance costs and decrease greenhouse gas emissions while improving the reliability and timeliness vital for sustaining ridership growth.	\$11,169,846
MA	Massachusetts Bay Transportation Authority	Low-No	The Massachusetts Bay Transportation Authority will receive funding to buy new battery electric buses to replace older buses that have exceeded their useful life and additional funds to train workers on the new technology. The zero-emission buses will significantly reduce greenhouse gas emissions and harmful pollutants.	\$40,000,000
MA	Massachusetts Department of Transportation, on behalf of the Martha's Vineyard Transit Authority	Low-No	The Massachusetts Department of Transportation, on behalf of Martha's Vineyard Transit Authority (VTA), will receive funding to buy new battery electric buses and charging equipment and launch an apprenticeship program for high school students. The project will help VTA achieve its goal of fully electrifying its fleet and employing a year-round workforce.	\$3,882,375
MA	Cape Cod Regional Transit Authority	Low-No	Cape Cod Regional Transit Authority (CCRTA) will receive funding to buy low-emission buses to replace aging diesel buses and establish worker training to develop skills necessary to maintain them. The buses will allow CCRTA to reduce its carbon footprint, produce fewer greenhouse gas emissions and meet a goal to transition to a fully electric fleet.	\$14,613,149

State	Project Sponsor	Bus/Low-No	Description	Funding
MD	Howard County, Maryland	BBF	The Maryland Department of Transportation, on behalf of Howard County, will receive funding to buy new buses to provide better connections to regional transit services, including MTA's Local Link service with easier access to Baltimore.	\$960,000
MD	Prince Georges County Government	Low-No	Prince George's County in Maryland will receive funding to buy battery-electric buses, bringing the county closer to transitioning its bus fleet to fully zero-emission by 2040. The buses will enhance service to people who rely upon public transportation to connect to jobs in the County and throughout the Washington, DC region.	\$25,475,520
ME	Maine Department of Transportation	BBF	The Maine Department of Transportation will receive funding to help four transit agencies rehabilitate their transit facilities and buses. This project will enable Maine's transit agencies to achieve economic and environmental resilience, as well as ensure worker safety and reliability for transit services by maintaining a state of good repair.	\$3,243,434
MI	Detroit Department of Transportation	Low-No	The Detroit Department of Transportation will receive funding to replace older buses with new hybrid electric buses and hydrogen fuel cell electric buses. The funding also supports a hydrogen fueling station and a worker training program on zero-emission technologies, resulting in better jobs, cleaner air and more reliable bus service.	\$30,794,240
MI	Harbor Transit Multi-Modal Transportation System (HTMMTS)	BBF	Harbor Transit Multi-Modal Transportation System will receive funding for the design and construction of a multi-modal system operations center to accommodate the transition to a zero-emission fleet, with fueling and charging equipment, vehicle maintenance infrastructure, as well as electric vans and charging stations. The new facility will also accommodate administration and workforce training facilities for regional transit providers.	\$16,252,400
MI	Nottawaseppi Huron Band of the Potawatomi	BBF	The Nottawaseppi Huron Band of the Potawatomi will receive funding to buy an ADA-compliant, clean-diesel bus to replace an outdated diesel-powered vehicle. The new vehicle will relieve reliance on a bus that has exceeded its useful life and help build the fleet to meet ridership demand and better connect underserved communities in rural southwest Michigan.	\$539,750

State	Project Sponsor	Bus/Low-No	Description	Funding
MI	Ann Arbor Area Transportation Authority	Low-No	The Ann Arbor Area Transportation Authority (AAATA) will receive funding to buy new hydrogen fuel cell and low-emission diesel-electric hybrid buses to replace older diesel buses and a mobile hydrogen station. This project will improve operations, reduce energy consumption, and enable AAATA to move toward a zero-emission fleet.	\$25,000,000
MN	SouthWest Transit	BBF	SouthWest Transit will receive funding to rehabilitate the Southwest Station Park and Ride and the bus garage. The project includes ADA and security improvements for riders, as well as upgrades to the maintenance facilities to improve safety for workers. The project will support secure, accessible, and efficient transit service.	\$520,436
MN	Minnesota Department of Transportation, on behalf of Cedar Valley Services	BBF	The Minnesota Department of Transportation, on behalf of Cedar Valley Services (SMART), will receive funding to build two new transit facilities. This project will help SMART improve efficiency and enhance reliability for rural communities in Southern Minnesota.	\$6,282,400
MN	Minnesota Department of Transportation, on behalf of two rural agencies	Low-No	The Minnesota Department of Transportation on behalf of United Community Action Partnership-Community Transit (UCAP) and Friendly Rider Transit, will receive funding to buy propane buses and build the necessary fueling infrastructure. The project will improve service, reliability and lower maintenance costs for southwest and south central Minnesota rural transit providers.	\$2,303,200
MO	Bi-State Development Agency of the Missouri-Illinois Metropolitan District, Inc.	Low-No	The Bi-State Development Agency of the Missouri-Illinois Metropolitan District will receive funding to buy new low-emission diesel-electric hybrid buses to replace older diesel buses that have exceeded their useful life. This project will lower emissions and provide riders a safer, more efficient means of transportation.	\$10,380,591
MS	City of Jackson	BBF	The city of Jackson (JTRAN) will receive funds to replace, expand and modernize its existing fleet with hybrid and propane-powered buses, enabling Jackson to lower emissions, restore confidence in public transit and decrease run times.	\$13,717,447
MT	City of Billings, MET Transit Division	BBF	The city of Billings' MET Transit will receive funding to buy new ADA-accessible vehicles to replace older vehicles, maintenance equipment to support its current fleet and future electric buses, and to provide training for their maintenance staff. These improvements will enhance fleet reliability, reduce maintenance downtime, minimize service interruptions, and increase safety.	\$910,300

State	Project Sponsor	Bus/Low-No	Description	Funding
NC	City of Winston-Salem / Winston-Salem Transit Authority	Low-No	The city of Winston-Salem (Winston-Salem Transit Authority) will receive funding to buy new hybrid electric buses. The buses will replace older diesel buses, which will combat climate change and help improve air quality for riders throughout the city of Winston-Salem.	\$4,444,757
NC	City of Fayetteville (FAST)	Low-No	The city of Fayetteville (Fayetteville Area System of Transit) will receive funding to buy new battery-electric buses to replace older diesel buses and charging equipment. The project will improve service, reliability and air quality for residents in Fayetteville and surrounding areas.	\$6,667,462
NC	City of Greensboro	Low-No	The city of Greensboro (Greensboro Transit Agency) will receive funding to buy new battery-electric buses and hybrid-diesel buses to replace older vehicles and install charging equipment. The project will improve service, reliability and air quality for residents in Greensboro and surrounding areas.	\$22,411,172
NE	Santee Sioux Nation	BBF	The Santee Sioux Nation will receive funding to buy new ADA accessible vehicles to replace older vehicles that have exceeded their useful life. The project will decrease maintenance costs and ensure safe, reliable public transit for all.	\$193,033
NH	University of New Hampshire	Low-No	The University of New Hampshire will receive funding to replace diesel-powered buses with compressed natural gas buses for its Wildcat Transit service, which will help ensure the fleet remains in a state of good repair. Wildcat Transit serves five communities, linking urbanized areas on the seacoast to the university and its educational and employment opportunities.	\$2,720,000
NH	Manchester Transit Authority	BBF	Manchester Transit Authority will receive funding to construct the first transit center in Manchester, NH. The new transit center will replace the city's outdated facility and enable MTA to expand its transit services: a key economic investment in response to the region's rapid growth.	\$19,922,891
NJ	New Jersey Transit Corporation	Low-No	New Jersey Transit will receive funding to construct an outdoor charging facility with a solar canopy at its Meadowlands Bus Garage. This project will allow New Jersey Transit to shelter, charge, and maintain its battery-electric bus fleet, while increasing service and advancing environmental justice throughout the state.	\$99,499,531

State	Project Sponsor	Bus/Low-No	Description	Funding
NM	New Mexico Department of Transportation, on behalf of two rural transit districts	BBF	The New Mexico Department of Transportation will receive funding on behalf of the North Central Regional Transit District (NCRTD) and the South Central Regional Transit District (SCRTD). NCRTD will renovate the Jim West Regional Transit Center and SCRTD will buy a new hybrid-electric bus and build a new transit facility in Las Cruces to support service expansion.	\$9,812,622
NV	Walker River Paiute Tribe	BBF	The Walker River Paiute Tribe will receive funding to purchase ADA-accessible buses and construct facilities necessary for transit operations. This project will provide the infrastructure to establish local and intercity routes, connecting the Walker River Paiute reservation to cities like Reno, Carson City, and San Francisco.	\$1,040,902
NV	Tahoe Transportation District	Low-No	The Tahoe Transportation District (TTD) will receive funding to buy new diesel-electric hybrid buses to replace older buses that have exceeded their useful life. This project will advance TTD's low- or no-emission fleet goals, resulting in improved reliability, safety and mobility for residents, commuters and visitors of the Lake Tahoe Basin.	\$7,901,826
NY	Tompkins County, New York on behalf of Tompkins Consolidated Area Transit (TCAT)	Low-No	Tompkins County, on behalf of Tompkins Consolidated Area Transit in New York state, will receive funding to buy new hybrid-electric buses to replace older diesel models and enhance the fleet with advanced technology. The buses will reduce emissions, improve efficiency, and contribute to a cleaner and healthier environment for the community.	\$1,215,776
NY	Rochester Genesee Regional Transportation Authority	BBF	The Rochester Genesee Regional Transportation Authority (RGRTA) will receive funding to buy new hydrogen fuel cell electric buses to replace older diesel buses and to upgrade an existing maintenance facility to properly maintain its battery electric buses. This initiative will enable RGRTA to transition to zero-emission bus fleets in the future, improving transit and air quality in Rochester.	\$18,113,192
NY	Central New York Regional Transportation Authority	Low-No	The Central New York Regional Transportation Authority will receive funding to buy new hydrogen fuel cell buses, fueling equipment, conduct facility modifications and provide worker training to operate and maintain its zero-emission buses. This project will improve service, reliability and improve air quality for residents in Onondaga County.	\$7,260,435

State	Project Sponsor	Bus/Low-No	Description	Funding
NY	Broome County Department of Public Transportation	Low-No	The Broome County Department of Public Transportation (BC Transit) will receive funding to buy battery electric buses to replace older buses, purchase support equipment, and initiate a workforce training program. This project will allow BC Transit to replace older buses that have exceeded their useful life with clean, reliable transportation while improving quality of life for people in and around Binghamton.	\$8,883,743
NY	County of Westchester	Low-No	Westchester County (The Bee-Line) will receive funding to buy new hybrid electric buses to replace older diesel buses. The project will improve safety, reliability, and mobility for transit riders throughout Westchester County.	\$12,431,250
OH	Western Reserve Transit Authority	BBF	The Western Reserve Transit Authority (WRTA) will receive funding to prepare for a transition to an all-electric bus fleet upgrading their bus barn facility to support electric bus chargers and equipping it with solar panels, and an improved fire suppression system. This project will improve safety and prepare WRTA to meet its zero emission bus goals by 2030.	\$1,312,000
OH	Central Ohio Transit Authority	Low-No	The Central Ohio Transit Authority (COTA) will receive funding to buy new battery electric and fuel cell electric buses along with installing hydrogen fueling infrastructure. The buses will replace aging natural gas buses, which will help COTA achieve a fully zero-emission fleet by 2035 and improve air quality for riders in Columbus, OH.	\$22,849,800
OH	Greater Cleveland Regional Transit Authority (GCRTA)	BBF	Greater Cleveland Regional Transit Authority (GCRTA) will receive funding to replace some of its existing fleet with electric vehicles and install charging stations. GCRTA will use the new electric buses, which are more reliable and accessible, to provide convenient transit in neighborhoods where more residents rely on public transit.	\$10,633,105
OH	Stark Area Regional Transit Authority	BBF	A collaboration among Stark Area Regional Transit Agency, Stark State College, and RG Drage will receive funding to purchase and install hydrogen refueling infrastructure, improve clean access points, upgrade the facility for solar energy, and establish a workforce training program focused on clean transit. The efforts will improve rider safety, accessibility, and usability, while supporting Ohio's long-term plan for a transition to clean energy.	\$17,254,229

State	Project Sponsor	Bus/Low-No	Description	Funding
OK	Cherokee Nation	BBF	Cherokee Nation Transit will receive funding to buy new, modern, and reliable ADA accessible buses. These new vehicles will improve safety, bring the fleet to a state of good repair, and improve transportation accessibility and reliability among Cherokee Nation communities.	\$458,250
OK	City of Lawton - City Transit Trust	Low-No	The City of Lawton will receive funding to replace several aging diesel buses with diesel-electric hybrid buses. The project will reduce maintenance costs, lower emissions and provide more reliable transportation to Lawton community members, especially vulnerable populations who depend on public transit to meet their daily needs.	\$6,116,854
OK	Metropolitan Tulsa Transit Authority	Low-No	The Metropolitan Tulsa Transit Authority will receive funding to buy new compressed natural gas buses to replace older diesel buses and to develop a workforce training program. The project will reduce vehicle emissions, improve transit service and reliability for residents living in the city of Tulsa.	\$1,314,090
OR	Tri-County Metropolitan Transportation District of Oregon (TriMet)	Low-No	TriMet will receive funding to buy new hydrogen fuel cell buses to replace older diesel buses that are past their useful life, a new portable fueling station and to initiate facility improvements to accommodate the new hydrogen vehicles. The project will improve service, reliability and provide essential connections to jobs in services in the Portland metro area.	\$39,000,000
PA	Washington County Transportation Authority	BBF	The Washington County Transportation Authority in Pennsylvania, operating as Freedom Transit, will receive \$15 million to construct a bus maintenance and storage facility that will include compressed natural gas and gasoline fueling stations. The structure will also contain office space for dispatch, operations and staff training and help the agency maintain its buses, strengthen service reliability, and meet safety standards.	\$15,000,000
RI	Rhode Island Public Transit Authority	BBF	The Rhode Island Public Transit Authority (RIPTA) will receive funding to rehabilitate a historically significant maintenance and office building to a state of good repair. This facility, once fully rehabilitated, will allow RIPTA to increase capacity and allow for operational growth, while also addressing safety concerns within the building.	\$7,407,963

State	Project Sponsor	Bus/Low-No	Description	Funding
SC	City of Clemson dba Clemson Area Transit	Low-No	The city of Clemson, SC, on behalf of Clemson Area Transit, will receive funding to buy new compressed natural gas buses to replace aging diesel buses as part of its Clemson Area Transit Driving Forward with Green Transit project. The buses will improve service efficiency and effectiveness, and lower operating and maintenance costs.	\$4,671,859
SD	South Dakota Department of Transportation, on behalf of three transit agencies	Low-No	The South Dakota Department of Transportation will receive funding to add propane-powered buses to three local transit agency fleets (River Cities Public Transit, Prairie Hills Transit and People's Transit). In addition to lowering emissions, the project will replace outdated buses that have exceeded their useful life and enable the agencies to meet increased ridership demand.	\$1,615,000
TN	Tennessee Department of Transportation, on behalf of the Southwest Human Resources Agency	BBF	The Tennessee Department of Transportation, on behalf of the Southwest Human Resource Agency (SWHRA), will receive funding to build a new facility to enhance bus service and operations in an eight-county region in southwest Tennessee. The new facility will replace a 1980s-era building that is past its useful life, allowing SWHRA to improve operations and access for people to reach jobs, healthcare, and other services throughout its 4,000-square-mile service area, as well as connections to medical centers in Memphis and Nashville.	\$7,790,400
TN	Regional Transportation Authority	BBF	The Regional Transportation Authority of Middle Tennessee (WeGo Transit) will receive funding to expand a park and ride lot to be a bus transit center at Donelson Station. The improvements will improve connections, enhance safety, provide rider amenities and set the stage for future transit-oriented development.	\$10,000,000
TX	Corpus Christi Regional Transportation Authority	Low-No	Corpus Christi Regional Transportation Authority (CCRTA) will receive funds to replace its aging diesel fleet with low-emission compressed natural gas buses that will operate in historically disadvantaged areas with high ridership. The project will also provide workforce development training, enabling CCRTA to build an enduring fleet of drivers that can serve generations of customers.	\$5,888,040
TX	Texas Department of Transportation (TxDOT), on behalf of 30 regional transportation districts	BBF	The Texas Department of Transportation will receive funding to replace transit vehicles and complete bus facility projects across Texas. This project will provide better transit access in rural areas and 30 regional transportation districts, while bringing rural transit fleets to a state of good repair.	\$26,880,000

State	Project Sponsor	Bus/Low-No	Description	Funding
TX	City of El Paso Mass Transit Department - Sun Metro	Low-No	Sun Metro will receive funding to buy new compressed natural gas buses to replace older buses that have exceeded their useful life and to construct new bus canopies. This project will allow Sun Metro to offer a more reliable service and reduce harmful emissions, while improving environmental justice for underserved communities in the city of El Paso.	\$30,597,000
UT	Utah Department of Transportation, on behalf of High Valley Transit District	Low-No	The Utah Department of Transportation, on behalf of the High Valley Transit District, will receive funding to replace and expand its aging diesel fleet with new battery electric buses to meet growing ridership demand. The project will enable HVTD to reduce emissions, maintenance costs and service disruptions.	\$16,275,560
UT	Utah Transit Authority	Low-No	Utah Transit Authority will receive funding to replace older diesel buses with new battery-electric buses, which will be housed at their Meadowbrook facility. This project will reduce harmful emissions, while serving disadvantaged communities within Salt Lake County.	\$18,112,632
VA	County of Fairfax, Virginia	Low-No	The County of Fairfax, Virginia, will receive funding to buy new low emission diesel-electric hybrid buses to replace older buses as part of its fleet replacement plan. The new buses will reduce greenhouse gas emissions and improve reliability and service while addressing the needs of disadvantaged communities.	\$50,591,220
VT	Vermont Agency of Transportation (VTTrans)	Low-No	The Vermont Agency of Transportation will receive funding to help three transit agencies make the transition to electric buses, including upgrades to electrical and fire systems, worker training and a mobile charger. The project will improve safety, reliability and efficiency for Green Mountain Transit, Tri-Valley Transit and Southeast Vermont Transit as they transition to low- and no-emission buses.	\$2,300,542
WA	Pierce County Public Transportation Benefit Area Corporation (Pierce Transit)	BBF	Pierce Transit will receive funding to buy new battery electric buses and install new charging equipment. This project will improve efficiency and help facilitate expansion of Pierce Transit's zero-emission fleet.	\$14,784,753
WA	Washington State Department of Transportation, on behalf of Grays Harbor Transit Authority	BBF	Washington State Department of Transportation, on behalf of Grays Harbor Transit, will receive funding to renovate an aging maintenance and operations facility in Hoquiam, WA. Improvements will include upgrading parking areas, installing new surfacing, and enhancing the roof.	\$2,639,564

State	Project Sponsor	Bus/Low-No	Description	Funding
WA	Washington State Department of Transportation, on behalf of Clallam Transit System	BBF	Washington State Department of Transportation, on behalf of Clallam Transit System, will receive funding to buy buses to replace heavy-duty buses that have surpassed their useful life. The new vehicles, including several for the agency's paratransit fleet, will be more efficient and reliable.	\$3,655,000
WA	Washington State Department of Transportation, on behalf of Island Transit	BBF	Washington State Department of Transportation, on behalf of Island Transit, will buy hydrogen fuel cell buses, which will replace diesel buses on Whidbey Island. This project will advance Island Transit's plan to transition their entire fixed-route fleet to zero-emission vehicles on both Whidbey and Camano Islands.	\$14,959,971
WA	King County Metro Transit	BBF	King County Metro will receive funding to buy battery electric buses and continue its worker training to maintain the new fleet. This project furthers Metro's plan to transition to a fully zero-emission fleet by 2035.	\$6,680,083
WA	Chelan Douglas Public Transportation Benefit Area (dba Link Transit)	Low-No	Link Transit will receive funding to buy battery electric buses, replacing gas-powered buses that have exceeded their useful life. The new buses will be more reliable and easier to maintain, lower fueling costs, reduce air pollution, and improve service throughout North Central Washington.	\$4,462,500
WI	City of Appleton - Valley Transit	BBF	The city of Appleton will receive funding to modernize Valley Transit's bus maintenance facility, including bus wash, fueling, and storage. Updates to the facility will set up the transit agency to grow its fleet and transition to zero-emission buses to serve the Fox Cities region of northeast Wisconsin.	\$12,000,000
WI	City of Green Bay Transit System	Low-No	Green Bay Metro will receive funding to replace diesel-powered buses with battery electric buses and charging equipment, improving safety and decreasing greenhouse gas emissions. The agency expects to reduce maintenance costs as they bring Green Bay closer to reaching their goal of 100 percent clean energy by 2050.	\$3,112,663

Total Funding:
\$1,497,553,559

Last updated: Friday, July 26, 2024

Federal Transit Administration

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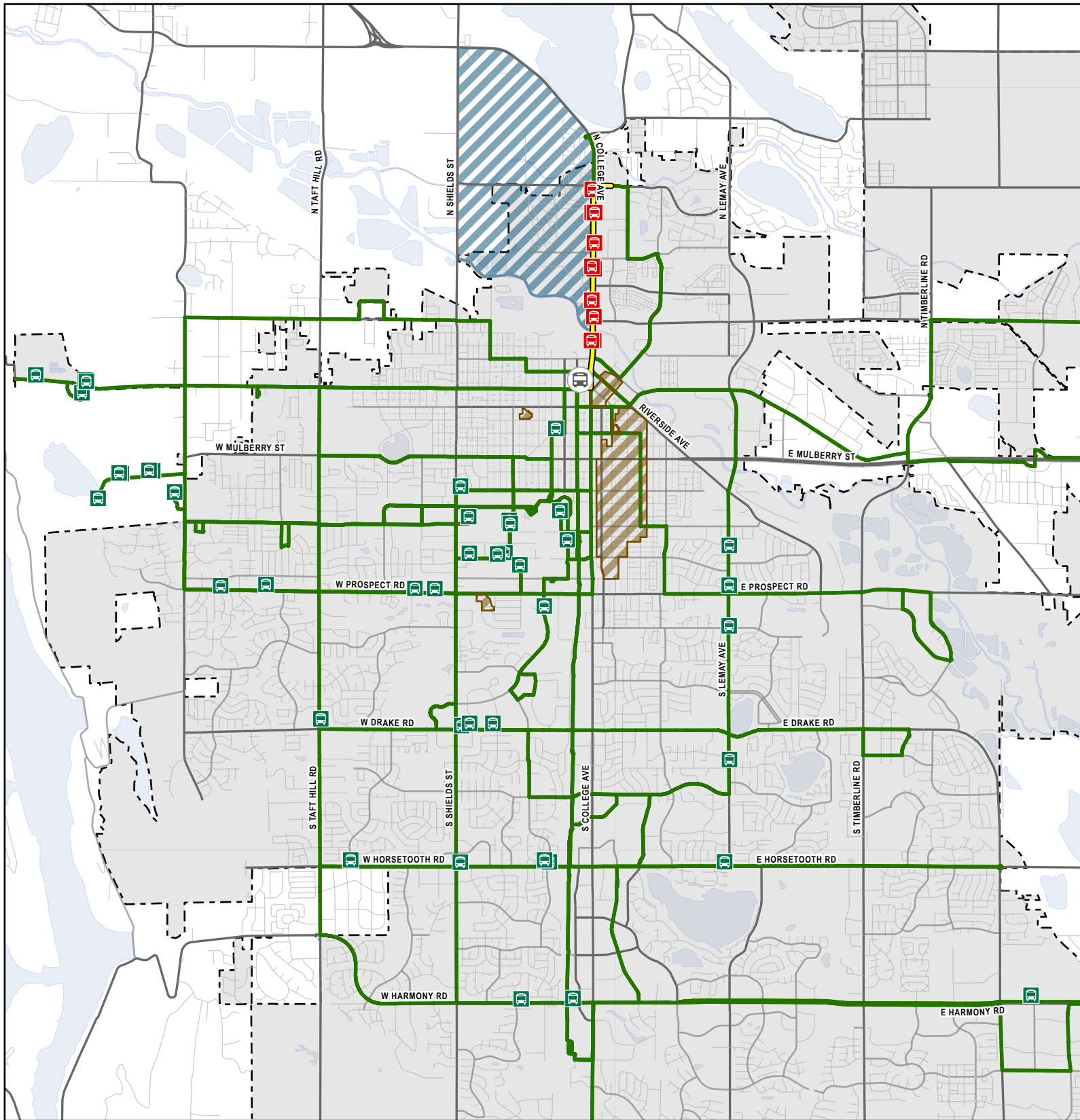
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
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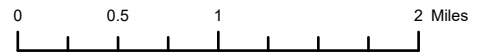


CITY OF FORT COLLINS
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Printed: April 17, 2024

-  Bus Stops
-  Bus Routes
-  N College MAX Bus Stops
-  N College MAX Route
-  Downtown Transit Center
-  CO Tract 08069001304
-  Historic Districts
-  City Limits



TRANSFORT

City of
Fort Collins

**INTERGOVERNMENTAL AGREEMENT
FOR FY24 5339(b) BUS STOP UPGRADE PROJECT**

THIS AGREEMENT (the “Agreement”) is made and entered into this __day of March 2, 2025, 2025, by and between the **CITY OF FORT COLLINS, COLORADO**, a **Municipal Corporation** (the City), and the **BOARD OF GOVERNORS of the COLORADO STATE UNIVERSITY SYSTEM**, acting by and through **COLORADO STATE UNIVERSITY** (the University) (collectively, the Parties).

Recitals

- A. The Parties provide coordinated public transit services within the City of Fort Collins municipal boundaries and growth management area, including constructing and maintaining bus stop facilities for the public and students of the University.
- B. The Parties are working together to upgrade bus stops throughout the Transfort service area to improve Americans with Disabilities Act (ADA) accessibility and purchase new transit amenities. This project provides important improvements to bus stops throughout the service area, creating a more inclusive and welcoming environment for all riders of public transit.
- C. As part of this project, the Parties desire to enter into this Agreement to collaborate concerning the financing of bus stop upgrades and amenities on the University’s Main and Foothills campuses and property.
- D. To support this effort, the City applied for Federal Transit Administration Bus and Bus Facilities Program funding on April 24, 2024, and was notified on June 9, 2024 that the FTA will fund the project subject to a local financial match. The University will contribute to financing the local match for the FTA funds.
- E. As Colorado governmental entities, the Parties are authorized, pursuant to Colo. Const. art. XIV, § 18(2)(a) and C.R.S. § 29-1-203, to cooperate or contract with one another to acquire or provide any government function, service, or facility lawfully authorized to each.

NOW THEREFORE, in consideration of the mutual promises contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereto agree as follows:

1. **Purpose.** The purpose of this Agreement is to document the Parties' responsibilities in collaborating to update bus stops on the University campus and property to meet current ADA standards (the Project).

The Project will be overseen by a Project Management team made up of representatives from both the City and the University, including Project Managers:

Project Manager for the City: Gretchen Gramling

Project Manager for the University: Jamie Gaskill (primary); Nate Vander Broeck (secondary)

The Project will involve the design and construction of the following bus stops:

557 PITKIN & SHIELDS
 558 PITKIN & MERIDIAN
 1584 LIBBIE COY & A
 1494 CSU - JUDSON HARPER COMPLEX
 1556 MERIDIAN & UNIVERSITY
 1557 MERIDIAN & REC CENTER
 1532 MOBY ARENA
 1628 OVAL & ISOTOPE
 1625 RAMPART & ARBL
 1624 RAMPART & ARBL
 1626 RAMPART & EQUINE
 1627 RAMPART & EQUINE
 1652 LAPORTE & FOREST SERVICE
 1653 CSU - ENGINEERING RESEARCH CENTER
 1654 CSU - ATMOSPHERIC SCIENCE
 1655 LAPORTE & FOREST SERVICE
 1669 PITKIN & MERIDIAN
 1672 MERIDIAN & PITKIN
 1694 EQUINE CENTER

2. **Finance.** The FTA awarded the City \$2,411,550 in discretionary grant funds through the Federal Transit Administration's (FTA) fiscal year 2024 Bus and Bus Facilities Program (FY24 5339(b) grant). A portion of these funds were committed to upgrading 19 of the University's bus stops and purchasing accompanying amenities to support the Project.

The total estimated cost for these upgrades and amenities is \$1,130,000, of which \$937,000 is funded by the FTA through the FY24 5339(b) grant awarded to the City. The grant funds are available immediately and require a 10% local match for bus stop upgrades and a 20% local match for amenities. The University agrees to pay the full local match of \$193,000 required for the Project.

The Parties will seek appropriation of all necessary funding before the City executes the FY24 5339(b) award, which requires a commitment from both Parties to provide the local matching funds. The University shall pay its \$193,000 contribution to the City by March 30, 2028. The University shall make payments toward this contribution in installments. Throughout the Project, upon acceptance of construction by the Project Management team and payment of each Contractor invoice by the City, the City will invoice the University for the following amounts to cover the local match:

- Ten percent (10%) of bus stop construction costs
- Ten percent (10%) of project management, construction administration and design costs
- Twenty percent (20%) of bus stop amenity purchases

University will remit payment to the City within 30 days of receipt and approval of the invoice by the University.

While the local match may adjust proportionally with changes in project costs, the University's total contribution will not exceed the originally agreed-upon amount of \$193,000 without a formal written amendment to this Agreement. Both parties will review and approve any revised amounts in writing before payments are made. The Project Management team will meet regularly to review progress of the Project, including budget. If it appears that the Project will exceed the budget, the Project Management team will determine the appropriate course of action, for example, reduce the scope of the project, expedite purchasing of amenities and/or increase funding. If additional funding is agreed upon, the parties will complete a formal written amendment to this Agreement.

3. Completion of Improvements.

As part of the Project, the City shall complete construction of the 19 bus stop facilities identified in Paragraph 1 in multiple stages, as follows:

Stage 1

Stage 1 consists of site assessment, environmental assessment, and final design of each stop. Some amenities may be ordered in this stage, prior to design being completed. If amenities are received prior to construction of bus stops, the University will be responsible for identifying an appropriate storage location and costs of storage.

Stage 2

Stage 2 will commence upon completion and approval of final design for all bus stops. Final design documents will be publicly posted for bid. Bid will be posted and third-party contractors (Contractor or Contractors) selected consistent with Federal law and procurement rules. Contractors will be responsible for construction of all 19 bus stops. The City will purchase amenities (shelters, trash cans, bike racks, solar lighting) using FTA grant funds based on final design documents for all stops. All amenities on the University’s campuses will be in compliance with the University’s design standards. A third-party Contractor will also be responsible for installation of all amenities.

Upon completion of construction and installation of the amenities, the City will retain ownership of the following assets:

- Concrete pads;
- Amenities installed at stops including Shelters, Benches, Solar Lighting, Trash Cans and Bike Racks.

The University shall retain ownership of the following:

- Sidewalks and sidewalk connections that may be constructed;
- Real time bus information signage.

Unless otherwise specified in a future maintenance agreement between the Parties, the University shall also continue to provide routine maintenance and inspection of University stops, including but not limited to ice and snow removal, concrete maintenance, landscaping, and amenities.

Estimated project milestone end dates are below and are dependent on funds being appropriated. Any project delays will be communicated in writing between Project Managers.

Project Milestone	Milestone End Dates (estimated)	Payment Milestones
Place first round Amenities Order (10)	Upon execution of IGA	N/A
NEPA approval	7/1/2025	N/A
Begin Design	After NEPA approval & execution of IGA	N/A
Complete Design for concrete pads	9/30/2025	City to Invoice University at completion of design for all design costs
Place second round Amenities Order	10/15/2025	N/A
Receive first Round Amenities	10/30/2025	City to invoice University once amenities are received

		for all ordered amenity costs.
Advertise Bid Package	11/15/2025	N/A
Place second round Amenities Order	10/15/2025	N/A
Execute Contract for Construction Phase	1/15/2026	N/A
Construction Begins	5/18/2026	N/A
Receive second round Amenities	6/1/2026	City to invoice University once amenities are received for all amenity costs.
Concrete Pad Construction Completed	8/31/2027	City to invoice University upon completion of bus stops for bus stop construction costs
Amenities Installed	8/31/2027	City to invoice University after all amenities are installed for amenity installation costs.
Construction administration/Materials testing	11/30/2027	City to invoice University at completion of project for all construction administration and materials testing costs
Project Close Out	1/31/2028	City to invoice University at project close out for final retainage fees of construction costs

4. Appropriation. All financial obligations of the City or the University arising under this Agreement are contingent upon funds for that purpose being annually appropriated, budgeted, or otherwise made available by the governing bodies of the City or the University, and do not establish debts or other multi-fiscal year obligations thereof.

5. Assignment. Neither party may assign any rights or delegate any duties under this Agreement without the written consent of the other party.

6. Jurisdiction/Severability. This Agreement shall be governed in all respects by the laws of the State of Colorado. In the event of any dispute between the Parties, the exclusive venue for dispute resolution shall be the District Court for and in Larimer County, Colorado. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other

provision of this Agreement. Any invalid or unenforceable portion or provision shall be deemed severed from this Agreement and, in such event, the Parties shall negotiate in good faith to replace such invalidated provision in order to carry out the intent of the Parties in entering into this Agreement.

7. Miscellaneous.

- a. Other than the final design funding commitment and its attendant coordination, either party shall have the right to terminate any obligations hereunder for convenience upon ninety (90) days written notice.
- b. For the purpose of this Agreement, the University designates Jamie Gaskill (contact information below) as its representative. The City designates Gretchen Gramling (contact information below) as its representative. If either representative receives communication from the other, they shall respond within five business days using the address information provided in subparagraph (c) below.
- c. All notices, certificates or other communications to be given hereunder shall be sufficiently given and shall be deemed given when delivered or mailed by certified, registered or overnight mail, postage prepaid, addressed as follows:

If to Colorado State University:

Jamie Gaskill
|Associate Director of Active Transportation
Colorado State University
200 W. Lake Street
6012 Campus Delivery
Fort Collins, Colorado 80523-6012
970-491-2492
Jamie.Gaskill@colostate.edu

With Copy to:

Office of the General Counsel
Attn: Contracts
06 Campus Delivery
Colorado State University
Fort Collins, CO 80523-0006

If to Fort Collins:

Gretchen Gramling
Sr Project Manager, City of Fort Collins
250 North Mason Street
Fort Collins, CO 80524
ggramling@fcgov.com

- d. Except as otherwise provided in this Agreement, any modifications to this Agreement shall only be effective if agreed to in a formal written amendment to this Agreement, properly executed and approved by the designated representative for each party with the requisite signature authority.
- 8. Headings.** The headings and captions in this Agreement are intended solely for the convenience of reference and shall be given no effect in the construction or interpretation of this Agreement.
- 9. No Partnership or Agency.** Notwithstanding any language in this Agreement or any representation or warranty to the contrary, the Parties shall not be deemed or constitute partners, joint venture participants, or agents of the other. Any actions taken by the Parties pursuant to this Agreement shall be deemed actions as an independent contractor of the others.
- 10. No Third-Party Beneficiaries.** It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement and all rights of action relating to such enforcement shall be strictly reserved to the Parties. It is the express intention of the Parties that any person or entity other than the Parties shall be deemed to be only an incidental beneficiary under this Agreement.
- 11. Governmental Immunity.** Nothing in this Agreement or in any actions taken by the Parties or their respective elected officials, directors, officers, agents and employees pursuant to this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, Sections 24-10-101, et seq., C.R.S.
- 12. No Personal Liability.** No elected official, director, officer, agent or employee of the Parties shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of any breach thereof or because of its or their execution, approval or attempted execution of this Agreement.

- 13. No Waiver.** No waiver of any of the provisions of this Agreement shall be deemed to constitute a waiver of any other of the provisions of this Agreement, nor shall such waiver constitute a continuing waiver unless otherwise expressly provided herein, nor shall the waiver of any default hereunder be deemed a waiver of any subsequent default hereunder.
- 14. Binding Contract.** This Agreement shall inure to and be binding on the successors and permitted assigns of the Parties.
- 15. Entire Contract.** This Agreement constitutes the entire agreement between the Parties with regard to the Project as defined above and sets forth the rights, duties, and obligations of each to the other as of the Effective Date. Any prior agreements, promises, negotiations, or representations not expressly set forth in this Agreement with regard to the Project are of no force and effect.
- 16. Counterpart Execution.** This Agreement may be executed in multiple counterparts; all counterparts so executed shall constitute one agreement binding upon all Parties, notwithstanding that all parties are not signatories to the original or the same counterpart. Documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date first above written (Effective Date). By the signature of its representative below, each party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

[SIGNATURE PAGE FOLLOWS]

CITY OF FORT COLLINS, COLORADO

DocuSigned by:
By: *Kelly DiMartino*
Kelly DiMartino, City Manager

ATTEST:

DocuSigned by:
By: *Delynn Coldiron*
FABF36BDAC704F4...

Name: Delynn Coldiron
Title: City Clerk

Approved as to form:

DocuSigned by:
By: *Madeleine Shehan*
Madeleine Shehan, Assistant City Attorney

**THE BOARD OF GOVERNORS OF THE
COLORADO STATE UNIVERSITY SYSTEM,
ACTING BY AND THROUGH COLORADO
STATE UNIVERSITY**

Date: Feb 27, 2025

By: *Brendan Hanlon*
Brendan Hanlon (Feb 27, 2025 08:57 MST)
Brendan Hanlon, Vice President for
University Operations

Legal Review:

Date: Feb 26, 2025

By: *Brian Anderson*
Brian Anderson (Feb 26, 2025 14:57 MST)
Brian Anderson, Associate Legal Counsel
Colorado State University System

File Attachments for Item:

10. First Reading of Ordinance No. 043, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.

The purpose of this item is to request an appropriation of \$26,632 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.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Nina Bodenhamer, City Give Director

SUBJECT

First Reading of Ordinance No. 043, 2025, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.

EXECUTIVE SUMMARY

The purpose of this item is to request an appropriation of \$26,632 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.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The City has long been the beneficiary of local generosity and has a valuable role in our community's philanthropic landscape. Generosity is demonstrated in both large and modest gifts, each appreciated for its investment in the mission and the range of services the City strives to deliver.

The City received several individual philanthropic donations totaling \$26,632 to support various departments, and these funds are currently unappropriated. As acknowledged by Section 2.5 of the City's Fiscal Management Policy 2-revenue approved by City Council, the City Manager has adopted the Philanthropic Governance Policy to provide for the responsible and efficient management of charitable donations to the City.

This item requests an appropriation of \$26,632 in philanthropic revenue received by City Give as follows:

Gifts totaling \$15,607 received from the Lincoln Center Support League for the Lincoln Center. In addition, gifts totaling \$11,025 were received for various programs and services, including gifts for Forestry, NextGen, Parks, Payment Assistance Fund, and The Gardens on Spring Creek.

The respective donors have directed the city to use these generous donations for designated purposes within and to benefit City service areas and programs.

CITY FINANCIAL IMPACTS

This Ordinance will appropriate \$26,632 in new philanthropic revenue received by City Give for various City departments to support various programs and services. \$2,000 of the revenue was received in late 2024 and the remaining \$24,632 was received in 2025.

The donations shall be expended from the designated fund solely for the donors' directed intent. The funds have been received and accepted per City Give Administrative and Financial Policy.

The City Manager has also determined that these appropriations are available and previously unappropriated from their designated City Fund and will not cause the total amount appropriated in those Funds to exceed the current estimate of actual and anticipated revenues.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 043, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND
UNANTICIPATED PHILANTHROPIC REVENUE RECEIVED
THROUGH CITY GIVE FOR VARIOUS PROGRAMS AND
SERVICES AS DESIGNATED BY THE DONORS

A. The City has received generous donations in 2024 and 2025 through its City Give program, both large and modest, as philanthropic gifts to the public and the City programs and activities to serve the community.

B. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of supporting programs throughout the city, including, but not limited to, volunteer services, cultural and arts, parks and recreation police services, conflict transformation, and forestry.

C. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

D. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

E. The City Manager has recommended the appropriations described in Sections 1 and 2 of this Ordinance and determined that the amount of each of these appropriations is available and previously unappropriated from the funds named in Sections 1 and 2 and will not cause the total amount appropriated in each such fund to exceed the current estimate of actual and anticipated revenues to be received in those funds during this fiscal year.

F. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds, a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the donation or the City's expenditure of all funds received from such donation.

G. The City Council wishes to designate the appropriation herein for the donations to the Payment Assistance Fund as appropriations that shall not lapse until the

earlier of the expiration of the donation or the City’s expenditure of all funds received from such donation.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from the following funds these amounts of philanthropic revenue held in prior year reserves to be expended as designated by the donors in support of the various City programs and services as described in the Agenda Item Summary.

General Fund	\$ 1,500
Light and Power, donations to the Payment Assistance Fund	\$ 500

Section 2. There is hereby appropriated from the following funds these amounts of philanthropic revenue received in 2025 to be expended as designated by the donors in support of the various City programs and services as described in the Agenda Item Summary.

General Fund	\$ 7,900
Light and Power, donations to the Payment Assistance Fund	\$ 75
Natural Areas Fund	\$ 50
Cultural Services and Facilities Fund	\$ 16,607

Section 3. The appropriation herein for the donations to the Payment Assistance Fund are hereby designated, as authorized in Article V, Section 11 of the City Charter, as appropriations that shall not lapse at the end of this fiscal year but until the earlier of the expiration of the donation or the City’s expenditure of all funds received from such donation.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Dianne Criswell

File Attachments for Item:

11. First Reading of Ordinance No. 044, 2025, Appropriating Prior Year Reserves in the General Fund for Electric Vehicle Infrastructure Cost-sharing Fee Credits for Affordable Housing.

The purpose of this item is to continue funding for the pilot program providing Electrical Vehicle (EV) Infrastructure Offset Fee Credits for qualifying affordable housing projects. Originally, Council appropriated \$238,000 in 2022 and the balance of the funds were reappropriated in the 2023 and 2024 Reappropriation Ordinances. This item requests a supplemental appropriation for the remaining balance of \$200,000 to continue the pilot program.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Sue Beck-Ferkiss, Social Policy and Housing Programs Manager
Vanessa Fenley, Sr. Housing Manger
Josh Birks, Deputy Director, Sustainability Services

SUBJECT

First Reading of Ordinance No. 044, 2025, Appropriating Prior Year Reserves in the General Fund for Electric Vehicle Infrastructure Cost-sharing Fee Credits for Affordable Housing.

EXECUTIVE SUMMARY

The purpose of this item is to continue funding for the pilot program providing Electrical Vehicle (EV) Infrastructure Offset Fee Credits for qualifying affordable housing projects. Originally, Council appropriated \$238,000 in 2022 and the balance of the funds were reappropriated in the 2023 and 2024 Reappropriation Ordinances. This item requests a supplemental appropriation for the remaining balance of \$200,000 to continue the pilot program.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

In 2022, the City adopted the 2021 International Building Code with local amendments. One of those local amendments imposes requirements for electric vehicle infrastructure that exceeds those required by the Colorado Housing and Finance Authority for affordable housing developments. For that reason, Council directed staff to create a pilot program providing fee credits to fund the incremental cost to offset the additional cost of compliance with the local amendment and appropriated \$238,000 for this purpose. (See Attachment – Ordinance No. 057, 2022).

To date, two projects have applied for and received fee credits to offset the cost of electric vehicle infrastructure. Those fee credits totaled about \$38,000. The balance of initial funding was included in the 2023 and 2024 Reappropriation Ordinances but pursuant to guidance from the Budget Office we are seeking a separate supplemental appropriation here for the remaining \$200,000 unexpended funds.

Affordable housing projects being developed under the 2021 International Building Code will be required to provide the additional electric vehicle infrastructure and will thereby qualify for the fee credits. The local requirements still exceed those required by the Colorado Housing and Finance Authority. If appropriated, this amount could provide offsets to approximately 10 projects depending on the number of parking spaces provided.

CITY FINANCIAL IMPACTS

This appropriation would provide \$200,000 from the General Fund Reserves to continue the pilot program providing partial cost-sharing for electric vehicle infrastructure. This amount continues and does not add to the original appropriation for this program.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Between First and Second Reading for adoption of the international Building Code, City staff engaged with several groups together additional input about the Electric Vehicle Requirements for affordable housing developments:

- Affordable housing Providers Group -2/18/2022
- Housing Catalyst – 2/24/2022 and 3/8/2022
- Affordable Housing Board – 3/3/2022
- Downtown Development Authority – 3/25/2022

Suggestions from these group encouraged alignment with the requirements of the Colorado Housing and Finance Authority and if not, to include a mechanism to offset the additional cost for affordable housing developments.

PUBLIC OUTREACH

In 2022, staff also conducted informal consultations with several affordable housing developers, who agreed with the suggestions noted above.

ATTACHMENTS

1. Ordinance for Consideration
2. Ordinance No. 057, 2022

ORDINANCE NO. 044, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE GENERAL
FUND FOR ELECTRIC VEHICLE INFRASTRUCTURE COST-
SHARING FEE CREDITS FOR AFFORDABLE HOUSING

A. Through Ordinance No. 057, 2022, City Council appropriated \$238,000 to create a pilot program to provide fee credits for affordable housing developments to offset the cost of City-imposed electric vehicle infrastructure requirements. These requirements came into effect through the City's adoption of the 2021 International Building Code.

B. To date, approximately \$38,000 of the original appropriation has been expended to support the installation of electric vehicle infrastructure at affordable housing developments. To continue the pilot project, the remaining \$200,000 must be appropriated through a supplemental appropriation. This appropriation would fund about ten new electric vehicle infrastructure projects, depending on the number of parking spaces provided in each project.

C. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of supporting the development of affordable housing with electric vehicle infrastructure.

D. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

E. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the General Fund and that this appropriation will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from prior year reserves in the General Fund the sum of TWO HUNDRED THOUSAND DOLLARS (\$200,000) to be expended in the General Fund for the electric vehicle infrastructure cost-sharing fee credits for Affordable Housing.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Ted Hewitt

**ORDINANCE NO. 057, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE GENERAL FUND TO PROVIDE
COST-SHARING RELATED TO ELECTRIC VEHICLE CHARGING INFRASTRUCTURE
AT AFFORDABLE HOUSING DEVELOPMENTS**

WHEREAS, at its regular meeting on April 5, 2022, City Council unanimously adopted on second reading Ordinance No. 021, 2022, which repealed the 2018 International Building Code and adopted the 2021 International Building Code, with local amendments; and

WHEREAS, the adoption of updated building codes on a regular cadence is intended to safeguard the public health, safety, and general welfare by regulating structural strength and stability in construction, sanitation, light and ventilation, energy conservation, and property protection from hazards attributed to the built environment within the City of Fort Collins; and

WHEREAS, as part of the City's adoption of the International Building Codes, City Council also adopted local amendments to the International Building Code ("IBC") that establish new requirements for installing Electric Vehicle ("EV") charging infrastructure (1) for all new development, (2) where a building undergoes a primary or partial change of occupancy or use in which more than 50% of the total building area is changing, or (3) where existing buildings that provide on-site parking undergo a renovation or alteration in which the scope of work is more than 50% of the total building area; and

WHEREAS, after consideration of several options, Council adopted EV charging infrastructure requirements for Affordable Housing developments of 20% EV-Capable Spaces, 15% EV-Ready Spaces, and a minimum of one Electric Vehicle Supply Equipment ("EVSE")-Installed Space (all as defined in the local amendments to the IBC); and

WHEREAS, at the April 5, 2022, regular meeting, City Council directed City staff to propose an appropriation for 2022 that would fund the incremental cost between the EV charging infrastructure requirements that are currently established by the Colorado Housing Finance Authority (presented as "Option 2" at the meeting), and the standards that actually were adopted by Council; and

WHEREAS, City staff has developed a cost-sharing program structure, similar to the City's existing program that provides fee credits for qualifying affordable housing units, by which affordable housing developers, at the time of application for a building permit, will be eligible to submit a written request to the City Manager, or their designee, for an EV Infrastructure Credit under the program based on the number and type of EV parking spaces provided (the "EV Infrastructure Credit Program"); and

WHEREAS, the EV Infrastructure Credit Program shall be administrative in nature and operate pursuant to the provisions of this Ordinance and any guidelines and regulations established by the City Manager for the EV Infrastructure Credit Program, provided such guidelines and regulations are consistent with the provisions of this Ordinance, and contingent on the availability of funding being appropriated by City Council for this purpose; and

WHEREAS, the City Manager, or their designee, will determine the eligibility of the affordable housing project for EV Infrastructure Credits based on whether the project meets the City's definition of Affordable Housing; and

WHEREAS, the credits granted in the EV Infrastructure Credit Program shall be in amounts established by the City Manager but such amounts shall not exceed a maximum flat credit for each EV parking space type as follows: an EVSE-Installed space will be eligible for a credit of up to \$10,500; ten percent of EV-Ready spaces will be eligible for a credit of up to \$4,000 each; and five percent of EV-Capable spaces will be eligible for a credit of up to \$2,000 each; and

WHEREAS, any EV charging infrastructure installed by the affordable housing project developer in excess of the adopted 2021 International Building Code EV charging infrastructure requirements will be ineligible for an EV Infrastructure Credit; and

WHEREAS, subject to and in accordance with any guidelines and regulations established by the City Manager for the EV Infrastructure Credit Program, EV Infrastructure Credits shall be administered by Building Services department staff at its customer counter to provide efficient customer service and consistent application of both the existing fee credit programs and the proposed EV Infrastructure Credit Program and the total amount of the EV Infrastructure Credit shall be based on the EV parking infrastructure required under the IBC; and

WHEREAS, there are five affordable housing projects (consisting of a total of 237 units) currently in the City's development review process that may apply for building permits during 2022; and

WHEREAS, based on this number of affordable housing projects that may apply for a building permit this year, the number of parking spaces that would be required to be constructed for these projects under the City's Land Use Code, and the per-parking-space cost ranges previously presented to Council during its consideration of the EV charging infrastructure requirements for affordable housing, a total appropriation of \$238,000 is needed to fund the EV Infrastructure Credit Program to address the incremental cost between the EV charging infrastructure requirements for affordable housing that were proposed to City Council under Option 2, and those that were adopted by Council on April 5, 2022; and

WHEREAS, this appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purposes of supporting the development of affordable housing and promoting the use of renewable energy, while also supporting the goals of the City's Electric Vehicle Readiness Roadmap; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, the Interim City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations, requirements, limitations, standards, and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from prior year reserves in the General Fund the sum of TWO HUNDRED THIRTY-EIGHT THOUSAND DOLLARS (\$238,000) to be expended in the General Fund for the EV Infrastructure Credit program.

Section 3. That the City Manager shall administer the EV Infrastructure Credit Program in accordance with and subject to the requirements, limitations, and standards set forth in this Ordinance and may adopt guidelines and regulations for the Program that are consistent with such requirements, limitations, and standards as the City Manager determines are necessary for the proper administration of the EV Infrastructure Credit Program.

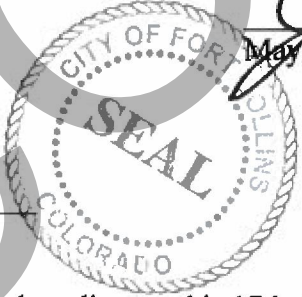
Introduced, considered favorably on first reading, and ordered published this 3rd day of May, A.D. 2022, and to be presented for final passage on the 17th day of May, A.D. 2022.

Joni Guep

Mayor

ATTEST:

Rita R. Knoll
City Clerk / Chief Deputy



Passed and adopted on final reading on this 17th day of May, A.D. 2022.

Joni Guep

Mayor

ATTEST:

Rita R. Knoll
City Clerk / Chief Deputy



File Attachments for Item:

12. First Reading of Ordinance No. 045, 2025, Making Supplemental Appropriation and Authorizing Transfer of Appropriation Related to FASTER Transit Program Funding for the FLEX Regional Route Operating Costs.

The purpose of this item is to support operating expenses for Transfort's commuter FLEX Regional Routes by:

- 1) Appropriating \$300,000 in unanticipated grant revenue awarded to Transfort by the Colorado Department of Transportation (CDOT) through its Fiscal Year 2024 (FY24) Funding Advancements for Surface Transportation and Economic Recovery Act of 2009 (FASTER) Transit Grant Program; and
- 2) Transferring \$300,000 of previously appropriated Transfort operational funds to meet the local match requirement for the FY24 FASTER grant.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Annabelle Phillips, Assistant Director, Transfort
 Monica Martinez, Manager, Finance

SUBJECT

First Reading of Ordinance No. 045, 2025, Making Supplemental Appropriation and Authorizing Transfer of Appropriation Related to FASTER Transit Program Funding for the FLEX Regional Route Operating Costs.

EXECUTIVE SUMMARY

The purpose of this item is to support operating expenses for Transfort's commuter FLEX Regional Routes by:

- 1) Appropriating \$300,000 in unanticipated grant revenue awarded to Transfort by the Colorado Department of Transportation (CDOT) through its Fiscal Year 2024 (FY24) Funding Advancements for Surface Transportation and Economic Recovery Act of 2009 (FASTER) Transit Grant Program; and
- 2) Transferring \$300,000 of previously appropriated Transfort operational funds to meet the local match requirement for the FY24 FASTER grant.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Transfort's commuter FLEX Regional Routes contribute greatly to the transportation community in Northern Colorado, serving the citizens of Fort Collins, Loveland, Longmont, Berthoud, Boulder and smaller population centers in between. FLEX service provides five trips each weekday between Fort Collins and Boulder, two in the morning and three in the afternoon/evening. Beginning in 2021 FLEX service was expanded to add an additional mid-day round trip on weekdays and weekend service to Boulder with two morning trips and two evening trips on Saturday and Sunday. Ridership of FLEX Regional Routes has continued to increase since its initial launch in 2009, demonstrating the demand for transit service between these communities in Northern Colorado. In FY24, CDOT awarded the City of Fort Collins a \$300,000 grant from the Statewide Competitive Pool of the FASTER Transit Program. The grant requires a 50% local match of \$300,000 which will be met using previously appropriated operating funds. The grant funds and the local match will be dedicated to the operating expenses for FLEX Regional Routes, including fuel, payroll costs, administrative and overhead outlays. The total \$600,000 will contribute to the overall operating cost of approximately \$2.25 million for FLEX.

Transfort maintains intergovernmental agreements with each partner agency (Loveland, Berthoud, Longmont, City of Boulder, and Boulder County). The agencies' contributions are based on the ridership levels of each municipality and contribute to the annual operating costs. The \$300,000 local match for the FY24 FASTER grant will contribute toward the City of Fort Collins' share.

CITY FINANCIAL IMPACTS

Funds to be Appropriated per this Action	
FASTER Grant Funds	\$300,000
Transfer of previously appropriated Operational Funds	\$300,000
Total Funds to be Appropriated per this Action	\$600,000

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. CDOT Agreement 2024 FASTER Operating
3. FLEX Route Map

ORDINANCE NO. 045, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATION AND
AUTHORIZING TRANSFER OF APPROPRIATION RELATED TO
FASTER TRANSIT PROGRAM FUNDING FOR THE FLEX
REGIONAL ROUTE OPERATING COSTS

A. Transfort's commuter FLEX regional bus routes contribute greatly to the transportation community in Northern Colorado by serving residents of Fort Collins, Loveland, Longmont, Berthoud, Boulder and smaller population centers along the routes.

B. The Colorado Department of Transportation ("CDOT") awarded the City a \$300,000 grant from the Fiscal Year 2024 Statewide Competitive Pool of the Funding Advancement for Surface Transportation and Economic Recovery Act of 2009 ("FY24 FASTER") Transit Program (the "Grant"), which requires a local match of \$300,000.

C. Transfort will utilize the total project funds of \$600,000, including the Grant and local match, to contribute toward the overall operating costs of approximately \$2,250,000 for FLEX service in 2025, which annual operating costs are paid by contributions from the regional partner agencies (Fort Collins, Loveland, Berthoud, Longmont, City of Boulder, and Boulder County).

D. The local match is being transferred from the Transit Services Fund Operating Budget in the amount of \$300,000 and will specifically contribute toward Transfort's share of the annual operating costs for FLEX service.

E. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and the traveling public and serves the public purpose of facilitating transit service for residents and others among surrounding communities.

F. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

G. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transit Services Fund and that this appropriation will not cause the total amount appropriated in the Transit Services Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

H. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

I. The City Manager has recommended the transfer of \$300,000 from the Transit Services Operating Budget Fund to the Transit Services Fund Grant Budget and determined that the purpose for which the transferred funds are to be expended remains unchanged.

J. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

K. The City Council wishes to designate the appropriation herein for FASTER Grant funds as an appropriation that shall not lapse or until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Transit Services Fund the sum of THREE HUNDRED THOUSAND DOLLARS (\$300,000) to be expended in the Transit Services Fund for FLEX Regional Route Operating Costs.

Section 2. The unexpended and unencumbered appropriated amount of THREE HUNDRED THOUSAND DOLLARS (\$300,000) is authorized for transfer from the Transit Services Fund Operating Budget to the Transit Services Fund Grant Budget and appropriated therein to be expended for Local Match for the FLEX Regional Route Operating Costs.

Section 3. The appropriation herein for FASTER Grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan

STATE OF COLORADO GRANT AGREEMENT COVER PAGE

State Agency Department of Transportation	Agreement Number/PO Number 25-HTR-ZL-00070 / 491003742		
Grantee City of Fort Collins	Agreement Performance Beginning Date The Effective Date		
Grant Agreement Amount Initial Term FASTER Funds Maximum Amount Total for all Agreement Terms	Initial Agreement Expiration Date December 31, 2025 Fund Expenditure End Date December 31, 2025 Agreement Authority Authority to enter into this Agreement exists in CRS §§43-1-106, 43-1-110, 43-1-117, 43-2-101(4)(c), 43-4-811(2), SB18-001, SB17-228 and SB17-267.		
\$300,000.00 \$300,000.00			
Agreement Purpose The purpose of this Grant is for CDOT to disburse FASTER Program Funds to Grantee to conduct work within the provisions of this Grant.			
Exhibits and Order of Precedence The following Exhibits and attachments are included with this Agreement: <ol style="list-style-type: none"> 1. Exhibit A, Statement of Work and Budget. 2. Exhibit B, Sample Option Letter. 3. Exhibit C, Title VI-Civil Rights. <p>In the event of a conflict or inconsistency between this Agreement and any Exhibit or attachment, such conflict or inconsistency shall be resolved by reference to the documents in the following order of priority:</p> <ol style="list-style-type: none"> 1. Exhibit C, Title VI-Civil Rights. 2. Colorado Special Provisions in §17 of the main body of this Agreement. 3. The provisions of the other sections of the main body of this Agreement. 4. Exhibit A, Statement of Work and Budget. 5. Executed Option Letters (if any). 			
Principal Representatives <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> For the State: Robin Rocke Division of Transit and Rail 2829 W. Howard Place Denver, CO 80204 robin.rocke@state.co.us </td> <td style="width: 50%; vertical-align: top;"> For Grantee: Joshua Ma City of Fort Collins PO Box 580 Ft. Collins, CO 80522-0580 jma@fcgov.com </td> </tr> </table>		For the State: Robin Rocke Division of Transit and Rail 2829 W. Howard Place Denver, CO 80204 robin.rocke@state.co.us	For Grantee: Joshua Ma City of Fort Collins PO Box 580 Ft. Collins, CO 80522-0580 jma@fcgov.com
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SIGNATURE PAGE

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

Each person signing this Agreement represents and warrants that the signer is duly authorized to execute this Agreement and to bind the Party authorizing such signature.

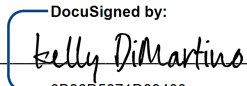
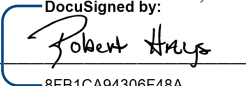
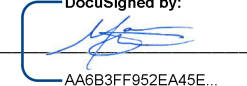
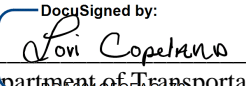
<p style="text-align: center;">Grantee Signature City of Fort Collins</p> <p>DocuSigned by: By: <u></u> 0B86D5871D89400...</p> <p>Name: <u>Kelly DiMartino</u></p> <p>Title: <u>City Manager</u></p> <p>Date: <u>12/16/2024</u></p>	<p style="text-align: center;">STATE OF COLORADO Jared S. Polis, Governor Department of Transportation Shoshana M. Lew, Executive Director</p> <p>DocuSigned by: By: <u></u> 8FB1CA94306F48A...</p> <p>Name: <u>Robert Hays</u></p> <p>Title: <u>Deputy Chief Engineer</u></p> <p>Date: <u>12/16/2024</u></p>
<p style="text-align: center;">Second Grantee Signature, if Needed Legal Review - Grantee</p> <p>DocuSigned by: By: <u></u> AA6B3FF952EA45E...</p> <p>Name: <u>Madelene Shehan</u></p> <p>Title: <u>Assistant City Attorney</u></p> <p>Date: <u>12/13/2024</u></p>	<p style="text-align: center;">LEGAL REVIEW Philip J. Weiser, Attorney General</p> <p style="text-align: center;">N/A</p> <p style="text-align: center;">By: Assistant Attorney General</p> <p>Date: _____</p>
<p>In accordance with §24-30-202, C.R.S., this Agreement is not valid until signed and dated below by the State Controller or an authorized delegate.</p> <p style="text-align: center;">STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>DocuSigned by: By: <u></u> Department of Transportation</p> <p>Effective Date: <u>12/16/2024</u></p>	

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1. PARTIES

This Agreement is entered into by and between Grantee named on the Cover Page for this Agreement (the “Grantee”), and the STATE OF COLORADO acting by and through the State agency named on the Cover Page for this Agreement (the “State”). Grantee and the State agree to the terms and conditions in this Agreement.

2. TERM AND EFFECTIVE DATE

A. Effective Date

This Agreement shall not be valid or enforceable until the Effective Date, and the Grant Funds shall be expended by the Fund Expenditure End Date shown on the Cover Page for this Agreement. The State shall not be bound by any provision of this Agreement before the Effective Date, and shall have no obligation to pay Grantee for any Work performed or expense incurred before the Effective Date, except as described in §5.D, or after the Fund Expenditure End Date. If the Work will be performed in multiple phases, the period of performance start and end date of each phase is detailed under the Project Schedule in **Exhibit A**.

B. Initial Term

The Parties’ respective performances under this Agreement shall commence on the Agreement Performance Beginning Date shown on the Cover Page for this Agreement and shall terminate on the Initial Agreement Expiration Date shown on the Cover Page for this Agreement (the “Initial Term”) unless sooner terminated or further extended in accordance with the terms of this Agreement.

C. Extension Terms - State’s Option

The State, at its discretion, shall have the option to extend the performance under this Agreement beyond the Initial Term for a period, or for successive periods, of one year or less at the same rates and under the same terms specified in this Agreement (each such period an “Extension Term”). In order to exercise this option, the State shall provide written notice to Grantee in a form substantially equivalent to Sample Option Letter attached to this Agreement.

D. End of Term Extension

If this Agreement approaches the end of its Initial Term, or any Extension Term then in place, the State, at its discretion, upon written notice to Grantee in a form substantially equivalent to the Sample Option Letter attached to this Agreement, may unilaterally extend such Initial Term or Extension Term for a period not to exceed two months (an “End of Term Extension”), regardless of whether additional Extension Terms are available or not. The provisions of this Agreement in effect when such notice is given shall remain in effect during the End of Term Extension. The End of Term Extension shall automatically terminate upon execution of a replacement Agreement or modification extending the total term of this Agreement.

E. Early Termination in the Public Interest

The State is entering into this Agreement to serve the public interest of the State of Colorado as determined by its Governor, General Assembly, or Courts. If this Agreement ceases to further the public interest of the State, the State, in its discretion, may terminate this Agreement in whole or in part. A determination that this Agreement should be terminated in the public interest shall not be equivalent to a State right to terminate for convenience. This subsection shall not apply to a termination of this Agreement by the State for Breach of Agreement by Grantee, which shall be governed by **§12.A.i**.

i. Method and Content

The State shall notify Grantee of such termination in accordance with **§14**. The notice shall specify the effective date of the termination and whether it affects all or a portion of this Agreement, and shall include, to the extent practicable, the public interest justification for the termination.

ii. Obligations and Rights

Upon receipt of a termination notice for termination in the public interest, Grantee shall be subject to the rights and obligations set forth in **§12.A.i.a**.

iii. Payments

If the State terminates this Agreement in the public interest, the State shall pay Grantee an amount equal to the percentage of the total reimbursement payable under this Agreement that corresponds to the percentage of Work satisfactorily completed and accepted, as determined by the State, less payments previously made. Additionally, if this Agreement is less than 60% completed, as determined by the State, the State may reimburse Grantee for a portion of actual out-of-pocket expenses, not otherwise reimbursed under this Agreement, incurred by Grantee which are directly attributable to the uncompleted portion of Grantee's obligations, provided that the sum of any and all reimbursement shall not exceed the Grant Maximum Amount payable to Grantee hereunder.

F. Grantee's Termination Under State Requirements

Grantee may request termination of this Grant by sending notice to the State, which includes the reasons for the termination and the effective date of the termination. If this Grant is terminated in this manner, then Grantee shall return any advanced payments made for work that will not be performed prior to the effective date of the termination.

3. DEFINITIONS

The following terms shall be construed and interpreted as follows:

- A. **"Agreement"** means this agreement, including all attached Exhibits, all documents incorporated by reference, all referenced statutes, rules and cited authorities, and any future modifications thereto.
- B. **"Breach of Agreement"** means the failure of a Party to perform any of its obligations in accordance with this Agreement, in whole or in part or in a timely or satisfactory manner. The institution of proceedings under any bankruptcy, insolvency, reorganization or similar law, by or against Grantee, or the appointment of a receiver or similar officer for Grantee or any of its property, which is not vacated or fully stayed within 30 days after the institution of such proceeding, shall also constitute a breach. If Grantee is debarred or suspended under §24-109-105, C.R.S., at any time during the term of this Agreement, then such debarment or suspension shall constitute a breach.
- C. **"Budget"** means the budget for the Work described in Exhibit A.
- D. **"Business Day"** means any day other than Saturday, Sunday, or a legal holiday as listed in §24-11-101(1), C.R.S.
- E. **"CORA"** means the Colorado Open Records Act, §§24-72-200.1, et seq., C.R.S.
- F. **"Deliverable"** means the outcome to be achieved or output to be provided, in the form of a tangible or intangible Good or Service that is produced as a result of Grantee's Work that is intended to be delivered by Grantee.
- G. **"Effective Date"** means the date on which this Agreement is approved and signed by the Colorado State Controller or designee, as shown on the Signature Page for this Agreement.
- H. **"End of Term Extension"** means the time period defined in §2.D.

- I. **“Exhibits”** means the exhibits and attachments included with this Agreement as shown on the Cover Page for this Agreement.
- J. **“Extension Term”** means the time period defined in §2.C.
- K. **“Goods”** means any movable material acquired, produced, or delivered by Grantee as set forth in this Agreement and shall include any movable material acquired, produced, or delivered by Grantee in connection with the Services.
- L. **“Grant Funds”** means the funds that have been appropriated, designated, encumbered, or otherwise made available for payment by the State under this Agreement.
- M. **“Grant Maximum Amount”** means an amount equal to the total of Grant Funds for this Agreement.
- N. **“Incident”** means any accidental or deliberate event that results in or constitutes an imminent threat of the unauthorized access, loss, disclosure, modification, disruption, or destruction of any communications or information resources of the State, which are included as part of the Work, as described in §§24-37.5-401, et seq., C.R.S. Incidents include, without limitation (i) successful attempts to gain unauthorized access to a State system or State Records regardless of where such information is located; (ii) unwanted disruption or denial of service; (iii) the unauthorized use of a State system for the processing or storage of data; or (iv) changes to State system hardware, firmware, or software characteristics without the State’s knowledge, instruction, or consent.
- O. **“Initial Term”** means the time period defined in §2.B.
- P. **“Matching Funds”** (Local Funds) means the funds provided by Grantee as a match required to receive the Grant Funds.
- Q. **“Party”** means the State or Grantee, and **“Parties”** means both the State and Grantee.
- R. **“PII”** means personally identifiable information including, without limitation, any information maintained by the State about an individual that can be used to distinguish or trace an individual’s identity, such as name, social security number, date and place of birth, mother’s maiden name, or biometric records. PII includes, but is not limited to, all information defined as personally identifiable information in §§24-72-501 and 24-73-101, C.R.S.
- S. **“Services”** means the services to be performed by Grantee as set forth in this Agreement, and shall include any services to be rendered by Grantee in connection with the Goods.
- T. **“State Confidential Information”** means any and all State Records not subject to disclosure under CORA. State Confidential Information shall include, but is not limited to PII, and State personnel records not subject to disclosure under CORA. State Confidential Information shall not include information or data concerning individuals that is not deemed confidential but nevertheless belongs to the State, which has been communicated, furnished, or disclosed by the State to Grantee which (i) is subject to disclosure pursuant to CORA; (ii) is already known to Grantee without restrictions at the time of its disclosure to Grantee; (iii) is or subsequently becomes publicly available without breach of any obligation owed by Grantee to the State; (iv) is disclosed to Grantee, without confidentiality obligations, by a third party who has the right to disclose such information; or (v) was independently developed without reliance on any State Confidential Information.
- U. **“State Fiscal Rules”** means the fiscal rules promulgated by the Colorado State Controller pursuant to §24-30-202(13)(a), C.R.S.
- V. **“State Fiscal Year”** means a 12 month period beginning on July 1 of each calendar year and ending on June 30 of the following calendar year. If a single calendar year follows the term, then it means the State Fiscal Year ending in that calendar year.
- W. **“State Records”** means any and all State data, information, and records, regardless of physical form.
- X. **“Subcontractor”** means any third party engaged by Grantee to aid in performance of the Work. **“Subcontractor”** also includes sub-grantees of Grant Funds.
- Y. **“Work”** means the Goods delivered and Services performed pursuant to this Agreement.
- Z. **“Work Product”** means the tangible and intangible results of the Work, whether finished or unfinished, including drafts. Work Product includes, but is not limited to, documents, text, software (including source code), research, reports, proposals, specifications, plans, notes, studies, data, images, photographs, negatives, pictures, drawings, designs, models, surveys, maps, materials, ideas, concepts, know-how, information, and

any other results of the Work. "Work Product" does not include any material that was developed prior to the Effective Date that is used, without modification, in the performance of the Work.

Any other term used in this Agreement that is defined elsewhere in this Agreement or in an Exhibit shall be construed and interpreted as defined in that section.

4. STATEMENT OF WORK

Grantee shall complete the Work as described in this Agreement and in accordance with the provisions of Exhibit A. The State shall have no liability to compensate Grantee for the delivery of any goods or the performance of any services that are not specifically set forth in this Agreement.

5. PAYMENTS TO GRANTEE

A. Grant Maximum Amount

Payments to Grantee are limited to the unpaid, obligated balance of the Grant Funds. The State shall not pay Grantee any amount under this Agreement that exceeds the Grant Maximum Amount for that State Fiscal Year shown on the Cover Page of this Agreement as "FASTER Funds Maximum Amount".

B. Payment Procedures

i. Invoices and Payment

- a. The State shall pay Grantee in the amounts and in accordance with the conditions set forth in Exhibit A.
- b. Grantee shall initiate payment requests by invoice to the State, in a form and manner approved by the State.
- c. Any advance payment allowed under this Agreement, shall comply with State Fiscal Rules and be made in accordance with the provisions of this Agreement and its Exhibits. Eligibility and submission for advance payment is subject to State approval and must include approved documentation in the form and manner set forth and approved by the State.
- d. The State shall pay each invoice within 45 days following the State's receipt of that invoice, so long as the amount invoiced correctly represents Work completed by Grantee and previously accepted by the State during the term that the invoice covers. If the State determines that the amount of any invoice is not correct, then Grantee shall make all changes necessary to correct that invoice.
- e. The acceptance of an invoice shall not constitute acceptance of any Work performed or Deliverables provided under this Agreement.

ii. Interest

Amounts not paid by the State within 45 days of the State's acceptance of the invoice shall bear interest on the unpaid balance beginning on the 45th day at the rate of 1% per month, as required by §24-30-202(24)(a), C.R.S., until paid in full; provided, however, that interest shall not accrue on unpaid amounts that the State disputes in writing. Grantee shall invoice the State separately for accrued interest on delinquent amounts, and the invoice shall reference the delinquent payment, the number of days' interest to be paid and the interest rate.

iii. Payment Disputes

If Grantee disputes any calculation, determination or amount of any payment, Grantee shall notify the State in writing of its dispute within 30 days following the earlier to occur of Grantee's receipt of the payment or notification of the determination or calculation of the payment by the State. The State will review the information presented by Grantee and may make changes to its determination based on this review. The calculation, determination or payment amount that results from the State's review shall not be subject to additional dispute under this subsection. No payment subject to a dispute under this subsection shall be due until after the State has concluded its review, and the State shall not pay any interest on any amount during the period it is subject to dispute under this subsection.

iv. Available Funds-Contingency-Termination

The State is prohibited by law from making commitments beyond the term of the current State Fiscal Year. Payment to Grantee beyond the current State Fiscal Year is contingent on the appropriation and continuing availability of Grant Funds in any subsequent year (as provided in the Colorado Special Provisions). If federal funds or funds from any other non-State funds constitute all or some of the Grant

Funds, the State's obligation to pay Grantee shall be contingent upon such non-State funding continuing to be made available for payment. Payments to be made pursuant to this Agreement shall be made only from Grant Funds, and the State's liability for such payments shall be limited to the amount remaining of such Grant Funds. If State, federal or other funds are not appropriated, or otherwise become unavailable to fund this Agreement, the State may, upon written notice, terminate this Agreement, in whole or in part, without incurring further liability. The State shall, however, remain obligated to pay for Services and Goods that are delivered and accepted prior to the effective date of notice of termination, and this termination shall otherwise be treated as if this Agreement were terminated in the public interest as described in §2.E.

C. Matching Funds

Grantee shall provide Matching Funds as provided in §5.A and Exhibit A. Grantee shall have raised the full amount of Matching Funds prior to the Effective Date and shall report to the State regarding the status of such funds upon request. Grantee's obligation to pay all or any part of any Matching Funds, whether direct or contingent, only extends to funds duly and lawfully appropriated for the purposes of this Agreement by the authorized representatives of Grantee and paid into Grantee's treasury or bank account. Grantee represents to the State that the amount designated "Grantee's Matching Funds" in Exhibit A has been legally appropriated for the purposes of this Agreement by its authorized representatives and paid into its treasury or bank account. Grantee does not by this Agreement irrevocably pledge present cash reserves for payments in future fiscal years, and this Agreement is not intended to create a multiple-fiscal year debt of Grantee. If Grantee is a public entity, Grantee shall not pay or be liable for any claimed interest, late charges, fees, taxes or penalties of any nature, except as required by Grantee's laws or policies.

D. Reimbursement of Grantee Costs

- i. Any costs incurred by Grantee prior to the Effective Date shall not be reimbursed.
- ii. The State shall reimburse Grantee's allowable costs, not exceeding the Grant Maximum Amount shown on the Cover Page of this Agreement and on Exhibit A for all allowable costs described in this Agreement and shown in Exhibit A, except that Grantee may adjust the amounts between each line item of Exhibit A without formal modification to this Agreement as long as the Grantee provides notice to the State of the change, the change does not modify the Grant Maximum Amount of this Agreement or the Grant Maximum Amount for any State Fiscal Year, and the change does not modify any requirements of the Work.
- iii. The State shall only reimburse allowable costs described in this Agreement and shown in the Budget if those costs are:
 - a. Reasonable and necessary to accomplish the Work and for the Goods and Services provided; and
 - b. Equal to the actual net cost to Grantee (i.e. the price paid minus any items of value received by Grantee that reduce the cost actually incurred.)
- iv. Grantee's costs for Work performed after the Fund Expenditure End Date shown on the Signature and Cover Page for this Agreement, or after any phase performance period end date for a respective phase of the Work, shall not be reimbursable. Grantee shall initiate any payment request by submitting invoices to the State in the form and manner set forth and approved by the State.

E. Close-Out

Grantee shall close out this Award within 45 days after the Fund Expenditure End Date shown on the Cover Page for this Agreement. To complete close-out, Grantee shall submit to the State all Deliverables (including documentation) as defined in this Agreement and Grantee's final reimbursement request or invoice. The State will withhold 5% of allowable costs until all final documentation has been submitted and accepted by the State as substantially complete.

6. REPORTING - NOTIFICATION

A. Quarterly Reports

In addition to any reports required pursuant to any other Exhibit, for any Agreement having a term longer than three months, Grantee shall submit, on a quarterly basis, a written report specifying progress made for each specified performance measure and standard in this Agreement. Such progress report shall be in accordance with the procedures developed and prescribed by the State. Progress reports shall be submitted

to the State not later than five Business Days following the end of each calendar quarter or at such time as otherwise specified by the State.

B. Litigation Reporting

If Grantee is served with a pleading or other document in connection with an action before a court or other administrative decision making body, and such pleading or document relates to this Agreement or may affect Grantee's ability to perform its obligations under this Agreement, Grantee shall, within 10 days after being served, notify the State of such action and deliver copies of such pleading or document to the State's Principal Representative identified on the Cover Page for this Agreement.

C. Performance and Final Status

Grantee shall submit all financial, performance and other reports to the State no later than 45 calendar days after the end of the Initial Term if no Extension Terms are exercised, or the final Extension Term exercised by the State, containing an evaluation and review of Grantee's performance and the final status of Grantee's obligations hereunder.

D. Violations Reporting

Grantee shall disclose, in a timely manner, in writing to the State, all violations of State criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal Award. The State may impose any penalties for noncompliance allowed under 2 CFR Part 180 and 31 U.S.C. 3321, which may include, without limitation, suspension or debarment.

7. GRANTEE RECORDS

A. Maintenance

Grantee shall make, keep, maintain, and allow inspection and monitoring by the State of a complete file of all records, documents, communications, notes and other written materials, electronic media files, and communications, pertaining in any manner to the Work and the delivery of Services (including, but not limited to, the operation of programs) or Goods hereunder (collectively, the "Grantee Records"). Grantee shall maintain such records for a period of three years following the date of submission to the State of the final expenditure report, or if this Award is renewed quarterly or annually, from the date of the submission of each quarterly or annual report, respectively (the "Record Retention Period"). If any litigation, claim, or audit related to this Award starts before expiration of the Record Retention Period, the Record Retention Period shall extend until all litigation, claims, or audit findings have been resolved and final action taken by the State or Federal Awarding Agency. The Federal Awarding Agency, a cognizant agency for audit, oversight or indirect costs, and the State, may notify Grantee in writing that the Record Retention Period shall be extended. For records for real property and equipment, the Record Retention Period shall extend three years following final disposition of such property.

B. Inspection

Grantee shall permit the State and any other duly authorized agent of the State to audit, inspect, examine, excerpt, copy and transcribe Grantee Records during the Record Retention Period. Grantee shall make Grantee Records available during normal business hours at Grantee's office or place of business, or at other mutually agreed upon times or locations, upon no fewer than two Business Days' notice from the State, unless the State determines that a shorter period of notice, or no notice, is necessary to protect the interests of the State.

C. Monitoring

The State and any other duly authorized agent of the State, in its discretion, may monitor Grantee's performance of its obligations under this Agreement using procedures as determined by the State. The State shall have the right, in its sole discretion, to change its monitoring procedures and requirements at any time during the term of this Agreement. The State shall monitor Grantee's performance in a manner that does not unduly interfere with Grantee's performance of the Work.

D. Final Audit Report

Grantee shall promptly submit to the State a copy of any final audit report of an audit performed on Grantee's records that relates to or affects this Agreement or the Work, whether the audit is conducted by Grantee or a third party.

8. CONFIDENTIAL INFORMATION - STATE RECORDS

A. Confidentiality

Grantee shall keep confidential, and cause all Subcontractors to keep confidential, all State Records, unless those State Records are publicly available. Grantee shall not, without prior written approval of the State, use, publish, copy, disclose to any third party, or permit the use by any third party of any State Records, except as otherwise stated in this Agreement, permitted by law or approved in writing by the State. Grantee shall provide for the security of all State Confidential Information in accordance with all applicable laws, rules, policies, publications, and guidelines. Grantee shall immediately forward any request or demand for State Records to the State's Principal Representative identified on the Cover Page of this Agreement.

B. Other Entity Access and Nondisclosure Agreements

Grantee may provide State Records to its agents, employees, assigns and Subcontractors as necessary to perform the Work, but shall restrict access to State Confidential Information to those agents, employees, assigns and Subcontractors who require access to perform their obligations under this Agreement. Grantee shall ensure all such agents, employees, assigns, and Subcontractors sign agreements containing nondisclosure provisions at least as protective as those in this Agreement, and that the nondisclosure provisions are in force at all times the agent, employee, assign or Subcontractor has access to any State Confidential Information. Grantee shall provide copies of those signed nondisclosure provisions to the State upon execution of the nondisclosure provisions if requested by the State.

C. Use, Security, and Retention

Grantee shall use, hold and maintain State Confidential Information in compliance with any and all applicable laws and regulations only in facilities located within the United States, and shall maintain a secure environment that ensures confidentiality of all State Confidential Information. Grantee shall provide the State with access, subject to Grantee's reasonable security requirements, for purposes of inspecting and monitoring access and use of State Confidential Information and evaluating security control effectiveness. Upon the expiration or termination of this Agreement, Grantee shall return State Records provided to Grantee or destroy such State Records and certify to the State that it has done so, as directed by the State. If Grantee is prevented by law or regulation from returning or destroying State Confidential Information, Grantee warrants it will guarantee the confidentiality of, and cease to use, such State Confidential Information.

D. Incident Notice and Remediation

If Grantee becomes aware of any Incident, Grantee shall notify the State immediately and cooperate with the State regarding recovery, remediation, and the necessity to involve law enforcement, as determined by the State. Unless Grantee can establish that Grantee, and its agents, employees, and Subcontractors are not the cause or source of the Incident, Grantee shall be responsible for the cost of notifying each person who may have been impacted by the Incident. After an Incident, Grantee shall take steps to reduce the risk of incurring a similar type of Incident in the future as directed by the State, which may include, but is not limited to, developing and implementing a remediation plan that is approved by the State at no additional cost to the State. The State may adjust or direct modifications to this plan, in its sole discretion and Grantee shall make all modifications as directed by the State. If Grantee cannot produce its analysis and plan within the allotted time, the State, in its sole discretion, may perform such analysis and produce a remediation plan, and Grantee shall reimburse the State for the reasonable costs thereof. The State may, in its sole discretion and at Grantee's sole expense, require Grantee to engage the services of an independent, qualified, State-approved third party to conduct a security audit. Grantee shall provide the State with the results of such audit and evidence of Grantee's planned remediation in response to any negative findings.

E. Data Protection and Handling

Grantee shall ensure that all State Records and Work Product in the possession of Grantee or any Subcontractors are protected and handled in accordance with the requirements of this Agreement, including the requirements of any Exhibits hereto, at all times. As used in this section, the protections afforded Work Product only apply to Work Product that requires confidential treatment.

F. Safeguarding PII

If Grantee or any of its Subcontractors will or may receive PII under this Agreement, Grantee shall provide for the security of such PII, in a manner and form acceptable to the State, including, without limitation, State non-disclosure requirements, use of appropriate technology, security practices, computer access security, data access security, data storage encryption, data transmission encryption, security inspections, and audits.

Grantee shall be a “Third-Party Service Provider” as defined in §24-73-103(1)(i), C.R.S., and shall maintain security procedures and practices consistent with §§24-73-101, *et seq.*, C.R.S.

9. CONFLICTS OF INTEREST

A. Actual Conflicts of Interest

Grantee shall not engage in any business or activities, or maintain any relationships that conflict in any way with the full performance of the obligations of Grantee under this Agreement. Such a conflict of interest would arise when a Grantee or Subcontractor’s employee, officer or agent were to offer or provide any tangible personal benefit to an employee of the State, or any member of his or her immediate family or his or her partner, related to the award of, entry into or management or oversight of this Agreement.

B. Apparent Conflicts of Interest

Grantee acknowledges that, with respect to this Agreement, even the appearance of a conflict of interest shall be harmful to the State’s interests. Absent the State’s prior written approval, Grantee shall refrain from any practices, activities or relationships that reasonably appear to be in conflict with the full performance of Grantee’s obligations under this Agreement.

C. Disclosure to the State

If a conflict or the appearance of a conflict arises, or if Grantee is uncertain whether a conflict or the appearance of a conflict has arisen, Grantee shall submit to the State a disclosure statement setting forth the relevant details for the State’s consideration. Failure to promptly submit a disclosure statement or to follow the State’s direction in regard to the actual or apparent conflict constitutes a breach of this Agreement.

D. Grantee acknowledges that all State employees are subject to the ethical principles described in §24-18-105, C.R.S. Grantee further acknowledges that State employees may be subject to the requirements of §24-18-105, C.R.S., with regard to this Agreement. For the avoidance of doubt, an actual or apparent conflict of interest shall exist if Grantee employs or contracts with any State employee, any former State employee within six months following such employee’s termination of employment with the State, or any immediate family member of such current or former State employee. Grantee shall provide a disclosure statement as described in §9.C. no later than ten days following entry into a contractual or employment relationship as described in this section. Failure to timely submit a disclosure statement shall constitute a Breach of Agreement. Grantee may also be subject to such penalties as are allowed by law.

10. INSURANCE

Grantee shall obtain and maintain, and ensure that each Subcontractor shall obtain and maintain, insurance as specified in this section at all times during the term of this Agreement. All insurance policies required by this Agreement that are not provided through self-insurance shall be issued by insurance companies as approved by the State.

A. Workers’ Compensation

Workers’ compensation insurance as required by state statute, and employers’ liability insurance covering all Grantee or Subcontractor employees acting within the course and scope of their employment.

B. General Liability

Commercial general liability insurance covering premises operations, fire damage, independent contractors, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows:

- i. \$1,000,000 each occurrence;
- ii. \$1,000,000 general aggregate;
- iii. \$1,000,000 products and completed operations aggregate; and
- iv. \$50,000 any 1 fire.

C. Automobile Liability

Automobile liability insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

D. Protected Information

Liability insurance covering all loss of State Confidential Information, such as PII, PHI, PCI, Tax Information, and CJI, and claims based on alleged violations of privacy rights through improper use or disclosure of protected information with minimum limits as follows:

- i. \$1,000,000 each occurrence; and
- ii. \$2,000,000 general aggregate.

E. Professional Liability Insurance

Professional liability insurance covering any damages caused by an error, omission or any negligent act with minimum limits as follows:

- i. \$1,000,000 each occurrence; and
- ii. \$1,000,000 general aggregate.

F. Crime Insurance

Crime insurance including employee dishonesty coverage with minimum limits as follows:

- i. \$1,000,000 each occurrence; and
- ii. \$1,000,000 general aggregate.

G. Additional Insured

The State shall be named as additional insured on all commercial general liability policies (leases and construction contracts require additional insured coverage for completed operations) required of Grantee and Subcontractors.

H. Primacy of Coverage

Coverage required of Grantee and each Subcontractor shall be primary over any insurance or self-insurance program carried by Grantee or the State.

I. Cancellation

All insurance policies shall include provisions preventing cancellation or non-renewal, except for cancellation based on non-payment of premiums, without at least 30 days prior notice to Grantee and Grantee shall forward such notice to the State in accordance with §14 within 7 days of Grantee's receipt of such notice.

J. Subrogation Waiver

All insurance policies secured or maintained by Grantee or its Subcontractors in relation to this Agreement shall include clauses stating that each carrier shall waive all rights of recovery under subrogation or otherwise against Grantee or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

K. Public Entities

If Grantee is a "public entity" within the meaning of the Colorado Governmental Immunity Act, §24-10-101, *et seq.*, C.R.S. (the "GIA"), Grantee shall maintain, in lieu of the liability insurance requirements stated above, at all times during the term of this Agreement such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. If a Subcontractor is a public entity within the meaning of the GIA, Grantee shall ensure that the Subcontractor maintain at all times during the terms of this Agreement, in lieu of the liability insurance requirements stated above, such liability insurance, by commercial policy or self-insurance, as is necessary to meet the Subcontractor's obligations under the GIA.

L. Certificates

For each insurance plan provided by Grantee under this Agreement, Grantee shall provide to the State certificates evidencing Grantee's insurance coverage required in this Agreement prior to the Effective Date. Grantee shall provide to the State certificates evidencing Subcontractor insurance coverage required under this Agreement prior to the Effective Date, except that, if Grantee's subcontract is not in effect as of the Effective Date, Grantee shall provide to the State certificates showing Subcontractor insurance coverage required under this Agreement within seven Business Days following Grantee's execution of the subcontract. No later than 15 days before the expiration date of Grantee's or any Subcontractor's coverage, Grantee shall deliver to the State certificates of insurance evidencing renewals of coverage. At any other time during the

term of this Agreement, upon request by the State, Grantee shall, within seven Business Days following the request by the State, supply to the State evidence satisfactory to the State of compliance with the provisions of this section.

11. BREACH OF AGREEMENT

In the event of a Breach of Agreement, the aggrieved Party shall give written notice of Breach of Agreement to the other Party. If the notified Party does not cure the breach, at its sole expense, within 30 days after the delivery of written notice, the Party may exercise any of the remedies as described in §12 for that Party. Notwithstanding any provision of this Agreement to the contrary, the State, in its discretion, need not provide notice or a cure period and may immediately terminate this Agreement in whole or in part or institute any other remedy in this Agreement in order to protect the public interest of the State; or if Grantee is debarred or suspended under §24-109-105, C.R.S., the State, in its discretion, need not provide notice or cure period and may terminate this Agreement in whole or in part or institute any other remedy in this Agreement as of the date that the debarment or suspension takes effect.

12. REMEDIES

A. State's Remedies

If Grantee is in breach under any provision of this Agreement and fails to cure such breach, the State, following the notice and cure period set forth in §11, shall have all of the remedies listed in this section in addition to all other remedies set forth in this Agreement or at law. The State may exercise any or all of the remedies available to it, in its discretion, concurrently or consecutively.

i. Termination for Breach of Agreement

In the event of Grantee's uncured breach, the State may terminate this entire Agreement or any part of this Agreement. Grantee shall continue performance of this Agreement to the extent not terminated, if any.

a. Obligations and Rights

To the extent specified in any termination notice, Grantee shall not incur further obligations or render further performance past the effective date of such notice, and shall terminate outstanding orders and subcontracts with third parties. However, Grantee shall complete and deliver to the State all Work not cancelled by the termination notice, and may incur obligations as necessary to do so within this Agreement's terms. At the request of the State, Grantee shall assign to the State all of Grantee's rights, title, and interest in and to such terminated orders or subcontracts. Upon termination, Grantee shall take timely, reasonable and necessary action to protect and preserve property in the possession of Grantee but in which the State has an interest. At the State's request, Grantee shall return materials owned by the State in Grantee's possession at the time of any termination. Grantee shall deliver all completed Work Product and all Work Product that was in the process of completion to the State at the State's request.

b. Payments

Notwithstanding anything to the contrary, the State shall only pay Grantee for accepted Work received as of the date of termination. If, after termination by the State, the State agrees that Grantee was not in breach or that Grantee's action or inaction was excusable, such termination shall be treated as a termination in the public interest, and the rights and obligations of the Parties shall be as if this Agreement had been terminated in the public interest under §2.E.

c. Damages and Withholding

Notwithstanding any other remedial action by the State, Grantee shall remain liable to the State for any damages sustained by the State in connection with any breach by Grantee, and the State may withhold payment to Grantee for the purpose of mitigating the State's damages until such time as the exact amount of damages due to the State from Grantee is determined. The State may withhold any amount that may be due Grantee as the State deems necessary to protect the State against loss including, without limitation, loss as a result of outstanding liens and excess costs incurred by the State in procuring from third parties replacement Work as cover.

ii. Remedies Not Involving Termination

The State, in its discretion, may exercise one or more of the following additional remedies:

a. Suspend Performance

Suspend Grantee's performance with respect to all or any portion of the Work pending corrective action as specified by the State without entitling Grantee to an adjustment in price or cost or an adjustment in the performance schedule. Grantee shall promptly cease performing Work and incurring costs in accordance with the State's directive, and the State shall not be liable for costs incurred by Grantee after the suspension of performance.

b. Withhold Payment

Withhold payment to Grantee until Grantee corrects its Work.

c. Deny Payment

Deny payment for Work not performed, or that due to Grantee's actions or inactions, cannot be performed or if they were performed are reasonably of no value to the State; provided, that any denial of payment shall be equal to the value of the obligations not performed.

d. Removal

Demand immediate removal of any of Grantee's employees, agents, or Subcontractors from the Work whom the State deems incompetent, careless, insubordinate, unsuitable, or otherwise unacceptable or whose continued relation to this Agreement is deemed by the State to be contrary to the public interest or the State's best interest.

e. Intellectual Property

If any Work infringes, or if the State in its sole discretion determines that any Work is likely to infringe, a patent, copyright, trademark, trade secret or other intellectual property right, Grantee shall, as approved by the State (i) secure that right to use such Work for the State and Grantee; (ii) replace the Work with noninfringing Work or modify the Work so that it becomes noninfringing; or, (iii) remove any infringing Work and refund the amount paid for such Work to the State.

B. Grantee's Remedies

If the State is in breach of any provision of this Agreement and does not cure such breach, Grantee, following the notice and cure period in §11 and the dispute resolution process in §13 shall have all remedies available at law and equity.

13. DISPUTE RESOLUTION

A. Initial Resolution

Except as herein specifically provided otherwise, disputes concerning the performance of this Agreement which cannot be resolved by the designated Agreement representatives shall be referred in writing to a senior departmental management staff member designated by the State and a senior manager designated by Grantee for resolution.

B. Resolution of Controversies

If the initial resolution described in §13.A fails to resolve the dispute within 10 Business Days, Grantee shall submit any alleged breach of this Agreement by the State to the Procurement Official of the State Agency named on the Cover Page of this Agreement as described in §24-101-301(30), C.R.S., for resolution following the same resolution of controversies process as described in §§24-106-109, and 24-109-101.1 through 24-109-505, C.R.S., (collectively, the "Resolution Statutes"), except that if Grantee wishes to challenge any decision rendered by the Procurement Official, Grantee's challenge shall be an appeal to the executive director of the Department of Personnel and Administration, or their delegate, in the same manner as described in the Resolution Statutes before Grantee pursues any further action. Except as otherwise stated in this Section, all requirements of the Resolution Statutes shall apply including, without limitation, time limitations regardless of whether the Colorado Procurement Code applies to this Agreement.

14. NOTICES and REPRESENTATIVES

Each individual identified as a Principal Representative on the Cover Page for this Agreement shall be the principal representative of the designating Party. All notices required or permitted to be given under this Agreement shall be in writing, and shall be delivered (A) by hand with receipt required, (B) by certified or registered mail to such Party's principal representative at the address set forth on the Cover Page for this Agreement or (C) as an email with read receipt requested to the principal representative at the email address, if

any, set forth on the Cover Page for this Agreement. If a Party delivers a notice to another through email and the email is undeliverable, then, unless the Party has been provided with an alternate email contact, the Party delivering the notice shall deliver the notice by hand with receipt required or by certified or registered mail to such Party's principal representative at the address set forth on the Cover Page for this Agreement. Either Party may change its principal representative or principal representative contact information, or may designate specific other individuals to receive certain types of notices in addition to or in lieu of a principal representative, by notice submitted in accordance with this section without a formal amendment to this Agreement. Unless otherwise provided in this Agreement, notices shall be effective upon delivery of the written notice.

15. RIGHTS IN WORK PRODUCT AND OTHER INFORMATION

A. Work Product

Whether or not Grantee is under contract with the State at the time, Grantee shall execute applications, assignments, and other documents, and shall render all other reasonable assistance requested by the State, to enable the State to secure patents, copyrights, licenses and other intellectual property rights related to the Work Product. The Parties intend the Work Product to be works made for hire. Grantee assigns to the State and its successors and assigns, the entire right, title, and interest in and to all causes of action, either in law or in equity, for past, present, or future infringement of intellectual property rights related to the Work Product and all works based on, derived from, or incorporating the Work Product.

B. Exclusive Property of the State

Except to the extent specifically provided elsewhere in this Agreement, all State Records, documents, text, software (including source code), research, reports, proposals, specifications, plans, notes, studies, data, images, photographs, negatives, pictures, drawings, designs, models, surveys, maps, materials, ideas, concepts, know-how, and information provided by or on behalf of the State to Grantee are the exclusive property of the State (collectively, "State Materials"). Grantee shall not use, willingly allow, cause or permit Work Product or State Materials to be used for any purpose other than the performance of Grantee's obligations in this Agreement without the prior written consent of the State. Upon termination of this Agreement for any reason, Grantee shall provide all Work Product and State Materials to the State in a form and manner as directed by the State.

C. Exclusive Property of Grantee

Grantee retains the exclusive rights, title, and ownership to any and all pre-existing materials owned or licensed to Grantee including, but not limited to, all pre-existing software, licensed products, associated source code, machine code, text images, audio and/or video, and third-party materials, delivered by Grantee under this Agreement, whether incorporated in a Deliverable or necessary to use a Deliverable (collectively, "Grantee Property"). Grantee Property shall be licensed to the State as set forth in this Agreement or a State approved license agreement: (i) entered into as exhibits to this Agreement, (ii) obtained by the State from the applicable third-party vendor, or (iii) in the case of open source software, the license terms set forth in the applicable open source license agreement.

16. GENERAL PROVISIONS

A. Assignment

Grantee's rights and obligations under this Agreement are personal and may not be transferred or assigned without the prior, written consent of the State. Any attempt at assignment or transfer without such consent shall be void. Any assignment or transfer of Grantee's rights and obligations approved by the State shall be subject to the provisions of this Agreement.

B. Subcontracts

Grantee shall not enter into any subgrant or subcontract in connection with its obligations under this Agreement without providing notice to the State. The State may reject any such Subcontractor, and Grantee shall terminate any subcontract that is rejected by the State and shall not allow any Subcontractor to perform any work after that Subcontractor's subcontract has been rejected by the State. Grantee shall submit to the State a copy of each such subgrant or subcontract upon request by the State. All subgrants and subcontracts entered into by Grantee in connection with this Agreement shall comply with all applicable federal and state laws and regulations, shall provide that they are governed by the laws of the State of Colorado, and shall be subject to all provisions of this Agreement.

C. Binding Effect

Except as otherwise provided in **§16.A.**, all provisions of this Agreement, including the benefits and burdens, shall extend to and be binding upon the Parties' respective successors and assigns.

D. Authority

Each Party represents and warrants to the other that the execution and delivery of this Agreement and the performance of such Party's obligations have been duly authorized.

E. Captions and References

The captions and headings in this Agreement are for convenience of reference only, and shall not be used to interpret, define, or limit its provisions. All references in this Agreement to sections (whether spelled out or using the § symbol), subsections, exhibits or other attachments, are references to sections, subsections, exhibits or other attachments contained herein or incorporated as a part hereof, unless otherwise noted.

F. Counterparts

This Agreement may be executed in multiple, identical, original counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

G. Entire Understanding

This Agreement represents the complete integration of all understandings between the Parties related to the Work, and all prior representations and understandings related to the Work, oral or written, are merged into this Agreement. Prior or contemporaneous additions, deletions, or other changes to this Agreement shall not have any force or effect whatsoever, unless embodied herein.

H. Digital Signatures

If any signatory signs this Agreement using a digital signature in accordance with the Colorado State Controller Contract, Grant and Purchase Order Policies regarding the use of digital signatures issued under the State Fiscal Rules, then any agreement or consent to use digital signatures within the electronic system through which that signatory signed shall be incorporated into this Agreement by reference.

I. Modification

Except as otherwise provided in this Agreement, any modification to this Agreement shall only be effective if agreed to in a formal amendment to this Agreement, properly executed and approved in accordance with applicable Colorado State law and State Fiscal Rules. Modifications permitted under this Agreement, other than Agreement amendments, shall conform to the policies issued by the Colorado State Controller.

J. Statutes, Regulations, Fiscal Rules, and Other Authority

Any reference in this Agreement to a statute, regulation, State Fiscal Rule, fiscal policy or other authority shall be interpreted to refer to such authority then current, as may have been changed or amended since the Effective Date of this Agreement.

K. External Terms and Conditions

Notwithstanding anything to the contrary herein, the State shall not be subject to any provision included in any terms, conditions, or agreements appearing on Grantee's or a Subcontractor's website or any provision incorporated into any click-through or online agreements related to the Work unless that provision is specifically referenced in this Agreement.

L. Severability

The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect, provided that the Parties can continue to perform their obligations under this Agreement in accordance with the intent of this Agreement.

M. Survival of Certain Agreement Terms

Any provision of this Agreement that imposes an obligation on a Party after termination or expiration of this Agreement shall survive the termination or expiration of this Agreement and shall be enforceable by the other Party.

N. Taxes

The State is exempt from federal excise taxes under I.R.C. Chapter 32 (26 U.S.C., Subtitle D, Ch. 32) (Federal Excise Tax Exemption Certificate of Registry No. 84-730123K) and from State and local government sales and use taxes under §§39-26-704(1), *et seq.*, C.R.S. (Colorado Sales Tax Exemption Identification Number

98-02565). The State shall not be liable for the payment of any excise, sales, or use taxes, regardless of whether any political subdivision of the State imposes such taxes on Grantee. Grantee shall be solely responsible for any exemptions from the collection of excise, sales or use taxes that Grantee may wish to have in place in connection with this Agreement.

O. Third Party Beneficiaries

Except for the Parties' respective successors and assigns described in §16.A., this Agreement does not and is not intended to confer any rights or remedies upon any person or entity other than the Parties. Enforcement of this Agreement and all rights and obligations hereunder are reserved solely to the Parties. Any services or benefits which third parties receive as a result of this Agreement are incidental to this Agreement, and do not create any rights for such third parties.

P. Waiver

A Party's failure or delay in exercising any right, power, or privilege under this Agreement, whether explicit or by lack of enforcement, shall not operate as a waiver, nor shall any single or partial exercise of any right, power, or privilege preclude any other or further exercise of such right, power, or privilege.

Q. CORA Disclosure

To the extent not prohibited by federal law, this Agreement and the performance measures and standards required under §24-106-107, C.R.S., if any, are subject to public release through the CORA.

R. Standard and Manner of Performance

Grantee shall perform its obligations under this Agreement in accordance with the highest standards of care, skill and diligence in Grantee's industry, trade, or profession.

S. Licenses, Permits, and Other Authorizations.

- i. Grantee shall secure, prior to the Effective Date, and maintain at all times during the term of this Agreement, at its sole expense, all licenses, certifications, permits, and other authorizations required to perform its obligations under this Agreement, and shall ensure that all employees, agents and Subcontractors secure and maintain at all times during the term of their employment, agency or Subcontractor, all license, certifications, permits and other authorizations required to perform their obligations in relation to this Agreement.
- ii. Grantee, if a foreign corporation or other foreign entity transacting business in the State of Colorado, shall obtain prior to the Effective Date and maintain at all times during the term of this Agreement, at its sole expense, a certificate of authority to transact business in the State of Colorado and designate a registered agent in Colorado to accept service of process.

T. Federal Provisions

Grantee shall comply with all applicable requirements of Exhibit C at all times during the term of this Agreement.

17. COLORADO SPECIAL PROVISIONS (COLORADO FISCAL RULE 3-3)

These Special Provisions apply to all agreements except where noted in italics.

A. STATUTORY APPROVAL. §24-30-202(1), C.R.S.

This Agreement shall not be valid until it has been approved by the Colorado State Controller or designee. If this Agreement is for a Major Information Technology Project, as defined in §24-37.5-102(2.6), C.R.S., then this Agreement shall not be valid until it has been approved by the State's Chief Information Officer or designee..

B. FUND AVAILABILITY. §24-30-202(5.5), C.R.S.

Financial obligations of the State payable after the current State Fiscal Year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

C. GOVERNMENTAL IMMUNITY.

Liability for claims for injuries to persons or property arising from the negligence of the State, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, *et seq.*, C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, *et seq.*, C.R.S. No term or condition of this Agreement shall be construed or

interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

D. INDEPENDENT CONTRACTOR.

Grantee shall perform its duties hereunder as an independent contractor and not as an employee. Neither Grantee nor any agent or employee of Grantee shall be deemed to be an agent or employee of the State. Grantee shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. **Grantee and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Grantee or any of its agents or employees. Grantee shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Agreement. Grantee shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the State, and (iii) be solely responsible for its acts and those of its employees and agents.**

E. COMPLIANCE WITH LAW.

Grantee shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. CHOICE OF LAW, JURISDICTION, AND VENUE.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Agreement. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Agreement shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

G. PROHIBITED TERMS.

Any term included in this Agreement that requires the State to indemnify or hold Grantee harmless; requires the State to agree to binding arbitration; limits Grantee's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Agreement shall be construed as a waiver of any provision of §24-106-109, C.R.S.

H. SOFTWARE PIRACY PROHIBITION.

State or other public funds payable under this Agreement shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Grantee hereby certifies and warrants that, during the term of this Agreement and any extensions, Grantee has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Grantee is in violation of this provision, the State may exercise any remedy available at law or in equity or under this Agreement, including, without limitation, immediate termination of this Agreement and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST. §§24-18-201 and 24-50-507, C.R.S.

The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this Agreement. Grantee has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Grantee's services and Grantee shall not employ any person having such known interests.

J. VENDOR OFFSET AND ERRONEOUS PAYMENTS. §§24-30-202(1) and 24-30-202.4, C.R.S.

[Not applicable to intergovernmental agreements] Subject to §24-30-202.4(3.5), C.R.S., the State Controller may withhold payment under the State's vendor offset intercept system for debts owed to State agencies for: (i) unpaid child support debts or child support arrearages; (ii) unpaid balances of tax, accrued interest, or other charges specified in §§39-21-101, et seq., C.R.S.; (iii) unpaid loans due to the Student Loan Division of the Department of Higher Education; (iv) amounts required to be paid to the Unemployment Compensation Fund; and (v) other unpaid debts owing to the State as a result of final agency determination or judicial action. The State may also recover, at the State's discretion, payments made to Grantee in error for any reason, including, but not limited to, overpayments or improper payments, and unexpended or excess funds received by Grantee by deduction from subsequent payments under this Agreement, deduction from any payment due

under any other contracts, grants or agreements between the State and Grantee, or by any other appropriate method for collecting debts owed to the State.

K. PUBLIC CONTRACTS FOR SERVICES. §§8-17.5-101, et seq., C.R.S.

[Not applicable to agreements relating to the offer, issuance, or sale of securities, investment advisory services or fund management services, sponsored projects, intergovernmental agreements, or information technology services or products and services] Grantee certifies, warrants, and agrees that it does not knowingly employ or contract with an illegal alien who will perform work under this Agreement and will confirm the employment eligibility of all employees who are newly hired for employment in the United States to perform work under this Agreement, through participation in the E-Verify Program or the State verification program established pursuant to §8-17.5-102(5)(c), C.R.S., Grantee shall not knowingly employ or contract with an illegal alien to perform work under this Agreement or enter into a contract with a Subcontractor that fails to certify to Grantee that the Subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Agreement. Grantee (i) shall not use E-Verify Program or the program procedures of the Colorado Department of Labor and Employment (“Department Program”) to undertake pre-employment screening of job applicants while this Agreement is being performed, (ii) shall notify the Subcontractor and the contracting State agency or institution of higher education within three days if Grantee has actual knowledge that a Subcontractor is employing or contracting with an illegal alien for work under this Agreement, (iii) shall terminate the subcontract if a Subcontractor does not stop employing or contracting with the illegal alien within three days of receiving the notice, and (iv) shall comply with reasonable requests made in the course of an investigation, undertaken pursuant to §8-17.5-102(5), C.R.S., by the Colorado Department of Labor and Employment. If Grantee participates in the Department program, Grantee shall deliver to the contracting State agency, Institution of Higher Education or political subdivision, a written, notarized affirmation, affirming that Grantee has examined the legal work status of such employee, and shall comply with all of the other requirements of the Department program. If Grantee fails to comply with any requirement of this provision or §§8-17.5-101, et seq., C.R.S., the contracting State agency, institution of higher education or political subdivision may terminate this Agreement for breach and, if so terminated, Grantee shall be liable for damages.

L. PUBLIC CONTRACTS WITH NATURAL PERSONS. §§24-76.5-101, et seq., C.R.S.

Grantee, if a natural person eighteen (18) years of age or older, hereby swears and affirms under penalty of perjury that Grantee (i) is a citizen or otherwise lawfully present in the United States pursuant to federal law, (ii) shall comply with the provisions of §§24-76.5-101, et seq., C.R.S., and (iii) has produced one form of identification required by §24-76.5-103, C.R.S., prior to the Effective Date of this Agreement.

EXHIBIT A, STATEMENT OF WORK AND BUDGET

Project Description	2024-FASTER: Operating - FLEX (Fort Collins - Boulder)		
Project End Date	December 31, 2025		
Subrecipient	Fort Collins, City of	UEID #	VEJ3BS5GK5G1
Contact Name	Joshua Ma	Vendor #	2000023
Address	PO Box 580 Fort Collins, CO 80522-0580	Phone #	
Email	jma@fcgov.com	Indirect Rate	N/A
WBS*	26575.10.50	ALI	30.09.01
Total Project Budget			\$600,000.00
State FASTER Funds (at 50% or less)			\$300,000.00
Local Funds (at 50% or more)			\$300,000.00
Total Project Amount Encumbered via this Grant Agreement			\$300,000.00

*The WBS numbers may be replaced without changing the amount of the grant at CDOT’s discretion.

A. Project Description

1. CDOT is contributing FASTER Regional Operating Assistance for the operations of FLEX Service. This Grant Agreement shall be effective from the date of execution through December 31, 2025.
2. City of Fort Collins shall advertise its fixed route service as available to the general public and service will not be explicitly limited by trip purpose or client type.
3. City of Fort Collins shall work cooperatively with CDOT to market and/or publicize this project as requested by CDOT. Such efforts may include ribbon cuttings, news articles, photos, and/or other media supplied by City of Fort Collins as appropriate.

B. Performance Standards

1. City of Fort Collins will provide a minimum of 150,000 passenger trips during the course of this Grant Agreement.
2. City of Fort Collins will maintain or increase its current farebox recovery of 6% during the course of this Grant Agreement.
3. City of Fort Collins shall ensure that this FASTER-funded route will connect to available local service including City of Loveland Transit (COLT) and Regional Transportation District (RTD) routes.
4. City of Fort Collins shall report monthly to the CDOT Project Manager on Ridership, Revenue Hours, and Cost per Passenger.
5. Performance will be reviewed quarterly for the duration of this Grant Agreement. CDOT will begin its review no later than thirty (30) calendar days after each performance quarter. If CDOT’s review determines that City of Fort Collins’s performance does not meet the standards of performance set forth herein, the following steps will be taken:
 - a. CDOT shall notify City of Fort Collins in writing that performance does not meet the requirements of this Grant Agreement.
 - b. Within thirty (30) calendar days of the date of such notification, City of Fort Collins shall submit to CDOT a written explanation of the cause(s) of the substandard performance, which shall include a written plan for improving performance.

- c. CDOT will review the plan for improvement and notify City of Fort Collins of its decision within twenty-one (21) calendar days.
 - i. If the plan is approved by CDOT, City of Fort Collins shall implement the plan immediately upon receipt of CDOT’s notification of approval.
 - ii. If the plan is not approved by CDOT, remedial measures will be determined on a case-by-case basis. Such remedial measures may include termination of this Grant Agreement and return of the FASTER funds or capital equipment purchased with such funds.

- 6. If City of Fort Collins is unable to perform the activities described herein, or must significantly change the level of service herein described, City of Fort Collins shall notify the CDOT Project Manager in writing.

C. Project Budget

- 1. The Total Project Budget is \$600,000.00. CDOT will pay no more than 50% of the eligible, actual project costs, up to the maximum amount of \$300,000.00. CDOT will retain any remaining balance of the FASTER Funds. City of Fort Collins shall be solely responsible for all costs incurred in the project in excess of the amount paid by CDOT from FASTER Funds for the state share of eligible, actual costs. For CDOT accounting purposes the FASTER Funds of \$300,000.00 will be encumbered for this Grant Agreement.

- 2. No refund or reduction of the amount of City of Fort Collins’s share to be provided for the project will be allowed unless there is at the same time a refund or reduction of the state share of a proportionate amount.

- 3. Per the terms of this Grant Agreement, CDOT shall have no obligation to provide state funds for use on this project. CDOT will administer FASTER funds for this project under the terms of this Grant Agreement, provided that the state share of FASTER funds to be administered by CDOT are made available and remain available. City of Fort Collins shall initiate and prosecute to completion all actions necessary to enable City of Fort Collins to provide its share of the Total Project Budget at or prior to the time that such funds are needed to meet the Total Project Budget.

D. Allowable Costs

- 1. City of Fort Collins shall agree to adhere to the provisions for allowable and unallowable costs cited in the following regulations: 2 CFR 200.420 through 200.475 and 2 CFR 200.102. Other applicable requirements for cost allowability not cited previously, shall also be considered.

- 2. City of Fort Collins’s operating expenses are those costs directly related to system operations. City of Fort Collins, at a minimum, should consider the following items as operating expenses: fuel, oil, driver and dispatcher salaries and fringe benefits, and licenses.

E. Reimbursement Eligibility

- 1. City of Fort Collins must submit invoice(s) monthly via COTRAMS. Reimbursement will apply only to eligible expenses that are incurred within the period of performance (July 1, 2024 – December 31, 2025) of this Grant Agreement.

- 2. City of Fort Collins may not submit requests for reimbursements more than once per month. Reimbursement requests must be within the limits of this Grant Agreement. City of Fort Collins will be reimbursed based on the ratio of State Funds share and Local Funds share set forth in the Project Budget above.

- 3. City of Fort Collins must submit the final invoice(s) within sixty (60) calendar days of December 31, 2025, and submit a Grant Closeout/Liquidation (GCL) Form in COTRAMS within fifteen (15) calendar days of issuance of the final reimbursement payment.

F. Training

In an effort to enhance transit safety, City of Fort Collins and any subrecipients and subcontractors shall make a good faith effort to ensure that appropriate training of agency and contracted personnel is occurring and that personnel are up to date in appropriate certifications. In particular, City of Fort Collins shall ensure that driving personnel are provided professional training in defensive driving and training on the handling of mobility devices and transporting older adults and people with disabilities.

G. Safety Data

City of Fort Collins and any subrecipients shall maintain and submit, as requested, data related to bus safety. This may include, but not be limited to, the number of vehicle accidents within certain measurement parameters set forth by CDOT, the number and extent of passenger injuries or claims, and the number and extent of employee accidents, injuries, and incidents.

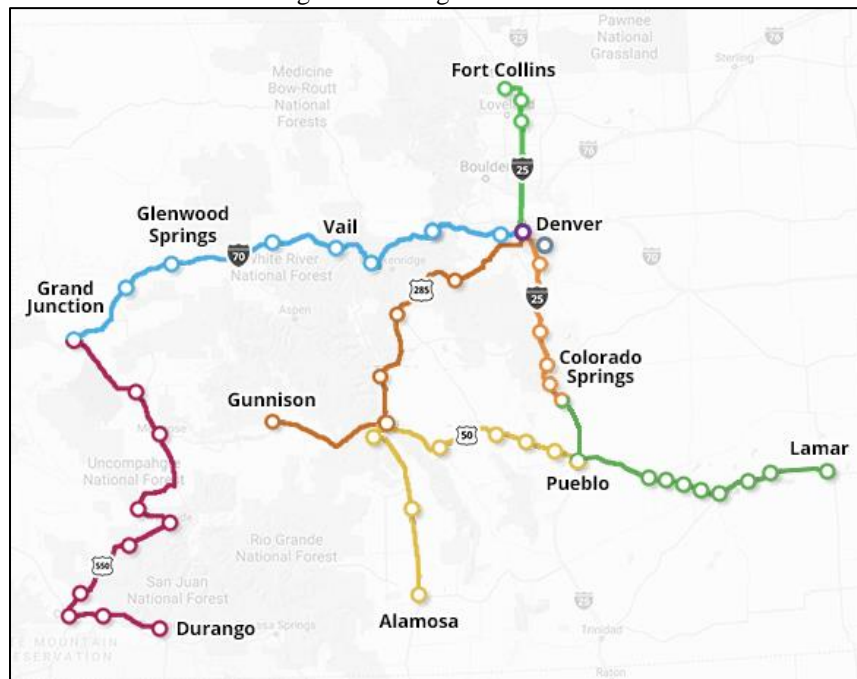
H. Restrictions on Lobbying

City of Fort Collins is certifying that it complies with 2 CFR 200.450 by entering into this Grant Agreement.

I. Mutual Cooperation

By entering into this Grant Agreement, City of Fort Collins agrees to cooperate with CDOT and other agencies in the Bustang and Bustang Outrider Network* (Network) to help maintain the positive image of the established, high-profile statewide network brand and work with CDOT and other Network agencies to achieve the goals of the statewide transportation program, which include safe transport and connectivity for those using transit services and transit facilities. The premise of such cooperation is predicated on the performance of the scheduled and contracted services as agreed to between City of Fort Collins and CDOT in this Grant Agreement. In the event of service changes, service disruption, and/or service cancellations, City of Fort Collins shall immediately notify CDOT, the public, and the Network to allow for the planning of alternate methods of transportation. To act in the best interest of passengers and the State of Colorado, collaboration among the Network agencies is necessary to mitigate emergencies and respond to daily operational challenges.

* The routes and transit centers of the Bustang and Bustang Outrider Network are reflected on the map below.



J. Special Conditions

1. City of Fort Collins will comply with all requirements imposed by CDOT on City of Fort Collins so that the state award is used in accordance with state statutes, regulations, and the terms and conditions of the state award.
2. City of Fort Collins must permit CDOT and their auditors to have access to City of Fort Collins's records and financial statements as necessary, with reasonable advance notice.
3. City of Fort Collins shall maintain and report annually all information required by the National Transit Database and any other financial, fleet, service data set forth by the CDOT for the purpose of annual reporting required of CDOT.
4. City of Fort Collins shall comply and will ensure subcontractors and subrecipients comply with Federal U.S. Department of Transportation (DOT) Drug and Alcohol Regulations.
5. City of Fort Collins shall ensure that it does not exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States on the ground of race, color, national origin, sex, age or disability in accordance with Title VI of the Civil Rights Act of 1964.
6. City of Fort Collins shall seek to ensure non-discrimination in its programs and activities by developing and maintaining a Title VI Program in accordance with the "Requirements for FTA Subrecipients" in CDOT's Title VI Program Plan and Federal Transit Administration Circular 4702.1B, "Title VI Requirements and Guidelines for FTA Recipients." The Party shall also facilitate FTA's compliance with Executive Order 12898 and DOT Order 5610.2(a) by incorporating the principles of environmental justice in planning, project development and public outreach in accordance with FTA Circular 4703.1 "Environmental Justice Policy Guidance for Federal Transit Administration Recipients."
7. City of Fort Collins will provide transportation services to persons with disabilities, in accordance with Americans with Disabilities Act of 1990, as amended, 42 U.S.C. § 12101 et seq.
8. City of Fort Collins shall develop and maintain an ADA Program in accordance with 28 CFR Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services, FTA Circular 4710.1, and any additional requirements established by CDOT for FTA subrecipients.
9. City of Fort Collins shall ensure that it will comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, FTA guidance, and any other federal, state, and/or local laws, rules and/or regulations. In any contract utilizing federal funds, land, or other federal aid, City of Fort Collins shall require its subrecipients and/or contractors to provide a statement of written assurance that they will comply with Section 504 and not discriminate on the basis of disability.
10. City of Fort Collins shall agree to produce and maintain documentation that supports compliance with the Americans with Disabilities Act to CDOT upon request.

EXHIBIT C, TITLE VI – CIVIL RIGHTS

Nondiscrimination Requirements

The Parties shall not exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States on the ground of race, color, national origin, sex, age or disability. During the performance of this Agreement, the Grantee, for itself, its assignees and successors in interest (hereinafter referred to as the “Grantee”) agrees as follows:

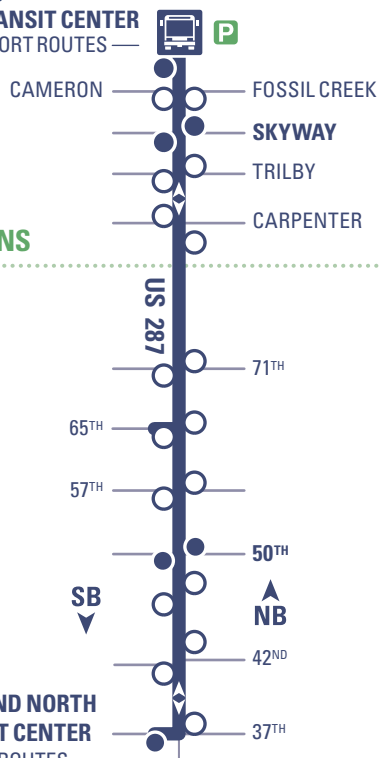
- (1) **Compliance with Regulations:** The Grantee shall comply with the Regulation relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the “Regulations”), which are herein incorporated by reference and made a part of this Agreement.
- (2) **Nondiscrimination:** The Grantee, with regard to the Work performed by it during the Agreement, shall not discriminate on the grounds of race, color, national origin, or sex in the selection and retention of subgrantees, including procurements of materials and leases of equipment. The Grantee shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the Agreement covers a program set forth in Appendix B of the Regulations.
- (3) **Solicitations for Subgrantees, Including Procurements of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Grantee for Work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subgrantee or supplier shall be notified by the Grantee of the Grantee's obligations under this Agreement and the Regulations relative to nondiscrimination on the grounds of race, color, national origin or sex.
- (4) **Information and Reports:** The Grantee shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Colorado Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Grantee is in the exclusive possession of another who fails or refuses to furnish this information the Grantee shall so certify to the Colorado Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.
- (5) **Sanctions for Noncompliance:** In the event of the Grantee's noncompliance with the nondiscrimination provisions of this Agreement, the Colorado Department of Transportation shall impose such contract sanctions as it may determine to be appropriate, including, but not limited to:
 - (a) withholding of payments to the Grantee under the Agreement until the Grantee complies, and/or
 - (b) cancellation, termination or suspension of the Agreement, in whole or in part.
- (6) **Incorporation of Provisions:** The Grantee shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto.

The Grantee shall take such action with respect to any subcontract or procurement as the Colorado Department of Transportation may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that, in the event a Grantee becomes involved in, or is threatened with, litigation with a subgrantee or supplier as a result of such direction, the Grantee may request the Colorado Department of Transportation to enter into such litigation to protect the interests of the Colorado Department of Transportation.



FORT COLLINS
LOVELAND

SOUTH TRANSIT CENTER
— TRANSFERT ROUTES —



LOVELAND NORTH
TRANSIT CENTER
— COLT ROUTES —



TRANSIT CONTACT INFO

TRANSFERT TRANSFERT - Fort Collins
970.221.6620
ridetransfort.com

COLT COLT - Loveland
970.962.2429
lovgov.org/colt

RTD RTD - Denver/Longmont/Boulder
800.366.7433
rtd-denver.com

MAP LEGEND

- MAP NOT TO SCALE
- BUS ROUTE
- BUS STOP
- TIME POINT BUS STOP:
Street intersection used for time schedule reference point listed at the top of the time columns to estimate bus arrival and trip times.
- CONNECTING ROUTES
- TRANSIT CENTER
- PARKING

F1 FORT COLLINS
▶ LOVELAND Southbound

MONDAY - FRIDAY (All Year Long)

SOUTH TRANSIT CENTER (STC)	COLLEGE & SKYWAY	GARFIELD & 50TH	LOVELAND NORTH TRANSIT CENTER
BUS STOP NUMBER			
1492	1074	1079	1695
5:40 a	5:42 a	5:48 a	5:51 a
6:20 a	6:22 a	6:28 a	6:31 a
6:30 a	6:32 a	6:38 a	6:41 a
7:30 a	7:32 a	7:39 a	7:46 a
8:30 a	8:32 a	8:39 a	8:44 a
9:30 a	9:32 a	9:39 a	9:46 a
10:30 a	10:32 a	10:39 a	10:44 a
11:30 a	11:32 a	11:39 a	11:44 a
12:30 p	12:32 p	12:39 p	12:44 p
1:30 p	1:32 p	1:39 p	1:44 p
2:30 p	2:32 p	2:39 p	2:44 p
3:05 p	3:07 p	3:15 p	3:22 p
3:30 p	3:32 p	3:39 p	3:44 p
3:55 p	3:57 p	4:05 p	4:15 p
4:30 p	4:32 p	4:40 p	4:50 p
5:30 p	5:32 p	5:40 p	5:50 p
6:00 p	6:02 p	6:10 p	6:17 p
6:30 p	6:32 p	6:39 p	6:44 p

Additional trips to Loveland are displayed on the F3X schedule.

F1 LOVELAND
▶ FORT COLLINS Northbound

MONDAY - FRIDAY (All Year Long)

LOVELAND NORTH TRANSIT CENTER	US 287 & 50TH	COLLEGE & SKYWAY	SOUTH TRANSIT CENTER (STC)
BUS STOP NUMBER			
1695	1100	1105	1492
6:48 a	6:50 a	6:55 a	6:59 a
7:18 a	7:20 a	7:25 a	7:29 a
8:06 a	8:08 a	8:13 a	8:17 a
8:48 a	8:50 a	8:55 a	8:59 a
9:10 a	9:12 a	9:17 a	9:21 a
9:48 a	9:50 a	9:55 a	9:59 a
10:48 a	10:50 a	10:55 a	10:59 a
11:08 a	11:10 a	11:15 a	11:19 a
11:48 a	11:50 a	11:56 a	12:00 p
12:48 p	12:50 p	12:56 p	1:00 p
1:48 p	1:50 p	1:56 p	2:00 p
2:48 p	2:50 p	2:56 p	3:00 p
3:48 p	3:50 p	3:56 p	4:00 p
4:48 p	4:50 p	4:56 p	5:00 p
5:48 p	5:50 p	5:56 p	6:00 p
6:22 p	6:24 p	6:29 p	6:33 p
6:48 p	6:50 p	6:56 p	7:00 p
7:18 p	7:20 p	7:25 p	7:29 p
7:54 p	7:56 p	8:01 p	8:04 p

Additional trips to Fort Collins are displayed on the F3X schedule.

F1 FORT COLLINS
▶ LOVELAND Southbound

SATURDAYS (All Year Long)

SOUTH TRANSIT CENTER (STC)	COLLEGE & SKYWAY	GARFIELD & 50TH	LOVELAND NORTH TRANSIT CENTER
BUS STOP NUMBER			
1492	1074	1079	1695
6:30 a	6:32 a	6:39 a	6:45 a
7:30 a	7:32 a	7:39 a	7:45 a
8:30 a	8:32 a	8:39 a	8:45 a
9:30 a	9:32 a	9:39 a	9:48 a
10:30 a	10:32 a	10:39 a	10:45 a
11:30 a	11:32 a	11:39 a	11:45 a
12:30 p	12:32 p	12:39 p	12:48 p
1:30 p	1:32 p	1:39 p	1:45 p
2:30 p	2:32 p	2:39 p	2:45 p
3:30 p	3:32 p	3:39 p	3:48 p
4:30 p	4:32 p	4:39 p	4:45 p
5:30 p	5:32 p	5:39 p	5:45 p
5:48 p	5:50 p	5:57 p	6:03 p
6:30 p	6:32 p	6:39 p	6:48 p

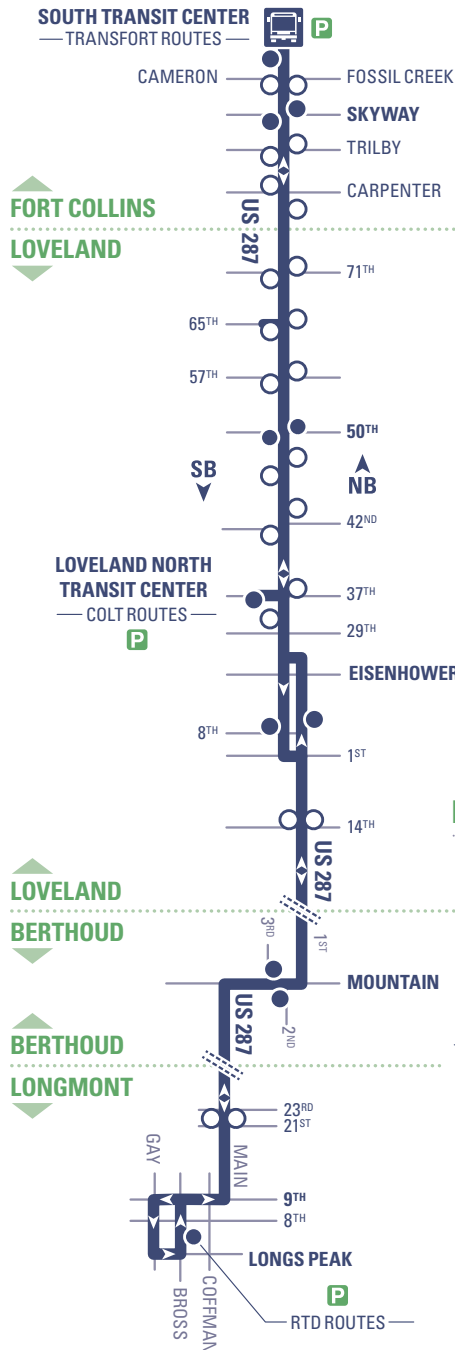
Additional trips to Loveland are displayed on the F3X schedule.

F1 LOVELAND
▶ FORT COLLINS Northbound

SATURDAYS (All Year Long)

LOVELAND NORTH TRANSIT CENTER	US 287 & 50TH	COLLEGE & SKYWAY	SOUTH TRANSIT CENTER (STC)
BUS STOP NUMBER			
1695	1100	1105	1492
6:48 a	6:51 a	6:56 a	7:00 a
7:48 a	7:51 a	7:56 a	8:00 a
8:48 a	8:51 a	8:56 a	9:00 a
9:48 a	9:51 a	9:56 a	10:00 a
10:48 a	10:51 a	10:56 a	11:00 a
11:08 a	11:11 a	11:16 a	11:20 a
11:48 a	11:51 a	11:56 a	12:00 p
12:48 p	12:51 p	12:56 p	1:00 p
1:48 p	1:51 p	1:56 p	2:00 p
2:08 p	2:11 p	2:16 p	2:20 p
2:48 p	2:51 p	2:56 p	3:00 p
3:48 p	3:51 p	3:56 p	4:00 p
4:48 p	4:51 p	4:56 p	5:00 p
5:08 p	5:11 p	5:16 p	5:20 p
5:48 p	5:51 p	5:56 p	6:00 p
6:40 p	6:43 p	6:48 p	6:52 p
8:08 p	8:11 p	8:16 p	8:28 p

Additional trips to Fort Collins are displayed on the F3X schedule.



MAP LEGEND

- MAP NOT TO SCALE
- BUS ROUTE
- BUS STOP
- TIME POINT BUS STOP: Street intersection used for time schedule reference point listed at the top of the time columns to estimate bus arrival and trip times.
- CONNECTING ROUTES
- TRANSIT CENTER
- PARKING

F2 FORT COLLINS ▶ LONGMONT

Southbound

MONDAY - FRIDAY (All Year Long)

BUS STOP NUMBER						
SOUTH TRANSIT CENTER (STC)	COLLEGE & SKYWAY	GARFIELD & 50TH	LOVELAND NORTH TRANSIT CENTER	CLEVELAND & 8TH	MOUNTAIN & 3RD	BROSS & LONGS PEAK (ROOSEVELT PARK)
1492	1074	1079	1695	1450	1452	1454
5:40 a	5:42 a	5:48 a	5:51 a	5:57 a	6:07 a	6:25 a
6:20 a	6:22 a	6:28 a	6:31 a	6:37 a	6:47 a	7:07 a
7:30 a	7:32 a	7:39 a	7:46 a	7:52 a	8:02 a	8:24 a
9:30 a	9:32 a	9:39 a	9:46 a	9:52 a	10:02 a	10:24 a
3:05 p	3:07 p	3:15 p	3:22 p	3:28 p	3:40 p	4:00 p
3:55 p	3:57 p	4:05 p	4:15 p	4:21 p	4:33 p	4:55 p
4:30 p	4:32 p	4:40 p	4:50 p	4:56 p	5:08 p	5:30 p
5:30 p	5:32 p	5:40 p	5:50 p	5:56 p	6:08 p	6:30 p
6:00 p	6:02 p	6:10 p	6:17 p	6:23 p	6:35 p	6:55 p

Additional trips to Longmont are displayed on the F3X schedule.

F2 LONGMONT ▶ FORT COLLINS

Northbound

MONDAY - FRIDAY (All Year Long)

BUS STOP NUMBER						
BROSS & LONGS PEAK (ROOSEVELT PARK)	MOUNTAIN & 2ND	LINCOLN & 8TH	LOVELAND NORTH TRANSIT CENTER	US 287 & 50TH	COLLEGE & SKYWAY	SOUTH TRANSIT CENTER (STC)
1454	1457	1459	1695	1100	1105	1492
6:39 a	6:56 a	7:08 a	7:18 a	7:20 a	7:25 a	7:29 a
7:25 a	7:42 a	7:54 a	8:06 a	8:08 a	8:13 a	8:17 a
8:29 a	8:46 a	8:58 a	9:10 a	9:12 a	9:17 a	9:21 a
10:27 a	10:44 a	10:56 a	11:08 a	11:10 a	11:15 a	11:19 a
4:04 p	4:24 p	4:36 p	4:48 p	4:50 p	4:56 p	5:00 p
5:04 p	5:24 p	5:36 p	5:48 p	5:50 p	5:56 p	6:00 p
5:40 p	5:58 p	6:10 p	6:22 p	6:24 p	6:29 p	6:33 p
6:40 p	6:58 p	7:10 p	7:18 p	7:20 p	7:25 p	7:28 p
7:16 p	7:34 p	7:46 p	7:54 p	7:56 p	8:01 p	8:04 p

Additional trips to Fort Collins are displayed on the F3X schedule.

F2 FORT COLLINS ▶ LONGMONT

Southbound

SATURDAYS (All Year Long)

BUS STOP NUMBER						
SOUTH TRANSIT CENTER (STC)	COLLEGE & SKYWAY	GARFIELD & 50TH	LOVELAND NORTH TRANSIT CENTER	CLEVELAND & 8TH	MOUNTAIN & 3RD	BROSS & LONGS PEAK (ROOSEVELT PARK)
1492	1074	1079	1695	1450	1452	1454
9:30 a	9:32 a	9:39 a	9:48 a	9:54 a	10:05 a	10:25 a
12:30 p	12:32 p	12:39 p	12:48 p	12:54 p	1:05 p	1:25 p
3:30 p	3:32 p	3:39 p	3:48 p	3:54 p	4:05 p	4:25 p
6:30 p	6:32 p	6:39 p	6:48 p	6:54 p	7:05 p	7:25 p

Additional trips to Longmont are displayed on the F3X schedule.

F2 LONGMONT ▶ FORT COLLINS

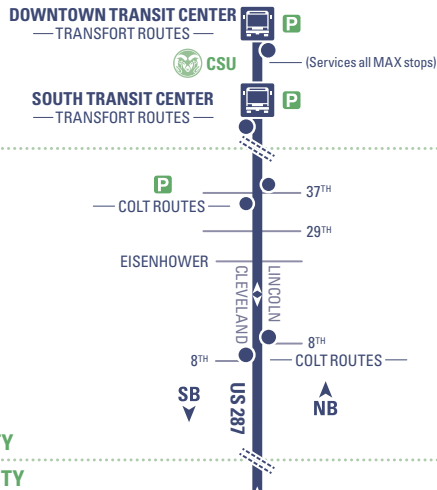
Northbound

SATURDAYS (All Year Long)

BUS STOP NUMBER						
BROSS & LONGS PEAK (ROOSEVELT PARK)	MOUNTAIN & 2ND	LINCOLN & 8TH	LOVELAND NORTH TRANSIT CENTER	US 287 & 50TH	COLLEGE & SKYWAY	SOUTH TRANSIT CENTER (STC)
1454	1457	1459	1695	1100	1105	1492
10:30 a	10:47 a	10:59 a	11:08 a	11:11 a	11:16 a	11:20 a
1:30 p	1:47 p	1:59 p	2:08 p	2:11 p	2:16 p	2:20 p
4:30 p	4:47 p	4:59 p	5:08 p	5:11 p	5:16 p	5:20 p
7:30 p	7:47 p	7:59 p	8:08 p	8:11 p	8:16 p	8:20 p

Additional trips to Fort Collins are displayed on the F3X schedule.

N FORT COLLINS
LOVELAND

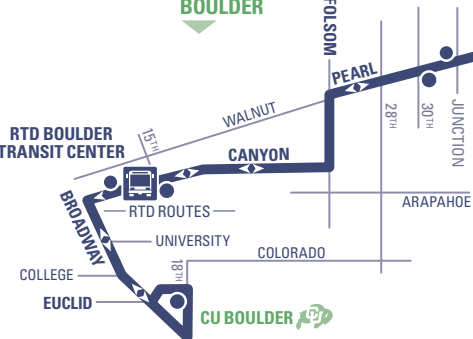


LOVELAND/LARIMER COUNTY
LONGMONT/BOULDER COUNTY

LONGMONT
BOULDER

MAP LEGEND

- MAP NOT TO SCALE
- BUS ROUTE
- BUS STOP
- TIME POINT BUS STOP: Street intersection used for time schedule reference point listed at the top of the time columns to estimate bus arrival and trip times.
- CONNECTING ROUTES
- TRANSIT CENTER
- PARKING



F3X EXPRESS Southbound

MONDAY - FRIDAY (All Year Long)

DOWNTOWN TRANSIT CENTER (DTC)	SOUTH TRANSIT CENTER (STC)	GARFIELD & 37TH*	CLEVELAND & 8TH*	9TH & COFFMAN*	HOVER & VILLAGE AT THE PEAKS MALL*	PEARL & JUNCTION*	CANYON & 14TH (DOWNTOWN BOULDER STATION - GATE K)*	18TH & EUCLID
BUS STOP NUMBER								
917	1492	1082*	1450*	1645*	1646*	1647*	1648*	1641
----	5:14 a	5:24 a	5:28 a	5:52 a	5:57 a	6:16 a	6:23 a	6:30 a
6:00 a	6:23 a	6:33 a	6:37 a	7:01 a	7:06 a	7:25 a	7:32 a	7:39 a
9:25 a	9:48 a	9:58 a	10:02 a	10:26 a	10:31 a	10:50 a	10:57 a	11:04 a
1:15 p	1:39 p	1:50 p	1:54 p	2:20 p	2:25 p	2:44 p	2:52 p	3:00 p
3:25 p	3:49 p	4:00 p	4:04 p	4:30 p	4:35 p	4:54 p	5:02 p	5:10 p
5:20 p	5:44 p	5:55 p	5:59 p	6:23 p	6:28 p	6:46 p	6:53 p	7:00 p

[*] Times listed are approximate. Buses may depart early, depending on traffic. For additional times and real-time tracking, search for your stop on BusTime: fcgov.com/bustimes

F3X EXPRESS Northbound

MONDAY - FRIDAY (All Year Long)

18TH & EUCLID	CANYON & 15TH (DOWNTOWN BOULDER STATION - GATE L)*	PEARL & 30TH (BOULDER JUNCTION)*	HOVER & VILLAGE AT THE PEAKS MALL*	BROSS & LONGS PEAK (ROOSEVELT PARK)	LINCOLN & 8TH*	GARFIELD & 37TH*	SOUTH TRANSIT CENTER (STC)*	DOWNTOWN TRANSIT CENTER (DTC)
BUS STOP NUMBER								
1641	1642*	1643*	1644*	1454	1459*	1097*	1492*	917
7:09 a	7:13 a	7:17 a	7:34 a	7:43 a	8:08 a	8:12 a	8:24 a	8:47 a
8:09 a	8:13 a	8:17 a	8:34 a	8:43 a	9:08 a	9:12 a	9:24 a	9:47 a
11:34 a	11:38 a	11:42 a	11:59 a	12:08 p	12:37 p	12:41 p	12:53 p	1:16 p
3:18 p	3:22 p	3:29 p	3:48 p	3:57 p	4:26 p	4:30 p	4:42 p	5:05 p
5:30 p	5:34 p	5:41 p	6:00 p	6:09 p	6:38 p	6:42 p	6:54 p	7:17 p
7:20 p	7:24 p	7:31 p	7:48 p	7:57 p	8:24 p	8:28 p	8:40 p	9:00 p

[*] Times listed are approximate. Buses may depart early, depending on traffic. For additional times and real-time tracking, search for your stop on BusTime: fcgov.com/bustimes

F3X EXPRESS Southbound

SATURDAYS (All Year Long)

DOWNTOWN TRANSIT CENTER (DTC)	SOUTH TRANSIT CENTER (STC)	GARFIELD & 37TH*	CLEVELAND & 8TH*	9TH & COFFMAN*	HOVER & VILLAGE AT THE PEAKS MALL*	PEARL & JUNCTION*	CANYON & 14TH (DOWNTOWN BOULDER STATION - GATE K)*	18TH & EUCLID
BUS STOP NUMBER								
917	1492	1082*	1450*	1645*	1646*	1647*	1648*	1641
7:05 a	7:29 a	7:40 a	7:44 a	8:08 a	8:13 a	8:32 a	8:38 a	8:45 a
9:05 a	9:29 a	9:40 a	9:44 a	10:10 a	10:15 a	10:34 a	10:41 a	10:48 a
2:15 p	2:39 p	2:50 p	2:54 p	3:20 p	3:25 p	3:44 p	3:51 p	3:58 p
4:15 p	4:39 p	4:50 p	4:54 p	5:18 p	5:23 p	5:42 p	5:49 p	5:56 p

[*] Times listed are approximate. Buses may depart early, depending on traffic. For additional times and real-time tracking, search for your stop on BusTime: fcgov.com/bustimes

F3X EXPRESS Northbound

SATURDAYS (All Year Long)

18TH & EUCLID	CANYON & 15TH (DOWNTOWN BOULDER STATION - GATE L)*	PEARL & 30TH (BOULDER JUNCTION)*	HOVER & VILLAGE AT THE PEAKS MALL*	BROSS & LONGS PEAK (ROOSEVELT PARK)	LINCOLN & 8TH*	GARFIELD & 37TH*	SOUTH TRANSIT CENTER (STC)*	DOWNTOWN TRANSIT CENTER (DTC)
BUS STOP NUMBER								
1641	1642*	1643*	1644*	1454	1459*	1097*	1492*	917
9:15 a	9:19 a	9:24 a	9:41 a	9:50 a	10:18 a	10:22 a	10:34 a	10:57 a
11:15 a	11:19 a	11:24 a	11:41 a	11:50 a	12:18 p	12:22 p	12:34 p	12:57 p
4:25 p	4:29 p	4:34 p	4:51 p	5:00 p	5:28 p	5:32 p	5:44 p	6:07 p
6:25 p	6:29 p	6:34 p	6:51 p	7:00 p	7:28 p	7:32 p	7:44 p	8:07 p

[*] Times listed are approximate. Buses may depart early, depending on traffic. For additional times and real-time tracking, search for your stop on BusTime: fcgov.com/bustimes

File Attachments for Item:

13. First Reading of Ordinance No. 046, 2025, Making a Supplemental Appropriation of Multimodal Transportation and Mitigations Options Fund Grant Revenue for the Foothills Transit Station Project.

The purpose of this item is to appropriate unanticipated grant revenue awarded to Transfort by the North Front Range Metropolitan Planning Organization (NFRMPO). Transfort secured \$317,669 in discretionary state grant funding to construct the Foothills Transit Station and Roundabout, including design, electrical, right-of-way (ROW) acquisition costs, and related expenses, at the intersection of Overland Trail and West Elizabeth Street adjacent to Colorado State University's (CSU) Foothills Campus. The Foothills Transit Station will serve as the western terminus for multiple local and regional routes as well as the future West Elizabeth Bus Rapid Transit (BRT) line.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Annabelle Phillips, Assistant Director, Transfort
 Monica Martinez, Manager, PDT Finance

SUBJECT

First Reading of Ordinance No. 046, 2025, Making a Supplemental Appropriation of Multimodal Transportation and Mitigations Options Fund Grant Revenue for the Foothills Transit Station Project.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate unanticipated grant revenue awarded to Transfort by the North Front Range Metropolitan Planning Organization (NFRMPO). Transfort secured \$317,669 in discretionary state grant funding to construct the Foothills Transit Station and Roundabout, including design, electrical, right-of-way (ROW) acquisition costs, and related expenses, at the intersection of Overland Trail and West Elizabeth Street adjacent to Colorado State University's (CSU) Foothills Campus. The Foothills Transit Station will serve as the western terminus for multiple local and regional routes as well as the future West Elizabeth Bus Rapid Transit (BRT) line.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

On October 4, 2024, the NFRMPO announced approximately \$4.5 million in funding through the Multimodal Transportation and Mitigations Options Fund (MMOF), a funding source initially established with Senate Bill (SB) 18-001 and amended with SB 21-260. Transfort was awarded \$317,669 in Fiscal Year (FY) 2025 and 2026 MMOF grant funding to be used as match for the Foothills Transit Station project. These funds are administered through the Colorado Department of Transportation (CDOT).

The MMOF funding will be used to construct the Foothills Transit Station and Roundabout at the intersection of Overland Trail and West Elizabeth Street adjacent to Colorado State University's (CSU) Foothills Campus, including design, electrical, and ROW acquisition costs and related expenses. This station will serve as the western terminus for multiple local and regional routes as well as the future West Elizabeth BRT line. In addition to the funding listed in the Financial Impacts section below, CSU will be donating the land where the station will be constructed in the form of a land-lease to be used as additional local match, currently valued at approximately \$750,000. Transfort will be utilizing the MMOF award as additional local match to leverage against its FY23 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) federal grant award, which was previously appropriated as part of the 2025-2026

Budgeting for Outcomes (BFO) Process (Offer #: 65.18). A total of \$12,921,555 was awarded by the Department of Transportation (DOT) in FY23 RAISE funds, with \$2,207,985 required in local match.

CITY FINANCIAL IMPACTS

This Ordinance will appropriate \$317,669 in unanticipated state grant revenue to be used as local match for the City’s FY23 RAISE grant award, which was previously appropriated as part of the 2025-2026 BFO Process. The following is a summary of the funding anticipated for the Foothills Transit Station project (value of CSU land match is not represented as the value is not yet confirmed):

Prior Appropriated Funds	
FY23 RAISE Grant Funds	\$10,713,570
FY24 CDOT Capital Faster Funds	\$200,000
FY25 CDOT Capital Faster Funds	\$200,000
2050 Transit Tax Funds	\$1,041,000
TOTAL PRIOR APPROPRIATION	\$12,154,570
Funds to be Appropriated per this Action	
FY25/FY26 MMOF Funds	\$317,669
Total Funds to be Appropriated per this Action	\$317,669
Total Proposed Project Funds	
	\$12,472,239

**Total Proposed Project Funds indicates the total amount of funding that will be available to the project if this appropriation is approved.*

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. 2024 MMOF Award Letter – Foothills Transit Station and Roundabout

ORDINANCE NO. 046, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION OF
MULTIMODAL TRANSPORTATION AND MITIGATIONS
OPTIONS FUND GRANT REVENUE FOR THE FOOTHILLS
TRANSIT STATION PROJECT

A. The Foothills Transit Station and Roundabout project (the “Project”), at the intersection of Overland Trail and West Elizabeth Street adjacent to Colorado State University’s Foothills Campus, will serve as the western terminus for multiple local and regional routes as well as the future West Elizabeth Bus Rapid Transit (“BRT”) line.

B. The Project will also serve as a mobility hub with bicycle parking, opportunities for bike and scooter shares, micro-transit pick-ups and drop-offs, and nearby parking for commuters.

C. Implementation of the Project prior to the full build out of the West Elizabeth Corridor will allow Transfort to optimize and realign several existing routes in the West Elizabeth Corridor to better serve the community.

D. The North Front Range Metropolitan Planning Organization (“NFRMPO”) awarded Transfort \$317,669 in Fiscal Years 2025 and 2026 Multimodal Transportation and Mitigation Options Fund (“FY25/FY26 MMOF”) grant funding, which grant is managed by the Colorado Department of Transportation (“CDOT”), to be used toward construction work for the Project, including design, electrical, and right-of-way acquisition costs and related expenses.

E. Transfort was previously awarded a Fiscal Year 2023 Rebuilding American Infrastructure with Sustainability and Equity (“FY23 RAISE”) grant (\$10.7M) for construction of the Project, which award requires a local match in excess of \$2.2M. The FY23 RAISE grant was previously appropriated as part of the City’s 2025 through 2026 Budgeting for Outcomes Process.

F. The City will utilize the FY25/FY26 MMOF grant to provide for a portion of the local match for the FY23 RAISE grant.

G. This appropriation benefits public health, safety, and welfare of the residents of Fort Collins and the traveling public and serves the public purpose by improving multimodal transportation infrastructure, safety, and accessibility within the City, as well as adding the potential for improved transit services throughout the entire West Elizabeth Corridor.

H. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental

appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

I. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transit Services Fund and that this appropriation will not cause the total amount appropriated in the Transit Services Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

J. All of the funds appropriated in this Ordinance for the Project are ineligible for use in the Art in Public Places Program due to restrictions placed on them by the CDOT, the source of these funds.

K. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

L. The City Council wishes to designate the appropriation herein for the Colorado Department of Transportation MMOF Grants as an appropriation that shall not lapse the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Transit Services Fund the sum of THREE HUNDRED SEVENTEEN THOUSAND SIX HUNDRED SIXTY-NINE DOLLARS (\$317,669) to be expended in the Transit Services Fund for the Foothills Transit Station Project.

Section 2. The appropriation herein for the Colorado Department of Transportation MMOF Grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan



February 11, 2025

Joshua Ma
 City of Fort Collins, Transfort
 250 N. Mason Street
 Fort Collins, CO 80524

Dear Mr. Ma:

The North Front Range Metropolitan Planning Organization (NFRMPO) is pleased to notify you of the Multimodal Transportation and Mitigation Options Fund (MMOF) award to the City of Fort Collins for the *Foothills Transit Station and Roundabout* project.

The Scoring Committee reviewed and scored MMOF applications for the NFRMPO FY2024 Call for Projects on December 13, 2024. The NFRMPO Planning Council approved the recommended projects on February 6, 2025 with **Resolution 2025-04-Amended**. Recommended projects will be programmed in the FY2024-2027 Transportation Improvement Program (TIP) with the March 2025 Amendment. The NFRMPO Planning Council has approved your project as follows:

Funding	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	Total
MMOF	-	\$107,504	210,165	-	-	\$317,669
Local Match*						
FY23 RAISE	-	\$10,713,570	-	-	-	\$10,713,570
Overmatch and/or Other Funding						
CSU In-kind Contribution	-	\$732,371	-	-	-	\$732,371
FY24 FASTER Capital	-	\$200,000	-	-	-	\$200,000
FY25 FASTER Capital	-	\$200,000	-	-	-	\$200,000
Total	-	\$11,953,445	\$210,165	-	-	\$12,163,610

*Local Match equals 50 percent

The purpose of the MMOF program is to complete a multimodal and integrated transportation system. Projects receiving partial awards must ensure all elements being completed with the awarded funding align with the original scope of the project and align with the goals of the MMOF funding program.



Questions regarding this matter may be directed to the NFRMPO TIP manager (jstockburger@nfrmpo.org).

Project funds should be moved to obligation during the year programmed. As a recipient of funding through the NFRMPO Call for Projects, the project is subject to the NFRMPO TIP Project Delay Procedure (“TIP delay policy”) as defined in the TIP Narrative. Per the TIP delay policy, this project must go to advertisement by March 1, 2025 to meet the milestone deadline and avoid becoming delayed.

The next step is to contact the appropriate CDOT project manager to set up the initial project meeting. At the initial meeting your agency’s Project Manager will need to provide their contact information, a copy of the project application, and Project Conceptual Plans (if applicable and available).

The federal project funding process requires a significant amount of time to implement and complete; you are encouraged to engage with CDOT as soon as possible. Please remember the expenditure of any funds prior to fully executing the Intergovernmental Agreement (IGA) and funds encumbering option letter (OL) with CDOT will not be reimbursed and those funds are not eligible for inclusion in the IGA project budget. The NFRMPO requests project sponsors notify NFRMPO staff once the IGA has been completed for tracking purposes.

Please contact Jonathan Stockburger at (970) 289-8283 or jstockburger@nfrmpo.org if you have any questions or concerns.

Sincerely,

Paul Sizemore
Executive Director

Encl: Project Application
Planning Council *Resolution 2025-04-Amended*

CC: Dana Hornkohl, City of Fort Collins
Josie Thomas, CDOT Region 4
Whitney Holcomb, CDOT Region 4
Bryce Reeves, CDOT Region 4
Jan Rowe, CDOT
Michael Snow, CDOT
Becky Karasko, NFRMPO
Jonathan Stockburger, NFRMPO

File Attachments for Item:

14. First Reading of Ordinance No. 047, 2025, Appropriating Prior Year Reserves in the Parking Fund for Hourly Expenses.

The purpose of this item is to appropriate prior year reserves from the Parking Fund to support 2025 hourly salaries.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Monica Martinez, Sr. Manager, PDT Finance
Eric Keselburg, Sr. Manager, Parking Services

SUBJECT

First Reading of Ordinance No. 047, 2025, Appropriating Prior Year Reserves in the Parking Fund for Hourly Expenses.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate prior year reserves from the Parking Fund to support 2025 hourly salaries.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Parking Services has historically budgeted for hourly positions, however, during the 2025/2026 Budgeting for Outcomes (BFO) process, hourly salaries for Parking Services were omitted in error. This Ordinance will appropriate \$108,306 in prior year Parking Fund Reserves to support Parking Services' hourly budget for the 2025 fiscal year. This amount is equal to Parking Services' 2024 hourly spend with a 3.5% inflationary factor.

CITY FINANCIAL IMPACTS

This item will appropriate \$108,306 in prior year Parking Fund Reserves.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 047, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE PARKING
FUND FOR HOURLY EXPENSES

A. The City's Parking Services has historically budgeted salaries for hourly positions during the City's annual Budgeting for Outcomes ("BFO") process.

B. During the 2025/2026 BFO process, hourly salaries for Parking Services were omitted in error.

C. Parking Services' hourly budget for the 2025 fiscal year is equal to Parking Services' hourly spend during the 2024 fiscal year with a 3.5 percent inflationary factor.

D. The budget shortfall is \$108,306.

E. These funds are available from the Parking Services Fund prior year reserves.

F. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of funding the salary compensation of the City's Parking Services staff.

G. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

H. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Parking Fund and that this appropriation will not cause the total amount appropriated in the Parking Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from prior year reserves in the Parking Services Fund the sum of ONE HUNDRED EIGHT THOUSAND THREE HUNDRED SIX DOLLARS: (\$108,306) to be expended in the Parking Services Fund for Parking Services Hourly Expenses.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan

File Attachments for Item:

15. Items Relating to the Carpenter and Timberline Intersection Project.

A. First Reading of Ordinance No. 048, 2025, Making a Supplemental Appropriation for the Carpenter and Timberline Intersection Project.

B. Resolution 2025-015 Authorizing the Execution of an Amendment to an Existing Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for the Carpenter and Timberline Intersection Project.

The purpose of these items is to enable the City to receive and expend Federal funds for the Carpenter and Timberline Intersection project (Project). The funds will be used for design and construction of improvements at the intersection of Carpenter Road and Timberline Road. If approved, the items will: 1) appropriate \$2,082,608 of Highway Safety Improvement Program (HSIP) grant funds to the Project; 2) authorize the Mayor to execute an amendment to the Intergovernmental Agreement (IGA) for the Project with Colorado Department of Transportation (CDOT).

The Project will not appropriate any money to the Art in Public Places Program as the Project is 100% grant funded at this time.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Gunnar Hale, Project Manager
Dana Hornkohl, Capital Project Manager

SUBJECT

Items Relating to the Carpenter and Timberline Intersection Project.

EXECUTIVE SUMMARY

A. First Reading of Ordinance No. 048, 2025, Making a Supplemental Appropriation for the Carpenter and Timberline Intersection Project.

B. Resolution 2025-015 Authorizing the Execution of an Amendment to an Existing Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for the Carpenter and Timberline Intersection Project.

The purpose of these items is to enable the City to receive and expend Federal funds for the Carpenter and Timberline Intersection project (Project). The funds will be used for design and construction of improvements at the intersection of Carpenter Road and Timberline Road. If approved, the items will: 1) appropriate \$2,082,608 of Highway Safety Improvement Program (HSIP) grant funds to the Project; 2) authorize the Mayor to execute an amendment to the Intergovernmental Agreement (IGA) for the Project with Colorado Department of Transportation (CDOT).

The Project will not appropriate any money to the Art in Public Places Program as the Project is 100% grant funded at this time.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution and Ordinance on First Reading.

BACKGROUND / DISCUSSION

The intersection of Carpenter Road and Timberline Road has significant congestion, and this congestion often causes traffic to backup westbound more than a half mile. The westbound right turn auxiliary lane creates significant conflicts and crash problems particularly during the congested time periods.

There have been 42 reported accidents reported from 2020 through 2022 at the intersection of Carpenter and Timberline. Most of the reported accidents at this intersection are rear end crashes that occurred when traffic is backed up.

The improvements proposed for this Project will create space intended to eliminate most of the conflicts that result in crashes at the Carpenter and Timberline Intersection.

CITY FINANCIAL IMPACTS

The following is a summary of the funding anticipated for design, right-of-way acquisition, and construction for the Carpenter and Timberline Intersection project.

Prior Appropriated Funds	
Highway Safety Improvement Program (HSP) Grant Funds	\$ 696,285
Total Prior Appropriation	\$ 696,285
Funds to be Reappropriated per this Action	
Highway Safety Improvement Program (HSP) Grant Funds	\$ 2,082,608
Total Funds to be Reappropriated per this Action	\$ 2,082,608
Total Project Funds	\$ 2,778,893

The total fund amount projected for this Project is \$2,778,893 composed of funds appropriated with prior actions and with this action.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Staff will present the Project to the Transportation Board later in 2025 as the conceptual design is completed.

PUBLIC OUTREACH

Staff will work with the Communication and Public Involvement Office (CPIO) to develop a comprehensive outreach and communication plan for the Project. The Project will be presented to the public at the Transportation Projects Fair on March 6, 2025.

ATTACHMENTS

1. Ordinance for Consideration
2. Resolution for Consideration
3. Exhibit A to Resolution
4. Carpenter and Timberline Intersection – Vicinity Map

ORDINANCE NO. 048, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION FOR THE
CARPENTER AND TIMBERLINE INTERSECTION PROJECT

A. The Carpenter Road and Timberline Road intersection is the site of significant congestion in the westbound Carpenter Road turning lane onto northbound Timberline Road, often causing traffic to back up westbound for more than half a mile.

B. The westbound right-turn auxiliary lane on Carpenter Road results in significant crashes particularly during congested time periods, with a majority of the reported accidents being rear end crashes that occur when traffic is backed up.

C. The Carpenter and Timberline Intersection Project (the “Project”) has been developed to address these safety concerns and eliminate most of the conflicts presented by this intersection that result in crashes.

D. The Project’s proposed improvements include construction of a multi-lane roundabout, which will create more space for cars, reducing queuing for turns and reducing overall congestion, thereby mitigating the related rear end crashes and fixed object collisions.

E. In 2020, the City was awarded fiscal year 2023 Highway Safety Improvement Program (“HSIP”) grant funds through the North Front Range Metropolitan Planning Organization (“NFRMPO”) and (“HISP Funds”) the Colorado Department of Transportation (“CDOT”) for the design, right-of-way acquisition, and construction of the Project. The HISP Funds became available to the City in the State fiscal year 2023 and were appropriated via City Council Ordinance No. 051, 2023.

F. Later in 2023 the Project was analyzed through CDOT’s Intersection Control Assessment Tool which determined that a multilane roundabout would best serve the intersection given the crash data and traffic volumes, and CDOT approved additional HSIP grant funds for the City of Fort Collins to use toward the design, right-of-way acquisition, and construction of the Project. The HSIP funding that is the subject of this ordinance came available in the State Fiscal year of 2025 (July 2024). The additional HSIP award is 100% federal funding totaling \$2,082,608.

G. HSIP grant funds are administered by CDOT with project delivery oversight pursuant to an intergovernmental agreement and an amendment to that agreement between CDOT and the City.

H. The purpose of this ordinance is to enable the City to receive, appropriate and expend the additional HSIP grant funds.

I. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

J. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Capital Projects fund and that this appropriation will not cause the total amount appropriated in the Capital Projects fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this fund during this fiscal year.

K. The funds appropriated in this Ordinance for the Project are ineligible for use in the Art in Public Places program due to restrictions placed on them by the HSIP grant administered by the Colorado Department of Transportation.

L. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

M. The City Council wishes to designate the appropriation herein from the Highway Safety Improvement Program grant funds as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

N. The appropriations in this Ordinance benefit public health, safety and welfare of the residents of Fort Collins and serve the public purpose of improving transportation infrastructure and safety within the City.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Capital Projects fund the sum of TWO MILLION EIGHTY-TWO THOUSAND SIX HUNDRED EIGHT DOLLARS (\$2,082,608) to be expended in the Capital Projects fund for the Carpenter and Timberline Intersection Project.

Section 2. The appropriation herein for the Highway Safety Improvement Program grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue

until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Heather N. Jarvis

RESOLUTION 2025-015
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN
EXISTING INTERGOVERNMENTAL AGREEMENT BETWEEN THE
CITY OF FORT COLLINS AND THE COLORADO DEPARTMENT OF
TRANSPORTATION FOR THE CARPENTER AND TIMBERLINE
INTERSECTION PROJECT

A. The Carpenter Road and Timberline Road intersection is the site of significant congestion in the westbound Carpenter Road turning onto northbound Timberline Road, often causing traffic to back up westbound for more than half a mile.

B. The westbound right-turn auxiliary lane on Carpenter Road results in significant crashes particularly during congested time periods, with a majority of the reported accidents being rear end crashes that occur when traffic is backed up.

C. The Carpenter and Timberline Intersection Project (the "Project") has been developed to address these safety concerns and eliminate most of the conflicts presented by this intersection that result in crashes.

D. The Project's proposed improvements include construction of a multi-lane roundabout, which will create more space for cars, reducing queuing for turns and reducing overall congestion, thereby mitigating the related rear end crashes and fixed object collisions.

E. In 2020, the City was awarded fiscal year 2023 Highway Safety Improvement Program ("HSIP") grant funds ("HSIP Funds") through the North Front Range Metropolitan Planning Organization ("NFRMPO") and the Colorado Department of Transportation ("CDOT") for the design, right-of-way acquisition, and construction of the Project.

F. The HSIP Funds became available to the City in the State fiscal year 2023, and CDOT then proposed an intergovernmental agreement ("IGA") between CDOT and the City that outlines the terms and conditions of the use of the HSIP Funds. City Council Resolution 2023-032 authorized the execution of that IGA.

G. Later in 2023, the Project was analyzed through CDOT's Intersection Control Assessment Tool which determined that a multilane roundabout would best serve the intersection given the crash data and traffic volumes, and CDOT approved additional HSIP grant funds for the City of Fort Collins to use toward the design, right-of-way acquisition, and construction of the Project. The HSIP funding that is the subject of this resolution came available in the State Fiscal year of 2025 (July 2024). The additional HSIP award is 100% federal funding totaling \$2,082,608.

H. CDOT has proposed an amendment to the IGA between CDOT and the City (the "Amendment"), which outlines the terms and conditions of the use of the additional HSIP grant funds.

I. Colorado Revised Statutes Section 29-1-203 provides that governments may cooperate or contract with one another to provide certain services or facilities when the cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve.

J. City Charter Article II, Section 16 empowers the City Council, by ordinance or resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services or enter into cooperative or joint activities with other governmental bodies.

K. Municipal Code Section 1-22 requires the City Council to approve intergovernmental agreements that require the City to make a direct, monetary payment over \$50,000, and although the City is not required to make a local match for this funding, the proposed Amendment involves total project funding in the amount of \$2,082,608. City staff recommends that the City Council appropriate funds in this amount by separate ordinance.

L. The City Council finds and determines that the Project and the HSIP grant funding are in the best interests of the City, that they advance the public's health, safety, and welfare by facilitating further design and improvement of the City's transportation safety and infrastructure, and that the Mayor be authorized to execute the Amendment between the City and CDOT in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council authorizes the Mayor to execute, on behalf of the City, the Amendment with the Colorado Department of Transportation, in substantially the form attached hereto as Exhibit A, with additional or modified terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Section 2. The City Council hereby authorizes the City Manager to approve and execute future amendments to the intergovernmental agreement with the Colorado Department of Transportation relating to the Project that the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to facilitate completion of the Project, so long as such amendments do not increase the cost of the Project, substantially modify the purposes of the intergovernmental agreement, increase the allocation or amount of funding for the Project funded by the City, or otherwise increase

the obligations and responsibilities of the City as set forth in this amendment to the intergovernmental agreement.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Heather N. Jarvis

STATE OF COLORADO AMENDMENT

Amendment #: 1

Project #: SHO M455-136 (23881)

SIGNATURE AND COVER PAGE

State Agency Department of Transportation		Amendment Routing Number 23-HA4-XC-00052-M0001
Local Agency CITY OF FORT COLLINS		Original Agreement Routing Number 23-HA4-XC-00052
Agreement Maximum Amount	\$2,778,893.00	Agreement Performance Beginning Date May 09, 2023
		Initial Agreement Expiration Date February 22, 2033

THE PARTIES HERETO HAVE EXECUTED THIS AMENDMENT

Each person signing this Amendment represents and warrants that he or she is duly authorized to execute this Amendment and to bind the Party authorizing his or her signature.

STATE OF COLORADO
Jared S. Polis, Governor
 Department of Transportation
 Shoshana M. Lew, Executive Director

Keith Stefanik, P.E., Chief Engineer

Date: _____

<p>LOCAL AGENCY CITY OF FORT COLLINS</p> <p>_____</p> <p>Signature</p> <p>_____</p> <p>By: (Print Name and Title)</p> <p>Date: _____</p>	<p>LOCAL AGENCY (2nd Signature if Necessary)</p> <p>_____</p> <p>Signature</p> <p>_____</p> <p>By: (Print Name and Title)</p> <p>Date: _____</p>
---	--

In accordance with §24-30-202 C.R.S., this Amendment is not valid until signed and dated below by the State Controller or an authorized delegate.

STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By: _____

Department of Transportation

Amendment Effective Date: _____

1) PARTIES

This Amendment (the "Amendment") to the Original Agreement shown on the Signature and Cover Page for this Amendment (the "Agreement") is entered into by and between the Local Agency and the State.

2) TERMINOLOGY

Except as specifically modified by this Amendment, all terms used in this Amendment that are defined in the Agreement shall be construed and interpreted in accordance with the Agreement.

3) EFFECTIVE DATE AND ENFORCEABILITY**A. Amendment Effective Date**

This Amendment shall not be valid or enforceable until the Amendment Effective Date shown on the Signature and Cover Page for this Amendment. The State shall not be bound by any provision of this Amendment before that Amendment Effective Date, and shall have no obligation to pay the Local Agency for any Work performed or expense incurred under this Amendment either before or after the Amendment term shown in **§3.B** of this Amendment

B. Amendment Term

The Parties' respective performances under this Amendment and the changes to the Agreement contained herein shall commence on the Amendment Effective Date shown on the Signature and Cover Page for this Amendment and shall terminate on the termination of the Agreement.

4) PURPOSE

The Parties entered into the original Agreement for the Carpenter and Timberline Intersection Project. The Parties now desire to increase the total funds.

5) MODIFICATIONS

The Parties desire to:

- a) Increase the total funds from \$696,285.00 by \$2,082,608.00 to new total funds of \$2,778,893.00.
- b) Replace the State funds of \$69,628.00 with federal funds of \$69,628.00.
- c) Replace Exhibit C-2 with Exhibit C-3, which is attached hereto. Any reference in the original Agreement to Exhibit C, Exhibit C-1, or Exhibit C-2 shall now be a reference to Exhibit C-3.

6) LIMITS OF EFFECT

This Amendment is incorporated by reference into the Agreement, and the Agreement and all prior amendments or other modifications to the Agreement, if any, remain in full force and effect except as specifically modified in this Amendment. Except for the Special Provisions contained in the Agreement, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Agreement or any prior modification to the Agreement, the provisions of this Amendment shall in all respects supersede, govern, and control. The provisions of this Amendment shall only supersede, govern, and control over the Special Provisions contained in the Agreement to the extent that this Amendment specifically modifies those Special Provisions.

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EXHIBIT C-3 - FUNDING PROVISIONS

City of Fort Collins - SHO M455-136 (23881)

A. Cost of Work Estimate

The Local Agency has estimated the total cost the Work to be \$2,778,893.00, which is to be funded as follows:

1. FUNDING		
a.	Federal Funds (100% of HSIP Award)	\$2,778,893.00
b.	State Funds (0% of HSIP Award)	\$0.00
c.	Local Agency Funds (0% of HSIP Award)	\$0.00
TOTAL FUNDS ALL SOURCES		\$2,778,893.00

2. OMB UNIFORM GUIDANCE		
a.	Federal Award Identification Number (FAIN):	693JJ22430000YS30COM455136 693JJ22430000YS32COM455136
b.	Name of Federal Awarding Agency:	FHWA
c.	Local Agency Unique Entity Identifier	VEJ3BS5GK5G1
d.	Assistance Listing # Highway Planning and Construction	ALN 20.205
e.	Is the Award for R&D?	No
f.	Indirect Cost Rate (if applicable)	N/A
g.	Amount of Federal Funds Obligated by this Action:	\$0.00
h.	Amount of Federal Funds Obligated to Date (including this Action):	\$570,000.00

3. ESTIMATED PAYMENT TO LOCAL AGENCY		
a.	Federal Funds Budgeted	\$2,778,893.00
b.	State Funds Budgeted	\$0.00
c.	Less Estimated Federal Share of CDOT-Incurred Costs	\$0.00
TOTAL ESTIMATED PAYMENT TO LOCAL AGENCY		100%
TOTAL ESTIMATED FUNDING BY LOCAL AGENCY		0%
TOTAL PROJECT ESTIMATED FUNDING		100%

4. FOR CDOT ENCUMBRANCE PURPOSES		
a.	Total Encumbrance Amount (Federal, State + Local Agency Funds)	\$2,778,893.00
b.	Less ROW Acquisition 3111 and/or ROW Relocation 3109	\$0.00
NET TO BE ENCUMBERED BY CDOT IS AS FOLLOWS		\$2,778,893.00

Note: Only \$570,000.00 in Design funds are currently available. Additional Design and Construction funds will become available after execution of an Option letter (Exhibit B) or formal Amendment.

WBS Element 23881.10.30	Performance Period Start*/End Date 07/05/2023 - 12/31/2027	Design 3020	\$570,000.00
WBS Element 23881.20.10	Performance Period Start*/End Date TBD - TBD	Const. 3301	\$0.00

*The Local Agency should not begin work until all three (3) of the following are in place: 1) Phase Performance Period Start Date; 2) the execution of the document encumbering funds for the respective phase; and 3) Local Agency receipt of the official Notice to Proceed. Any work performed before these three (3) milestones are achieved will not be reimbursable.

B. Funding Ratios

The funding ratio for the federal funds for this Work is 100% federal & State to 0% Local Agency funds, and this ratio applies only to the \$2,778,893.00 that is eligible for federal & State funding. All other costs are borne by the Local Agency at 100%. If the total cost of performance of the Work exceeds \$2,778,893.00, and additional federal funds & State funds are not available, the Local Agency shall pay all such excess costs. If the total cost of performance of the Work is less than \$2,778,893.00, then the amounts of Local Agency, State funds and federal funds will be decreased in accordance with the funding ratio described in **A1. This applies to the entire scope of Work.**

C. Maximum Amount Payable

The maximum amount payable to the Local Agency under this Agreement shall be \$2,778,893.00. For CDOT accounting purposes, the federal funds of \$2,778,893.00 and the Local Agency funds of \$0.00 will be encumbered for a total encumbrance of \$2,778,893.00, unless this amount is increased by an executed amendment before any increased cost is incurred. The total budget of this project is \$2,778,893.00, unless this amount is increased by an executed amendment before any increased cost is incurred. The total cost of the Work is the best estimate available, based on the design data as approved at the time of execution of this Agreement, and any cost is subject to revisions agreed to by the parties prior to bid and award. **This applies to the entire scope of Work.**

D. Single Audit Act Amendment

All state and local government and non-profit organizations receiving \$750,000 or more from all funding sources defined as federal financial assistance for Single Audit Act Amendment purposes shall comply with the audit requirements of 2 CFR part 200, subpart F (Audit Requirements) see also, 49 CFR 18.20 through 18.26. The Single Audit Act Amendment requirements applicable to the Local Agency receiving federal funds are as follows:

i. Expenditure less than \$750,000

If the Local Agency expends less than \$750,000 in Federal funds (all federal sources, not just Highway funds) in its fiscal year then this requirement does not apply.

ii. Expenditure of \$750,000 or more-Highway Funds Only

If the Local Agency expends \$750,000 or more, in Federal funds, but only received federal Highway funds (Catalog of Federal Domestic Assistance, CFDA 20.205) then a program specific audit shall be performed. This audit will examine the "financial" procedures and processes for this program area.

iii. Expenditure of \$750,000 or more-Multiple Funding Sources

If the Local Agency expends \$750,000 or more in Federal funds, and the Federal funds are from multiple sources (FTA, HUD, NPS, etc.) then the Single Audit Act applies, which is an audit on the entire organization/entity.

iv. Independent CPA

Single Audit shall only be conducted by an independent CPA, not by an auditor on staff. An audit is an allowable direct or indirect cost.



Location of Carpenter and Timberline Intersection Project Improvements

Mercator Projection
WGS84
UTM Zone 13T
 CALTOPO



Scale **1:2898** 1 inch = 242 feet



MN
7.7°

File Attachments for Item:

16. Items Relating to a State Carbon Reduction Program Grant to Fund ADA Bus Stop Improvements along Regionally Significant Corridors.

A. First Reading of Ordinance No. 049, 2025, Appropriating Prior Year Reserves and Authorizing Transfers to be Used as Local Match for Carbon Reduction Program Funding for ADA Bus Stop Improvements Projects.

B. Resolution 2025-016 Authorizing the Execution of an Intergovernmental Agreement Between the City and Colorado Department of Transportation to Fund Bus Stop Improvements Along Regionally Significant Corridors through the State Carbon Reduction Program.

The purpose of these items is to support Transfort in enhancing accessibility at bus stops in Transfort's service area.

The City was awarded \$538,447 in Carbon Reduction Program (CRP) grant funds from the Colorado Department of Transportation (CDOT) in support of Transfort performing bus stop improvements along Regionally Significant Corridors. The awarded funds and required local match of \$111,930 will support design, right-of-way (ROW) acquisition, the construction of concrete pads, and the installation of amenities such as shelters, benches, bike racks, and trash cans.

Approval of these items would support the City in enhancing accessibility at Transfort bus stops by:

- Authorizing the Mayor, by Resolution, to execute an Intergovernmental Agreement (IGA) with CDOT. This IGA will result in the receipt by Transfort of \$538,447 in CRP grant funds for fiscal year (FY) 2025.
- Transferring \$100,000 from the Community Capital Improvement Program Fund (CCIP) to the Transit Services Fund for ADA Bus Stop Improvements Projects where it will serve as local match for previously appropriated CRP Grant Funds.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Annabelle Phillips, Assistant Director, Transfort
 Monica Martinez, Manager, Finance

SUBJECT

Items Relating to a State Carbon Reduction Program Grant to Fund ADA Bus Stop Improvements along Regionally Significant Corridors.

EXECUTIVE SUMMARY

A. First Reading of Ordinance No. 049, 2025, Appropriating Prior Year Reserves and Authorizing Transfers to be Used as Local Match for Carbon Reduction Program Funding for ADA Bus Stop Improvements Projects.

B. Resolution 2025-016 Authorizing the Execution of an Intergovernmental Agreement Between the City and Colorado Department of Transportation to Fund Bus Stop Improvements Along Regionally Significant Corridors through the State Carbon Reduction Program.

The purpose of these items is to support Transfort in enhancing accessibility at bus stops in Transfort's service area.

The City was awarded \$538,447 in Carbon Reduction Program (CRP) grant funds from the Colorado Department of Transportation (CDOT) in support of Transfort performing bus stop improvements along Regionally Significant Corridors. The awarded funds and required local match of \$111,930 will support design, right-of-way (ROW) acquisition, the construction of concrete pads, and the installation of amenities such as shelters, benches, bike racks, and trash cans.

Approval of these items would support the City in enhancing accessibility at Transfort bus stops by:

- Authorizing the Mayor, by Resolution, to execute an Intergovernmental Agreement (IGA) with CDOT. This IGA will result in the receipt by Transfort of \$538,447 in CRP grant funds for fiscal year (FY) 2025.
- Transferring \$100,000 from the Community Capital Improvement Program Fund (CCIP) to the Transit Services Fund for ADA Bus Stop Improvements Projects where it will serve as local match for previously appropriated CRP Grant Funds.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution and Ordinance on First Reading.

BACKGROUND / DISCUSSION

On August 4, 2023, the North Front Range Metropolitan Planning Organization (NFRMPO) announced \$2,550,000 in Federal Highway Administration (FHWA) funds under the Carbon Reduction Program (CRP) to support projects designed to reduce transportation emissions. Under the CRP, transportation emissions are defined as carbon dioxide emissions from on-road highway sources of those emissions. These funds are administered through the Colorado Department of Transportation (CDOT).

Transfort was awarded \$538,447 in FY25 CRP grant funding to improve bus stops, requiring a local match of \$111,930. The required local match will be funded using \$11,930 from 2050 Tax Funds and \$100,000 from the Community Capital Improvement Program Fund (CCIP).

Transfort owns and maintains 415 of the 487 bus stops in its service area. This project will upgrade 11 of these stops along Regionally Significant Corridors (RSCs), including US 287, Mulberry Street, and Prospect Road, to ensure full compliance with Americans with Disabilities Act (ADA) standards, improve overall conditions, and enhance accessibility and equity for all users.

Bus stops are a critical component of the transit system, directly impacting service reliability, mobility, and accessibility. The grant funding and local match will support design, right-of-way (ROW) acquisition, and construction of concrete pads, and the installation of amenities such as shelters, benches, bike racks, and trash cans. These improvements align with City Council's priority to enhance accessibility at all Transfort bus stops by 2026 and advance broader local and regional transportation goals.

CITY FINANCIAL IMPACTS

The City is anticipated to receive \$538,447 in FY25 CRP funding via the IGA. These funds were previously appropriated as part of the 2025-2026 Budgeting for Outcomes process (Offer #: 65.17), with an additional local match of \$11,930 from 2050 Tax Funds. This Ordinance would transfer the \$100,000 CCIP funds needed to satisfy the remaining local match requirement to the Transit Services Fund. The following is a summary of the funding anticipated for the ADA Bus Stop Improvements Project using CRP grant funds:

Prior Appropriated Funds	
CRP Grant Funds	\$538,447
2025 Transit Tax	\$11,930
TOTAL PRIOR APPROPRIATION	\$550,377
Funds to be Appropriated per this Action	
CCIP Bus Stop Improvements Funds (<i>reserves, transfer</i>)	\$100,000
Total Funds to be Appropriated per this Action	\$100,000
Total Proposed Project Funds	\$650,377

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. Resolution for Consideration
3. Exhibit A to Resolution (CDOT Agreement FY25 CRP)
4. FY25 CRP Bus Stops - Map

ORDINANCE NO. 049, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS TO BE USED AS LOCAL MATCH FOR CARBON
REDUCTION PROGRAM FUNDING FOR ADA BUS STOP
IMPROVEMENTS PROJECTS

- A. Bus stops are a critical component of the transit system, directly impacting service reliability, mobility, and accessibility.
- B. Enhancing the accessibility of all Transfort bus stops by 2026 is a City Council priority.
- C. Transfort owns and maintains eleven bus stops along Regionally Significant Corridors in its service area, including US 287, Mulberry Street, and Prospect Road.
- D. Transfort will be upgrading these bus stops to enhance its compliance with Americans with Disabilities Act of 1990 (“ADA”) standards, improve overall conditions, and enhance accessibility and equity for all users of the public transit system (the “Project”).
- E. To support the Project, Transfort applied for and was awarded \$538,447 in Fiscal Year 2025 grant funding (the “Grant”) through the North Front Range Metropolitan Planning Organization’s Carbon Reduction Program (“CRP”), which grant is managed by the Colorado Department of Transportation (“CDOT”).
- F. The funds for the Project are to be administered by CDOT pursuant to an intergovernmental agreement (the “IGA”) with CDOT that outlines the terms and conditions of the use of the Grant funds, including a local match requirement of \$111,930.
- G. The City Council is concurrently considering Resolution 2025-016, to authorize the Mayor to execute the IGA.
- H. Transfort will utilize the Grant and local match to improve bus stops for the Project, including design, right-of-way acquisition, concrete pad construction, and the installation of amenities such as shelters, benches, bike racks, and trash cans.
- I. The Grant funds as well as \$11,930 in local matching funds were previously appropriated as part of the City’s 2025 through 2026 Budgeting for Outcomes Process.
- J. This Ordinance will transfer the remaining \$100,000 required for the local match from the Community Capital Improvement Program Fund to the Transit Services Fund for the ADA Bus Stop Improvements Project.
- K. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and the traveling public and serves the public purpose by

enhancing accessibility of the public transit system and advancing broader local and regional transportation goals.

L. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

M. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Community Capital Improvements Projects Fund and that this appropriation will not cause the total amount appropriated in the Community Capital Improvements Projects Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

N. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

O. The City Manager has recommended the transfer of \$100,000 from the Community Capital Improvements Program Fund to the Transit Services Fund determined that the purpose for which the transferred funds are to be expended remains unchanged.

P. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made but continue until the completion of the capital project.

Q. The City Council wishes to designate the appropriation herein for ADA Bus Stop Improvement Projects as an appropriation that shall not lapse until the completion of the projects.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from prior year reserves in the Community Capital Improvement Program Fund the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000) to be expended in the Community Capital

Improvement Program Fund for transfer to the Transit Services Fund for ADA Bus Stop Improvements Projects.

Section 2. The appropriation herein for ADA Bus Stop Improvements Projects is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the completion of the projects.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan

RESOLUTION 2025-016
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY
AND COLORADO DEPARTMENT OF TRANSPORTATION TO
FUND BUS STOP IMPROVEMENTS ALONG REGIONALLY
SIGNIFICANT CORRIDORS THROUGH THE STATE CARBON
REDUCTION PROGRAM

A. Transfort bus stops are a critical component of the City's transit system, directly impacting service reliability, mobility, and accessibility.

B. Transfort applied for and was awarded \$538,447 in Fiscal Year 2025 Carbon Reduction Program ("CRP") grant funding from the Colorado Department of Transportation ("CDOT") to perform upgrade improvements to eleven bus stops along regionally significant corridors within Transfort's service area to ensure compliance with Americans with Disabilities Act (ADA) standards, improve overall conditions, and enhance accessibility and equity for all users at these bus stops.

C. CDOT administers the grant funds and has proposed an intergovernmental agreement ("IGA") to enable the City to receive and expend the CRP grant funds to perform these bus stop improvements.

D. Colorado Revised Statutes Section 29-1-203 provides that government entities may cooperate or contract with one another to provide certain services or facilities when the cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve.

E. City Charter Article II, Section 16 empowers the City Council, by ordinance or resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services or enter into cooperative or joint activities with other governmental bodies.

F. City Code Section 1-22 requires the City Council to approve IGAs that require the City to make a direct, monetary payment over \$50,000, and the proposed IGA requires the City to provide matching funds in the amount of \$111,930.

G. CRP grant funding and local matching funds will support design, right-of-way acquisition, the construction of concrete pads, and the installation of amenities such as shelters, benches, bike racks, and trash cans.

H. These bus stop improvements align with the City Council's priority to enhance accessibility at all Transfort bus stops by 2026 and advance broader local and regional transportation goals.

I. The City Council has determined that the IGA with CDOT is in the best interests of the City and that the Mayor should be authorized to execute the IGA between the City and CDOT in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council authorizes the Mayor to execute, on behalf of the City, an Intergovernmental Agreement with the Colorado Department of Transportation, in substantially the form attached hereto as Exhibit A, with such additional or modified terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Section 2. The City Council hereby authorizes the City Manager to approve and execute future amendments to the IGA that the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to facilitate completion of the projects made possible through the Fiscal Year 2025 Carbon Reduction Program grant, so long as such amendments do not increase the cost of the projects, substantially modify the purposes of the intergovernmental agreement, increase the allocation or amount of funding for the projects funded by the City, or otherwise increase the obligations and responsibilities of the City as set forth in this intergovernmental agreement.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Madelene Shehan

STATE OF COLORADO INTERGOVERNMENTAL AGREEMENT

Signature and Cover Page

State Agency Department of Transportation		Agreement Routing Number 25-HA4-XC-00018	
Local Agency CITY OF FORT COLLINS		Agreement Effective Date The later of the effective date or February 18, 2025	
Agreement Description Transfort Bus Stop Upgrade		Agreement Expiration Date February 17, 2035	
Project # CRP M455-160 (26280)	Region # 4	Contract Writer TCH	Agreement Maximum Amount \$650,377.00

THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

Each person signing this Agreement represents and warrants that he or she is duly authorized to execute this Agreement and to bind the Party authorizing his or her signature.

<p align="center">LOCAL AGENCY CITY OF FORT COLLINS</p> <p>By: _____ *Signature</p> <p>Name: _____ (Print Name)</p> <p>Title: _____ (Print Title)</p> <p>Date: _____</p>	<p align="center">STATE OF COLORADO Jared S. Polis, Governor Department of Transportation Shoshana M. Lew, Executive Director</p> <hr/> <p align="center">Keith Stefanik, P.E., Chief Engineer</p> <p>Date: _____</p>
<p align="center">ADDITIONAL LOCAL AGENCY SIGNATURES CITY OF FORT COLLINS</p> <p>By: _____ *Signature</p> <p>Name: _____ (Print Name)</p> <p>Title: _____ (Print Title)</p> <p>Date: _____</p>	<p align="center">LEGAL REVIEW Philip J. Weiser, Attorney General</p> <hr/> <p align="center">Assistant Attorney General</p> <hr/> <p align="center">By: (Print Name and Title)</p> <p>Date: _____</p>
<p>In accordance with §24-30-202 C.R.S., this Agreement is not valid until signed and dated below by the State Controller or an authorized delegate.</p> <p>STATE CONTROLLER Robert Jaros, CPA, MBA, JD</p> <p>By: _____ Department of Transportation</p> <p>Effective Date: _____</p>	

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- EXHIBIT S, PII CERTIFICATION
- EXHIBIT T, CHECKLIST OF REQUIRED EXHIBITS DEPENDENT ON FUNDING SOURCE

1. PARTIES

This Agreement is entered into by and between Local Agency named on the Signature and Cover Page for this Agreement (“Local Agency”), and the STATE OF COLORADO acting by and through the State agency named on the Signature and Cover Page for this Agreement (the “State” or “CDOT”). Local Agency and the State agree to the terms and conditions in this Agreement.

2. TERM AND EFFECTIVE DATE

A. Effective Date

This Agreement shall not be valid or enforceable until the Effective Date, and Agreement Funds shall be expended within the dates shown in **Exhibit C** for each respective phase (“Phase Performance Period(s)”). The State shall not be bound by any provision of this Agreement before the Effective Date, and shall have no obligation to pay Local Agency for any Work performed or expense incurred before 1) the Effective Date of this original Agreement; except as described in **§7.D**; 2) before the encumbering document for the respective phase *and* the official Notice to Proceed for the respective phase; or 3) after the Final Phase Performance End Date, as shown in **Exhibit C**. Additionally, the State shall have no obligation to pay Local Agency for any Work performed or expense incurred after the Agreement Expiration Date or after required billing deadline specified in **§7.B.i.e.**, or the expiration of “Special Funding” if applicable, whichever is sooner. The State’s obligation to pay Agreement Funds exclusive of Special Funding will continue until the Agreement Expiration Date. If Agreement Funds expire before the Agreement Expiration Date, then no payments will be made after expiration of Agreement Funds.

B. Initial Term and Extension

The Parties’ respective performances under this Agreement shall commence on the Agreement Effective Date shown on the Signature and Cover Page for this Agreement and shall terminate on February 17, 2025 as shown on the Signature and Cover Page for this Agreement, unless sooner terminated or further extended in accordance with the terms of this Agreement. Upon request of Local Agency, the State may, in its sole discretion, extend the term of this Agreement by Option Letter pursuant **§7.E.iv**. If the Work will be performed in multiple phases, the period of performance start and end date of each phase is detailed under the Project Schedule in **Exhibit C**.

C. Early Termination in the Public Interest

The State is entering into this Agreement to serve the public interest of the State of Colorado as determined by its Governor, General Assembly, or Courts. If this Agreement ceases to further the public interest of the State, and this ARPA Award is not appropriated, or otherwise become unavailable to fund this ARPA Award the State, in its discretion, may terminate this Agreement in whole or in part. This subsection shall not apply to a termination of this Agreement by the State for breach by Local Agency, which shall be governed by **§14.A.i**.

i. Method and Content

The State shall notify Local Agency by providing written notice to Local Agency of the termination and be in accordance with **§16**. The notice shall specify the effective date of the termination and whether it affects all or a portion of this Agreement.

ii. Obligations and Rights

Upon receipt of a termination notice for termination in the public interest, Local Agency shall be subject to **§14.A.i.a**

iii. Payments

If the State terminates this Agreement in the public interest, the State shall pay Local Agency an amount equal to the percentage of the total reimbursement payable under this Agreement that corresponds to the percentage of Work satisfactorily completed and accepted, as determined by the State, less payments previously made. Additionally, if this Agreement is less than 60% completed, as determined by the State, the State may reimburse Local Agency for a portion of actual out-of-pocket expenses, not otherwise reimbursed under this Agreement, incurred by Local Agency which are directly attributable to the uncompleted portion of Local Agency’s obligations, provided that the sum of any and all reimbursement shall not exceed the maximum amount payable to Local Agency hereunder. This subsection shall not apply to a termination of this ARPA Award by the State for breach by Local Agency.

D. Local Agency Termination Under Federal Requirements

Local Agency may request termination of the ARPA Award by sending notice to the State, which includes the effective date of the termination. If this ARPA Award is terminated in this manner, then Local Agency shall return any advanced payments made for work that will not be performed prior to the effective date of the termination.

3. AUTHORITY

Authority to enter into this Agreement exists in the law as follows:

A. Federal Authority

Pursuant to Title I, Subtitle A, of the “Fixing America’s Surface Transportation Act” (FAST Act) of 2015, and to applicable provisions of Title 23 of the United States Code and implementing regulations at Title 23 of the Code of Federal Regulations, as may be amended, (collectively referred to hereinafter as the “Federal Provisions”), certain federal funds have been and are expected to continue to be allocated for transportation projects requested by Local Agency and eligible under the Surface Transportation Improvement Program that has been proposed by the State and approved by the Federal Highway Administration (“FHWA”).

Pursuant to Title VI of the Social Security Act, Section 602 of the “Coronavirus State and Local Fiscal Recovery Funds”, a part of the American Rescue Plan, provides state, local and Tribal governments with the resources needed to respond to the pandemic and its economic effects and to build a stronger, more equitable economy during the recovery.

B. State Authority

Pursuant to CRS §43-1-223 and to applicable portions of the Federal Provisions, the State is responsible for the general administration and supervision of performance of projects in the Program, including the administration of federal funds for a Program project performed by a Local Agency under a contract with the State. This Agreement is executed under the authority of CRS §§29-1-203, 43-1-110; 43-1-116, 43-2-101(4)(c) and 43-2-104.5.

4. PURPOSE

The purpose of this Agreement is to disburse Federal funds to the Local Agency pursuant to CDOT’s Stewardship Agreement with the FHWA and/or USDT as shown in **Exhibit C**.

5. DEFINITIONS

The following terms shall be construed and interpreted as follows:

- A. “**Agreement**” means this agreement, including all attached Exhibits, all documents incorporated by reference, all referenced statutes, rules and cited authorities, and any future modifications thereto.
- B. “**Agreement Funds**” means the funds that have been appropriated, designated, encumbered, or otherwise made available for payment by the State under this Agreement.
- C. “**ARPA**” means American Rescue Plan Act, funded by the US Department of the Treasury (“USDT”). See “SLFRF” below.
- D. “**Award**” means an award by a Recipient to a Subrecipient funded in whole or in part by a Federal Award. The terms and conditions of the Federal Award flow down to the Award unless the terms and conditions of the Federal Award specifically indicate otherwise.
- E. “**Budget**” means the budget for the Work described in **Exhibit C**.
- F. “**Business Day**” means any day in which the State is open and conducting business, but shall not include Saturday, Sunday or any day on which the State observes one of the holidays listed in §24-11-101(1) C.R.S..
- G. “**Chief Procurement Officer**” means the individual to whom the Executive Director has delegated his or her authority pursuant to §24-102-202 to procure or supervise the procurement of all supplies and services needed by the State.
- H. “**CJI**” means criminal justice information collected by criminal justice agencies needed for the performance of their authorized functions, including, without limitation, all information defined as criminal justice information by the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Security Policy, as amended and all Criminal Justice Records as defined under §24-72-302, C.R.S.
- I. “**Consultant**” means a professional engineer or designer hired by Local Agency to design the Work Product.
- J. “**Contractor**” means the general construction contractor hired by Local Agency to construct the Work.

- K. **“CORA”** means the Colorado Open Records Act, §§24-72-200.1 *et. seq.*, C.R.S.
- L. **“Effective Date”** means the date on which this Agreement is approved and signed by the Colorado State Controller or designee, as shown on the Signature and Cover Page for this Agreement.
- M. **“Evaluation”** means the process of examining Local Agency’s Work and rating it based on criteria established in §6, **Exhibit A** and **Exhibit E**.
- N. **“Exhibits”** means the following exhibits attached to this Agreement:
- i. **Exhibit A**, Scope of Work.
 - ii. **Exhibit B**, Sample Option Letter.
 - iii. **Exhibit C**, Funding Provisions
 - iv. **Exhibit D**, Local Agency Resolution
 - v. **Exhibit E**, Local Agency Contract Administration Checklist
 - vi. **Exhibit F**, Certification for Federal-Aid Contracts
 - vii. **Exhibit G**, Disadvantaged Business Enterprise
 - viii. **Exhibit H**, Local Agency Procedures for Consultant Services
 - ix. **Exhibit I**, Federal-Aid Contract Provisions for Construction Contracts
 - x. **Exhibit J**, Additional Federal Requirements
 - xi. **Exhibit K**, The Federal Funding Accountability and Transparency Act of 2006 (FFATA) Supplemental Federal Provisions
 - xii. **Exhibit L**, Sample Sub-Recipient Monitoring and Risk Assessment Form
 - xiii. **Exhibit M**, Supplemental Provisions for Federal Awards Subject to The Office of Management and Budget Uniform Administrative Requirements, Cost principles, and Audit Requirements for Federal Awards (the “Uniform Guidance”)
 - xiv. **Exhibit N**, Federal Treasury Provisions
 - xv. **Exhibit O**, Agreement with Subrecipient of Federal Recovery Funds
 - xvi. **Exhibit P**, SLFRF Subrecipient Quarterly Report
 - xvii. **Exhibit Q**, SLFRF Reporting Modification Form
 - xviii. **Exhibit R**, Applicable Federal Awards
 - xix. **Exhibit S**, PII Certification
 - xx. **Exhibit T**, Checklist of Required Exhibits Dependent on Funding Source
- O. **“Expiration Date”** means the date on which this Agreement expires, as shown on the Signature and Cover Page for this Agreement.
- P. **“Extension Term”** means the period of time by which the ARPA Expiration Date is extended by the State through delivery of an updated ARPA Letter.
- Q. **“Federal Award”** means an award of Federal financial assistance or a cost-reimbursement contract under the Federal Acquisition Requirements by a Federal Awarding Agency to a Recipient. “Federal Award” also means an agreement setting forth the terms and conditions of the Federal Award. The term does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program.
- R. **“Federal Awarding Agency”** means a Federal agency providing a Federal Award to a Recipient. The US Department of the Treasury is the Federal Awarding Agency for the Federal Award, which may be the subject of this Agreement.
- S. **“FHWA”** means the Federal Highway Administration, which is one of the twelve administrations under the Office of the Secretary of Transportation at the U.S. Department of Transportation. FHWA provides stewardship over the construction, maintenance and preservation of the Nation’s highways and tunnels. FHWA is the Federal Awarding Agency for the Federal Award which is the subject of this Agreement.
- T. **“Goods”** means any movable material acquired, produced, or delivered by Local Agency as set forth in this Agreement and shall include any movable material acquired, produced, or delivered by Local Agency in connection with the Services.

- U. **“Incident”** means any accidental or deliberate event that results in or constitutes an imminent threat of the unauthorized access or disclosure of State Confidential Information or of the unauthorized modification, disruption, or destruction of any State Records.
- V. **“Initial Term”** means the time period defined in **§2.B**.
- W. **“Local Funds”** means the funds provided by the Local Agency as their obligated contribution to the federal and/or State Awards to receive the federal and/or State funding.
- X. **“Notice to Proceed”** means the letter issued by the State to the Local Agency stating the date the Local Agency can begin work subject to the conditions of this Agreement.
- Y. **“OMB”** means the Executive Office of the President, Office of Management and Budget.
- Z. **“Oversight”** means the term as it is defined in the Stewardship Agreement between CDOT and the FHWA.
- AA. **“Party”** means the State or Local Agency, and **“Parties”** means both the State and Local Agency.
- BB. **“PCI”** means payment card information including any data related to credit card holders’ names, credit card numbers, or the other credit card information as may be protected by state or federal law.
- CC. **“PHI”** means any protected health information, including, without limitation any information whether oral or recorded in any form or medium: **(i)** that relates to the past, present or future physical or mental condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual; and **(ii)** that identifies the individual or with respect to which there is a reasonable basis to believe the information can be used to identify the individual. PHI includes, but is not limited to, any information defined as Individually Identifiable Health Information by the federal Health Insurance Portability and Accountability Act.
- DD. **“PII”** means personally identifiable information including, without limitation, any information maintained by the State about an individual that can be used to distinguish or trace an individual’s identity, such as name, social security number, date and place of birth, mother’s maiden name, or biometric records; and any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information. PII includes, but is not limited to, all information defined as personally identifiable information in §24-72-501 C.R.S. “PII” shall also mean “personal identifying information” as set forth at § 24-74-102, et. seq., C.R.S.
- EE. **“Recipient”** means the Colorado Department of Transportation (CDOT) for this Federal Award.
- FF. **“Services”** means the services to be performed by Local Agency as set forth in this Agreement and shall include any services to be rendered by Local Agency in connection with the Goods.
- GG. **“SLFRF”** means State and Local Fiscal Recovery Funds, provided by ARPA, funded by the US Treasury Department.
- HH. **“Special Funding”** means an award by Federal agency or the State which may include but is not limited to one or a combination of Multimodal Transportation & Mitigation Options Funding, Revitalizing Main Streets, Safer Main Streets, Stimulus Funds, Coronavirus Response and Relief Supplemental Funds, ARPA, SLFRF, or COVID Relief.
- II. **“State Confidential Information”** means any and all State Records not subject to disclosure under CORA. State Confidential Information shall include, but is not limited to, PII and State personnel records not subject to disclosure under CORA.
- JJ. **“State Fiscal Rules”** means the fiscal rules promulgated by the Colorado State Controller pursuant to §24-30-202(13)(a).
- KK. **“State Fiscal Year”** means a 12-month period beginning on July 1 of each calendar year and ending on June 30 of the following calendar year. If a single calendar year follows the term, then it means the State Fiscal Year ending in that calendar year.
- LL. **“State Purchasing Director”** means the position described in the Colorado Procurement Code and its implementing regulations.

- MM. **“State Records”** means any and all State data, information, and records, regardless of physical form, including, but not limited to, information subject to disclosure under CORA.
- NN. **“Sub-Award”** means this Award by the State to Local Agency funded in whole or in part by a Federal Award. The terms and conditions of the Federal Award flow down to this Sub-Award unless the terms and conditions of the Federal Award specifically indicate otherwise.
- OO. **“Subcontractor”** means third parties, if any, engaged by Local Agency to aid in performance of the Work.
- PP. **“Subrecipient”** means a non-Federal entity that receives a sub-award from a Recipient to carry out part of a Federal program but does not include an individual that is a beneficiary of such program. A Subrecipient may also be a recipient of other Federal Awards directly from a Federal Awarding Agency.
- QQ. **“Tax Information”** means Federal and State of Colorado tax information including, without limitation, Federal and State tax returns, return information, and such other tax-related information as may be protected by Federal and State law and regulation. Tax Information includes but is not limited to all information defined as Federal tax Information in Internal Revenue Service Publication 1075.
- RR. **“Uniform Guidance”** means the Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, which supersedes requirements from OMB Circulars A-21, A-87, A-110, A-122, A-89, A-102, and A-133, and the guidance in Circular A-50 on Single Audit Act follow-up.
- SS. **“USDT”** The United States Department of the Treasury (**USDT**) is the national treasury and finance department of the federal government of the United States where it serves as an executive department. The USDT funds ARPA.
- TT. **“Work”** means the delivery of the Goods and performance of the Services in compliance with CDOT’s Local Agency Manual described in this Agreement.
- UU. **“Work Product”** means the tangible and intangible results of the Work, whether finished or unfinished, including drafts. Work Product includes, but is not limited to, documents, text, software (including source code), research, reports, proposals, specifications, plans, notes, studies, data, images, photographs, negatives, pictures, drawings, designs, models, surveys, maps, materials, ideas, concepts, know-how, and any other results of the Work. “Work Product” does not include any material that was developed prior to the Effective Date that is used, without modification, in the performance of the Work.

Any other term used in this Agreement that is defined in an Exhibit shall be construed and interpreted as defined in that Exhibit.

6. SCOPE OF WORK

Local Agency shall complete the Work as described in this Agreement and in accordance with the provisions of **Exhibit A**, and the Local Agency Manual. The State shall have no liability to compensate Local Agency for the delivery of any Goods or the performance of any Services that are not specifically set forth in this Agreement. Work may be divided into multiple phases that have separate periods of performance. The State may not compensate for Work that Local Agency performs outside of its designated phase performance period. The performance period of phases, including, but not limited to Design, Construction, Right of Way, Utilities, or Environment phases, are identified in **Exhibit C**. The State may unilaterally modify **Exhibit C** from time to time, at its sole discretion, to extend the Agreement Expiration Date and/or to extend the period of performance for a phase of Work authorized under this Agreement. To exercise these options to extend the Agreement Expiration Date and/or to update the phase performance period extension option, the State will provide written notice to Local Agency in a form substantially equivalent to **Exhibit B**. The State’s unilateral extension of the Agreement Expiration Date and/or the phase performance periods will not amend or alter in any way the funding provisions or any other terms specified in this Agreement, notwithstanding the options listed under **§7.E**

A. Local Agency Commitments

i. Design

If the Work includes preliminary design, final design, design work sheets, or special provisions and estimates (collectively referred to as the “Plans”), Local Agency shall ensure that it and its Contractors comply with and are responsible for satisfying the following requirements:

- a. Perform or provide the Plans to the extent required by the nature of the Work.
 - b. Prepare final design in accordance with the requirements of the latest edition of the American Association of State Highway Transportation Officials (AASHTO) manual or other standard, such as the Uniform Building Code, as approved by the State.
 - c. Prepare provisions and estimates in accordance with the most current version of the State's Roadway and Bridge Design Manuals and Standard Specifications for Road and Bridge Construction or Local Agency specifications if approved by the State.
 - d. Include details of any required detours in the Plans in order to prevent any interference of the construction Work and to protect the traveling public.
 - e. Stamp the Plans as produced by a Colorado registered professional engineer.
 - f. Provide final assembly of Plans and all other necessary documents.
 - g. Ensure the Plans are accurate and complete.
 - h. Make no further changes in the Plans following the award of the construction contract to Contractor unless agreed to in writing by the Parties. The Plans shall be considered final when approved in writing by CDOT, and when final, they will be deemed incorporated herein.
- ii. Local Agency Work
- a. Local Agency shall comply with the requirements of the Americans With Disabilities Act (ADA) 42 U.S.C. § 12101, et. seq., and applicable federal regulations and standards as contained in the document "ADA Accessibility Requirements in CDOT Transportation Projects".
 - b. Local Agency shall afford the State ample opportunity to review the Plans and shall make any changes in the Plans that are directed by the State to comply with FHWA requirements.
 - c. Local Agency may enter into a contract with a Consultant to perform all or any portion of the Plans and/or construction administration. Provided, however, if federal-aid funds are involved in the cost of such Work to be done by such Consultant, such Consultant contract (and the performance provision of the Plans under the contract) must comply with all applicable requirements of 23 C.F.R. Part 172 and with any procedures implementing those requirements as provided by the State, including those in **Exhibit H**. If Local Agency enters into a contract with a Consultant for the Work:
 - 1) Local Agency shall submit a certification that procurement of any Consultant contract complies with the requirements of 23 C.F.R. 172.5(1) prior to entering into such Consultant contract, subject to the State's approval. If not approved by the State, Local Agency shall not enter into such Consultant contract.
 - 2) Local Agency shall ensure that all changes in the Consultant contract have prior approval by the State and FHWA and that they are in writing. Immediately after the Consultant contract has been awarded, one copy of the executed Consultant contract and any amendments shall be submitted to the State.
 - 3) Local Agency shall require that all billings under the Consultant contract comply with the State's standardized billing format. Examples of the billing formats are available from the CDOT Agreements Office.
 - 4) Local Agency (and any Consultant) shall comply with 23 C.F.R. 172.5(b) and (d) and use the CDOT procedures described in **Exhibit H** to administer the Consultant contract.
 - 5) Local Agency may expedite any CDOT approval of its procurement process and/or Consultant contract by submitting a letter to CDOT from Local Agency's attorney/authorized representative certifying compliance with **Exhibit H** and 23 C.F.R. 172.5(b) and (d).
 - 6) Local Agency shall ensure that the Consultant contract complies with the requirements of 49 CFR 18.36(i) and contains the following language verbatim:
 - (a) The design work under this Agreement shall be compatible with the requirements of the contract between Local Agency and the State (which is incorporated herein by this

reference) for the design/construction of the project. The State is an intended third-party beneficiary of this agreement for that purpose.

- (b) Upon advertisement of the project work for construction, the consultant shall make available services as requested by the State to assist the State in the evaluation of construction and the resolution of construction problems that may arise during the construction of the project.
- (c) The consultant shall review the construction Contractor's shop drawings for conformance with the contract documents and compliance with the provisions of the State's publication, Standard Specifications for Road and Bridge Construction, in connection with this work.
- (d) The State, in its sole discretion, may review construction plans, special provisions and estimates and may require Local Agency to make such changes therein as the State determines necessary to comply with State and FHWA requirements.

iii. Construction

If the Work includes construction, Local Agency shall perform the construction in accordance with the approved design plans and/or administer the construction in accordance with **Exhibit E**. Such administration shall include Work inspection and testing; approving sources of materials; performing required plant and shop inspections; documentation of contract payments, testing and inspection activities; preparing and approving pay estimates; preparing, approving and securing the funding for contract modification orders and minor contract revisions; processing construction Contractor claims; construction supervision; and meeting the quality control requirements of the FHWA/CDOT Stewardship Agreement, as described in **Exhibit E**.

- a. The State may, after providing written notice of the reason for the suspension to Local Agency, suspend the Work, wholly or in part, due to the failure of Local Agency or its Contractor to correct conditions which are unsafe for workers or for such periods as the State may deem necessary due to unsuitable weather, or for conditions considered unsuitable for the prosecution of the Work, or for any other condition or reason deemed by the State to be in the public interest.
- b. Local Agency shall be responsible for the following:
 - 1) Appointing a qualified professional engineer, licensed in the State of Colorado, as Local Agency Project Engineer (LAPE), to perform engineering administration. The LAPE shall administer the Work in accordance with this Agreement, the requirements of the construction contract and applicable State procedures, as defined in the CDOT Local Agency Manual (https://www.codot.gov/business/designsupport/bulletins_manuals/2006-local-agency-manual).
 - 2) For the construction Services, advertising the call for bids, following its approval by the State, and awarding the construction contract(s) to the lowest responsible bidder(s).
 - (a) All Local Agency's advertising and bid awards pursuant to this Agreement shall comply with applicable requirements of 23 U.S.C. §112 and 23 C.F.R. Parts 633 and 635 and C.R.S. § 24-92-101 et seq. Those requirements include, without limitation, that Local Agency and its Contractor(s) incorporate Form 1273 (Exhibit I) in its entirety, verbatim, into any subcontract(s) for Services as terms and conditions thereof, as required by 23 C.F.R. 633.102(e).
 - (b) Local Agency may accept or reject the proposal of the apparent low bidder for Work on which competitive bids have been received. Local Agency must accept or reject such bids within three (3) working days after they are publicly opened.
 - (c) If Local Agency accepts bids and makes awards that exceed the amount of available Agreement Funds, Local Agency shall provide the additional funds necessary to complete the Work or not award such bids.
 - (d) The requirements of **§6.A.iii.b.2** also apply to any advertising and bid awards made by the State.

- (e) The State (and in some cases FHWA) must approve in advance all Force Account Construction, and Local Agency shall not initiate any such Services until the State issues a written Notice to Proceed.

iv. Right of Way (ROW) and Acquisition/Relocation

- a. If Local Agency purchases a ROW for a State highway, including areas of influence, Local Agency shall convey the ROW to CDOT promptly upon the completion of the project/construction.
- b. Any acquisition/relocation activities shall comply with all applicable federal and State statutes and regulations, including but not limited to, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, the Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs, as amended (49 C.F.R. Part 24), CDOT's Right of Way Manual, and CDOT's Policy and Procedural Directives.
- c. The Parties' respective responsibilities for ensuring compliance with acquisition, relocation and incidentals depend on the level of federal participation as detailed in CDOT's Right of Way Manual (located at <http://www.codot.gov/business/manuals/right-of-way>); however, the State always retains oversight responsibilities.
- d. The Parties' respective responsibilities at each level of federal participation in CDOT's Right of Way Manual, and the State's reimbursement of Local Agency costs will be determined pursuant the following categories:
 - 1) Right of way acquisition (3111) for federal participation and non-participation;
 - 2) Relocation activities, if applicable (3109);
 - 3) Right of way incidentals, if applicable (expenses incidental to acquisition/relocation of right of way – 3114).

v. Utilities

If necessary, Local Agency shall be responsible for obtaining the proper clearance or approval from any utility company that may become involved in the Work. Prior to the Work being advertised for bids, Local Agency shall certify in writing to the State that all such clearances have been obtained.

vi. Railroads

If the Work involves modification of a railroad company's facilities and such modification will be accomplished by the railroad company, Local Agency shall make timely application to the Public Utilities Commission ("PUC") requesting its order providing for the installation of the proposed improvements. Local Agency shall not proceed with that part of the Work before obtaining the PUC's order. Local Agency shall also establish contact with the railroad company involved for the purpose of complying with applicable provisions of 23 C.F.R. 646, subpart B, concerning federal-aid projects involving railroad facilities, and:

- a. Execute an agreement with the railroad company setting out what work is to be accomplished and the location(s) thereof, and which costs shall be eligible for federal participation.
- b. Obtain the railroad's detailed estimate of the cost of the Work.
- c. Establish future maintenance responsibilities for the proposed installation.
- d. Proscribe in the agreement the future use or dispositions of the proposed improvements in the event of abandonment or elimination of a grade crossing.
- e. Establish future repair and/or replacement responsibilities, as between the railroad company and the Local Agency, in the event of accidental destruction or damage to the installation.

vii. Environmental Obligations

Local Agency shall perform all Work in accordance with the requirements of current federal and State environmental regulations, including the National Environmental Policy Act of 1969 (NEPA) as applicable.

viii. Maintenance Obligations

Local Agency shall maintain and operate the Work constructed under this Agreement at its own cost and expense during their useful life, in a manner satisfactory to the State and FHWA. Local Agency shall conduct such maintenance and operations in accordance with all applicable statutes, ordinances, and regulations pertaining to maintaining such improvements. The State and FHWA may make periodic inspections to verify that such improvements are being adequately maintained.

ix. Monitoring Obligations

Local Agency shall respond in a timely manner to and participate fully with the monitoring activities described in §7.F.vi.

B. State's Commitments

- i. The State will perform a final project inspection of the Work as a quality control/assurance activity. When all Work has been satisfactorily completed, the State will sign the FHWA Form 1212.
- ii. Notwithstanding any consents or approvals given by the State for the Plans, the State shall not be liable or responsible in any manner for the structural design, details or construction of any Work constituting major structures designed by, or that are the responsibility of, Local Agency, as identified in **Exhibit E**.

7. PAYMENTS

A. Maximum Amount

Payments to Local Agency are limited to the unpaid, obligated balance of the Agreement Funds set forth in **Exhibit C**. The State shall not pay Local Agency any amount under this Agreement that exceeds the Agreement Maximum set forth in **Exhibit C**.

B. Payment Procedures

i. Invoices and Payment

- a. The State shall pay Local Agency in the amounts and in accordance with conditions set forth in **Exhibit C**.
- b. Local Agency shall initiate payment requests by invoice to the State, in a form and manner approved by the State.
- c. The State shall pay each invoice within 45 days following the State's receipt of that invoice, so long as the amount invoiced correctly represents Work completed by Local Agency and previously accepted by the State during the term that the invoice covers. If the State determines that the amount of any invoice is not correct, then Local Agency shall make all changes necessary to correct that invoice.
- d. The acceptance of an invoice shall not constitute acceptance of any Work performed or deliverables provided under the Agreement.
- e. If a project is funded in part with Federal or State special funding there may be an expiration date for the funds. The expiration date applies to grants and local funds used to match grants. To receive payment or credit for the match, Work must be completed or substantially completed, as outlined in the terms of the grant, prior to the expiration date of the special funding and invoiced in compliance with the rules outlined in the award of the funding. The acceptance of an invoice shall not constitute acceptance of any Work performed or deliverables provided under the Agreement.

ii. Interest

Amounts not paid by the State within 45 days after the State's acceptance of the invoice shall bear interest on the unpaid balance beginning on the 46th day at the rate of 1% per month, as required by §24-30-202(24)(a), C.R.S., until paid in full; provided, however, that interest shall not accrue on unpaid amounts that the State disputes in writing. Local Agency shall invoice the State separately for accrued interest on delinquent amounts, and the invoice shall reference the delinquent payment, the number of days interest to be paid and the interest rate.

iii. Payment Disputes

If Local Agency disputes any calculation, determination, or amount of any payment, Local Agency shall notify the State in writing of its dispute within 30 days following the earlier to occur of Local Agency's receipt of the payment or notification of the determination or calculation of the payment by the State. The State will review the information presented by Local Agency and may make changes to its determination based on this review. The calculation, determination, or payment amount that results from the State's review shall not be subject to additional dispute under this subsection. No payment subject to a dispute under this subsection shall be due until after the State has concluded its review, and the State shall not pay any interest on any amount during the period it is subject to dispute under this subsection.

iv. Available Funds-Contingency-Termination

- a. The State is prohibited by law from making commitments beyond the term of the current State Fiscal Year. Payment to Local Agency beyond the current State Fiscal Year is contingent on the appropriation and continuing availability of Agreement Funds in any subsequent year (as provided in the Colorado Special Provisions). If federal funds or funds from any other non-State funds constitute all or some of the Agreement Funds, the State's obligation to pay Local Agency shall be contingent upon such non-State funding continuing to be made available for payment. Payments to be made pursuant to this Agreement shall be made only from Agreement Funds, and the State's liability for such payments shall be limited to the amount remaining of such Agreement Funds. If State, federal or other funds are not appropriated, or otherwise become unavailable to fund this Agreement, the State may, upon written notice, terminate this Agreement, in whole or in part, without incurring further liability. The State shall, however, remain obligated to pay for Services and Goods that are delivered and accepted prior to the effective date of notice of termination, and this termination shall otherwise be treated as if this Agreement were terminated in the public interest as described in **§2.C**.
- b. If the agreement funds are terminated, the State can terminate the contract early. Payment due for work done to the date of termination will be processed in a manner consistent with **§2.C**.

v. Erroneous Payments

The State may recover, at the State's discretion, payments made to Local Agency in error for any reason, including, but not limited to, overpayments or improper payments, and unexpended or excess funds received by Local Agency. The State may recover such payments by deduction from subsequent payments under this Agreement, deduction from any payment due under any other contracts, grants or agreements between the State and Local Agency, or by any other appropriate method for collecting debts owed to the State. The close out of a Federal Award does not affect the right of FHWA or the State to disallow costs and recover funds on the basis of a later audit or other review. Any cost disallowance recovery is to be made within the Record Retention Period (as defined below in **§9.A.**).

vi. Federal Recovery

The close-out of a Federal Award does not affect the right of the Federal Awarding Agency or the State to disallow costs and recover funds on the basis of a later audit or other review. Any cost disallowance recovery is to be made within the Record Retention Period, as defined below.

C. Local Agency Funds

Local Agency shall provide their obligated contribution funds as outlined in **§7.A.** and **Exhibit C**. Local Agency shall have raised the full amount of their funds prior to the Effective Date and shall report to the State regarding the status of such funds upon request. Local Agency's obligation to pay all or any part of any matching funds, whether direct or contingent, only extend to funds duly and lawfully appropriated for the purposes of this Agreement by the authorized representatives of Local Agency and paid into Local Agency's treasury. Local Agency represents to the State that the amount designated "Local Agency Funds" in **Exhibit C** has been legally appropriated for the purpose of this Agreement by its authorized representatives and paid into its treasury. Local Agency may evidence such obligation by an appropriate ordinance/resolution or other authority letter expressly authorizing Local Agency to enter into this Agreement and to expend its match share of the Work. A copy of any such ordinance/resolution or authority letter is attached hereto as **Exhibit D** if applicable. Local Agency does not by this Agreement irrevocably pledge present cash reserves for payments in future fiscal years, and this Agreement is not intended to create a multiple-fiscal year debt of

Local Agency. Local Agency shall not pay or be liable for any claimed interest, late charges, fees, taxes, or penalties of any nature, except as required by Local Agency's laws or policies.

D. Reimbursement of Local Agency Costs

The State shall reimburse Local Agency's allowable costs, not exceeding the maximum total amount described in **Exhibit C** and §7. However, any costs incurred by Local Agency prior to the Effective Date shall not be reimbursed absent specific allowance of pre-award costs and indication that the Federal Award funding is retroactive. The State shall pay Local Agency for costs or expenses incurred or performance by the Local Agency prior to the Effective Date, only if (1) the Grant Funds involve federal funding and (2) federal laws, rules, and regulations applicable to the Work provide for such retroactive payments to the Local Agency. Any such retroactive payments shall comply with State Fiscal Rules and be made in accordance with the provisions of this Agreement. The applicable principles described in 2 C.F.R. Part 200 shall govern the State's obligation to reimburse all costs incurred by Local Agency and submitted to the State for reimbursement hereunder, and Local Agency shall comply with all such principles. The State shall reimburse Local Agency for the federal-aid share of properly documented costs related to the Work after review and approval thereof, subject to the provisions of this Agreement and **Exhibit C**. Local Agency costs for Work performed prior to the Effective Date shall not be reimbursed absent specific allowance of pre-award costs and indication that the Federal Award funding is retroactive. Local Agency costs for Work performed after any Performance Period End Date for a respective phase of the Work, is not reimbursable. Allowable costs shall be:

- i. Reasonable and necessary to accomplish the Work and for the Goods and Services provided.
- ii. Actual net cost to Local Agency (i.e. the price paid minus any items of value received by Local Agency that reduce the cost actually incurred).

E. Unilateral Modification of Agreement Funds Budget by State Option Letter

The State may, at its discretion, issue an "Option Letter" to Local Agency to add or modify Work phases in the Work schedule in **Exhibit C** if such modifications do not increase total budgeted Agreement Funds. Such Option Letters shall amend and update **Exhibit C**, Sections 2 or 4 of the Table, and sub-sections B and C of the **Exhibit C**. Option Letters shall not be deemed valid until signed by the State Controller or an authorized delegate. **This is NOT a Notice to Proceed.** Modification of **Exhibit C** by unilateral Option Letter is permitted only in the specific scenarios listed below. The State will exercise such options by providing Local Agency a fully executed Option Letter, in a form substantially equivalent to **Exhibit B**. Such Option Letters will be incorporated into this Agreement. This applies to the entire Scope of Work.

i. Option to Begin a Phase and/or Increase or Decrease the Encumbrance Amount

The State may require by Option Letter that Local Agency begin a new Work phase that may include Design, Construction, Environmental, Utilities, ROW Incidentals or Miscellaneous Work (but may not include Right of Way Acquisition/Relocation or Railroads) as detailed in **Exhibit A**. Such Option Letters may not modify the other terms and conditions stated in this Agreement and must decrease the amount budgeted and encumbered for one or more other Work phases so that the total amount of budgeted Agreement Funds remains the same. The State may also change the funding sources so long as the amount budgeted remains the same and the Local Agency contribution does not increase. The State may also issue a unilateral Option Letter to increase and/or decrease the total encumbrance amount of two or more existing Work phases, as long as the total amount of budgeted Agreement Funds remains the same, replacing the original Agreement Funding exhibit (**Exhibit C**) with an updated **Exhibit C-1** (with subsequent exhibits labeled **C-2**, **C-3**, etc.).

ii. Option to Transfer Funds from One Phase to Another Phase.

The State may require or permit Local Agency to transfer Agreement Funds from one Work phase (Design, Construction, Environmental, Utilities, ROW Incidentals or Miscellaneous) to another phase as a result of changes to State, federal, and local match funding. In such case, the original funding exhibit (**Exhibit C**) will be replaced with an updated **Exhibit C-1** (with subsequent exhibits labeled **C-2**, **C-3**, etc.) attached to the Option Letter. The Agreement Funds transferred from one Work phase to another are subject to the same terms and conditions stated in the original Agreement with the total budgeted Agreement Funds remaining the same. The State may unilaterally exercise this option by providing a

fully executed Option Letter to Local Agency within thirty (30) days before the initial targeted start date of the Work phase, in a form substantially equivalent to **Exhibit B**.

iii. Option to Exercise Options i and ii.

The State may require Local Agency to add a Work phase as detailed in **Exhibit A**, and encumber and transfer Agreement Funds from one Work phase to another. The original funding exhibit (**Exhibit C**) in the original Agreement will be replaced with an updated **Exhibit C-1** (with subsequent exhibits labeled **C-2**, **C-3**, etc.) attached to the Option Letter. The addition of a Work phase and encumbrance and transfer of Agreement Funds are subject to the same terms and conditions stated in the original Agreement with the total budgeted Agreement Funds remaining the same. The State may unilaterally exercise this option by providing a fully executed Option Letter to Local Agency within 30 days before the initial targeted start date of the Work phase, in a form substantially equivalent to **Exhibit B**.

iv. Option to Extend Agreement/Phase Term and/or modify the OMB Uniform Guidance. The State, at its discretion, shall have the option to extend the term of this Agreement and/or update a Work Phase Performance Period and/or modify information required under the OMB Uniform Guidance, as outlined in **Exhibit C**. Any updated version of **Exhibit C** shall be attached to any executed Option Letter as **Exhibit C-1** (with subsequent exhibits labeled **C-2**, **C-3**, etc.). In order to exercise this option, the State shall provide written notice to the Local Agency in a form substantially equivalent to **Exhibit B**.

F. Accounting

Local Agency shall establish and maintain accounting systems in accordance with generally accepted accounting standards (a separate set of accounts, or as a separate and integral part of its current accounting scheme). Such accounting systems shall, at a minimum, provide as follows:

i. Local Agency Performing the Work

If Local Agency is performing the Work, it shall document all allowable costs, including any approved Services contributed by Local Agency or subcontractors, using payrolls, time records, invoices, contracts, vouchers, and other applicable records.

ii. Local Agency-Checks or Draws

Checks issued or draws made by Local Agency shall be made or drawn against properly signed vouchers detailing the purpose thereof. Local Agency shall keep on file all checks, payrolls, invoices, contracts, vouchers, orders, and other accounting documents in the office of Local Agency, clearly identified, readily accessible, and to the extent feasible, separate and apart from all other Work documents.

iii. State-Administrative Services

The State may perform any necessary administrative support services required hereunder. Local Agency shall reimburse the State for the costs of any such services from the budgeted Agreement Funds as provided for in **Exhibit C**. If FHWA Agreement Funds are or become unavailable, or if Local Agency terminates this Agreement prior to the Work being approved by the State or otherwise completed, then all actual incurred costs of such services and assistance provided by the State shall be reimbursed to the State by Local Agency at its sole expense.

iv. Local Agency-Invoices

Local Agency's invoices shall describe in detail the reimbursable costs incurred by Local Agency for which it seeks reimbursement, the dates such costs were incurred and the amounts thereof, and Local Agency shall not submit more than one invoice per month.

v. Invoicing Within 60 Days

The State shall not be liable to reimburse Local Agency for any costs invoiced more than 60 days after the date on which the costs were incurred, including costs included in Local Agency's final invoice. The State may withhold final payment to Local Agency at the State's sole discretion until completion of final audit. Any costs incurred by Local Agency that are not allowable under 2 C.F.R. Part 200 shall be Local Agency's responsibility, and the State will deduct such disallowed costs from any payments due to Local Agency. The State will not reimburse costs for Work performed after the Performance Period End Date for a respective Work phase. The State will not reimburse costs for Work performed prior to Performance

Period End Date, but for which an invoice is received more than 60 days after the Performance Period End Date.

vi. Risk Assessment & Monitoring

Pursuant to 2 C.F.R. 200.331(b), – CDOT will evaluate Local Agency’s risk of noncompliance with federal statutes, regulations, and terms and conditions of this Agreement. Local Agency shall complete a Risk Assessment Form (**Exhibit L**) when that may be requested by CDOT. The risk assessment is a quantitative and/or qualitative determination of the potential for Local Agency’s non-compliance with the requirements of the Federal Award. The risk assessment will evaluate some or all of the following factors:

- Experience: Factors associated with the experience and history of the Subrecipient with the same or similar Federal Awards or grants.
- Monitoring/Audit: Factors associated with the results of the Subrecipient’s previous audits or monitoring visits, including those performed by the Federal Awarding Agency, when the Subrecipient also receives direct federal funding. Include audit results if Subrecipient receives single audit, where the specific award being assessed was selected as a major program.
- Operation: Factors associated with the significant aspects of the Subrecipient’s operations, in which failure could impact the Subrecipient’s ability to perform and account for the contracted goods or services.
- Financial: Factors associated with the Subrecipient’s financial stability and ability to comply with financial requirements of the Federal Award.
- Internal Controls: Factors associated with safeguarding assets and resources, deterring and detecting errors, fraud and theft, ensuring accuracy and completeness of accounting data, producing reliable and timely financial and management information, and ensuring adherence to its policies and plans.
- Impact: Factors associated with the potential impact of a Subrecipient’s non-compliance to the overall success of the program objectives.
- Program Management: Factors associated with processes to manage critical personnel, approved written procedures, and knowledge of rules and regulations regarding federal-aid projects.

Following Local Agency’s completion of the Risk Assessment Tool (**Exhibit L**), CDOT will determine the level of monitoring it will apply to Local Agency’s performance of the Work. This risk assessment may be re-evaluated after CDOT begins performing monitoring activities.

G. Close Out

Local Agency shall close out this Award within 90 days after the Final Phase Performance End Date. If SLFRF Funds are used the Local Agency shall close out that portion of the Award within 45 days after the ARPA Award Expiration Date. Close out requires Local Agency’s submission to the State of all deliverables defined in this Agreement, and Local Agency’s final reimbursement request or invoice. The State will withhold 5% of allowable costs until all final documentation has been submitted and accepted by the State as substantially complete. If FHWA or US Treasury has not closed this Federal Award within one (1) year and 90 days after the Final Phase Performance End Date due to Local Agency’s failure to submit required documentation, then Local Agency may be prohibited from applying for new Federal Awards through the State until such documentation is submitted and accepted.

8. REPORTING - NOTIFICATION

A. Quarterly Reports

In addition to any reports required pursuant to §19 or pursuant to any exhibit, for any contract having a term longer than 3 months, Local Agency shall submit, on a quarterly basis, a written report specifying progress made for each specified performance measure and standard in this Agreement. Such progress report shall be in accordance with the procedures developed and prescribed by the State. Progress reports shall be submitted to the State not later than ten (10) Business Days following the end of each calendar quarter or at such time as otherwise specified by the State. If SLFRF Funds are used the report must be in the format of **Exhibit P**.

B. Litigation Reporting

If Local Agency is served with a pleading or other document in connection with an action before a court or other administrative decision making body, and such pleading or document relates to this Agreement or may affect Local Agency's ability to perform its obligations under this Agreement, Local Agency shall, within 10 days after being served, notify the State of such action and deliver copies of such pleading or document to the State's principal representative identified in §16.

C. Performance and Final Status

Local Agency shall submit all financial, performance and other reports to the State no later than 60 calendar days after the Final Phase Performance End Date or sooner termination of this Agreement, containing an Evaluation of Subrecipient's performance and the final status of Subrecipient's obligations hereunder.

D. Violations Reporting

Local Agency must disclose, in a timely manner, in writing to the State and FHWA, all violations of federal or State criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal Award. Penalties for noncompliance may include suspension or debarment (2 CFR Part 180 and 31 U.S.C. 3321).

9. LOCAL AGENCY RECORDS**A. Maintenance**

Local Agency shall make, keep, maintain, and allow inspection and monitoring by the State of a complete file of all records, documents, communications, notes and other written materials, electronic media files, and communications, pertaining in any manner to the Work or the delivery of Services (including, but not limited to the operation of programs) or Goods hereunder. Local Agency shall maintain such records for a period (the "Record Retention Period") pursuant to the requirements of the funding source and for a minimum of three (3) years following the date of submission to the State of the final expenditure report, whichever is longer, or if this Award is renewed quarterly or annually, from the date of the submission of each quarterly or annual report, respectively. If any litigation, claim, or audit related to this Award starts before expiration of the Record Retention Period, the Record Retention Period shall extend until all litigation, claims, or audit findings have been resolved and final action taken by the State or Federal Awarding Agency. The Federal Awarding Agency, a cognizant agency for audit, oversight or indirect costs, and the State, may notify Local Agency in writing that the Record Retention Period shall be extended. For records for real property and equipment, the Record Retention Period shall extend three (3) years following final disposition of such property.

B. Inspection

Records during the Record Retention Period. Local Agency shall make Local Agency Records available during normal business hours at Local Agency's office or place of business, or at other mutually agreed upon times or locations, upon no fewer than two (2) Business Days' notice from the State, unless the State determines that a shorter period of notice, or no notice, is necessary to protect the interests of the State.

C. Monitoring

The State will monitor Local Agency's performance of its obligations under this Agreement using procedures as determined by the State. The State shall monitor Local Agency's performance in a manner that does not unduly interfere with Local Agency's performance of the Work. Local Agency shall allow the State to perform all monitoring required by the Uniform Guidance, based on the State's risk analysis of Local Agency. The State shall have the right, in its sole discretion, to change its monitoring procedures and requirements at any time during the term of this Agreement. The State shall monitor Local Agency's performance in a manner that does not unduly interfere with Local Agency's performance of the Work. If Local Agency enters into a subcontract with an entity that would also be considered a Subrecipient, then the subcontract entered into by Local Agency shall contain provisions permitting both Local Agency and the State to perform all monitoring of that Subcontractor in accordance with the Uniform Guidance.

D. Final Audit Report

Local Agency shall promptly submit to the State a copy of any final audit report of an audit performed on Local Agency's records that relates to or affects this Agreement or the Work, whether the audit is conducted

by Local Agency or a third party. Additionally, if Local Agency is required to perform a single audit under 2 CFR 200.501, *et seq.*, then Local Agency shall submit a copy of the results of that audit to the State within the same timelines as the submission to the federal government.

10. CONFIDENTIAL INFORMATION-STATE RECORDS

A. Confidentiality

Local Agency shall hold and maintain, and cause all Subcontractors to hold and maintain, any and all State Records that the State provides or makes available to Local Agency for the sole and exclusive benefit of the State, unless those State Records are otherwise publicly available at the time of disclosure or are subject to disclosure by Local Agency under CORA. Local Agency shall not, without prior written approval of the State, use for Local Agency's own benefit, publish, copy, or otherwise disclose to any third party, or permit the use by any third party for its benefit or to the detriment of the State, any State Records, except as otherwise stated in this Agreement. Local Agency shall provide for the security of all State Confidential Information in accordance with all policies promulgated by the Colorado Office of Information Security and all applicable laws, rules, policies, publications, and guidelines. Local Agency shall immediately forward any request or demand for State Records to the State's principal representative. If Local Agency or any of its Subcontractors will or may receive the following types of data, Local Agency or its Subcontractors shall provide for the security of such data according to the following: **(i)** the most recently promulgated IRS Publication 1075 for all Tax Information and in accordance with the Safeguarding Requirements for Federal Tax Information attached to this Award as an Exhibit, if applicable, **(ii)** the most recently updated PCI Data Security Standard from the PCI Security Standards Council for all PCI, **(iii)** the most recently issued version of the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Security Policy for all CJI, and **(iv)** the federal Health Insurance Portability and Accountability Act for all PHI and the HIPAA Business Associate Agreement attached to this Award, if applicable. Local Agency shall immediately forward any request or demand for State Records to the State's principal representative.

B. Other Entity Access and Nondisclosure Agreements

Local Agency may provide State Records to its agents, employees, assigns and Subcontractors as necessary to perform the Work, but shall restrict access to State Confidential Information to those agents, employees, assigns and Subcontractors who require access to perform their obligations under this Agreement. Local Agency shall ensure all such agents, employees, assigns, and Subcontractors sign nondisclosure agreements with provisions at least as protective as those in this Agreement, and that the nondisclosure agreements are in force at all times the agent, employee, assign or Subcontractor has access to any State Confidential Information. Local Agency shall provide copies of those signed nondisclosure agreements to the State upon request.

C. Use, Security, and Retention

Local Agency shall use, hold and maintain State Confidential Information in compliance with any and all applicable laws and regulations in facilities located within the United States, and shall maintain a secure environment that ensures confidentiality of all State Confidential Information wherever located. Local Agency shall provide the State with access, subject to Local Agency's reasonable security requirements, for purposes of inspecting and monitoring access and use of State Confidential Information and evaluating security control effectiveness. Upon the expiration or termination of this Agreement, Local Agency shall return State Records provided to Local Agency or destroy such State Records and certify to the State that it has done so, as directed by the State. If Local Agency is prevented by law or regulation from returning or destroying State Confidential Information, Local Agency warrants it will guarantee the confidentiality of, and cease to use, such State Confidential Information.

D. Incident Notice and Remediation

If Local Agency becomes aware of any Incident, it shall notify the State immediately and cooperate with the State regarding recovery, remediation, and the necessity to involve law enforcement, as determined by the State. Unless Local Agency can establish that none of Local Agency or any of its agents, employees, assigns, or Subcontractors are the cause or source of the Incident, Local Agency shall be responsible for the cost of notifying each person who may have been impacted by the Incident. After an Incident, Local Agency shall take steps to reduce the risk of incurring a similar type of Incident in the future as directed by the State, which

may include, but is not limited to, developing, and implementing a remediation plan that is approved by the State at no additional cost to the State.

E. Safeguarding Personally Identifying Information “PII”

If Local Agency or any of its Subcontracts will or may receive PII under this agreement, Local Agency shall provide for the security for such PII, in a manner and form acceptable to the State, including, without limitation, State non-disclosure requirements, use of appropriate technology, security practices, computer access security, data access security, data storage encryption, data transmission encryption, security inspections, and audits. Local Agency shall be a “Third Party Service Provider” as defined in §24-73-103(1)(i), C.R.S. and shall maintain security procedures and practices consistent with §§24-73-101 et seq., C.R.S. In addition, as set forth in § 24-74-102, et. seq., C.R.S., Contractor, including, but not limited to, Contractor’s employees, agents and Subcontractors, agrees not to share any PII with any third parties for the purpose of investigating for, participating in, cooperating with, or assisting with Federal immigration enforcement. If Contractor is given direct access to any State databases containing PII, Contractor shall execute, on behalf of itself and its employees, the certification attached hereto as **Exhibit S** on an annual basis Contractor’s duty and obligation to certify as set forth in **Exhibit S** shall continue as long as Contractor has direct access to any State databases containing PII. If Contractor uses any Subcontractors to perform services requiring direct access to State databases containing PII, the Contractor shall require such Subcontractors to execute and deliver the certification to the State on an annual basis, so long as the Subcontractor has access to State databases containing PII.

11. CONFLICTS OF INTEREST

A. Actual Conflicts of Interest

Local Agency shall not engage in any business or activities or maintain any relationships that conflict in any way with the full performance of the obligations of Local Agency under this Agreement. Such a conflict of interest would arise when a Local Agency or Subcontractor’s employee, officer or agent were to offer or provide any tangible personal benefit to an employee of the State, or any member of his or her immediate family or his or her partner, related to the award of, entry into or management or oversight of this Agreement. Officers, employees, and agents of Local Agency may neither solicit nor accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts.

B. Apparent Conflicts of Interest

Local Agency acknowledges that, with respect to this Agreement, even the appearance of a conflict of interest shall be harmful to the State’s interests. Absent the State’s prior written approval, Local Agency shall refrain from any practices, activities or relationships that reasonably appear to be in conflict with the full performance of Local Agency’s obligations under this Agreement.

C. Disclosure to the State

If a conflict or the appearance of a conflict arises, or if Local Agency is uncertain whether a conflict or the appearance of a conflict has arisen, Local Agency shall submit to the State a disclosure statement setting forth the relevant details for the State’s consideration. Failure to promptly submit a disclosure statement or to follow the State’s direction in regard to the actual or apparent conflict constitutes a breach of this Agreement.

12. INSURANCE

Local Agency shall obtain and maintain, and ensure that each Subcontractor shall obtain and maintain, insurance as specified in this section at all times during the term of this Agreement. All insurance policies required by this Agreement that are not provided through self-insurance shall be issued by insurance companies with an AM Best rating of A-VIII or better.

A. Local Agency Insurance

Local Agency is a "public entity" within the meaning of the Colorado Governmental Immunity Act, §24-10-101, *et seq.*, C.R.S. (the “GIA”) and shall maintain at all times during the term of this Agreement such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA.

B. Subcontractor Requirements

Local Agency shall ensure that each Subcontractor that is a public entity within the meaning of the GIA, maintains at all times during the terms of this Agreement, such liability insurance, by commercial policy or self-insurance, as is necessary to meet the Subcontractor's obligations under the GIA. Local Agency shall ensure that each Subcontractor that is not a public entity within the meaning of the GIA, maintains at all times during the terms of this Agreement all of the following insurance policies:

i. Workers' Compensation

Workers' compensation insurance as required by state statute, and employers' liability insurance covering all Local Agency or Subcontractor employees acting within the course and scope of their employment.

ii. General Liability

Commercial general liability insurance written on an Insurance Services Office occurrence form, covering premises operations, fire damage, independent contractors, products and completed operations, blanket contractual liability, personal injury, and advertising liability with minimum limits as follows:

- a. \$1,000,000 each occurrence;
- b. \$1,000,000 general aggregate;
- c. \$1,000,000 products and completed operations aggregate; and
- d. \$50,000 any one (1) fire.

iii. Automobile Liability

Automobile liability insurance covering any auto (including owned, hired and non-owned autos) with a minimum limit of \$1,000,000 each accident combined single limit.

iv. Protected Information (this insurance requirement only applies if the Subcontractor has or will have access to State Confidential Information)

Liability insurance covering all loss of State Confidential Information, such as PII, PHI, PCI, Tax Information, and CJI, and claims based on alleged violations of privacy rights through improper use or disclosure of protected information with minimum limits as follows:

- a. \$1,000,000 each occurrence; and
- b. \$2,000,000 general aggregate.

v. Professional Liability Insurance (this insurance requirement only applies if the Subcontractor is providing professional services including but not limited to engineering, architectural, landscape architectural, professional surveying, industrial hygiene services, or any other commonly understood professional service)

Professional liability insurance covering any damages caused by an error, omission or any negligent act with minimum limits as follows:

- a. \$1,000,000 each occurrence; and
- b. \$1,000,000 general aggregate.

vi. Crime Insurance

Crime insurance including employee dishonesty coverage with minimum limits as follows:

- a. \$1,000,000 each occurrence; and
- b. \$1,000,000 general aggregate.

vii. Cyber/Network Security and Privacy Liability

Liability insurance covering all civil, regulatory and statutory damages, contractual damages, data breach management exposure, and any loss of State Confidential Information, such as PII, PHI, PCI, Tax Information, and CJI, and claims based on alleged violations of breach, violation or infringement of right to privacy rights through improper use or disclosure of protect consumer data protection law,

confidentiality or other legal protection for personal information, as well as State Confidential Information with minimum limits as follows:

- a. \$1,000,000 each occurrence; and
- b. \$2,000,000 general aggregate.

C. Additional Insured

The State shall be named as additional insured on all commercial general liability policies (leases and construction contracts require additional insured coverage for completed operations) required of Local Agency and Subcontractors. In the event of cancellation of any commercial general liability policy, the carrier shall provide at least 10 days prior written notice to CDOT.

D. Primacy of Coverage

Coverage required of Local Agency and each Subcontractor shall be primary over any insurance or self-insurance program carried by Local Agency or the State.

E. Cancellation

All commercial insurance policies shall include provisions preventing cancellation or non-renewal, except for cancellation based on non-payment of premiums, without at least 30 days prior notice to Local Agency and Local Agency shall forward such notice to the State in accordance with §16 within 7 days of Local Agency's receipt of such notice.

F. Subrogation Waiver

All commercial insurance policies secured or maintained by Local Agency or its Subcontractors in relation to this Agreement shall include clauses stating that each carrier shall waive all rights of recovery under subrogation or otherwise against Local Agency or the State, its agencies, institutions, organizations, officers, agents, employees, and volunteers.

G. Certificates

For each commercial insurance plan provided by Local Agency under this Agreement, Local Agency shall provide to the State certificates evidencing Local Agency's insurance coverage required in this Agreement within seven (7) Business Days following the Effective Date. Local Agency shall provide to the State certificates evidencing Subcontractor insurance coverage required under this Agreement within seven (7) Business Days following the Effective Date, except that, if Local Agency's subcontract is not in effect as of the Effective Date, Local Agency shall provide to the State certificates showing Subcontractor insurance coverage required under this Agreement within seven (7) Business Days following Local Agency's execution of the subcontract. No later than 15 days before the expiration date of Local Agency's or any Subcontractor's coverage, Local Agency shall deliver to the State certificates of insurance evidencing renewals of coverage. At any other time during the term of this Agreement, upon request by the State, Local Agency shall, within seven (7) Business Days following the request by the State, supply to the State evidence satisfactory to the State of compliance with the provisions of this §12.

13. BREACH

A. Defined

The failure of a Party to perform any of its obligations in accordance with this Agreement, in whole or in part or in a timely or satisfactory manner, shall be a breach. The institution of proceedings under any bankruptcy, insolvency, reorganization, or similar law, by or against Local Agency, or the appointment of a receiver or similar officer for Local Agency or any of its property, which is not vacated or fully stayed within 30 days after the institution of such proceeding, shall also constitute a breach.

B. Notice and Cure Period

In the event of a breach, the aggrieved Party shall give written notice of breach to the other Party. If the notified Party does not cure the breach, at its sole expense, within 30 days after the delivery of written notice, the Party may exercise any of the remedies as described in §14 for that Party. Notwithstanding any provision of this Agreement to the contrary, the State, in its discretion, need not provide notice or a cure period and

may immediately terminate this Agreement in whole or in part or institute any other remedy in the Agreement in order to protect the public interest of the State.

14. REMEDIES

A. State's Remedies

If Local Agency is in breach under any provision of this Agreement and fails to cure such breach, the State, following the notice and cure period set forth in §13.B, shall have all of the remedies listed in this §14.A. in addition to all other remedies set forth in this Agreement or at law. The State may exercise any or all of the remedies available to it, in its discretion, concurrently or consecutively.

i. Termination for Breach

In the event of Local Agency's uncured breach, the State may terminate this entire Agreement or any part of this Agreement. Local Agency shall continue performance of this Agreement to the extent not terminated, if any.

a. Obligations and Rights

To the extent specified in any termination notice, Local Agency shall not incur further obligations or render further performance past the effective date of such notice and shall terminate outstanding orders and subcontracts with third parties. However, Local Agency shall complete and deliver to the State all Work not canceled by the termination notice and may incur obligations as necessary to do so within this Agreement's terms. At the request of the State, Local Agency shall assign to the State all of Local Agency's rights, title, and interest in and to such terminated orders or subcontracts. Upon termination, Local Agency shall take timely, reasonable, and necessary action to protect and preserve property in the possession of Local Agency but in which the State has an interest. At the State's request, Local Agency shall return materials owned by the State in Local Agency's possession at the time of any termination. Local Agency shall deliver all completed Work Product and all Work Product that was in the process of completion to the State at the State's request.

b. Payments

Notwithstanding anything to the contrary, the State shall only pay Local Agency for accepted Work received as of the date of termination. If, after termination by the State, the State agrees that Local Agency was not in breach or that Local Agency's action or inaction was excusable, such termination shall be treated as a termination in the public interest, and the rights and obligations of the Parties shall be as if this Agreement had been terminated in the public interest under §2.C.

c. Damages and Withholding

Notwithstanding any other remedial action by the State, Local Agency shall remain liable to the State for any damages sustained by the State in connection with any breach by Local Agency, and the State may withhold payment to Local Agency for the purpose of mitigating the State's damages until such time as the exact amount of damages due to the State from Local Agency is determined. The State may withhold any amount that may be due Local Agency as the State deems necessary to protect the State against loss including, without limitation, loss as a result of outstanding liens and excess costs incurred by the State in procuring from third parties replacement Work as cover.

ii. Remedies Not Involving Termination

The State, in its discretion, may exercise one or more of the following additional remedies:

a. Suspend Performance

Suspend Local Agency's performance with respect to all or any portion of the Work pending corrective action as specified by the State without entitling Local Agency to an adjustment in price or cost or an adjustment in the performance schedule. Local Agency shall promptly cease performing Work and incurring costs in accordance with the State's directive, and the State shall not be liable for costs incurred by Local Agency after the suspension of performance.

b. Withhold Payment

Withhold payment to Local Agency until Local Agency corrects its Work.

c. Deny Payment

Deny payment for Work not performed, or that due to Local Agency's actions or inactions, cannot be performed or if they were performed are reasonably of no value to the state; provided, that any denial of payment shall be equal to the value of the obligations not performed.

d. Removal

Demand immediate removal from the Work of any of Local Agency's employees, agents, or Subcontractors from the Work whom the State deems incompetent, careless, insubordinate, unsuitable, or otherwise unacceptable or whose continued relation to this Agreement is deemed by the State to be contrary to the public interest or the State's best interest.

e. Intellectual Property

If any Work infringes a patent, copyright, trademark, trade secret, or other intellectual property right, Local Agency shall, as approved by the State (a) secure that right to use such Work for the State or Local Agency; (b) replace the Work with non infringing Work or modify the Work so that it becomes non infringing; or, (c) remove any infringing Work and refund the amount paid for such Work to the State.

B. Local Agency's Remedies

If the State is in breach of any provision of this Agreement and does not cure such breach, Local Agency, following the notice and cure period in §13.B and the dispute resolution process in §15 shall have all remedies available at law and equity.

15. DISPUTE RESOLUTION

A. Initial Resolution

Except as herein specifically provided otherwise, disputes concerning the performance of this Agreement which cannot be resolved by the designated Agreement representatives shall be referred in writing to a senior departmental management staff member designated by the State and a senior manager designated by Local Agency for resolution.

B. Resolution of Controversies

If the initial resolution described in §15.A fails to resolve the dispute within 10 Business Days, Contractor shall submit any alleged breach of this Contract by the State to the Procurement Official of CDOT as described in §24-101-301(30), C.R.S. for resolution in accordance with the provisions of §§24-106-109, 24-109-101.1, 24-109-101.5, 24-109-106, 24-109-107, 24-109-201 through 24-109-206, and 24-109-501 through 24-109-505, C.R.S., (the "Resolution Statutes"), except that if Contractor wishes to challenge any decision rendered by the Procurement Official, Contractor's challenge shall be an appeal to the executive director of the Department of Personnel and Administration, or their delegate, under the Resolution Statutes before Contractor pursues any further action as permitted by such statutes. Except as otherwise stated in this Section, all requirements of the Resolution Statutes shall apply including, without limitation, time limitations.

C. Questions of Fact

Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement which is not disposed of by agreement shall be decided by the Chief Engineer of the Department of Transportation. The decision of the Chief Engineer will be final and conclusive unless, within 30 calendar days after the date of receipt of a copy of such written decision, Local Agency mails or otherwise furnishes to the State a written appeal addressed to the Executive Director of CDOT. In connection with any appeal proceeding under this clause, Local Agency shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, Local Agency shall proceed diligently with the performance of this Agreement in accordance with the Chief Engineer's decision. The decision of the Executive Director or his duly authorized representative for the determination of such appeals shall be final and conclusive and serve as final agency action. This dispute clause does not preclude consideration of questions of law in connection with decisions provided for herein. Nothing in this Agreement, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

16. NOTICES AND REPRESENTATIVES

Each individual identified below shall be the principal representative of the designating Party. All notices required or permitted to be given under this Agreement shall be in writing and shall be delivered **(i)** by hand with receipt required, **(ii)** by certified or registered mail to such Party's principal representative at the address set forth below or **(iii)** as an email with read receipt requested to the principal representative at the email address, if any, set forth below. If a Party delivers a notice to another through email and the email is undeliverable, then, unless the Party has been provided with an alternate email contact, the Party delivering the notice shall deliver the notice by hand with receipt required or by certified or registered mail to such Party's principal representative at the address set forth below. Either Party may change its principal representative or principal representative contact information by notice submitted in accordance with this §16 without a formal amendment to this Agreement. Unless otherwise provided in this Agreement, notices shall be effective upon delivery of the written notice.

For the State

Colorado Department of Transportation (CDOT)
Armando Ochoa, E/PST II Local Agency Coordinator
CDOT Region 4
10601 10th Street
Greeley, CO 80634
970-652-1668
armando.ochoa@state.co.us

For the Local Agency

City of Fort Collins
Gretchen Gramling, Senior Project Manager
250 North Mason Street
Fort Collins, CO 80524
970-416-4386
ggramling@fcgov.com

17. RIGHTS IN WORK PRODUCT AND OTHER INFORMATION**A. Work Product**

Local Agency hereby grants to the State a perpetual, irrevocable, non-exclusive, royalty free license, with the right to sublicense, to make, use, reproduce, distribute, perform, display, create derivatives of and otherwise exploit all intellectual property created by Local Agency or any Subcontractors. Local Agency assigns to the State and its successors and assigns, the entire right, title, and interest in and to all causes of action, either in law or in equity, for past, present, or future infringement of intellectual property rights related to the Work Product and all works based on, derived from, or incorporating the Work Product. Whether or not Local Agency is under contract with the State at the time, Local Agency shall execute applications, assignments, and other documents, and shall render all other reasonable assistance requested by the State, to enable the State to secure patents, copyrights, licenses and other intellectual property rights related to the Work Product. The Parties intend the Work Product to be works made for hire.

i. Copyrights

To the extent that the Work Product (or any portion of the Work Product) would not be considered works made for hire under applicable law, Local Agency hereby assigns to the State, the entire right, title, and interest in and to copyrights in all Work Product and all works based upon, derived from, or incorporating the Work Product; all copyright applications, registrations, extensions, or renewals relating to all Work Product and all works based upon, derived from, or incorporating the Work Product; and all moral rights or similar rights with respect to the Work Product throughout the world. To the extent that Local Agency cannot make any of the assignments required by this section, Local Agency hereby grants to the State a perpetual, irrevocable, royalty-free license to use, modify, copy, publish, display, perform, transfer, distribute, sell, and create derivative works of the Work Product and all works based upon, derived from,

or incorporating the Work Product by all means and methods and in any format now known or invented in the future. The State may assign and license its rights under this license.

ii. Patents

In addition, Local Agency grants to the State (and to recipients of Work Product distributed by or on behalf of the State) a perpetual, worldwide, no-charge, royalty-free, irrevocable patent license to make, have made, use, distribute, sell, offer for sale, import, transfer, and otherwise utilize, operate, modify and propagate the contents of the Work Product. Such license applies only to those patent claims licensable by Local Agency that are necessarily infringed by the Work Product alone, or by the combination of the Work Product with anything else used by the State.

iii. Assignments and Assistance

Whether or not the Local Agency is under Agreement with the State at the time, Local Agency shall execute applications, assignments, and other documents, and shall render all other reasonable assistance requested by the State, to enable the State to secure patents, copyrights, licenses and other intellectual property rights related to the Work Product. The Parties intend the Work Product to be works made for hire. Local Agency assigns to the State and its successors and assigns, the entire right, title, and interest in and to all causes of action, either in law or in equity, for past, present, or future infringement of intellectual property rights related to the Work Product and all works based on, derived from, or incorporating the Work Product.

B. Exclusive Property of the State

Except to the extent specifically provided elsewhere in this Agreement, any pre-existing State Records, State software, research, reports, studies, photographs, negatives, or other documents, drawings, models, materials, data, and information shall be the exclusive property of the State (collectively, "State Materials"). Local Agency shall not use, willingly allow, cause or permit Work Product or State Materials to be used for any purpose other than the performance of Local Agency's obligations in this Agreement without the prior written consent of the State. Upon termination of this Agreement for any reason, Local Agency shall provide all Work Product and State Materials to the State in a form and manner as directed by the State.

C. Exclusive Property of Local Agency

Local Agency retains the exclusive rights, title, and ownership to any and all pre-existing materials owned or licensed to Local Agency including, but not limited to, all pre-existing software, licensed products, associated source code, machine code, text images, audio and/or video, and third-party materials, delivered by Local Agency under this Agreement, whether incorporated in a Deliverable or necessary to use a Deliverable (collectively, "Local Agency Property"). Local Agency Property shall be licensed to the State as set forth in this Agreement or a State approved license agreement: (i) entered into as exhibits to this Agreement, (ii) obtained by the State from the applicable third-party vendor, or (iii) in the case of open source software, the license terms set forth in the applicable open source license agreement.

18. GOVERNMENTAL IMMUNITY

Liability for claims for injuries to persons or property arising from the negligence of the Parties, their departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the GIA; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, *et seq.* C.R.S. The following applies through June 30, 2022: no term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

19. STATEWIDE CONTRACT MANAGEMENT SYSTEM

If the maximum amount payable to Local Agency under this Agreement is \$100,000 or greater, either on the Effective Date or at any time thereafter, this §19 shall apply. Local Agency agrees to be governed by and comply with the provisions of §24-106-103, §24-102-206, §24-106-106, §24-106-107 C.R.S. regarding the monitoring of vendor performance and the reporting of contract performance information in the State's contract management system ("Contract Management System" or "CMS"). Local Agency's performance shall be subject to evaluation and review in accordance with the terms and conditions of this Agreement, Colorado statutes governing CMS, and State Fiscal Rules and State Controller policies.

20. GENERAL PROVISIONS

A. Assignment

Local Agency's rights and obligations under this Agreement are personal and may not be transferred or assigned without the prior, written consent of the State. Any attempt at assignment or transfer without such consent shall be void. Any assignment or transfer of Local Agency's rights and obligations approved by the State shall be subject to the provisions of this Agreement

B. Subcontracts

Local Agency shall not enter into any subcontract in connection with its obligations under this Agreement without the prior, written approval of the State. Local Agency shall submit to the State a copy of each such subcontract upon request by the State. All subcontracts entered into by Local Agency in connection with this Agreement shall comply with all applicable federal and state laws and regulations, shall provide that they are governed by the laws of the State of Colorado, and shall be subject to all provisions of this Agreement.

C. Binding Effect

Except as otherwise provided in §20.A, all provisions of this Agreement, including the benefits and burdens, shall extend to and be binding upon the Parties' respective successors and assigns.

D. Authority

Each Party represents and warrants to the other that the execution and delivery of this Agreement and the performance of such Party's obligations have been duly authorized.

E. Captions and References

The captions and headings in this Agreement are for convenience of reference only, and shall not be used to interpret, define, or limit its provisions. All references in this Agreement to sections (whether spelled out or using the § symbol), subsections, exhibits or other attachments, are references to sections, subsections, exhibits or other attachments contained herein or incorporated as a part hereof, unless otherwise noted.

F. Counterparts

This Agreement may be executed in multiple, identical, original counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

G. Digital Signatures

If any signatory signs this agreement using a digital signature in accordance with the Colorado State Controller Contract, Grant and Purchase Order Policies regarding the use of digital signatures issued under the State Fiscal Rules, then any agreement or consent to use digital signatures within the electronic system through which that signatory signed shall be incorporated into this Contract by reference.

H. Entire Understanding

This Agreement represents the complete integration of all understandings between the Parties related to the Work, and all prior representations and understandings related to the Work, oral or written, are merged into this Agreement. Prior or contemporaneous additions, deletions, or other changes to this Agreement shall not have any force or effect whatsoever, unless embodied herein.

I. Jurisdiction and Venue

All suits or actions related to this Agreement shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

J. Modification

Except as otherwise provided in this Agreement, any modification to this Agreement shall only be effective if agreed to in a formal amendment to this Agreement, properly executed and approved in accordance with applicable Colorado State law and State Fiscal Rules. Modifications permitted under this Agreement, other than contract amendments, shall conform to the policies promulgated by the Colorado State Controller.

K. Statutes, Regulations, Fiscal Rules, and Other Authority.

Any reference in this Agreement to a statute, regulation, State Fiscal Rule, fiscal policy or other authority shall be interpreted to refer to such authority then current, as may have been changed or amended since the Effective Date of this Agreement.

L. Order of Precedence

In the event of a conflict or inconsistency between this Agreement and any exhibits or attachment such conflict or inconsistency shall be resolved by reference to the documents in the following order of priority:

- i. The provisions of the other sections of the main body of this Agreement.
- ii. **Exhibit N**, Federal Treasury Provisions.
- iii. **Exhibit F**, Certification for Federal-Aid Contracts.
- iv. **Exhibit G**, Disadvantaged Business Enterprise.
- v. **Exhibit I**, Federal-Aid Contract Provisions for Construction Contracts.
- vi. **Exhibit J**, Additional Federal Requirements.
- vii. **Exhibit K**, Federal Funding Accountability and Transparency Act of 2006 (FFATA) Supplemental Federal Provisions.
- viii. **Exhibit L**, Sample Sub-Recipient Monitoring and Risk Assessment Form.
- ix. **Exhibit M**, Supplemental Provisions for Federal Awards Subject to The Office of Management and Budget Uniform Administrative Requirements, Cost principles, and Audit Requirements for Federal Awards (the "Uniform Guidance").
- x. **Exhibit O**, Agreement with Subrecipient of Federal Recovery Funds.
- xi. **Exhibit R**, Applicable Federal Awards.
- xii. Colorado Special Provisions in the main body of this Agreement.
- xiii. **Exhibit A**, Scope of Work.
- xiv. **Exhibit H**, Local Agency Procedures for Consultant Services.
- xv. **Exhibit B**, Sample Option Letter.
- xvi. **Exhibit C**, Funding Provisions.
- xvii. **Exhibit P**, SLFRF Subrecipient Quarterly Report.
- xviii. **Exhibit Q**, SLFRF Reporting Modification Form.
- xix. **Exhibit D**, Local Agency Resolution.
- xx. **Exhibit E**, Local Agency Contract Administration Checklist.
- xxi. **Exhibit S**, PII Certification.
- xxii. **Exhibit T**, Checklist of Required Exhibits Dependent on Funding Source.
- xxiii. Other exhibits in descending order of their attachment.

M. Severability

The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provision of this Agreement, which shall remain in full force and effect, provided that the Parties can continue to perform their obligations under this Agreement in accordance with the intent of the Agreement.

N. Survival of Certain Agreement Terms

Any provision of this Agreement that imposes an obligation on a Party after termination or expiration of the Agreement shall survive the termination or expiration of the Agreement and shall be enforceable by the other Party.

O. Third Party Beneficiaries

Except for the Parties' respective successors and assigns described in **§20.C**, this Agreement does not and is not intended to confer any rights or remedies upon any person or entity other than the Parties. Enforcement of this Agreement and all rights and obligations hereunder are reserved solely to the Parties. Any services or benefits which third parties receive as a result of this Agreement are incidental to the Agreement, and do not create any rights for such third parties.

P. Waiver

A Party's failure or delay in exercising any right, power, or privilege under this Agreement, whether explicit or by lack of enforcement, shall not operate as a waiver, nor shall any single or partial exercise of any right, power, or privilege preclude any other or further exercise of such right, power, or privilege.

Q. CORA Disclosure

To the extent not prohibited by federal law, this Agreement and the performance measures and standards required under §24-106-107 C.R.S., if any, are subject to public release through the CORA.

R. Standard and Manner of Performance

Local Agency shall perform its obligations under this Agreement in accordance with the highest standards of care, skill and diligence in Local Agency's industry, trade, or profession.

S. Licenses, Permits, and Other Authorizations.

Local Agency shall secure, prior to the Effective Date, and maintain at all times during the term of this Agreement, at its sole expense, all licenses, certifications, permits, and other authorizations required to perform its obligations under this Agreement, and shall ensure that all employees, agents and Subcontractors secure and maintain at all times during the term of their employment, agency or subcontract, all license, certifications, permits and other authorizations required to perform their obligations in relation to this Agreement.

T. Compliance with State and Federal Law, Regulations, and Executive Orders

Local Agency shall comply with all State and Federal law, regulations, executive orders, State and Federal Awarding Agency policies, procedures, directives, and reporting requirements at all times during the term of this Agreement.

U. Accessibility

- i. Local Agency shall comply with and the Work Product provided under this Agreement shall be in compliance with all applicable provisions of §§24-85-101, et seq., C.R.S., and the Accessibility Standards for Individuals with a Disability, as established by the Governor's Office of Information Technology (OIT), pursuant to Section §24-85-103 (2.5), C.R.S. Local Agency shall also comply with all State of Colorado technology standards related to technology accessibility and with Level AA of the most current version of the Web Content Accessibility Guidelines (WCAG), incorporated in the State of Colorado technology standards.
- ii. Each Party agrees to be responsible for its own liability incurred as a result of its participation in and performance under this Agreement. In the event any claim is litigated, each Party will be responsible for its own attorneys' fees, expenses of litigation, or other costs. No provision of this Agreement shall be deemed or construed to be a relinquishment or waiver of any kind of the applicable limitations of liability provided to either the Local Agency or the State by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq. and Article XI of the Colorado Constitution. Nothing in the Agreement shall be construed as a waiver of any provision of the State Fiscal Rules.
- iii. The State may require Local Agency's compliance to the State's Accessibility Standards to be determined by a third party selected by the State to attest to Local Agency's Work Product and software is in compliance with §§24-85-101, et seq., C.R.S., and the Accessibility Standards for Individuals with a Disability as established by OIT pursuant to Section §24-85-103 (2.5), C.R.S.

V. Taxes

The State is exempt from federal excise taxes under I.R.C. Chapter 32 (26 U.S.C., Subtitle D, Ch. 32) (Federal Excise Tax Exemption Certificate of Registry No. 84-730123K) and from State and local government sales and use taxes under §§39-26-704(1), et seq., C.R.S. (Colorado Sales Tax Exemption Identification Number 98-02565). The State shall not be liable for the payment of any excise, sales, or use taxes, regardless of whether any political subdivision of the state imposes such taxes on Local Agency. Local Agency shall be solely responsible for any exemptions from the collection of excise, sales or use taxes that Local Agency may wish to have in place in connection with this Agreement.

21. COLORADO SPECIAL PROVISIONS (COLORADO FISCAL RULE 3-3)

These Special Provisions apply to all contracts. Contractor refers to Local Agency and Contract refers to Agreement.

A. STATUTORY APPROVAL. §24-30-202(1), C.R.S.

This Contract shall not be valid until it has been approved by the Colorado State Controller or designee. If this Contract is for a Major Information Technology Project, as defined in §24-37.5-102(19), then this Contract shall not be valid until it has been approved by the State's Chief Information Officer or designee.

B. FUND AVAILABILITY. §24-30-202(5.5), C.R.S., applicable Local Agency law, rule or regulation.

Financial obligations of the Parties payable after the current State Fiscal Year or fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

C. GOVERNMENTAL IMMUNITY.

Liability for claims for injuries to persons or property arising from the negligence of the Parties, its departments, boards, commissions committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

D. INDEPENDENT CONTRACTOR

Contractor shall perform its duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the State. Contractor shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. **Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Contractor or any of its agents or employees. Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Contract. Contractor shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the State, and (iii) be solely responsible for its acts and those of its employees and agents.**

E. COMPLIANCE WITH LAW.

Contractor shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. CHOICE OF LAW, JURISDICTION, AND VENUE.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Contract. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the City and County of Denver.

G. PROHIBITED TERMS.

Any term included in this Contract that requires the Parties to indemnify or hold Contractor harmless; requires the Parties to agree to binding arbitration; limits Contractor's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Contract shall be construed as a waiver of any provision of §24-106-109 C.R.S. Any term included in this Contract that limits Contractor's liability that is not void under this section shall apply only in excess of any insurance to be maintained under this Contract, and no insurance policy shall be interpreted as being subject to any limitations of liability of this Contract.

H. SOFTWARE PIRACY PROHIBITION.

State or other public funds payable under this Contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Contractor hereby certifies and warrants that, during the term of this Contract and any extensions, Contractor has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Contractor is in violation of this provision, the State may exercise any remedy

available at law or in equity or under this Contract, including, without limitation, immediate termination of this Contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST. §§24-18-201 and 24-50-507, C.R.S.

The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this Contract. Contractor has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Contractor's services and Contractor shall not employ any person having such known interests.

22. FEDERAL REQUIREMENTS

Local Agency and/or their contractors, subcontractors, and consultants shall at all times during the execution of this Agreement strictly adhere to, and comply with, all applicable federal and State laws, and their implementing regulations, as they currently exist and may hereafter be amended. A summary of applicable federal provisions are attached hereto as **Exhibit F, Exhibit I, Exhibit J, Exhibit K, Exhibit M, Exhibit N** and **Exhibit O** are hereby incorporated by this reference.

23. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

Local Agency will comply with all requirements of **Exhibit G** and **Exhibit E**, Local Agency Contract Administration Checklist, regarding DBE requirements for the Work, except that if Local Agency desires to use its own DBE program to implement and administer the DBE provisions of 49 C.F.R. Part 26 under this Agreement, it must submit a copy of its program's requirements to the State for review and approval before the execution of this Agreement. If Local Agency uses any State- approved DBE program for this Agreement, Local Agency shall be solely responsible to defend that DBE program and its use of that program against all legal and other challenges or complaints, at its sole cost and expense. Such responsibility includes, without limitation, determinations concerning DBE eligibility requirements and certification, adequate legal and factual bases for DBE goals and good faith efforts. State approval (if provided) of Local Agency's DBE program does not waive or modify the sole responsibility of Local Agency for use of its program.

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EXHIBIT A
SCOPE OF WORK

Name of Project: Transfort Bus Stop Upgrades
Project Number: CRP M455-160
SubAccount #: 26280

The Colorado Department of Transportation (“CDOT”) will oversee the City of Fort Collins when the City of Fort Collins designs the Transfort Bus Stop Upgrades (hereinafter referred to as “this work”). CDOT and the City of Fort Collins believe it will be beneficial to perform this work to improve the conditions at the bus stops.

The design will be completed in accordance with AASHTO design standards, the Americans with Disabilities Act, and all applicable state, federal and local rules and regulations. The design phase of the work is expected to begin in 2025 and will identify more exact requirements, qualities, and attributes for this work (hereinafter referred to as “the exact work”). The exact work shall be used to complete the construction phase of the project. The construction phase of the contract is anticipated to begin in 2026.

By accepting funds for this Scope of Work, Local Agency acknowledges, understands, and accepts the continuing responsibility for the safety of the traveling public after initial acceptance of the project. **Local Agency is responsible for maintaining and operating the scope of work described in this Exhibit A constructed under this Agreement at its own cost and expense during its useful life.**

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EXHIBIT B**SAMPLE IGA OPTION LETTER**

Date	State Fiscal Year	Option Letter No.
Project Code	Original Agreement #	

Vendor Name:

Option to unilaterally add phasing to include Design, Construction, Environmental, Utilities, ROW incidentals or Miscellaneous and to update encumbrance amount(s).

Option to unilaterally transfer funds from one phase to another phase.

Option to unilaterally add phasing to include Design, Construction, Environmental, Utilities, ROW incidentals or Miscellaneous, to update encumbrance amount(s), and to unilaterally transfer funds from one phase to another phase.

Option to unilaterally extend the term of this Agreement and/or update a Work Phase Performance Period and/or modify OMB Guidance.

Option A

In accordance with the terms of the original Agreement between the State of Colorado, Department of Transportation and the Local Agency, the State hereby exercises the option to authorize the Local Agency to add a phase and to encumber funds for the phase based on changes in funding availability and authorization. The total encumbrance is (or increased) by \$0.00. A new **Exhibit C-1** is made part of the original Agreement and replaces **Exhibit C**.

Option B

In accordance with the terms of the original Agreement between the State of Colorado, Department of Transportation and the Local Agency, the State hereby exercises the option to transfer funds based on variance in actual phase costs and original phase estimates. A new **Exhibit C-1** is made part of the original Agreement and replaces **Exhibit C**.

Option C

In accordance with the terms of the original Agreement between the State of Colorado, Department of Transportation and the Local Agency, the State hereby exercises the option to 1) release the Local Agency to begin a phase; 2) to encumber funds for the phase based upon changes in funding availability and authorization; and 3) to transfer funds from phases based on variance in actual phase costs and

original phase estimates. A new **Exhibit C-1** is made part of the original Agreement and replaces **Exhibit C**.

Option D

In accordance with the terms of the original Agreement between the State of Colorado, Department of Transportation and the Local Agency, the State hereby exercises the option extend the term of this Agreement and/or update a Work Phase Performance Period and/or modify information required under the OMB Uniform Guidance, as outlined in **Exhibit C**. This is made part of the original Agreement and replaces the Expiration Date shown on the Signature and Cover Page. Any updated version of **Exhibit C** shall be attached to any executed Option Letter as **Exhibit C-1** (with subsequent exhibits labeled **C-2, C-3**, etc.).

The effective date of this option letter is upon approval of the State Controller or delegate.

STATE OF COLORADO
Jared S. Polis
Department of Transportation

By: _____
Keith Stefanik, P.E., Chief Engineer
(For) Shoshana M. Lew, Executive Director

Date: _____

ALL AGREEMENTS MUST BE APPROVED BY THE STATE CONTROLLER

CRS §24-30-202 requires the State Controller to approve all State Agreements. This Agreement is not valid until signed and dated below by the State Controller or delegate. Contractor is not authorized to begin performance until such time. If the Local Agency begins performing prior thereto, the State of Colorado is not obligated to pay the Local Agency for such performance or for any goods and/or services provided hereunder.

STATE OF COLORADO
STATE CONTROLLER
Robert Jaros, CPA, MBA, JD

By: _____
Colorado Department of Transportation

Date: _____

EXHIBIT C - FUNDING PROVISIONS

City of Fort Collins - CRP M455-160 (26280)

A. Cost of Work Estimate

The Local Agency has estimated the total cost the Work to be \$650,377.00, which is to be funded as follows:

1. FUNDING		
a.	Federal Funds (82.79% of CRP Award)	\$538,447.00
b.	Local Agency Funds (17.21% of CRP Award)	\$111,930.00
TOTAL FUNDS ALL SOURCES		\$650,377.00
2. OMB UNIFORM GUIDANCE		
a.	Federal Award Identification Number (FAIN):	TBD
b.	Name of Federal Awarding Agency:	FHWA
c.	Local Agency Unique Entity Identifier	VEJ3BS5GK5G1
d.	Assistance Listing # Highway Planning and Construction	ALN 20.205
e.	Is the Award for R&D?	No
f.	Indirect Cost Rate (if applicable)	N/A
g.	Amount of Federal Funds Obligated by this Action:	\$0.00
h.	Amount of Federal Funds Obligated to Date (including this Action):	\$0.00
3. ESTIMATED PAYMENT TO LOCAL AGENCY		
a.	Federal Funds Budgeted	\$538,447.00
b.	Less Estimated Federal Share of CDOT-Incurred Costs	\$0.00
TOTAL ESTIMATED PAYMENT TO LOCAL AGENCY		82.79% \$538,447.00
TOTAL ESTIMATED FUNDING BY LOCAL AGENCY		17.21% \$111,930.00
TOTAL PROJECT ESTIMATED FUNDING		100.00% \$650,377.00
4. FOR CDOT ENCUMBRANCE PURPOSES		
a.	Total Encumbrance Amount (Federal funds + Local Agency funds)	\$650,377.00
b.	Less ROW Acquisition 3111 and/or ROW Relocation 3109	\$0.00
NET TO BE ENCUMBERED BY CDOT IS AS FOLLOWS		\$650,377.00

Note: No funds are currently available. Design and Construction funds will become available after execution of an Option letter (Exhibit B) or formal Amendment.

WBS Element 26280.10.30	Performance Period Start*/End Date TBD-TBD	Design 3020	\$0.00
WBS Element 26280.20.10	Performance Period Start*/End Date TBD- TBD	Const. 3301	\$0.00

* The Local Agency should not begin work until all three (3) of the following are in place: 1) Phase Performance Period Start Date; 2) the execution of the document encumbering funds for the respective phase; and 3) Local Agency receipt of the official Notice to Proceed. Any work performed before these three (3) milestones are achieved will not be reimbursable.

B. Funding Ratios

The funding ratio for the federal funds for this Work is 82.79% federal funds to 17.21% Local Agency funds, and this ratio applies only to the \$650,377.00 that is eligible for federal funding. All other costs are

borne by the Local Agency at 100%. If the total cost of performance of the Work exceeds \$650,377.00, and additional federal funds are not available, the Local Agency shall pay all such excess costs. If the total cost of performance of the Work is less than \$650,377.00, then the amounts of Local Agency and federal funds will be decreased in accordance with the funding ratio described in **A1**. **This applies to the entire scope of Work.**

C. Maximum Amount Payable

The maximum amount payable to the Local Agency under this Agreement shall be \$538,477.00. For CDOT accounting purposes, the federal funds of \$538,477.00 and the Local Agency funds of \$111,930.00 will be encumbered for a total encumbrance of \$650,377.00, unless this amount is increased by an executed amendment before any increased cost is incurred. The total budget is \$650,377.00, unless this amount is increased by an executed amendment before any increased cost is incurred. The total cost of the Work is the best estimate available, based on the design data as approved at the time of execution of this Agreement, and that any cost is subject to revisions agreed to by the parties prior to bid and award. **This applies to the entire scope of Work.**

D. Single Audit Act Amendment

All state and local government and non-profit organizations receiving \$750,000 or more from all funding sources defined as federal financial assistance for Single Audit Act Amendment purposes shall comply with the audit requirements of 2 CFR part 200, subpart F (Audit Requirements) see also, 49 CFR 18.20 through 18.26. The Single Audit Act Amendment requirements applicable to the Local Agency receiving federal funds are as follows:

i. Expenditure less than \$750,000

If the Local Agency expends less than \$750,000 in Federal funds (all federal sources, not just Highway funds) in its fiscal year then this requirement does not apply.

ii. Expenditure of \$750,000 or more-Highway Funds Only

If the Local Agency expends \$750,000 or more, in Federal funds, but only received federal Highway funds (Catalog of Federal Domestic Assistance, CFDA 20.205) then a program specific audit shall be performed. This audit will examine the "financial" procedures and processes for this program area.

iii. Expenditure of \$750,000 or more-Multiple Funding Sources

If the Local Agency expends \$750,000 or more in Federal funds, and the Federal funds are from multiple sources (FTA, HUD, NPS, etc.) then the Single Audit Act applies, which is an audit on the entire organization/entity.

iv. Independent CPA

Single Audit shall only be conducted by an independent CPA, not by an auditor on staff. An audit is an allowable direct or indirect cost.

EXHIBIT D

LOCAL AGENCY RESOLUTION (IF APPLICABLE)

Exhibit E-

EXHIBIT A TO RESOLUTION 2025-016
Local Agency Contract Administration Checklist

Item 16.

COLORADO DEPARTMENT OF TRANSPORTATION LOCAL AGENCY CONTRACT ADMINISTRATION CHECKLIST			
Project No. CRP M455-160	STIP No. SNF7000	Project Code 26280	Region 4
Project Location City of Fort Collins			Date 2/12/2025
Project Description Transfort Bus Stop Upgrades			
Local Agency City of Fort Collins	Local Agency Project Manager Gretchen Gramling		
CDOT Resident Engineer Bryce Reeves	CDOT Project Manager Armando Ochoa		
INSTRUCTIONS: This checklist shall be used to establish the contractual administrative responsibilities of the individual parties to this agreement. The checklist becomes an attachment to the Local Agency Agreement. Section numbers (NO.) correspond to the applicable chapters of the <i>CDOT Local Agency Desk Reference (Local Agency Manual)</i> . LAWR numbers correspond to the applicable flowchart in the Local Agency Web Resource. The checklist shall be prepared by placing an X under the responsible party, opposite each of the tasks. The X denotes the party responsible for initiating and executing the task. Only one responsible party should be selected. When neither CDOT nor the Local Agency is responsible for a task, not applicable (NA) shall be noted. In addition, # will denote that CDOT must concur or approve. Tasks that will be performed by Headquarters staff are indicated with an X in the CDOT column under Responsible Party. The Regions, in accordance with established policies and procedures, will determine who will perform all other tasks that are the responsibility of CDOT. The checklist shall be prepared by the CDOT Resident Engineer or the CDOT Project Manager, in cooperation with the Local Agency Project Manager, and submitted to the Region Program Engineer. If contract administration responsibilities change, the CDOT Resident Engineer, in cooperation with the Local Agency Project Manager, will prepare and distribute a revised checklist. Note: Failure to comply with applicable Federal and State requirements may result in the loss of Federal or State participation in funding.			

LA WR	NO.	DESCRIPTION OF TASK	RESPONSIBLE PARTY	
			LA	CDOT
TIP / STIP AND LONG-RANGE PLANS				
	2.1	Review Project to ensure it is consistent with Statewide Plan and amendments thereto		X
FEDERAL FUNDING OBLIGATION AND AUTHORIZATION				
	4.1	Authorize funding by phases (Requires FHWA concurrence/involvement if Federal-aid Highway funded project.). <i>Please write in "NA", if Not Applicable.</i>		X
PROJECT DEVELOPMENT				
1	5.1	Prepare Design Data - CDOT Form 463	X	#
	5.2	Determine Delivery Method	X	#
	5.3	Prepare Local Agency/CDOT Inter-Governmental Agreement (see also Chapter 3)		X
2	5.4	Conduct Consultant Selection/Execute Consultant Agreement		
		<ul style="list-style-type: none"> • Project Development • Construction Contract Administration (including Fabrication Inspection Services) 	X	#
3,3A	5.5	Conduct Design Scoping Review Meeting	X	#
3,6	5.6	Conduct Public Involvement (If applicable)	X	#

LA WR	NO.	DESCRIPTION OF TASK	RESPONSIBLE PARTY	
			LA	CDOT
3	5.7	Conduct Field Inspection Review (FIR)	X	#
4	5.8	Conduct Environmental Processes (may require FHWA concurrence/involvement)	X	#
5	5.9	Acquire Right-of-Way (may require FHWA concurrence/involvement)	X	#
3	5.10	Obtain Utility and Railroad Agreements	X	#
3	5.11	Conduct Final Office Review (FOR)	X	#
3A	5.12	Justify Force Account Work by the Local Agency	X	#
3B	5.13	Justify Proprietary, Sole Source, or Local Agency Furnished Items	X	#
3	5.14	Document Design Exceptions - CDOT Form 464	X	#
	5.15	Seek Permission for use of Guaranty and Warranty Clauses	X	#
3	5.18	Prepare Plans, Specifications, Construction Cost Estimates and Submittals	X	#
	5.19	Comply with Requirements for Off-and On-System Bridges & Other Structural Work	X	#
	5.20	Update Approvals on PS&E Package if Project Schedule Delayed	X	#
	5.21	Ensure Authorization of Funds for Construction	#	X
	5.22	Use Electronic Signatures	X	X
	5.23	File Project Development Records/Documentation in ProjectWise	#	X
PROJECT DEVELOPMENT CIVIL RIGHTS AND LABOR COMPLIANCE				
3	6.1	Set Disadvantaged Business Enterprise (DBE) Goals for Consultant and Construction Contracts (CDOT Region Civil Rights Office).		X
	6.2	Determine Applicability of Davis-Bacon Act This project <input type="checkbox"/> is <input checked="" type="checkbox"/> is not exempt from Davis-Bacon requirements as determined by the functional classification of the project location (Projects located on local roads and rural minor collectors may be exempt.) Bryce Reeves 1/17/2024 _____ CDOT Resident Engineer Date		X
	6.3	Set On-the-Job Training Goals (CDOT Region Civil Rights Office) "NA", if Not Applicable		X
	6.4	Enforce Prompt Payment Requirements	X	#
	6.5	Use Electronic Tracking and Submission Systems – B2GNow <input checked="" type="checkbox"/> LCPtracker <input checked="" type="checkbox"/>	X	#
3	6.6	Prepare/submit Title VI Plan and Incorporate Title VI Assurances	X	#
6,7		Ensure the correct Federal Wage Decision, all required Disadvantaged Business Enterprise/On-the-Job Training special provisions and FHWA Form 1273 are included in the Contract (CDOT Resident Engineer)	X	#
ADVERTISE, BID AND AWARD of CONSTRUCTION PROJECTS				
Federal Project (use 7.1 series in Chapter 7) <input checked="" type="checkbox"/> Non-Federal Project (Use 7.2 series in Chapter 7) <input type="checkbox"/>				
6,7		Obtain Approval for Advertisement Period of Less Than Three Weeks;	X	#
7		Advertise for Bids	X	#
7		Concurrence to Advertise	#	X
7		Distribute "Advertisement Set" of Plans and Specifications	X	#
7		Review Worksite & Plan Details w/ Prospective Bidders While Project Is Under Ad	X	
7		Open Bids	X	
7		Process Bids for Compliance		
		Check CDOT Form 1415 – Commitment Confirmation when the low bidder meets DBE goals. (Please write in "NA", if Not Applicable)		X
		Evaluate CDOT Form 1416 - Good Faith Effort Report and determine if the Contractor has made a good faith effort when the low bidder does not meet DBE goals. "NA", if Not Applicable.		X
		Submit required documentation for CDOT award concurrence	X	
		Concurrence from CDOT to Award		X
		Approve Rejection of Low Bidder		X
7,8		Award Contract (federal)	X	

LA WR	NO.	DESCRIPTION OF TASK	RESPONSIBLE PARTY	
			LA	CDOT
8		Provide "Award" and "Record" Sets of Plans and Specifications (federal)	x	
CONSTRUCTION MANAGEMENT				
8	Intro	File Project Construction Records/Documentation in ProjectWise or as directed	x	
8	8.1	Issue Notice to Proceed to the Contractor	x	#
8	8.2	Project Safety	x	
8	8.3	Conduct Conferences:		
		Pre-construction Conference (Appendix B) • Fabrication Inspection Notifications	x x	#
		Pre-survey • Construction staking • Monumentation	x x	
		Partnering (Optional)	x	
		Structural Concrete Pre-Pour (Agenda is in CDOT Construction Manual) (If applicable)	x	
		Concrete Pavement Pre-Paving (Agenda is in CDOT Construction Manual) (If applicable)	x	
		HMA Pre-Paving (Agenda is in CDOT Construction Manual) (If applicable)	x	
8	8.4	Develop and distribute Public Notice of Planned Construction to media and local residents	x	
9	8.5	Supervise Construction		
		A Professional Engineer (PE) registered in Colorado, who will be "in responsible charge of construction supervision." TBD _____ Phone number Local Agency Professional Engineer or CDOT Resident Engineer	x	
		Provide competent, experienced staff who will ensure the Contract work is constructed in accordance with the plans and specifications	x	
		Construction inspection and documentation (including projects with structures)	x	#
		Fabrication Inspection and documentation (If applicable)	x	
9	8.6	Review and Approve Shop Drawings	x	
9	8.7	Perform Traffic Control Inspections	x	#
9	8.8	Perform Construction Surveying	x	
9	8.9	Monument Right-of-Way	x	#
9,9A	8.10	Prepare and Approve Interim and Final Contractor Pay Estimates. Collect and review CDOT Form 1418 (or equivalent) or use compliance software system. Provide the name and phone number of the person authorized for this task. Gretchen Gramling 970-416-4386 _____ Phone number Local Agency Representative	x	
9	8.11	Prepare and Approve Interim and Final Utility and Railroad Billings	x	
9B	8.12	Prepare and Authorize Change Orders	x	#
9B	8.13	Submit Change Order Package to CDOT	x	
9A	8.14	Prepare Local Agency Reimbursement Requests	x	
9	8.15	Monitor Project Financial Status	x	#
9	8.16	Prepare and Submit Monthly Progress Reports	x	
9	8.17	Resolve Contractor Claims and Disputes	x	#
	8.18	Conduct Routine and Random Project Reviews Provide the name and phone number of the person responsible for this task. Bryce Reeves 970-350-2126 _____ Phone number CDOT Resident Engineer		x
9	8.19	Ongoing Oversight of DBE Participation	x	

LA WR	NO.	DESCRIPTION OF TASK	RESPONSIBLE PARTY	
			LA	CDOT
MATERIALS				
9,9C	9.1	Discuss Materials at Pre-Construction Meeting <ul style="list-style-type: none"> Buy America documentation required prior to installation of steel 	X	
9,9C	9.2	Complete CDOT Form 250 - Materials Documentation Record <ul style="list-style-type: none"> Generate form, which includes determining the minimum number of required tests and applicable material submittals for all materials placed on the project Update the form as work progresses Complete and distribute form after work is completed 	X X	X
9C	9.3	Perform Project Acceptance Samples and Tests	X	
9C	9.4	Perform Laboratory Acceptance Tests	X	
9C	9.6	Accept Manufactured Products Inspection of structural components: <ul style="list-style-type: none"> Fabrication of structural steel and pre-stressed concrete structural components Bridge modular expansion devices (0" to 6" or greater) Fabrication of bearing devices 	X X X	
9C	9.6	Approve Sources of Materials	X	
9C	9.7	Independent Assurance Testing (IAT) Local Agency Procedures <input type="checkbox"/> CDOT Procedures <input checked="" type="checkbox"/> <ul style="list-style-type: none"> Generate IAT schedule Schedule and provide notification Conduct IAT 	X X	X
9C	9.8	Approve mix designs <ul style="list-style-type: none"> Concrete Hot mix asphalt 	X X	# #
9C	9.9	Check Final Materials Documentation	X	#
9C	9.10	Complete and Distribute Final Materials Documentation	X	#
CONSTRUCTION CIVIL RIGHTS AND LABOR COMPLIANCE				
9	10.1	Fulfill Project Bulletin Board and Pre-Construction Packet Requirements	X	
8,9	10.2	Process CDOT Form 205 - Sublet Permit Application and CDOT Form 1425 – Supplier Application Approval Request. Review & sign completed forms, or review/approve in compliance software system, as applicable, & submit to Region Civil Rights Office.	X	#
9	10.3	Conduct Equal Employment Opportunity and Labor Compliance Verification Employee Interviews. Complete CDOT Form 280	X	
9	10.4	Monitor Disadvantaged Business Enterprise Participation to Ensure Compliance with the "Commercially Useful Function" Requirements	X	
9	10.5	Conduct Interviews When Project Utilizes On-the-Job Trainees. <ul style="list-style-type: none"> Complete CDOT Form 1337 – Contractor Commitment to Meet OJT Requirements. Complete CDOT Form 838 – OJT Trainee / Apprentice Record. Complete CDOT Form 200 - OJT Training Questionnaire 	X X X	
9	10.6	Check Certified Payrolls (Contact the Region Civil Rights Office for training reqmts.)	X	#
9	10.7	Submit FHWA Form 1391 - Highway Construction Contractor's Annual EEO Report	X	
	10.8	Contract Compliance and Project Site Reviews		X
FINALS				
	11.1	Conduct Final Project Inspection & Final Inspection of Structures, if applicable		X
10	11.2	Write Final Project Acceptance Letter	X	
10	11.3	Advertise for Final Settlement	X	
11	11.4	Prepare and Distribute Final As-Constructed Plans	X	
11	11.5	Prepare EEO Certification and Collect EEO Forms	X	
11	11.6	Check Final Quantities, Plans, and Pay Estimate; Check Project Documentation; and submit Final Certifications	X	#

LA WK	NO.	DESCRIPTION OF TASK	RESPONSIBLE PARTY	
			LA	CDOT
11	11.7	Check Material Documentation and Accept Final Material Certification (See Chapter 9)	x	#
	11.8	Review CDOT Form 1419		x
	11.9	Submit CDOT Professional Services Closeout Report Form	x	
	11.10	Complete and Submit CDOT Form 1212 LA – Final Acceptance Report (by CDOT)		x
11	11.11	Process Final Payment	x	#
	11.12	Close out Local Project	x	
	11.13	Complete and Submit CDOT Form 950 - Project Closure		x
11	11.14	Retain Project Records	x	
11	11.15	Retain Final Version of Local Agency Contract Administration Checklist	x	

cc: CDOT Resident Engineer/Project Manager
 CDOT Region Program Engineer
 CDOT Region Civil Rights Office

CDOT Region Materials Engineer
 CDOT Contracts and Market Analysis Branch
 Local Agency Project Manager

EXHIBIT F
CERTIFICATION FOR FEDERAL-AID CONTRACTS

The Local Agency certifies, by signing this Agreement, to the best of its knowledge and belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, Agreement, loan, or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer of Congress, or an employee of a Member of Congress in connection with this Federal contract, Agreement, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

The prospective participant also agrees by submitting his or her bid or proposal that he or she shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such sub-recipients shall certify and disclose accordingly.

EXHIBIT G

DISADVANTAGED BUSINESS ENTERPRISES

SECTION 1. Policy

It is the policy of the Colorado Department of Transportation (CDOT) that Disadvantaged Business Enterprises (DBEs) shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement, pursuant to 49 CFR Part 26. Accordingly, CDOT's federally approved DBE Program Plan shall apply to this agreement.

SECTION 2. Subrecipient and Participant Obligation.

The Local Agency and its subrecipients agrees to ensure that DBEs certified through the Colorado Unified Certification Program have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement.

All participants on contracts and subcontracts financed in whole or in part with Federal funds provided under this Agreement shall take all necessary and reasonable steps in accordance with the CDOT's federally approved DBE Program Plan to ensure that DBEs have the maximum opportunity to compete for and perform contracts.

Local Agency subrecipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of CDOT and federally assisted contracts.

SECTION 3. DBE Program.

The Local Agency subrecipient shall be responsible for complying with CDOT's FHWA-approved DBE Program Plan.

Local Agency requirements can be found at:

<https://www.codot.gov/business/civilrights>

EXHIBIT H

LOCAL AGENCY PROCEDURES FOR CONSULTANT SERVICES

Title 23 Code of Federal Regulations (CFR) 172 applies to a federally funded Local Agency project agreement administered by CDOT that involves professional consultant services. 23 CFR 172.1 states “The policies and procedures involve federally funded contracts for engineering and design related services for projects subject to the provisions of 23 U.S.C. 112(a) and are issued to ensure that a qualified consultant is obtained through an equitable selection process, that prescribed work is properly accomplished in a timely manner, and at fair and reasonable cost” and according to 23 CFR 172.5 “Price shall not be used as a factor in the analysis and selection phase.” Therefore, local agencies must comply with these CFR requirements when obtaining professional consultant services under a federally funded consultant contract administered by CDOT.

CDOT has formulated its procedures in Procedural Directive (P.D.) 400.1 and the related operations guidebook titled "Obtaining Professional Consultant Services". This directive and guidebook incorporate requirements from both Federal and State regulations, i.e., 23 CFR 172 and CRS §24-30-1401 et seq. Copies of the directive and the guidebook may be obtained upon request from CDOT's Agreements and Consultant Management Unit. [Local agencies should have their own written procedures on file for each method of procurement that addresses the items in 23 CFR 172].

Because the procedures and laws described in the Procedural Directive and the guidebook are quite lengthy, the subsequent steps serve as a short-hand guide to CDOT procedures that a Local Agency must follow in obtaining professional consultant services. This guidance follows the format of 23 CFR 172. The steps are:

1. The contracting Local Agency shall document the need for obtaining professional services.
2. Prior to solicitation for consultant services, the contracting Local Agency shall develop a detailed scope of work and a list of evaluation factors and their relative importance. The evaluation factors are those identified in C.R.S. 24-30-1403. Also, a detailed cost estimate should be prepared for use during negotiations.
3. The contracting agency must advertise for contracts in conformity with the requirements of C.R.S. 24-30- 1405. The public notice period, when such notice is required, is a minimum of 15 days prior to the selection of the three most qualified firms and the advertising should be done in one or more daily newspapers of general circulation.
4. The Local Agency shall not advertise any federal aid contract without prior review by the CDOT Regional Civil Rights Office (RCRO) to determine whether the contract shall be subject to a DBE contract goal. If

the RCRO determines a goal is necessary, then the Local Agency shall include the goal and the applicable provisions within the advertisement. The Local Agency shall not award a contract to any Contractor or Consultant without the confirmation by the CDOT Civil Rights and Business Resource Center that the Contractor or Consultant has demonstrated good faith efforts. The Local Agency shall work with the CDOT RCRO to ensure compliance with the established terms during the performance of the contract.

5. The Local Agency shall require that all contractors pay subcontractors for satisfactory performance of work no later than 30 days after the receipt of payment for that work from the contractor. For construction projects, this time period shall be reduced to seven days in accordance with Colorado Revised Statute 24-91-103(2). If the Local Agency withholds retainage from contractors and/or allows contractors to withhold retainage from subcontractors, such retainage provisions must comply with 49 CFR 26.29.

6. Payments to all Subconsultants shall be made within thirty days of receipt of payment from [the Local Agency] or no later than ninety days from the date of the submission of a complete invoice from the Subconsultant, whichever occurs first. If the Consultant has good cause to dispute an amount invoiced by a Subconsultant, the Consultant shall notify [the Local Agency] no later than the required date for payment. Such notification shall include the amount disputed and justification for the withholding. The Consultant shall maintain records of payment that show amounts paid to all Subconsultants. Good cause does not include the Consultant's failure to submit an invoice to the Local Agency or to deposit payments made.

7. The analysis and selection of the consultants shall be done in accordance with CRS §24-30-1403. This section of the regulation identifies the criteria to be used in the evaluation of CDOT pre-qualified prime consultants and their team. It also shows which criteria are used to short-list and to make a final selection.

The short-list is based on the following evaluation factors:

- a. Qualifications,
- b. Approach to the Work,
- c. Ability to furnish professional services.
- d. Anticipated design concepts, and
- e. Alternative methods of approach for furnishing the professional services.

Evaluation factors for final selection are the consultant's:

- a. Abilities of their personnel,

- b. Past performance,
- c. Willingness to meet the time and budget requirement,
- d. Location,
- e. Current and projected work load,
- f. Volume of previously awarded contracts, and
- g. Involvement of minority consultants.

8. Once a consultant is selected, the Local Agency enters into negotiations with the consultant to obtain a fair and reasonable price for the anticipated work. Pre-negotiation audits are prepared for contracts expected to be greater than \$50,000. Federal reimbursements for costs are limited to those costs allowable under the cost principles of 48 CFR 31. Fixed fees (profit) are determined with consideration given to size, complexity, duration, and degree of risk involved in the work. Profit is in the range of six to 15 percent of the total direct and indirect costs.

9. A qualified Local Agency employee shall be responsible and in charge of the Work to ensure that the work being pursued is complete, accurate, and consistent with the terms, conditions, and specifications of the contract. At the end of Work, the Local Agency prepares a performance evaluation (a CDOT form is available) on the consultant.

CRS §§24-30-1401 THROUGH 24-30-1408, 23 CFR PART 172, AND P.D. 400.1, PROVIDE ADDITIONAL DETAILS FOR COMPLYING WITH THE PRECEEDING EIGHT (8) STEPS.

REQUIRED CONTRACT PROVISIONS FEDERAL-AID CONSTRUCTION CONTRACTS

- I. General
- II. Nondiscrimination
- III. Non-segregated Facilities
- IV. Davis-Bacon and Related Act Provisions
- V. Contract Work Hours and Safety Standards Act Provisions
- VI. Subletting or Assigning the Contract
- VII. Safety: Accident Prevention
- VIII. False Statements Concerning Highway Projects
- IX. Implementation of Clean Air Act and Federal Water Pollution Control Act
- X. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
- XI. Certification Regarding Use of Contract Funds for Lobbying
- XII. Use of United States-Flag Vessels:

ATTACHMENTS

A. Employment and Materials Preference for Appalachian Development Highway System or Appalachian Local Access Road Contracts (included in Appalachian contracts only)

I. GENERAL

1. Form FHWA-1273 must be physically incorporated in each construction contract funded under title 23, United States Code, as required in 23 CFR 633.102(b) (excluding emergency contracts solely intended for debris removal). The contractor (or subcontractor) must insert this form in each subcontract and further require its inclusion in all lower tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services). 23 CFR 633.102(e).

The applicable requirements of Form FHWA-1273 are incorporated by reference for work done under any purchase order, rental agreement or agreement for other services. The prime contractor shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider. 23 CFR 633.102(e).

Form FHWA-1273 must be included in all Federal-aid design-build contracts, in all subcontracts and in lower tier subcontracts (excluding subcontracts for design services, purchase orders, rental agreements and other agreements for supplies or services) in accordance with 23 CFR 633.102. The design-builder shall be responsible for compliance by any subcontractor, lower-tier subcontractor or service provider.

Contracting agencies may reference Form FHWA-1273 in solicitation-for-bids or request-for-proposals documents, however, the Form FHWA-1273 must be physically incorporated (not referenced) in all contracts, subcontracts and lower-tier subcontracts (excluding purchase orders, rental agreements and other agreements for supplies or services related to a construction contract). 23 CFR 633.102(b).

2. Subject to the applicability criteria noted in the following sections, these contract provisions shall apply to all work

performed on the contract by the contractor's own organization and with the assistance of workers under the contractor's immediate superintendence and to all work performed on the contract by piecework, station work, or by subcontract. 23 CFR 633.102(d).

3. A breach of any of the stipulations contained in these Required Contract Provisions may be sufficient grounds for withholding of progress payments, withholding of final payment, termination of the contract, suspension / debarment or any other action determined to be appropriate by the contracting agency and FHWA.

4. Selection of Labor: During the performance of this contract, the contractor shall not use convict labor for any purpose within the limits of a construction project on a Federal-aid highway unless it is labor performed by convicts who are on parole, supervised release, or probation. 23 U.S.C. 114(b). The term Federal-aid highway does not include roadways functionally classified as local roads or rural minor collectors. 23 U.S.C. 101(a).

II. NONDISCRIMINATION (23 CFR 230.107(a); 23 CFR Part 230, Subpart A, Appendix A; EO 11246)

The provisions of this section related to 23 CFR Part 230, Subpart A, Appendix A are applicable to all Federal-aid construction contracts and to all related construction subcontracts of \$10,000 or more. The provisions of 23 CFR Part 230 are not applicable to material supply, engineering, or architectural service contracts.

In addition, the contractor and all subcontractors must comply with the following policies: Executive Order 11246, 41 CFR Part 60, 29 CFR Parts 1625-1627, 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The contractor and all subcontractors must comply with: the requirements of the Equal Opportunity Clause in 41 CFR 60-1.4(b) and, for all construction contracts exceeding \$10,000, the Standard Federal Equal Employment Opportunity Construction Contract Specifications in 41 CFR 60-4.3.

Note: The U.S. Department of Labor has exclusive authority to determine compliance with Executive Order 11246 and the policies of the Secretary of Labor including 41 CFR Part 60, and 29 CFR Parts 1625-1627. The contracting agency and the FHWA have the authority and the responsibility to ensure compliance with 23 U.S.C. 140, Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), and Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq.), and related regulations including 49 CFR Parts 21, 26, and 27; and 23 CFR Parts 200, 230, and 633.

The following provision is adopted from 23 CFR Part 230, Subpart A, Appendix A, with appropriate revisions to conform to the U.S. Department of Labor (US DOL) and FHWA requirements.

1. Equal Employment Opportunity: Equal Employment Opportunity (EEO) requirements not to discriminate and to take affirmative action to assure equal opportunity as set forth under laws, executive orders, rules, regulations (see 28 CFR Part 35, 29 CFR Part 1630, 29 CFR Parts 1625-1627, 41 CFR Part 60 and 49 CFR Part 27) and orders of the Secretary of Labor as modified by the provisions prescribed herein, and imposed pursuant to 23 U.S.C. 140, shall constitute the EEO and specific affirmative action standards for the contractor's project activities under this contract. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) set forth under 28 CFR Part 35 and 29 CFR Part 1630 are incorporated by reference in this contract. In the execution of this contract, the contractor agrees to comply with the following minimum specific requirement activities of EEO:

a. The contractor will work with the contracting agency and the Federal Government to ensure that it has made every good faith effort to provide equal opportunity with respect to all of its terms and conditions of employment and in their review of activities under the contract. 23 CFR 230.409 (g)(4) & (5).

b. The contractor will accept as its operating policy the following statement:

"It is the policy of this Company to assure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, sexual orientation, gender identity, color, national origin, age or disability. Such action shall include: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and/or on-the-job training."

2. EEO Officer: The contractor will designate and make known to the contracting officers an EEO Officer who will have the responsibility for and must be capable of effectively administering and promoting an active EEO program and who must be assigned adequate authority and responsibility to do so.

3. Dissemination of Policy: All members of the contractor's staff who are authorized to hire, supervise, promote, and discharge employees, or who recommend such action or are substantially involved in such action, will be made fully cognizant of and will implement the contractor's EEO policy and contractual responsibilities to provide EEO in each grade and classification of employment. To ensure that the above agreement will be met, the following actions will be taken as a minimum:

a. Periodic meetings of supervisory and personnel office employees will be conducted before the start of work and then not less often than once every six months, at which time the contractor's EEO policy and its implementation will be reviewed and explained. The meetings will be conducted by the EEO Officer or other knowledgeable company official.

b. All new supervisory or personnel office employees will be given a thorough indoctrination by the EEO Officer, covering all major aspects of the contractor's EEO obligations within thirty days following their reporting for duty with the contractor.

c. All personnel who are engaged in direct recruitment for the project will be instructed by the EEO Officer in the contractor's procedures for locating and hiring minorities and women.

d. Notices and posters setting forth the contractor's EEO policy will be placed in areas readily accessible to employees, applicants for employment and potential employees.

e. The contractor's EEO policy and the procedures to implement such policy will be brought to the attention of employees by means of meetings, employee handbooks, or other appropriate means.

4. Recruitment: When advertising for employees, the contractor will include in all advertisements for employees the notation: "An Equal Opportunity Employer." All such advertisements will be placed in publications having a large circulation among minorities and women in the area from which the project work force would normally be derived.

a. The contractor will, unless precluded by a valid bargaining agreement, conduct systematic and direct recruitment through public and private employee referral sources likely to yield qualified minorities and women. To meet this requirement, the contractor will identify sources of potential minority group employees and establish with such identified sources procedures whereby minority and women applicants may be referred to the contractor for employment consideration.

b. In the event the contractor has a valid bargaining agreement providing for exclusive hiring hall referrals, the contractor is expected to observe the provisions of that agreement to the extent that the system meets the contractor's compliance with EEO contract provisions. Where implementation of such an agreement has the effect of discriminating against minorities or women, or obligates the contractor to do the same, such implementation violates Federal nondiscrimination provisions.

c. The contractor will encourage its present employees to refer minorities and women as applicants for employment. Information and procedures with regard to referring such applicants will be discussed with employees.

5. Personnel Actions: Wages, working conditions, and employee benefits shall be established and administered, and personnel actions of every type, including hiring, upgrading, promotion, transfer, demotion, layoff, and termination, shall be taken without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age or disability. The following procedures shall be followed:

a. The contractor will conduct periodic inspections of project sites to ensure that working conditions and employee facilities do not indicate discriminatory treatment of project site personnel.

b. The contractor will periodically evaluate the spread of wages paid within each classification to determine any evidence of discriminatory wage practices.

c. The contractor will periodically review selected personnel actions in depth to determine whether there is evidence of discrimination. Where evidence is found, the contractor will promptly take corrective action. If the review indicates that the discrimination may extend beyond the actions reviewed, such corrective action shall include all affected persons.

d. The contractor will promptly investigate all complaints of alleged discrimination made to the contractor in connection with its obligations under this contract, will attempt to resolve such complaints, and will take appropriate corrective action

within a reasonable time. If the investigation indicates that the discrimination may affect persons other than the complainant, such corrective action shall include such other persons. Upon completion of each investigation, the contractor will inform every complainant of all of their avenues of appeal.

6. Training and Promotion:

a. The contractor will assist in locating, qualifying, and increasing the skills of minorities and women who are applicants for employment or current employees. Such efforts should be aimed at developing full journey level status employees in the type of trade or job classification involved.

b. Consistent with the contractor's work force requirements and as permissible under Federal and State regulations, the contractor shall make full use of training programs (i.e., apprenticeship and on-the-job training programs for the geographical area of contract performance). In the event a special provision for training is provided under this contract, this subparagraph will be superseded as indicated in the special provision. The contracting agency may reserve training positions for persons who receive welfare assistance in accordance with 23 U.S.C. 140(a).

c. The contractor will advise employees and applicants for employment of available training programs and entrance requirements for each.

d. The contractor will periodically review the training and promotion potential of employees who are minorities and women and will encourage eligible employees to apply for such training and promotion.

7. Unions: If the contractor relies in whole or in part upon unions as a source of employees, the contractor will use good faith efforts to obtain the cooperation of such unions to increase opportunities for minorities and women. 23 CFR 230.409. Actions by the contractor, either directly or through a contractor's association acting as agent, will include the procedures set forth below:

a. The contractor will use good faith efforts to develop, in cooperation with the unions, joint training programs aimed toward qualifying more minorities and women for membership in the unions and increasing the skills of minorities and women so that they may qualify for higher paying employment.

b. The contractor will use good faith efforts to incorporate an EEO clause into each union agreement to the end that such union will be contractually bound to refer applicants without regard to their race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability.

c. The contractor is to obtain information as to the referral practices and policies of the labor union except that to the extent such information is within the exclusive possession of the labor union and such labor union refuses to furnish such information to the contractor, the contractor shall so certify to the contracting agency and shall set forth what efforts have been made to obtain such information.

d. In the event the union is unable to provide the contractor with a reasonable flow of referrals within the time limit set forth in the collective bargaining agreement, the contractor will, through independent recruitment efforts, fill the employment vacancies without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability; making full efforts to obtain qualified and/or qualifiable minorities and women. The failure of a union to provide

sufficient referrals (even though it is obligated to provide exclusive referrals under the terms of a collective bargaining agreement) does not relieve the contractor from the requirements of this paragraph. In the event the union referral practice prevents the contractor from meeting the obligations pursuant to Executive Order 11246, as amended, and these special provisions, such contractor shall immediately notify the contracting agency.

8. Reasonable Accommodation for Applicants / Employees with Disabilities: The contractor must be familiar with the requirements for and comply with the Americans with Disabilities Act and all rules and regulations established thereunder. Employers must provide reasonable accommodation in all employment activities unless to do so would cause an undue hardship.

9. Selection of Subcontractors, Procurement of Materials and Leasing of Equipment: The contractor shall not discriminate on the grounds of race, color, religion, sex, sexual orientation, gender identity, national origin, age, or disability in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The contractor shall take all necessary and reasonable steps to ensure nondiscrimination in the administration of this contract.

a. The contractor shall notify all potential subcontractors, suppliers, and lessors of their EEO obligations under this contract.

b. The contractor will use good faith efforts to ensure subcontractor compliance with their EEO obligations.

10. Assurances Required:

a. The requirements of 49 CFR Part 26 and the State DOT's FHWA-approved Disadvantaged Business Enterprise (DBE) program are incorporated by reference.

b. The contractor, subrecipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate, which may include, but is not limited to:

- (1) Withholding monthly progress payments;
- (2) Assessing sanctions;
- (3) Liquidated damages; and/or
- (4) Disqualifying the contractor from future bidding as non-responsible.

c. The Title VI and nondiscrimination provisions of U.S. DOT Order 1050.2A at Appendixes A and E are incorporated by reference. 49 CFR Part 21.

11. Records and Reports: The contractor shall keep such records as necessary to document compliance with the EEO requirements. Such records shall be retained for a period of three years following the date of the final payment to the contractor for all contract work and shall be available at reasonable times and places for inspection by authorized representatives of the contracting agency and the FHWA.

a. The records kept by the contractor shall document the following:

(1) The number and work hours of minority and non-minority group members and women employed in each work classification on the project;

(2) The progress and efforts being made in cooperation with unions, when applicable, to increase employment opportunities for minorities and women; and

(3) The progress and efforts being made in locating, hiring, training, qualifying, and upgrading minorities and women.

b. The contractors and subcontractors will submit an annual report to the contracting agency each July for the duration of the project indicating the number of minority, women, and non-minority group employees currently engaged in each work classification required by the contract work. This information is to be reported on [Form FHWA-1391](#). The staffing data should represent the project work force on board in all or any part of the last payroll period preceding the end of July. If on-the-job training is being required by special provision, the contractor will be required to collect and report training data. The employment data should reflect the work force on board during all or any part of the last payroll period preceding the end of July.

III. NONSEGREGATED FACILITIES

This provision is applicable to all Federal-aid construction contracts and to all related construction subcontracts of more than \$10,000. 41 CFR 60-1.5.

As prescribed by 41 CFR 60-1.8, the contractor must ensure that facilities provided for employees are provided in such a manner that segregation on the basis of race, color, religion, sex, sexual orientation, gender identity, or national origin cannot result. The contractor may neither require such segregated use by written or oral policies nor tolerate such use by employee custom. The contractor's obligation extends further to ensure that its employees are not assigned to perform their services at any location under the contractor's control where the facilities are segregated. The term "facilities" includes waiting rooms, work areas, restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing provided for employees. The contractor shall provide separate or single-user restrooms and necessary dressing or sleeping areas to assure privacy between sexes.

IV. DAVIS-BACON AND RELATED ACT PROVISIONS

This section is applicable to all Federal-aid construction projects exceeding \$2,000 and to all related subcontracts and lower-tier subcontracts (regardless of subcontract size), in accordance with 29 CFR 5.5. The requirements apply to all projects located within the right-of-way of a roadway that is functionally classified as Federal-aid highway. 23 U.S.C. 113. This excludes roadways functionally classified as local roads or rural minor collectors, which are exempt. 23 U.S.C. 101. Where applicable law requires that projects be treated as a project on a Federal-aid highway, the provisions of this subpart will apply regardless of the location of the project. Examples include: Surface Transportation Block Grant Program projects funded under 23 U.S.C. 133 [excluding recreational trails projects], the Nationally Significant Freight and Highway

Projects funded under 23 U.S.C. 117, and National Highway Freight Program projects funded under 23 U.S.C. 167.

The following provisions are from the U.S. Department of Labor regulations in 29 CFR 5.5 "Contract provisions and related matters" with minor revisions to conform to the FHWA-1273 format and FHWA program requirements.

1. Minimum wages (29 CFR 5.5)

a. *Wage rates and fringe benefits.* All laborers and mechanics employed or working upon the site of the work (or otherwise working in construction or development of the project under a development statute), will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act ([29 CFR part 3](#))), the full amount of basic hourly wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. As provided in paragraphs (d) and (e) of 29 CFR 5.5, the appropriate wage determinations are effective by operation of law even if they have not been attached to the contract. Contributions made or costs reasonably anticipated for bona fide fringe benefits under the Davis-Bacon Act ([40 U.S.C. 3141\(2\)\(B\)](#)) on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of paragraph 1.e. of this section; also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period. Such laborers and mechanics must be paid the appropriate wage rate and fringe benefits on the wage determination for the classification(s) of work actually performed, without regard to skill, except as provided in paragraph 4. of this section. Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the time actually worked therein: *Provided*, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classifications and wage rates conformed under paragraph 1.c. of this section) and the Davis-Bacon poster (WH-1321) must be posted at all times by the contractor and its subcontractors at the site of the work in a prominent and accessible place where it can be easily seen by the workers.

b. *Frequently recurring classifications.* (1) In addition to wage and fringe benefit rates that have been determined to be prevailing under the procedures set forth in [29 CFR part 1](#), a wage determination may contain, pursuant to § 1.3(f), wage and fringe benefit rates for classifications of laborers and mechanics for which conformance requests are regularly submitted pursuant to paragraph 1.c. of this section, provided that:

(i) The work performed by the classification is not performed by a classification in the wage determination for which a prevailing wage rate has been determined;

(ii) The classification is used in the area by the construction industry; and

(iii) The wage rate for the classification bears a reasonable relationship to the prevailing wage rates contained in the wage determination.

(2) The Administrator will establish wage rates for such classifications in accordance with paragraph 1.c.(1)(iii) of this section. Work performed in such a classification must be paid at no less than the wage and fringe benefit rate listed on the wage determination for such classification.

c. *Conformance.* (1) The contracting officer must require that any class of laborers or mechanics, including helpers, which is not listed in the wage determination and which is to be employed under the contract be classified in conformance with the wage determination. Conformance of an additional classification and wage rate and fringe benefits is appropriate only when the following criteria have been met:

(i) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(ii) The classification is used in the area by the construction industry; and

(iii) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(2) The conformance process may not be used to split, subdivide, or otherwise avoid application of classifications listed in the wage determination.

(3) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and the contracting officer agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken will be sent by the contracting officer by email to DBAconformance@dol.gov. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(4) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and the contracting officer do not agree on the proposed classification and wage rate (including the amount designated for fringe benefits, where appropriate), the contracting officer will, by email to DBAconformance@dol.gov, refer the questions, including the views of all interested parties and the recommendation of the contracting officer, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise the contracting officer or will notify the contracting officer within the 30-day period that additional time is necessary.

(5) The contracting officer must promptly notify the contractor of the action taken by the Wage and Hour Division

under paragraphs 1.c.(3) and (4) of this section. The contractor must furnish a written copy of such determination to each affected worker or it must be posted as a part of the wage determination. The wage rate (including fringe benefits where appropriate) determined pursuant to paragraph 1.c.(3) or (4) of this section must be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

d. *Fringe benefits not expressed as an hourly rate.* Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly rate, the contractor may either pay the benefit as stated in the wage determination or may pay another bona fide fringe benefit or an hourly cash equivalent thereof.

e. *Unfunded plans.* If the contractor does not make payments to a trustee or other third person, the contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, *Provided*, That the Secretary of Labor has found, upon the written request of the contractor, in accordance with the criteria set forth in § 5.28, that the applicable standards of the Davis-Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

f. *Interest.* In the event of a failure to pay all or part of the wages required by the contract, the contractor will be required to pay interest on any underpayment of wages.

2. Withholding (29 CFR 5.5)

a. *Withholding requirements.* The contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for the full amount of wages and monetary relief, including interest, required by the clauses set forth in this section for violations of this contract, or to satisfy any such liabilities required by any other Federal contract, or federally assisted contract subject to Davis-Bacon labor standards, that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to Davis-Bacon labor standards requirements and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld. In the event of a contractor's failure to pay any laborer or mechanic, including any apprentice or helper working on the site of the work all or part of the wages required by the contract, or upon the contractor's failure to submit the required records as discussed in paragraph 3.d. of this section, the contracting agency may on its own initiative and after written notice to the contractor, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with paragraph

2.a. of this section or Section V, paragraph 3.a., or both, over claims to those funds by:

- (1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- (2) A contracting agency for its procurement costs;
- (3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- (4) A contractor's assignee(s);
- (5) A contractor's successor(s); or
- (6) A claim asserted under the Prompt Payment Act, [31 U.S.C. 3901–3907](#).

3. Records and certified payrolls (29 CFR 5.5)

a. Basic record requirements (1) Length of record retention. All regular payrolls and other basic records must be maintained by the contractor and any subcontractor during the course of the work and preserved for all laborers and mechanics working at the site of the work (or otherwise working in construction or development of the project under a development statute) for a period of at least 3 years after all the work on the prime contract is completed.

(2) Information required. Such records must contain the name; Social Security number; last known address, telephone number, and email address of each such worker; each worker's correct classification(s) of work actually performed; hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in [40 U.S.C. 3141\(2\)\(B\)](#) of the Davis-Bacon Act); daily and weekly number of hours actually worked in total and on each covered contract; deductions made; and actual wages paid.

(3) Additional records relating to fringe benefits. Whenever the Secretary of Labor has found under paragraph 1.e. of this section that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in [40 U.S.C. 3141\(2\)\(B\)](#) of the Davis-Bacon Act, the contractor must maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(4) Additional records relating to apprenticeship. Contractors with apprentices working under approved programs must maintain written evidence of the registration of apprenticeship programs, the registration of the apprentices, and the ratios and wage rates prescribed in the applicable programs.

b. Certified payroll requirements (1) Frequency and method of submission. The contractor or subcontractor must submit weekly, for each week in which any DBA- or Related Acts-covered work is performed, certified payrolls to the contracting

agency. The prime contractor is responsible for the submission of all certified payrolls by all subcontractors. A contracting agency or prime contractor may permit or require contractors to submit certified payrolls through an electronic system, as long as the electronic system requires a legally valid electronic signature; the system allows the contractor, the contracting agency, and the Department of Labor to access the certified payrolls upon request for at least 3 years after the work on the prime contract has been completed; and the contracting agency or prime contractor permits other methods of submission in situations where the contractor is unable or limited in its ability to use or access the electronic system.

(2) Information required. The certified payrolls submitted must set out accurately and completely all of the information required to be maintained under paragraph 3.a.(2) of this section, except that full Social Security numbers and last known addresses, telephone numbers, and email addresses must not be included on weekly transmittals. Instead, the certified payrolls need only include an individually identifying number for each worker (e.g., the last four digits of the worker's Social Security number). The required weekly certified payroll information may be submitted using Optional Form WH-347 or in any other format desired. Optional Form WH-347 is available for this purpose from the Wage and Hour Division website at <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh347.pdf> or its successor website. It is not a violation of this section for a prime contractor to require a subcontractor to provide full Social Security numbers and last known addresses, telephone numbers, and email addresses to the prime contractor for its own records, without weekly submission by the subcontractor to the contracting agency.

(3) Statement of Compliance. Each certified payroll submitted must be accompanied by a "Statement of Compliance," signed by the contractor or subcontractor, or the contractor's or subcontractor's agent who pays or supervises the payment of the persons working on the contract, and must certify the following:

(i) That the certified payroll for the payroll period contains the information required to be provided under paragraph 3.b. of this section, the appropriate information and basic records are being maintained under paragraph 3.a. of this section, and such information and records are correct and complete;

(ii) That each laborer or mechanic (including each helper and apprentice) working on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in [29 CFR part 3](#); and

(iii) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification(s) of work actually performed, as specified in the applicable wage determination incorporated into the contract.

(4) Use of Optional Form WH-347. The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 will satisfy the requirement for submission of the "Statement of Compliance" required by paragraph 3.b.(3) of this section.

(5) *Signature.* The signature by the contractor, subcontractor, or the contractor's or subcontractor's agent must be an original handwritten signature or a legally valid electronic signature.

(6) *Falsification.* The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under [18 U.S.C. 1001](#) and [31 U.S.C. 3729](#).

(7) *Length of certified payroll retention.* The contractor or subcontractor must preserve all certified payrolls during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

c. *Contracts, subcontracts, and related documents.* The contractor or subcontractor must maintain this contract or subcontract and related documents including, without limitation, bids, proposals, amendments, modifications, and extensions. The contractor or subcontractor must preserve these contracts, subcontracts, and related documents during the course of the work and for a period of 3 years after all the work on the prime contract is completed.

d. *Required disclosures and access (1) Required record disclosures and access to workers.* The contractor or subcontractor must make the records required under paragraphs 3.a. through 3.c. of this section, and any other documents that the contracting agency, the State DOT, the FHWA, or the Department of Labor deems necessary to determine compliance with the labor standards provisions of any of the applicable statutes referenced by § 5.1, available for inspection, copying, or transcription by authorized representatives of the contracting agency, the State DOT, the FHWA, or the Department of Labor, and must permit such representatives to interview workers during working hours on the job.

(2) *Sanctions for non-compliance with records and worker access requirements.* If the contractor or subcontractor fails to submit the required records or to make them available, or refuses to permit worker interviews during working hours on the job, the Federal agency may, after written notice to the contractor, sponsor, applicant, owner, or other entity, as the case may be, that maintains such records or that employs such workers, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available, or to permit worker interviews during working hours on the job, may be grounds for debarment action pursuant to § 5.12. In addition, any contractor or other person that fails to submit the required records or make those records available to WHD within the time WHD requests that the records be produced will be precluded from introducing as evidence in an administrative proceeding under [29 CFR part 6](#) any of the required records that were not provided or made available to WHD. WHD will take into consideration a reasonable request from the contractor or person for an extension of the time for submission of records. WHD will determine the reasonableness of the request and may consider, among other things, the location of the records and the volume of production.

(3) *Required information disclosures.* Contractors and subcontractors must maintain the full Social Security number and last known address, telephone number, and email address

of each covered worker, and must provide them upon request to the contracting agency, the State DOT, the FHWA, the contractor, or the Wage and Hour Division of the Department of Labor for purposes of an investigation or other compliance action.

4. Apprentices and equal employment opportunity (29 CFR 5.5)

a. *Apprentices (1) Rate of pay.* Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship (OA), or with a State Apprenticeship Agency recognized by the OA. A person who is not individually registered in the program, but who has been certified by the OA or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice, will be permitted to work at less than the predetermined rate for the work they perform in the first 90 days of probationary employment as an apprentice in such a program. In the event the OA or a State Apprenticeship Agency recognized by the OA withdraws approval of an apprenticeship program, the contractor will no longer be permitted to use apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(2) *Fringe benefits.* Apprentices must be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringe benefits must be paid in accordance with that determination.

(3) *Apprenticeship ratio.* The allowable ratio of apprentices to journeyworkers on the job site in any craft classification must not be greater than the ratio permitted to the contractor as to the entire work force under the registered program or the ratio applicable to the locality of the project pursuant to paragraph 4.a.(4) of this section. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as stated in paragraph 4.a.(1) of this section, must be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under this section must be paid not less than the applicable wage rate on the wage determination for the work actually performed.

(4) *Reciprocity of ratios and wage rates.* Where a contractor is performing construction on a project in a locality other than the locality in which its program is registered, the ratios and wage rates (expressed in percentages of the journeyworker's hourly rate) applicable within the locality in which the construction is being performed must be observed. If there is no applicable ratio or wage rate for the locality of the project, the ratio and wage rate specified in the contractor's registered program must be observed.

b. *Equal employment opportunity.* The use of apprentices and journeyworkers under this part must be in conformity with

the equal employment opportunity requirements of Executive Order 11246, as amended, and [29 CFR part 30](#).

c. Apprentices and Trainees (programs of the U.S. DOT).

Apprentices and trainees working under apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting EEO in connection with Federal-aid highway construction programs are not subject to the requirements of paragraph 4 of this Section IV. 23 CFR 230.111(e)(2). The straight time hourly wage rates for apprentices and trainees under such programs will be established by the particular programs. The ratio of apprentices and trainees to journeyworkers shall not be greater than permitted by the terms of the particular program.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR part 3, which are incorporated by reference in this contract as provided in 29 CFR 5.5.

6. Subcontracts. The contractor or subcontractor must insert FHWA-1273 in any subcontracts, along with the applicable wage determination(s) and such other clauses or contract modifications as the contracting agency may by appropriate instructions require, and a clause requiring the subcontractors to include these clauses and wage determination(s) in any lower tier subcontracts. The prime contractor is responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this section. In the event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and may be subject to debarment, as appropriate. 29 CFR 5.5.

7. Contract termination: debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract, and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR parts 1, 3, and 5 are herein incorporated by reference in this contract as provided in 29 CFR 5.5.

9. Disputes concerning labor standards. As provided in 29 CFR 5.5, disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

10. Certification of eligibility. a. By entering into this contract, the contractor certifies that neither it nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of [40 U.S.C. 3144\(b\)](#) or § 5.12(a).

b. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of [40 U.S.C. 3144\(b\)](#) or § 5.12(a).

c. The penalty for making false statements is prescribed in the U.S. Code, Title 18 Crimes and Criminal Procedure, [18 U.S.C. 1001](#).

11. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#);

b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#);

c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#); or

d. Informing any other person about their rights under the DBA, Related Acts, this part, or [29 CFR part 1](#) or [3](#).

V. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT

Pursuant to 29 CFR 5.5(b), the following clauses apply to any Federal-aid construction contract in an amount in excess of \$100,000 and subject to the overtime provisions of the Contract Work Hours and Safety Standards Act. These clauses shall be inserted in addition to the clauses required by 29 CFR 5.5(a) or 29 CFR 4.6. As used in this paragraph, the terms laborers and mechanics include watchpersons and guards.

1. Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek. 29 CFR 5.5.

2. Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph 1. of this section the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages and interest from the date of the underpayment. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or

mechanic, including watchpersons and guards, employed in violation of the clause set forth in paragraph 1. of this section, in the sum currently provided in 29 CFR 5.5(b)(2)* for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph 1. of this section.

* \$31 as of January 15, 2023 (See 88 FR 88 FR 2210) as may be adjusted annually by the Department of Labor, pursuant to the Federal Civil Penalties Inflation Adjustment Act of 1990.

3. Withholding for unpaid wages and liquidated damages

a. *Withholding process.* The FHWA or the contracting agency may, upon its own action, or must, upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the contractor so much of the accrued payments or advances as may be considered necessary to satisfy the liabilities of the prime contractor or any subcontractor for any unpaid wages; monetary relief, including interest; and liquidated damages required by the clauses set forth in this section on this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract subject to the Contract Work Hours and Safety Standards Act that is held by the same prime contractor (as defined in § 5.2). The necessary funds may be withheld from the contractor under this contract, any other Federal contract with the same prime contractor, or any other federally assisted contract that is subject to the Contract Work Hours and Safety Standards Act and is held by the same prime contractor, regardless of whether the other contract was awarded or assisted by the same agency, and such funds may be used to satisfy the contractor liability for which the funds were withheld.

b. *Priority to withheld funds.* The Department has priority to funds withheld or to be withheld in accordance with Section IV paragraph 2.a. or paragraph 3.a. of this section, or both, over claims to those funds by:

- (1) A contractor's surety(ies), including without limitation performance bond sureties and payment bond sureties;
- (2) A contracting agency for its procurement costs;
- (3) A trustee(s) (either a court-appointed trustee or a U.S. trustee, or both) in bankruptcy of a contractor, or a contractor's bankruptcy estate;
- (4) A contractor's assignee(s);
- (5) A contractor's successor(s); or
- (6) A claim asserted under the Prompt Payment Act, [31 U.S.C. 3901](#)–3907.

4. Subcontracts. The contractor or subcontractor must insert in any subcontracts the clauses set forth in paragraphs 1. through 5. of this section and a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor is responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in paragraphs 1. through 5. In the

event of any violations of these clauses, the prime contractor and any subcontractor(s) responsible will be liable for any unpaid wages and monetary relief, including interest from the date of the underpayment or loss, due to any workers of lower-tier subcontractors, and associated liquidated damages and may be subject to debarment, as appropriate.

5. Anti-retaliation. It is unlawful for any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, or to cause any person to discharge, demote, intimidate, threaten, restrain, coerce, blacklist, harass, or in any other manner discriminate against, any worker or job applicant for:

- a. Notifying any contractor of any conduct which the worker reasonably believes constitutes a violation of the Contract Work Hours and Safety Standards Act (CWHSSA) or its implementing regulations in this part;
- b. Filing any complaint, initiating or causing to be initiated any proceeding, or otherwise asserting or seeking to assert on behalf of themselves or others any right or protection under CWHSSA or this part;
- c. Cooperating in any investigation or other compliance action, or testifying in any proceeding under CWHSSA or this part; or
- d. Informing any other person about their rights under CWHSSA or this part.

VI. SUBLETTING OR ASSIGNING THE CONTRACT

This provision is applicable to all Federal-aid construction contracts on the National Highway System pursuant to 23 CFR 635.116.

1. The contractor shall perform with its own organization contract work amounting to not less than 30 percent (or a greater percentage if specified elsewhere in the contract) of the total original contract price, excluding any specialty items designated by the contracting agency. Specialty items may be performed by subcontract and the amount of any such specialty items performed may be deducted from the total original contract price before computing the amount of work required to be performed by the contractor's own organization (23 CFR 635.116).

a. The term "perform work with its own organization" in paragraph 1 of Section VI refers to workers employed or leased by the prime contractor, and equipment owned or rented by the prime contractor, with or without operators. Such term does not include employees or equipment of a subcontractor or lower tier subcontractor, agents of the prime contractor, or any other assignees. The term may include payments for the costs of hiring leased employees from an employee leasing firm meeting all relevant Federal and State regulatory requirements. Leased employees may only be included in this term if the prime contractor meets all of the following conditions: (based on longstanding interpretation)

- (1) the prime contractor maintains control over the supervision of the day-to-day activities of the leased employees;
- (2) the prime contractor remains responsible for the quality of the work of the leased employees;

- (3) the prime contractor retains all power to accept or exclude individual employees from work on the project; and
- (4) the prime contractor remains ultimately responsible for the payment of predetermined minimum wages, the submission of payrolls, statements of compliance and all other Federal regulatory requirements.

b. "Specialty Items" shall be construed to be limited to work that requires highly specialized knowledge, abilities, or equipment not ordinarily available in the type of contracting organizations qualified and expected to bid or propose on the contract as a whole and in general are to be limited to minor components of the overall contract. 23 CFR 635.102.

2. Pursuant to 23 CFR 635.116(a), the contract amount upon which the requirements set forth in paragraph (1) of Section VI is computed includes the cost of material and manufactured products which are to be purchased or produced by the contractor under the contract provisions.

3. Pursuant to 23 CFR 635.116(c), the contractor shall furnish (a) a competent superintendent or supervisor who is employed by the firm, has full authority to direct performance of the work in accordance with the contract requirements, and is in charge of all construction operations (regardless of who performs the work) and (b) such other of its own organizational resources (supervision, management, and engineering services) as the contracting officer determines is necessary to assure the performance of the contract.

4. No portion of the contract shall be sublet, assigned or otherwise disposed of except with the written consent of the contracting officer, or authorized representative, and such consent when given shall not be construed to relieve the contractor of any responsibility for the fulfillment of the contract. Written consent will be given only after the contracting agency has assured that each subcontract is evidenced in writing and that it contains all pertinent provisions and requirements of the prime contract. (based on long-standing interpretation of 23 CFR 635.116).

5. The 30-percent self-performance requirement of paragraph (1) is not applicable to design-build contracts; however, contracting agencies may establish their own self-performance requirements. 23 CFR 635.116(d).

VII. SAFETY: ACCIDENT PREVENTION

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

1. In the performance of this contract the contractor shall comply with all applicable Federal, State, and local laws governing safety, health, and sanitation (23 CFR Part 635). The contractor shall provide all safeguards, safety devices and protective equipment and take any other needed actions as it determines, or as the contracting officer may determine, to be reasonably necessary to protect the life and health of employees on the job and the safety of the public and to protect property in connection with the performance of the work covered by the contract. 23 CFR 635.108.

2. It is a condition of this contract, and shall be made a condition of each subcontract, which the contractor enters into pursuant to this contract, that the contractor and any subcontractor shall not permit any employee, in performance of the contract, to work in surroundings or under conditions which are unsanitary, hazardous or dangerous to his/her health or safety, as determined under construction safety and

health standards (29 CFR Part 1926) promulgated by the Secretary of Labor, in accordance with Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704). 29 CFR 1926.10.

3. Pursuant to 29 CFR 1926.3, it is a condition of this contract that the Secretary of Labor or authorized representative thereof, shall have right of entry to any site of contract performance to inspect or investigate the matter of compliance with the construction safety and health standards and to carry out the duties of the Secretary under Section 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3704).

VIII. FALSE STATEMENTS CONCERNING HIGHWAY PROJECTS

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts.

In order to assure high quality and durable construction in conformity with approved plans and specifications and a high degree of reliability on statements and representations made by engineers, contractors, suppliers, and workers on Federal-aid highway projects, it is essential that all persons concerned with the project perform their functions as carefully, thoroughly, and honestly as possible. Willful falsification, distortion, or misrepresentation with respect to any facts related to the project is a violation of Federal law. To prevent any misunderstanding regarding the seriousness of these and similar acts, Form FHWA-1022 shall be posted on each Federal-aid highway project (23 CFR Part 635) in one or more places where it is readily available to all persons concerned with the project:

18 U.S.C. 1020 reads as follows:

"Whoever, being an officer, agent, or employee of the United States, or of any State or Territory, or whoever, whether a person, association, firm, or corporation, knowingly makes any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the cost thereof in connection with the submission of plans, maps, specifications, contracts, or costs of construction on any highway or related project submitted for approval to the Secretary of Transportation; or

Whoever knowingly makes any false statement, false representation, false report or false claim with respect to the character, quality, quantity, or cost of any work performed or to be performed, or materials furnished or to be furnished, in connection with the construction of any highway or related project approved by the Secretary of Transportation; or

Whoever knowingly makes any false statement or false representation as to material fact in any statement, certificate, or report submitted pursuant to provisions of the Federal-aid Roads Act approved July 11, 1916, (39 Stat. 355), as amended and supplemented;

Shall be fined under this title or imprisoned not more than 5 years or both."

IX. IMPLEMENTATION OF CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT (42 U.S.C. 7606; 2 CFR 200.88; EO 11738)

This provision is applicable to all Federal-aid construction contracts in excess of \$150,000 and to all related subcontracts. 48 CFR 2.101; 2 CFR 200.327.

By submission of this bid/proposal or the execution of this contract or subcontract, as appropriate, the bidder, proposer, Federal-aid construction contractor, subcontractor, supplier, or vendor agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal Highway Administration and the Regional Office of the Environmental Protection Agency. 2 CFR Part 200, Appendix II.

The contractor agrees to include or cause to be included the requirements of this Section in every subcontract, and further agrees to take such action as the contracting agency may direct as a means of enforcing such requirements. 2 CFR 200.327.

X. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, consultant contracts or any other covered transaction requiring FHWA approval or that is estimated to cost \$25,000 or more – as defined in 2 CFR Parts 180 and 1200. 2 CFR 180.220 and 1200.220.

1. Instructions for Certification – First Tier Participants:

a. By signing and submitting this proposal, the prospective first tier participant is providing the certification set out below.

b. The inability of a person to provide the certification set out below will not necessarily result in denial of participation in this covered transaction. The prospective first tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective first tier participant to furnish a certification or an explanation shall disqualify such a person from participation in this transaction. 2 CFR 180.320.

c. The certification in this clause is a material representation of fact upon which reliance was placed when the contracting agency determined to enter into this transaction. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the contracting agency may terminate this transaction for cause of default. 2 CFR 180.325.

d. The prospective first tier participant shall provide immediate written notice to the contracting agency to whom this proposal is submitted if any time the prospective first tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances. 2 CFR 180.345 and 180.350.

e. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900-180.1020, and 1200. "First Tier Covered Transactions" refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

f. The prospective first tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction. 2 CFR 180.330.

g. The prospective first tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the department or contracting agency, entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold. 2 CFR 180.220 and 180.300.

h. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. 2 CFR 180.300; 180.320, and 180.325. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. 2 CFR 180.335. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov/>). 2 CFR 180.300, 180.320, and 180.325.

i. Nothing contained in the foregoing shall be construed to require the establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of the prospective participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

j. Except for transactions authorized under paragraph (f) of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default. 2 CFR 180.325.

* * * * *

2. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – First Tier Participants:

a. The prospective first tier participant certifies to the best of its knowledge and belief, that it and its principals:

(1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.335;

(2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property, 2 CFR 180.800;

(3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (a)(2) of this certification, 2 CFR 180.700 and 180.800; and

(4) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default. 2 CFR 180.335(d).

(5) Are not a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(6) Are not a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability (USDOT Order 4200.6 implementing appropriations act requirements).

b. Where the prospective participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal. 2 CFR 180.335 and 180.340.

3. Instructions for Certification - Lower Tier Participants:

(Applicable to all subcontracts, purchase orders, and other lower tier transactions requiring prior FHWA approval or estimated to cost \$25,000 or more - 2 CFR Parts 180 and 1200). 2 CFR 180.220 and 1200.220.

a. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

b. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department, or agency with which

this transaction originated may pursue available remedies, including suspension and/or debarment.

c. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous by reason of changed circumstances. 2 CFR 180.365.

d. The terms "covered transaction," "debarred," "suspended," "ineligible," "participant," "person," "principal," and "voluntarily excluded," as used in this clause, are defined in 2 CFR Parts 180, Subpart I, 180.900 – 180.1020, and 1200. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations. "First Tier Covered Transactions" refers to any covered transaction between a recipient or subrecipient of Federal funds and a participant (such as the prime or general contract). "Lower Tier Covered Transactions" refers to any covered transaction under a First Tier Covered Transaction (such as subcontracts). "First Tier Participant" refers to the participant who has entered into a covered transaction with a recipient or subrecipient of Federal funds (such as the prime or general contractor). "Lower Tier Participant" refers any participant who has entered into a covered transaction with a First Tier Participant or other Lower Tier Participants (such as subcontractors and suppliers).

e. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated. 2 CFR 1200.220 and 1200.332.

f. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions exceeding the \$25,000 threshold. 2 CFR 180.220 and 1200.220.

g. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any lower tier prospective participants, each participant may, but is not required to, check the System for Award Management website (<https://www.sam.gov>), which is compiled by the General Services Administration. 2 CFR 180.300, 180.320, 180.330, and 180.335.

h. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

i. Except for transactions authorized under paragraph e of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily

excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. 2 CFR 180.325.

4. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Participants:

a. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals:

(1) is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency, 2 CFR 180.355;

(2) is a corporation that has been convicted of a felony violation under any Federal law within the two-year period preceding this proposal (USDOT Order 4200.6 implementing appropriations act requirements); and

(3) is a corporation with any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability. (USDOT Order 4200.6 implementing appropriations act requirements)

b. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant should attach an explanation to this proposal.

XI. CERTIFICATION REGARDING USE OF CONTRACT FUNDS FOR LOBBYING

This provision is applicable to all Federal-aid construction contracts and to all related subcontracts which exceed \$100,000. 49 CFR Part 20, App. A.

1. The prospective participant certifies, by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or

cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

2. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. The prospective participant also agrees by submitting its bid or proposal that the participant shall require that the language of this certification be included in all lower tier subcontracts, which exceed \$100,000 and that all such recipients shall certify and disclose accordingly.

XII. USE OF UNITED STATES-FLAG VESSELS:

This provision is applicable to all Federal-aid construction contracts, design-build contracts, subcontracts, lower-tier subcontracts, purchase orders, lease agreements, or any other covered transaction. 46 CFR Part 381.

This requirement applies to material or equipment that is acquired for a specific Federal-aid highway project. 46 CFR 381.7. It is not applicable to goods or materials that come into inventories independent of an FHWA funded-contract.

When oceanic shipments (or shipments across the Great Lakes) are necessary for materials or equipment acquired for a specific Federal-aid construction project, the bidder, proposer, contractor, subcontractor, or vendor agrees:

1. To utilize privately owned United States-flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners, and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to this contract, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels. 46 CFR 381.7.

2. To furnish within 20 days following the date of loading for shipments originating within the United States or within 30 working days following the date of loading for shipments originating outside the United States, a legible copy of a rated, 'on-board' commercial ocean bill-of-lading in English for each shipment of cargo described in paragraph (b)(1) of this section to both the Contracting Officer (through the prime contractor in the case of subcontractor bills-of-lading) and to the Office of Cargo and Commercial Sealift (MAR-620), Maritime Administration, Washington, DC 20590. (MARAD requires copies of the ocean carrier's (master) bills of lading, certified onboard, dated, with rates and charges. These bills of lading may contain business sensitive information and therefore may be submitted directly to MARAD by the Ocean Transportation Intermediary on behalf of the contractor). 46 CFR 381.7.

**ATTACHMENT A - EMPLOYMENT AND MATERIALS
PREFERENCE FOR APPALACHIAN DEVELOPMENT
HIGHWAY SYSTEM OR APPALACHIAN LOCAL ACCESS
ROAD CONTRACTS (23 CFR 633, Subpart B, Appendix B)**

This provision is applicable to all Federal-aid projects funded under the Appalachian Regional Development Act of 1965.

1. During the performance of this contract, the contractor undertaking to do work which is, or reasonably may be, done as on-site work, shall give preference to qualified persons who regularly reside in the labor area as designated by the DOL wherein the contract work is situated, or the subregion, or the Appalachian counties of the State wherein the contract work is situated, except:

a. To the extent that qualified persons regularly residing in the area are not available.

b. For the reasonable needs of the contractor to employ supervisory or specially experienced personnel necessary to assure an efficient execution of the contract work.

c. For the obligation of the contractor to offer employment to present or former employees as the result of a lawful collective bargaining contract, provided that the number of nonresident persons employed under this subparagraph (1c) shall not exceed 20 percent of the total number of employees employed by the contractor on the contract work, except as provided in subparagraph (4) below.

2. The contractor shall place a job order with the State Employment Service indicating (a) the classifications of the laborers, mechanics and other employees required to perform the contract work, (b) the number of employees required in each classification, (c) the date on which the participant estimates such employees will be required, and (d) any other pertinent information required by the State Employment Service to complete the job order form. The job order may be placed with the State Employment Service in writing or by telephone. If during the course of the contract work, the information submitted by the contractor in the original job order is substantially modified, the participant shall promptly notify the State Employment Service.

3. The contractor shall give full consideration to all qualified job applicants referred to him by the State Employment Service. The contractor is not required to grant employment to any job applicants who, in his opinion, are not qualified to perform the classification of work required.

4. If, within one week following the placing of a job order by the contractor with the State Employment Service, the State Employment Service is unable to refer any qualified job applicants to the contractor, or less than the number requested, the State Employment Service will forward a certificate to the contractor indicating the unavailability of applicants. Such certificate shall be made a part of the contractor's permanent project records. Upon receipt of this certificate, the contractor may employ persons who do not normally reside in the labor area to fill positions covered by the certificate, notwithstanding the provisions of subparagraph (1c) above.

5. The provisions of 23 CFR 633.207(e) allow the contracting agency to provide a contractual preference for the use of mineral resource materials native to the Appalachian region.

6. The contractor shall include the provisions of Sections 1 through 4 of this Attachment A in every subcontract for work which is, or reasonably may be, done as on-site work.

EXHIBIT J
ADDITIONAL FEDERAL REQUIREMENTS

Federal laws and regulations that may be applicable to the Work include:

Executive Order 11246

Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967 and as supplemented in Department of Labor regulations (41 CFR Chapter 60) (All construction contracts awarded in excess of \$10,000 by the Local Agencies and their contractors or the Local Agencies).

Copeland "Anti-Kickback" Act

The Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and sub-Agreements for construction or repair).

Davis-Bacon Act

The Davis-Bacon Act (40 U.S.C. 276a to a-7) as supplemented by Department of Labor regulations (29 CFR Part 5) (Construction contracts in excess of \$2,000 awarded by the Local Agencies and the Local Agencies when required by Federal Agreement program legislation. This act requires that all laborers and mechanics employed by contractors or sub-contractors to work on construction projects financed by federal assistance must be paid wages not less than those established for the locality of the project by the Secretary of Labor).

Contract Work Hours and Safety Standards Act

Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR Part 5). (Construction contracts awarded by the Local Agency's in excess of \$2,000, and in excess of \$2,500 for other contracts which involve the employment of mechanics or laborers).

Clean Air Act

Standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h), section 508 of the Clean Water Act (33 U.S.C. 1368). Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15) (contracts, subcontracts, and sub-Agreements of amounts more than \$100,000).

Energy Policy and Conservation Act

Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163).

OMB Circulars

Office of Management and Budget Circulars A-87, A-21 or A-122, and A-102 or A-110, whichever is applicable.

Hatch Act

The Hatch Act (5 USC 1501-1508) and Public Law 95-454 Section 4728. These statutes state that federal funds cannot be used for partisan political purposes of any kind by any person or organization involved in the administration of federally assisted programs.

Nondiscrimination

The Local Agency shall not exclude from participation in, deny the benefits of, or subject to discrimination any person in the United States on the ground of race, color national origin, sex, age or disability. Prior to thereceipt of any Federal financial assistance from CDOT, the Local Agency shall execute the attached Standard DOT Title VI assurance. As appropriate, the Local Agency shall include Appendix A, B, or C to the Standard DOT Title VI assurance

in any contract utilizing federal funds, land, or other aid. The Local Agency shall also include the following in all contract advertisements:

The [Local Agency], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (79 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, DBEs will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for any award.

ADA

In any contract utilizing federal funds, land, or other federal aid, the Local Agency shall require the federal- aid recipient or contractor to provide a statement of written assurance that they will comply with Section 504 and not discriminate on the basis of disability.

Uniform Relocation Assistance and Real Property Acquisition Policies Act

The Uniform Relocation Assistance and Real Property Acquisition Policies Act, as amended (Public Law 91-646, as amended and Public Law 100-17, 101 Stat. 246-256). (If the contractor is acquiring real property and displacing households or businesses in the performance of the Agreement).

Drug-Free Workplace Act

The Drug-Free Workplace Act (Public Law 100-690 Title V, subtitle D, 41 USC 701 et seq.).

Age Discrimination Act of 1975

The Age Discrimination Act of 1975, 42 U.S.C. Sections 6101 et. seq. and its implementing regulation, 45

C.F.R. Part 91; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, as amended, and implementing regulation 45 C.F.R. Part 84.

23 C.F.R. Part 172

23 C.F.R. Part 172, concerning "Administration of Engineering and Design Related Contracts".

23 C.F.R Part 633

23 C.F.R Part 633, concerning "Required Contract Provisions for Federal-Aid Construction Contracts".

23 C.F.R. Part 635

23 C.F.R. Part 635, concerning "Construction and Maintenance Provisions".

Title VI of the Civil Rights Act of 1964 and 162(a) of the Federal Aid Highway Act of 1973

Title VI of the Civil Rights Act of 1964 and 162(a) of the Federal Aid Highway Act of 1973.

The requirements for which are shown in the Nondiscrimination Provisions, which are attached hereto and made a part hereof.

Nondiscrimination Provisions:

In compliance with Title VI of the Civil Rights Act of 1964 and with Section 162(a) of the Federal Aid Highway Act of 1973, the Contractor, for itself, its assignees, and successors in interest, agree as follows:

i. Compliance with Regulations

The Contractor will comply with the Regulations of the Department of Transportation relative to nondiscrimination in Federally assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this Agreement.

ii. Nondiscrimination

The Contractor, with regard to the work performed by it after award and prior to

completion of the contract work, will not discriminate on the ground of race, color, sex, mental or physical handicap or national origin in the selection and retention of Subcontractors, including procurement of materials and leases of equipment. The Contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix C of the Regulations.

iii. Solicitations for Subcontracts, Including Procurement of Materials and Equipment

In all solicitations either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurement of materials or equipment, each potential Subcontractor or supplier shall be notified by the Contractor of the Contractor's obligations under this Agreement and the Regulations relative to nondiscrimination on the ground of race, color, sex, mental or physical handicap or national origin.

iv. Information and Reports

The Contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto and will permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Regulations, orders, and instructions. Where any information required of the Contractor is in the exclusive possession of another who fails or refuses to furnish this information, the Contractor shall so certify to the State, or the FHWA as appropriate and shall set forth what efforts have been made to obtain the information.

v. Sanctions for Noncompliance

In the event of the Contractor's noncompliance with the nondiscrimination provisions of this Agreement, the State shall impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to: **a.** Withholding of payments to the Contractor under the contract until the Contractor complies, and/or **b.** Cancellation, termination or suspension of the contract, in whole or in part.

Incorporation of Provisions §22

The Contractor will include the provisions of this Exhibit J in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, orders, or instructions issued pursuant thereto. The Contractor will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event the Contractor becomes involved in, or is threatened with, litigation with a Subcontractor or supplier as a result of such direction, the Contractor may request the State to enter into such litigation to protect the interest of the State and in addition, the Contractor may request the FHWA to enter into such litigation to protect the interests of the United States.

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SAMPLE**The United States Department of Transportation (USDOT) Standard Title VI/Non-Discrimination****Assurances for Local Agencies****DOT Order No. 1050.2A**

The [Local Agency] (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through the Colorado Department of Transportation and the Federal Highway Administration (FHWA), Federal Transit Administration (FTA), and Federal Aviation Administration (FAA), is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled Non-discrimination In Federally-Assisted Programs Of The Department Of Transportation-Effectuation Of Title VI Of The Civil Rights Act Of 1964);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

"No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including the FHWA, FTA, or FAA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted FHWA, FTA, and FAA assisted programs:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23(b) and 21.23(e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated or will be (with regard to a "facility") operated or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests for Proposals for work, or material subject to the Acts and the Regulations made in connection with all FHWA, FTA and FAA programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:
3. "The [Local Agency] in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity

4. to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."
5. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
6. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
7. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
8. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
9. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
10. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
11. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
12. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the [Local Agency] also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the FHWA, FTA, and FAA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by CDOT, FHWA, FTA, or FAA. You must keep records, reports, and submit the material for review

upon request to CDOT, FHWA, FTA, or FAA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

[Local Agency] gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the FHWA, FTA, and FAA. This ASSURANCE is binding on [Local Agency], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the FHWA, FTA, and FAA funded programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED _____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, FHWA, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the [Local Agency], CDOT or FHWA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the [Local Agency], CDOT or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the non-discrimination provisions of this contract, the [Local Agency] will impose such contract sanctions as it, CDOT or FHWA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the [Local Agency], CDOT or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

APPENDIX B**CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY**

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the [Local Agency] will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of (*Name of Appropriate Program*), and the policies and procedures prescribed by the FHWA of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the [Local Agency] all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto [Local Agency] and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the [Local Agency] its successors and assigns.

The [Local Agency], in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the [Local Agency] will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [,] and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX C**CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE
ACTIVITY, FACILITY, OR PROGRAM**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the [Local Agency] pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add "as a covenant running with the land"] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, [Local Agency] will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. *
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the [Local Agency] will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the [Local Agency] and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX D**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE
ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/agreements entered into by [Local Agency] pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non- discrimination covenants, [Local Agency] will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. *
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, [Local Agency] will there upon revert to and vest in and become the absolute property of [Local Agency] of Transportation and its assigns. *

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration's Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of Limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq).

EXHIBIT K**FFATA SUPPLEMENTAL FEDERAL PROVISIONS****State of Colorado Supplemental Provisions for
Federally Funded Contracts, Grants, and Purchase Orders****Subject to****The Federal Funding Accountability and Transparency Act of 2006 (FFATA),
As Amended****Revised as of 3-20-13**

The contract, grant, or purchase order to which these Supplemental Provisions are attached has been funded, in whole or in part, with an Award of Federal funds. In the event of a conflict between the provisions of these Supplemental Provisions, the Special Provisions, the contract or any attachments or exhibits incorporated into and made a part of the contract, the provisions of these Supplemental Provisions shall control.

1. Definitions. For the purposes of these Supplemental Provisions, the following terms shall have the meanings ascribed to them below.

1.1. "Award" means an award of Federal financial assistance that a non-Federal Entity receives or administers in the form of:

- 1.1.1. Grants;
- 1.1.2. Contracts;
- 1.1.3. Cooperative agreements, which do not include cooperative research and development agreements (CRDA) pursuant to the Federal Technology Transfer Act of 1986, as amended (15 U.S.C. 3710);
- 1.1.4. Loans;
- 1.1.5. Loan Guarantees;
- 1.1.6. Subsidies;
- 1.1.7. Insurance;
- 1.1.8. Food commodities;
- 1.1.9. Direct appropriations;
- 1.1.10. Assessed and voluntary contributions; and
- 1.1.11. Other financial assistance transactions that authorize the expenditure of Federal funds by non-Federal Entities.

Award *does not* include:

- 1.1.12. Technical assistance, which provides services in lieu of money;
- 1.1.13. A transfer of title to Federally-owned property provided in lieu of money; even if the award is called a grant;
- 1.1.14. Any award classified for security purposes; or
- 1.1.15. Any award funded in whole or in part with Recovery funds, as defined in section 1512 of the American Recovery and Reinvestment Act (ARRA) of 2009 (Public Law 111-5).

1.2. "Contract" means the contract to which these Supplemental

Provisions are attached and includes all Award types in §1.1.1 through 1.1.11 above.

13. **“Contractor”** means the party or parties to a Contract funded, in whole or in part, with Federal financial assistance, other than the Prime Recipient, and includes grantees, subgrantees, Subrecipients, and borrowers. For purposes of Transparency Act reporting, Contractor does not include Vendors.
14. **“Data Universal Numbering System (DUNS) Number”** means the nine-digit number established and assigned by Dun and Bradstreet, Inc. to uniquely identify a business entity. Dun and Bradstreet’s website may be found at: <http://fedgov.dnb.com/webform>.
15. **“Entity”** means all of the following as defined at 2 CFR part 25, subpart C;
 - 15.1. A governmental organization, which is a State, local government, or Indian Tribe;
 - 15.2. A foreign public entity;
 - 15.3. A domestic or foreign non-profit organization;
 - 15.4. A domestic or foreign for-profit organization; and
 - 15.5. A Federal agency, but only a Subrecipient under an Award or Subaward to a non-Federal entity.
16. **“Executive”** means an officer, managing partner or any other employee in a management position.
17. **“Federal Award Identification Number (FAIN)”** means an Award number assigned by a Federal agency to a Prime Recipient.
18. **“FFATA”** means the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109- 282), as amended by §6202 of Public Law 110-252. FFATA, as amended, also is referred to as the “Transparency Act.”
19. **“Prime Recipient”** means a Colorado State agency or institution of higher education that receives an Award.
- 1.10. **“Subaward”** means a legal instrument pursuant to which a Prime Recipient of Award funds awards all or a portion of such funds to a Subrecipient, in exchange for the Subrecipient’s support in the performance of all or any portion of the substantive project or program for which the Award was granted.
- 1.11. **“Subrecipient”** means a non-Federal Entity (or a Federal agency under an Award or Subaward to a non- Federal Entity) receiving Federal funds through a Prime Recipient to support the performance of the Federal project or program for which the Federal funds were awarded. A Subrecipient is subject to the terms and conditions of the Federal Award to the Prime Recipient, including program compliance requirements. The term “Subrecipient” includes and may be referred to as Subgrantee.
- 1.12. **“Subrecipient Parent DUNS Number”** means the subrecipient

parent organization's 9-digit Data Universal Numbering System (DUNS) number that appears in the subrecipient's System for Award Management (SAM) profile, if applicable.

- 1.13. **“Supplemental Provisions”** means these Supplemental Provisions for Federally Funded Contracts, Grants, and Purchase Orders subject to the Federal Funding Accountability and Transparency Act of 2006, As Amended, as may be revised pursuant to ongoing guidance from the relevant Federal or State of Colorado agency or institution of higher education.
- 1.14. **“System for Award Management (SAM)”** means the Federal repository into which an Entity must enter the information required under the Transparency Act, which may be found at <http://www.sam.gov>.
- 1.15. **“Total Compensation”** means the cash and noncash dollar value earned by an Executive during the Prime Recipient's or Subrecipient's preceding fiscal year and includes the following:
 - 1.15.1. Salary and bonus;
 - 1.15.2. Awards of stock, stock options, and stock appreciation rights, using the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2005) (FAS 123R), Shared Based Payments;
 - 1.15.3. Earnings for services under non-equity incentive plans, not including group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of Executives and are available generally to all salaried employees;
 - 1.15.4. Change in present value of defined benefit and actuarial pension plans;
 - 1.15.5. Above-market earnings on deferred compensation which is not tax-qualified;
 - 1.15.6. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the Executive exceeds \$10,000.
- 1.16. **“Transparency Act”** means the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by §6202 of Public Law 110-252. The Transparency Act also is referred to as FFATA.
- 1.17. **“Vendor”** means a dealer, distributor, merchant or other seller providing property or services required for a project or program funded by an Award. A Vendor is not a Prime Recipient or a Subrecipient and is not subject to the terms and conditions of the Federal award. Program compliance requirements do not pass through to a Vendor.

2. **Compliance.** Contractor shall comply with all applicable provisions of the Transparency Act and the regulations issued pursuant thereto, including but not limited to these Supplemental Provisions. Any revisions to such provisions or regulations shall automatically become a part of these Supplemental Provisions, without the necessity of either party executing any further instrument. The State of Colorado may provide written notification to Contractor of such revisions, but such notice shall not be a condition precedent to the effectiveness of such revisions.
3. **System for Award Management (SAM) and Data Universal Numbering System (DUNS) Requirements.**
 - 3.1. **SAM.** Contractor shall maintain the currency of its information in SAM until the Contractor submits the final financial report required under the Award or receives final payment, whichever is later. Contractor shall review and update SAM information at least annually after the initial registration, and more frequently if required by changes in its information.
 - 3.2. **DUNS.** Contractor shall provide its DUNS number to its Prime Recipient, and shall update Contractor's information in Dun & Bradstreet, Inc. at least annually after the initial registration, and more frequently if required by changes in Contractor's information.
4. **Total Compensation.** Contractor shall include Total Compensation in SAM for each of its five most highly compensated Executives for the preceding fiscal year if:
 - 4.1. The total Federal funding authorized to date under the Award is \$25,000 or more; and
 - 4.2. In the preceding fiscal year, Contractor received:
 - 4.2.1. 80% or more of its annual gross revenues from Federal procurement contracts and subcontracts and/or Federal financial assistance Awards or Subawards subject to the Transparency Act; and
 - 4.2.2. \$25,000,000 or more in annual gross revenues from Federal procurement contracts and subcontracts and/or Federal financial assistance Awards or Subawards subject to the Transparency Act; and
 - 4.3. The public does not have access to information about the compensation of such Executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d) or § 6104 of the Internal Revenue Code of 1986.
5. **Reporting.** Contractor shall report data elements to SAM and to the Prime Recipient as required in §7 below if Contractor is a Subrecipient for the Award pursuant to the Transparency Act. No direct payment shall be made to Contractor for providing any reports required under these Supplemental

Provisions and the cost of producing such reports shall be included in the Contract price. The reporting requirements in §7 below are based on guidance from the US Office of Management and Budget (OMB), and as such are subject to change at any time by OMB. Any such changes shall be automatically incorporated into this Contract and shall become part of Contractor's obligations under this Contract, as provided in §2 above. The Colorado Office of the State Controller will provide summaries of revised OMB reporting requirements at <http://www.colorado.gov/dpa/dfp/sco/FFATA.htm>.

6. **Effective Date and Dollar Threshold for Reporting.** The effective date of these Supplemental Provisions apply to new Awards as of October 1, 2010. Reporting requirements in §7 below apply to new Awards as of October 1, 2010, if the initial award is \$25,000 or more. If the initial Award is below \$25,000 but subsequent Award modifications result in a total Award of \$25,000 or more, the Award is subject to the reporting requirements as of the date the Award exceeds \$25,000. If the initial Award is \$25,000 or more, but funding is subsequently de-obligated such that the total award amount falls below \$25,000, the Award shall continue to be subject to the reporting requirements.
7. **Subrecipient Reporting Requirements.** If Contractor is a Subrecipient, Contractor shall report as set forth below.
 - 7.1 **To SAM.** A Subrecipient shall register in SAM and report the following data elements in SAM *for each* Federal Award Identification Number no later than the end of the month following the month in which the Subaward was made:
 - 7.1.1 Subrecipient DUNS Number;
 - 7.1.2 Subrecipient DUNS Number + 4 if more than one electronic funds transfer (EFT) account;
 - 7.1.3 Subrecipient Parent DUNS Number;
 - 7.1.4 Subrecipient's address, including: Street Address, City, State, Country, Zip + 4, and Congressional District;
 - 7.1.5 Subrecipient's top 5 most highly compensated Executives if the criteria in §4 above are met; and
 - 7.1.6 Subrecipient's Total Compensation of top 5 most highly compensated Executives if criteria in §4 above met.
 - 7.2 **To Prime Recipient.** A Subrecipient shall report to its Prime Recipient, upon the effective date of the Contract, the following data elements:
 - 7.2.1 Subrecipient's DUNS Number as registered in SAM.
 - 7.2.2 Primary Place of Performance Information, including: Street Address, City, State, Country, Zipcode + 4, and


Congressional District.

8. Exemptions.

- 8.1. These Supplemental Provisions do not apply to an individual who receives an Award as a natural person, unrelated to any business or non-profit organization he or she may own or operate in his or her name.
- 8.2. A Contractor with gross income from all sources of less than \$300,000 in the previous tax year is exempt from the requirements to report Subawards and the Total Compensation of its most highly compensated Executives.
- 8.3. Effective October 1, 2010, “Award” currently means a grant, cooperative agreement, or other arrangements as defined in Section 1.1 of these Special Provisions. On future dates “Award” may include other items to be specified by OMB in policy memoranda available at the OMB Web site; Award also will include other types of Awards subject to the Transparency Act.
- 8.4. There are no Transparency Act reporting requirements for Vendors.

Event of Default. Failure to comply with these Supplemental Provisions shall constitute an event of default under the Contract and the State of Colorado may terminate the Contract upon 30 days prior written notice if the default remains uncured five calendar days following the termination of the 30 day notice period. This remedy will be in addition to any other remedy available to the State of Colorado under the Contract, at law or in equity.

EXHIBIT L
SAMPLE SUBRECIPIENT MONITORING AND RISK ASSESSMENT

 CDOT SUBRECIPIENT RISK ASSESSMENT		Date:				
Name of Entity (Subrecipient):						
Name of Project / Program:						
Estimated Award Period:						
Entity Executive Director or VP:						
Entity Chief Financial Officer:						
Entity Representative for this Self Assessment:						
Instructions: (See "Instructions" tab for more information) 1. Check only one box for each question. All questions are required to be answered. 2. Utilize the "Comment" section below the last question for additional responses. 3. When complete, check the box at the bottom of the form to authorize.				Yes	No	N/A
EXPERIENCE ASSESSMENT				Yes	No	N/A
1	Is your entity new to operating or managing federal funds (has not done so within the past three years)?	<input type="checkbox"/>	<input type="checkbox"/>			
2	Is this funding program new for your entity (managed for less than three years)? <i>Examples of funding programs include CMAQ, TAP, STP-M, etc.</i>	<input type="checkbox"/>	<input type="checkbox"/>			
3	Does your staff assigned to the program have at least three full years of experience with this federal program?	<input type="checkbox"/>	<input type="checkbox"/>			
MONITORING/AUDIT ASSESSMENT				Yes	No	N/A
4	Has your entity had an on-site project or grant review from an external entity (e.g., CDOT, FHWA) within the last three years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
5	a) Were there non-compliance issues in this prior review?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	b) What were the number and extent of issues in prior review?	<input type="checkbox"/> <i>1 to 2</i>	<input type="checkbox"/> <i>>3</i>	<input type="checkbox"/>		
OPERATION ASSESSMENT				Yes	No	N/A
6	Does your entity have a time and effort reporting system in place to account for 100% of all employees' time, that can provide a breakdown of the actual time spent on each funded project? <i>If No, in the comment section please explain how you intend to document 100% of hours worked by employees and breakdown of time spent on each funding project.</i>	<input type="checkbox"/>	<input type="checkbox"/>			
FINANCIAL ASSESSMENT				Yes	No	N/A
7	a) Does your entity have an indirect cost rate that is approved and current?	<input type="checkbox"/>	<input type="checkbox"/>			
	b) If Yes, who approved the rate, and what date was it approved?					
8	Is this grant/award 10% or more of your entity's overall funding?	<input type="checkbox"/> <i>>10%</i>	<input type="checkbox"/> <i><10%</i>			
9	Has your entity returned lapsed* funds? *Funds "lapse" when they are no longer available for obligation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
10	Has your entity had difficulty meeting local match requirements in the last three years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
11	What is the total federal funding your entity has been awarded for the last federal fiscal year, and what is your entity's fiscal year end?					

INTERNAL CONTROLS ASSESSMENT		Yes	No	N/A
12	Has your entity had any significant changes in key personnel or accounting system(s) in the last year? (e.g., Controller, Exec Director, Program Mgr, Accounting Mgr, etc.) If Yes, in the comment section, please identify the accounting system(s), and / or list personnel positions and identify any that are vacant.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Does your entity have financial procedures and controls in place to accommodate a federal-aid project?	<input type="checkbox"/>	<input type="checkbox"/>	
14	Does your accounting system identify the receipts and expenditures of program funds separately for each award?	<input type="checkbox"/>	<input type="checkbox"/>	
15	Will your accounting system provide for the recording of expenditures for each award by the budget cost categories shown in the approved budget?	<input type="checkbox"/>	<input type="checkbox"/>	
16	Does your agency have a review process for all expenditures that will ensure that all costs are reasonable, allowable and allocated correctly to each funding source? If Yes, in the comment section, please explain your current process for reviewing costs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17	How many total FTE perform accounting functions within your organization?	<input type="checkbox"/> ≥ 6	<input type="checkbox"/> 2 to 5	<input type="checkbox"/> < 2
IMPACT ASSESSMENT		Yes	No	N/A
18	For this upcoming federal award or in the immediate future, does your entity have any potential conflicts of interest* in accordance with applicable Federal awarding agency policy? If Yes, please disclose these conflicts in writing, along with supporting information, and submit with this form. (*Any practices, activities or relationships that reasonably appear to be in conflict with the full performance of the Subrecipient's obligations to the State.)	<input type="checkbox"/>	<input type="checkbox"/>	
19	For this award, has your entity disclosed to CDOT, in writing, violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the award? Response options: YES = Check if have one or more violation(s) and have either disclosed previously to CDOT or as part of this form. In the comment section, list all violations with names of supporting documentation and submit with this form. NO = Check if have one or more violation(s) and have not disclosed previously or will not disclose as part of this form. Explain in the comment section. N/A = Check if have no violations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PROGRAM MANAGEMENT ASSESSMENT		Yes	No	N/A
20	Does your entity have a written process/procedure or certification statement approved by your governing board ensuring critical project personnel are capable of effectively managing Federal-aid projects? If Yes, please submit with this form.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21	Does your entity have written procurement policies or certification statement for consultant selection approved by your governing board in compliance with 23 CFR 172*? If Yes, please submit with this form. (*The Brooks Act requires agencies to promote open competition by advertising, ranking, selecting, and negotiating contracts based on demonstrated competence and qualifications, at a fair and reasonable price.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22	a) Is your staff familiar with the relevant CDOT manuals and federal program requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Does your entity have a written policy or a certification statement approved by your governing board assuring federal-aid projects will receive adequate inspections? If Yes, please submit with this form.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Does your entity have a written process or a certification statement approved by your governing board assuring a contractor's work will be completed in conformance with approved plans and specifications? If Yes, please submit with this form.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

d) Does your entity have a written policy or certification statement approved by your governing board assuring that materials installed on the projects are sampled and tested per approved processes. <i>If Yes, please submit with this form.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Does your entity have a written policy or certification statement approved by your governing board assuring that only US manufactured steel will be incorporated into the project (<i>Buy America requirements</i>)? <i>If Yes, please submit with this form.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments - As needed, include the question number and provide comments related to the above questions. Insert additional rows as needed.</p>			
<p><input type="checkbox"/> By checking this box, the Executive Director, VP or Chief Financial Officer of this entity certifies that all information provided on this form is true and correct.</p>			



Tool Version:
v2.0 (081816)

EXHIBIT M**OMB UNIFORM GUIDANCE FOR FEDERAL AWARDS****Subject to****The Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”), Federal Register, Vol. 78, No. 248, 78590**

The agreement to which these Uniform Guidance Supplemental Provisions are attached has been funded, in whole or in part, with an award of Federal funds. In the event of a conflict between the provisions of these Supplemental Provisions, the Special Provisions, the agreement or any attachments or exhibits incorporated into and made a part of the agreement, the provisions of these Uniform Guidance Supplemental Provisions shall control. In the event of a conflict between the provisions of these Supplemental Provisions and the FFATA Supplemental Provisions, the FFATA Supplemental Provisions shall control.

- 1. Definitions.** For the purposes of these Supplemental Provisions, the following terms shall have the meanings ascribed to them below.
- 1.1. **“Award”** means an award by a Recipient to a Subrecipient funded in whole or in part by a Federal Award. The terms and conditions of the Federal Award flow down to the Award unless the terms and conditions of the Federal Award specifically indicate otherwise. 2 CFR §200.38
 - 1.2. **“Federal Award”** means an award of Federal financial assistance or a cost-reimbursement contract under the Federal Acquisition Requirements by a Federal Awarding Agency to a Recipient. “Federal Award” also means an agreement setting forth the terms and conditions of the Federal Award. The term does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program.
 - 1.3. **“Federal Awarding Agency”** means a Federal agency providing a Federal Award to a Recipient. 2 CFR §200.37
 - 1.4. **“FFATA”** means the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by §6202 of Public Law 110-252.
 - 1.5. **“Grant” or “Grant Agreement”** means an agreement setting forth the terms and conditions of an Award. The term does not include an agreement that provides only direct Federal cash assistance to an individual, a subsidy, a loan, a loan guarantee, insurance, or acquires property or services for the direct benefit of use of the Federal Awarding Agency or Recipient. 2 CFR §200.51.
 - 1.6. **“OMB”** means the Executive Office of the President, Office of Management and Budget.
 - 1.7. **“Recipient”** means a Colorado State department, agency or institution of higher education that receives a Federal Award from a Federal Awarding Agency to carry out an activity under a Federal program. The term does not include Subrecipients. 2 CFR §200.86
 - 1.8. **“State”** means the State of Colorado, acting by and through its departments, agencies and institutions of higher education.

- 1.9. **“Subrecipient”** means a non-Federal entity receiving an Award from a Recipient to carry out part of a Federal program. The term does not include an individual who is a beneficiary of such program.
- 1.10. **“Uniform Guidance”** means the Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, which supersedes requirements from OMB Circulars A-21, A-87, A-110, and A-122, OMB Circulars A-89, A-102, and A-133, and the guidance in Circular A-50 on Single Audit Act follow-up. The terms and conditions of the Uniform Guidance flow down to Awards to Subrecipients unless the Uniform Guidance or the terms and conditions of the Federal Award specifically indicate otherwise.
- 1.11. **“Uniform Guidance Supplemental Provisions”** means these Supplemental Provisions for Federal Awards subject to the OMB Uniform Guidance, as may be revised pursuant to ongoing guidance from relevant Federal agencies or the Colorado State Controller.
2. **Compliance.** Subrecipient shall comply with all applicable provisions of the Uniform Guidance, including but not limited to these Uniform Guidance Supplemental Provisions. Any revisions to such provisions automatically shall become a part of these Supplemental Provisions, without the necessity of either party executing any further instrument. The State of Colorado may provide written notification to Subrecipient of such revisions, but such notice shall not be a condition precedent to the effectiveness of such revisions.
3. **Procurement Standards.**
- 3.1 **Procurement Procedures.** Subrecipient shall use its own documented procurement procedures which reflect applicable State, local, and Tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in the Uniform Guidance, including without limitation,
§§200.318 through 200.326 thereof.
- 3.2 **Procurement of Recovered Materials.** If Subrecipient is a State Agency or an agency of a political subdivision of a state, its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.
4. **Access to Records.** Subrecipient shall permit Recipient and auditors to have access to Subrecipient’s records and financial statements as necessary for Recipient to meet the requirements of §200.331 (Requirements for pass through entities), §§200.300 (Statutory and national policy requirements) through 200.309 (Period of performance), and Subpart F-Audit Requirements of the Uniform Guidance. 2 CFR §200.331(a)(5).
5. **Single Audit Requirements.** If Subrecipient expends \$750,000 or more in Federal Awards during Subrecipient’s fiscal year, Subrecipient shall procure or arrange for a single or program-specific audit conducted for that year in accordance with the

provisions of Subpart F-Audit Requirements of the Uniform Guidance, issued pursuant to the Single Audit Act Amendments of 1996, (31 U.S.C. 7501-7507). 2 CFR §200.501.

- 5.1 Election.** Subrecipient shall have a single audit conducted in accordance with Uniform Guidance §200.514 (Scope of audit), except when it elects to have a program-specific audit conducted in accordance with §200.507 (Program-specific audits). Subrecipient may elect to have a program-specific audit if Subrecipient expends Federal Awards under only one Federal program (excluding research and development) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of Recipient. A program-specific audit may not be elected for research and development unless all of the Federal Awards expended were received from Recipient and Recipient approves in advance a program-specific audit.
- 5.2 Exemption.** If Subrecipient expends less than \$750,000 in Federal Awards during its fiscal year, Subrecipient shall be exempt from Federal audit requirements for that year, except as noted in 2 CFR §200.503 (Relation to other audit requirements), but records shall be available for review or audit by appropriate officials of the Federal agency, the State, and the Government Accountability Office.
- 5.3 Subrecipient Compliance Responsibility.** Subrecipient shall procure or otherwise arrange for the audit required by Part F of the Uniform Guidance and ensure it is properly performed and submitted when due in accordance with the Uniform Guidance. Subrecipient shall prepare appropriate financial statements, including the schedule of expenditures of Federal awards in accordance with Uniform Guidance §200.510 (Financial statements) and provide the auditor with access to personnel, accounts, books, records, supporting documentation, and other information as needed for the auditor to perform the audit required by Uniform Guidance Part F-Audit Requirements.
- 6. Contract Provisions for Subrecipient Contracts.** Subrecipient shall comply with and shall include all of the following applicable provisions in all subcontracts entered into by it pursuant to this Grant Agreement.
- 6.1 Equal Employment Opportunity.** Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 shall include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

“During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The

contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments

under section 202 of Executive Order 11246 of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's non-compliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontractor purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: *Provided, however,* that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

6.2 Davis-Bacon Act. Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be

required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40

U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or Subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled.

The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

- 6.3 Rights to Inventions Made Under a Contract or Agreement.** If the Federal Award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and Subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” Subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.
- 6.4 Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251- 1387), as amended.** Contracts and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- 6.5 Debarment and Suspension (Executive Orders 12549 and 12689).** A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- 6.6 Byrd Anti-Lobbying Amendment (31 U.S.C. 1352).** Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection

with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

7. **Certifications.** Unless prohibited by Federal statutes or regulations, Recipient may require Subrecipient to submit certifications and representations required by Federal statutes or regulations on an annual basis. 2CFR §200.208. Submission may be required more frequently if Subrecipient fails to meet a requirement of the Federal award. Subrecipient shall certify in writing to the State at the end of the Award that the project or activity was completed or the level of effort was expended. 2 CFR §200.201(3). If the required level of activity or effort was not carried out, the amount of the Award must be adjusted.

7.1 **Event of Default.** Failure to comply with these Uniform Guidance Supplemental Provisions shall constitute an event of default under the Grant Agreement (2 CFR §200.339) and the State may terminate the Grant upon 30 days prior written notice if the default remains uncured five calendar days following the termination of the 30 day notice period. This remedy will be in addition to any other remedy available to the State of Colorado under the Grant, at law or in equity.

8. **Effective Date.** The effective date of the Uniform Guidance is December 26, 2013. 2 CFR §200.110. The procurement standards set forth in Uniform Guidance §§200.317-200.326 are applicable to new Awards made by Recipient as of December 26, 2015. The standards set forth in Uniform Guidance Subpart F-Audit Requirements are applicable to audits of fiscal years beginning on or after December 26, 2014.

9. **Performance Measurement.** The Uniform Guidance requires completion of OMB-approved standard information collection forms (the PPR). The form focuses on outcomes, as related to the Federal Award Performance Goals that awarding Federal agencies are required to detail in the Awards.

Section 200.301 provides guidance to Federal agencies to measure performance in a way that will help the Federal awarding agency and other non-Federal entities to improve program outcomes.

The Federal awarding agency is required to provide recipients with clear performance goals, indicators, and milestones (200.210). Also, must require the recipient to relate financial data to performance accomplishments of the Federal award.

Exhibit N

Federal Treasury Provisions

1. APPLICABILITY OF PROVISIONS.

- 1.1. The Grant to which these Federal Provisions are attached has been funded, in whole or in part, with an Award of Federal funds. In the event of a conflict between the provisions of these Federal Provisions, the Special Provisions, the body of the Grant, or any attachments or exhibits incorporated into and made a part of the Grant, the provisions of these Federal Provisions shall control.
- 1.2. The State of Colorado is accountable to Treasury for oversight of their subrecipients, including ensuring their subrecipients comply with the SLFRF statute, SLFRF Award Terms and Conditions, Treasury’s Final Rule, and reporting requirements, as applicable.
- 1.3. Additionally, any subrecipient that issues a subaward to another entity (2nd tier subrecipient), must hold the 2nd tier subrecipient accountable to these provisions and adhere to reporting requirements.
- 1.4. These Federal Provisions are subject to the Award as defined in §2 of these Federal Provisions, as may be revised pursuant to ongoing guidance from the relevant Federal or State of Colorado agency or institutions of higher education.

2. DEFINITIONS.

- 2.1. For the purposes of these Federal Provisions, the following terms shall have the meanings ascribed to them below.
 - 2.1.1. “Award” means an award of Federal financial assistance, and the Grant setting forth the terms and conditions of that financial assistance, that a non-Federal Entity receives or administers.
 - 2.1.2. “Entity” means:
 - 2.1.2.1. a Non-Federal Entity;
 - 2.1.2.2. a foreign public entity;
 - 2.1.2.3. a foreign organization;
 - 2.1.2.4. a non-profit organization;
 - 2.1.2.5. a domestic for-profit organization (for 2 CFR parts 25 and 170 only);
 - 2.1.2.6. a foreign non-profit organization (only for 2 CFR part 170) only);
 - 2.1.2.7. a Federal agency, but only as a Subrecipient under an Award or Subaward to a non-Federal entity (or 2 CFR 200.1); or
 - 2.1.2.8. a foreign for-profit organization (for 2 CFR part 170 only).
 - 2.1.3. “Executive” means an officer, managing partner or any other employee in a management position.
 - 2.1.4. “Expenditure Category (EC)” means the category of eligible uses as defined by the US Department of Treasury in “Appendix 1 of the Compliance and Reporting Guidance, State and Local Fiscal Recovery Funds” report available at www.treasury.gov.

- 2.1.5. “Federal Awarding Agency” means a Federal agency providing a Federal Award to a Recipient as described in 2 CFR 200.1
- 2.1.6. “Grant” means the Grant to which these Federal Provisions are attached.
- 2.1.7. “Grantee” means the party or parties identified as such in the Grant to which these Federal Provisions are attached.
- 2.1.8. “Non-Federal Entity” means a State, local government, Indian tribe, institution of higher education, or nonprofit organization that carries out a Federal Award as a Recipient or a Subrecipient.
- 2.1.9. “Nonprofit Organization” means any corporation, trust, association, cooperative, or other organization, not including IHEs, that:
- 2.1.9.1. Is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;
 - 2.1.9.2. Is not organized primarily for profit; and
 - 2.1.9.3. Uses net proceeds to maintain, improve, or expand the operations of the organization.
- 2.1.10. “OMB” means the Executive Office of the President, Office of Management and Budget.
- 2.1.11. “Pass-through Entity” means a non-Federal Entity that provides a Subaward to a Subrecipient to carry out part of a Federal program.
- 2.1.12. “Prime Recipient” means the Colorado State agency or institution of higher education identified as the Grantor in the Grant to which these Federal Provisions are attached.
- 2.1.13. “Subaward” means an award by a Prime Recipient to a Subrecipient funded in whole or in part by a Federal Award. The terms and conditions of the Federal Award flow down to the Subaward unless the terms and conditions of the Federal Award specifically indicate otherwise in accordance with 2 CFR 200.101. The term does not include payments to a Contractor or payments to an individual that is a beneficiary of a Federal program.
- 2.1.14. “Subrecipient” or “Subgrantee” means a non-Federal Entity (or a Federal agency under an Award or Subaward to a non-Federal Entity) receiving Federal funds through a Prime Recipient to support the performance of the Federal project or program for which the Federal funds were awarded. A Subrecipient is subject to the terms and conditions of the Federal Award to the Prime Recipient, including program compliance requirements. The term does not include an individual who is a beneficiary of a federal program.
- 2.1.15. “System for Award Management (SAM)” means the Federal repository into which an Entity must enter the information required under the Transparency Act, which may be found at <http://www.sam.gov>. “Total Compensation” means the cash and noncash dollar value earned by an Executive during the Prime Recipient’s or Subrecipient’s preceding fiscal year (see 48 CFR 52.204-10, as prescribed in 48 CFR 4.1403(a)) and includes the following:
- 2.1.15.1. Salary and bonus;
 - 2.1.15.2. Awards of stock, stock options, and stock appreciation rights, using the dollar amount recognized for financial statement reporting purposes with respect to the

fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2005) (FAS 123R), Shared Based Payments;

- 2.1.15.3. Earnings for services under non-equity incentive plans, not including group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of Executives and are available generally to all salaried employees;
 - 2.1.15.4. Change in present value of defined benefit and actuarial pension plans;
 - 2.1.15.5. Above-market earnings on deferred compensation which is not tax-qualified;
 - 2.1.15.6. Other compensation, if the aggregate value of all such other compensation (e.g., severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the Executive exceeds \$10,000.
- 2.1.16. “Transparency Act” means the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), as amended by §6202 of Public Law 110-252.
- 2.1.17. “Uniform Guidance” means the Office of Management and Budget Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. The terms and conditions of the Uniform Guidance flow down to Awards to Subrecipients unless the Uniform Guidance or the terms and conditions of the Federal Award specifically indicate otherwise.
- 2.1.18. “Unique Entity ID” means the Unique Entity ID established by the federal government for a Grantee at <https://sam.gov/content/home>.

3. COMPLIANCE.

- 3.1. Grantee shall comply with all applicable provisions of the Transparency Act and the regulations issued pursuant thereto, all applicable provisions of the Uniform Guidance, and all applicable Federal Laws and regulations required by this Federal Award Any revisions to such provisions or regulations shall automatically become a part of these Federal Provisions, without the necessity of either party executing any further instrument. The State of Colorado, at its discretion, may provide written notification to Grantee of such revisions, but such notice shall not be a condition precedent to the effectiveness of such revisions.
- 3.2. Per US Treasury Final Award requirements, grantee programs or services must not include a term or conditions that undermines efforts to stop COVID-19 or discourages compliance with recommendations and CDC guidelines.

4. SYSTEM FOR AWARD MANAGEMENT (SAM) AND UNIQUE ENTITY ID (UEI) REQUIREMENTS.

- 4.1. SAM. Grantee shall maintain the currency of its information in SAM until the Grantee submits the final financial report required under the Award or receives final payment, whichever is later. Grantee shall review and update SAM information at least annually.
- 4.2. UEI. Grantee shall provide its Unique Entity ID to its Prime Recipient, and shall update Grantee’s information in Sam.gov at least annually.

5. TOTAL COMPENSATION.

- 5.1. Grantee shall include Total Compensation in SAM for each of its five most highly compensated Executives for the preceding fiscal year if:
 - 5.1.1. The total Federal funding authorized to date under the Award is \$30,000 or more; and
 - 5.1.2. In the preceding fiscal year, Grantee received:

- 5.1.2.1. 80% or more of its annual gross revenues from Federal procurement Agreements and Subcontractors and/or Federal financial assistance Awards or Subawards subject to the Transparency Act; and
- 5.1.2.2. \$30,000,000 or more in annual gross revenues from Federal procurement Agreements and Subcontractors and/or Federal financial assistance Awards or Subawards subject to the Transparency Act; and
- 5.1.2.3. 5.1.2.3 The public does not have access to information about the compensation of such Executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d) or § 6104 of the Internal Revenue Code of 1986.

6. REPORTING.

- 6.1. If Grantee is a Subrecipient of the Award pursuant to the Transparency Act, Grantee shall report data elements to SAM and to the Prime Recipient as required in this Exhibit. No direct payment shall be made to Grantee for providing any reports required under these Federal Provisions and the cost of producing such reports shall be included in the Grant price. The reporting requirements in this Exhibit are based on guidance from the OMB, and as such are subject to change at any time by OMB. Any such changes shall be automatically incorporated into this Grant and shall become part of Grantee's obligations under this Grant.

7. EFFECTIVE DATE AND DOLLAR THRESHOLD FOR FEDERAL REPORTING.

- 7.1. Reporting requirements in §8 below apply to new Awards as of October 1, 2010, if the initial award is \$30,000 or more. If the initial Award is below \$30,000 but subsequent Award modifications result in a total Award of \$30,000 or more, the Award is subject to the reporting requirements as of the date the Award exceeds \$30,000. If the initial Award is \$30,000 or more, but funding is subsequently de-obligated such that the total award amount falls below \$30,000, the Award shall continue to be subject to the reporting requirements. If the total award is below \$30,000 no reporting required; if more than \$30,000 and less than \$50,000 then FFATA reporting is required; and, \$50,000 and above SLFRF reporting is required.
- 7.2. The procurement standards in §9 below are applicable to new Awards made by Prime Recipient as of December 26, 2015. The standards set forth in §11 below are applicable to audits of fiscal years beginning on or after December 26, 2014.

8. SUBRECIPIENT REPORTING REQUIREMENTS.

- 8.1. Grantee shall report as set forth below.
 - 8.1.1. Grantee shall use the SLFRF Subrecipient Quarterly Report Workbook as referenced in Exhibit P to report to the State Agency within ten (10) days following each quarter ended September, December, March and June. Additional information on specific requirements are detailed in the SLFRF Subrecipient Quarterly Report Workbooks and "Compliance and Reporting Guidance, State and Local Fiscal Recovery Funds" report available at www.treasury.gov.

EC 1 – Public Health**All Public Health Projects**

- a) Description of structure and objectives
- b) Description of relation to COVID-19
- c) Identification of impacted and/or disproportionately impacted communities
- d) Capital Expenditures
 - i. Presence of capital expenditure in project
 - ii. Total projected capital expenditure
 - iii. Type of capital expenditure
 - iv. Written justification
 - v. Labor reporting

COVID-19 Interventions and Mental Health (1.4, 1.11, 1.12, 1.13)

- a) Amount of total project used for evidence-based programs
- b) Evaluation plan description

COVID-19 Small Business Economic Assistance (1.8)

- a) Number of small businesses served

COVID-19 Assistance to Non-Profits (1.9)

- a) Number of non-profits served

COVID-19 Aid to Travel, Tourism, and Hospitality or Other Impacted Industries (1.10)

- a) Sector of employer
- b) Purpose of funds

EC 2 – Negative Economic Impacts**All Negative Economic Impacts Projects**

- a) Description of project structure and objectives
- b) Description of project's response to COVID-19
- c) Identification of impacted and/or disproportionately impacted communities
- d) Amount of total project used for evidence-based programs and description of evaluation plan (*not required for 2.5, 2.8, 2.21-2.24, 2.27-2.29, 2.31, 2.34-2.36*)
- e) Number of workers enrolled in sectoral job training programs
- f) Number of workers completing sectoral job training programs
- g) Number of people participating in summer youth employment programs
- h) Capital Expenditures
 - i. Presence of capital expenditure in project
 - ii. Total projected capital expenditure
 - iii. Type of capital expenditure
 - iv. Written justification
 - v. Labor reporting

Household Assistance (2.1-2.8)

- a) Number of households served

- b) Number of people or households receiving eviction prevention services (2.2 & 2.5 only) *(Federal guidance may change this requirement in July 2022)*
- c) Number of affordable housing units preserved or developed (2.2 & 2.5 only) *(Federal guidance may change this requirement in July 2022)*

Healthy Childhood Environments (2.11-2.13)

- a) Number of children served by childcare and early learning *(Federal guidance may change this requirement in July 2022)*
- b) Number of families served by home visiting *(Federal guidance may change this requirement in July 2022)*

Education Assistance (2.14, 2.24-2.27)

- a) National Center for Education Statistics (“NCES”) School ID or NCES District ID
- b) Number of students participating in evidence-based programs *(Federal guidance may change this requirement in July 2022)*

Housing Support (2.15, 2.16, 2.18)

- a) Number of people or households receiving eviction prevention services *(Federal guidance may change this requirement in July 2022)*
- b) Number of affordable housing units preserved or developed *(Federal guidance may change this requirement in July 2022)*

Small Business Economic Assistance (2.29-2.33)

- a) Number of small businesses served

Assistance to Non-Profits (2.34)

- a) Number of non-profits served

Aid to Travel, Tourism, and Hospitality or Other Impacted Industries (2.35-2.36)

- a) Sector of employer
- b) Purpose of funds
- c) If other than travel, tourism and hospitality (2.36) – description of hardship

EC 3 – Public Health – Negative Economic Impact: Public Sector Capacity

Payroll for Public Health and Safety Employees (EC 3.1)

- a) Number of government FTEs responding to COVID-19

Rehiring Public Sector Staff (EC 3.2)

- a) Number of FTEs rehired by governments

EC 4 – Premium Pay

All Premium Pay Projects

- a) List of sectors designated as critical by the chief executive of the jurisdiction, if beyond those listed in the final rule
- b) Numbers of workers served
- c) Employer sector for all subawards to third-party employers
- d) Written narrative justification of how premium pay is responsive to essential work during the public health emergency for non-exempt workers or those making over 150 percent of the state/county’s average annual wage

- e) Number of workers to be served with premium pay in K-12 schools

EC 5 – Infrastructure Projects

All Infrastructure Projects

- a) Projected/actual construction start date (month/year)
- b) Projected/actual initiation of operations date (month/year)
- c) Location (for broadband, geospatial data of locations to be served)
- d) Projects over \$10 million
 - i. Prevailing wage certification or detailed project employment and local impact report
 - ii. Project labor agreement certification or project workforce continuity plan
 - iii. Prioritization of local hires
 - iv. Community benefit agreement description, if applicable

Water and sewer projects (EC 5.1-5.18)

- a) National Pollutant Discharge Elimination System (NPDES) Permit Number (if applicable; for projects aligned with the Clean Water State Revolving Fund)
- b) Public Water System (PWS) ID number (if applicable; for projects aligned with the Drinking Water State Revolving Fund)
- c) Median Household Income of service area
- d) Lowest Quintile Income of the service area

Broadband projects (EC 5.19-5.21)

- a) Confirm that the project is designed to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds.
 - i. If the project is not designed to reliably meet or exceed symmetrical 100 Mbps download and upload speeds, explain why not, and
 - ii. Confirm that the project is designed to, upon completion, meet or exceed 100 Mbps download speed and between at least 20 Mbps and 100 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.
- b) Additional programmatic data will be required for broadband projects and will be defined in a subsequent version of the US Treasury Reporting Guidance, including, but not limited to (*Federal guidance may change this requirement in July 2022*):
 - i. Number of households (broken out by households on Tribal lands and those not on Tribal lands) that have gained increased access to broadband meeting the minimum speed standards in areas that previously lacked access to service of at least 25 Mbps download and 3 Mbps upload, with the number of households with access to minimum speed standard of reliable 100 Mbps symmetrical upload and download and number of households with access to minimum speed standard of reliable 100 Mbps download and 20 Mbps upload
 - ii. Number of institutions and businesses (broken out by institutions on Tribal lands and those not on Tribal lands) that have projected increased access to broadband meeting the minimum speed standards in areas that previously

lacked access to service of at least 25 Mbps download and 3 Mbps upload, in each of the following categories: business, small business, elementary school, secondary school, higher education institution, library, healthcare facility, and public safety organization, with the number of each type of institution with access to the minimum speed standard of reliable 100 Mbps symmetrical upload and download; and number of each type of institution with access to the minimum speed standard of reliable 100 Mbps download and 20 Mbps upload.

- iii. Narrative identifying speeds/pricing tiers to be offered, including the speed/pricing of its affordability offering, technology to be deployed, miles of fiber, cost per mile, cost per passing, number of households (broken out by households on Tribal lands and those not on Tribal lands) projected to have increased access to broadband meeting the minimum speed standards in areas that previously lacked access to service of at least 25 Mbps download and 3 Mbps upload, number of households with access to minimum speed standard of reliable 100 Mbps symmetrical upload and download, number of households with access to minimum speed standard of reliable 100 Mbps download and 20 Mbps upload, and number of institutions and businesses (broken out by institutions on Tribal lands and those not on Tribal lands) projected to have increased access to broadband meeting the minimum speed standards in areas that previously lacked access to service of at least 25 Mbps download and 3 Mbps upload, in each of the following categories: business, small business, elementary school, secondary school, higher education institution, library, healthcare facility, and public safety organization. Specify the number of each type of institution with access to the minimum speed standard of reliable 100 Mbps symmetrical upload and download; and the number of each type of institution with access to the minimum speed standard of reliable 100 Mbps download and 20 Mbps upload.

All Expenditure Categories

- a) Program income earned and expended to cover eligible project costs
- 8.1.2. A Subrecipient shall report the following data elements to Prime Recipient no later than five days after the end of the month following the month in which the Subaward was made.
- 8.1.2.1. Subrecipient Unique Entity ID;
- 8.1.2.2. Subrecipient Unique Entity ID if more than one electronic funds transfer (EFT) account;
- 8.1.2.3. Subrecipient parent's organization Unique Entity ID;
- 8.1.2.4. Subrecipient's address, including: Street Address, City, State, Country, Zip + 4, and Congressional District;

- 8.1.2.5. Subrecipient's top 5 most highly compensated Executives if the criteria in §4 above are met; and
- 8.1.2.6. Subrecipient's Total Compensation of top 5 most highly compensated Executives if the criteria in §4 above met.
- 8.1.3. To Prime Recipient. A Subrecipient shall report to its Prime Recipient, the following data elements:
- 8.1.3.1. Subrecipient's Unique Entity ID as registered in SAM.
- 8.1.3.2. Primary Place of Performance Information, including: Street Address, City, State, Country, Zip code + 4, and Congressional District.
- 8.1.3.3. Narrative identifying methodology for serving disadvantaged communities. See the "Project Demographic Distribution" section in the "Compliance and Reporting Guidance, State and Local Fiscal Recovery Funds" report available at www.treasury.gov. This requirement is applicable to all projects in Expenditure Categories 1 and 2.
- 8.1.3.4. Narrative identifying funds allocated towards evidenced-based interventions and the evidence base. See the "Use of Evidence" section in the "Compliance and Reporting Guidance, State and Local Fiscal Recovery Funds" report available at www.treasury.gov. See section 8.1.1 for relevant Expenditure Categories.
- 8.1.3.5. Narrative describing the structure and objectives of the assistance program and in what manner the aid responds to the public health and negative economic impacts of COVID-19. This requirement is applicable to Expenditure Categories 1 and 2. For aid to travel, tourism, and hospitality or other impacted industries (EC 2.11-2.12), also provide the sector of employer, purpose of funds, and if not travel, tourism and hospitality a description of the pandemic impact on the industry.
- 8.1.3.6. Narrative identifying the sector served and designated as critical to the health and well-being of residents by the chief executive of the jurisdiction and the number of workers expected to be served. For groups of workers (e.g., an operating unit, a classification of worker, etc.) or, to the extent applicable, individual workers, other than those where the eligible worker receiving premium pay is earning (with the premium pay included) below 150 percent of their residing state or county's average annual wage for all occupations, as defined by the Bureau of Labor Statistics Occupational Employment and Wage Statistics, whichever is higher, OR the eligible worker receiving premium pay is not exempt from the Fair Labor Standards Act overtime provisions, include justification of how the premium pay or grant is responsive to workers performing essential work during the public health emergency. This could include a description of the essential workers' duties, health or financial risks faced due to COVID-19 but should not include personally identifiable information. This requirement applies to EC 4.1, and 4.2.
- 8.1.3.7. For infrastructure projects (EC 5), or capital expenditures in any expenditure category, narrative identifying the projected construction start date (month/year), projected initiation of operations date (month/year), and location (for broadband, geospatial location data). For projects over \$10 million:
- 8.1.3.8. Certification that all laborers and mechanics employed by Contractors and Subcontractors in the performance of such project are paid wages at rates not less

than those prevailing, as determined by the U.S. Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the "Davis-Bacon Act"), for the corresponding classes of laborers and mechanics employed on projects of a character similar to the Agreement work in the civil subdivision of the State (or the District of Columbia) in which the work is to be performed, or by the appropriate State entity pursuant to a corollary State prevailing-wage-in-construction law (commonly known as "baby Davis-Bacon Acts"). If such certification is not provided, a recipient must provide a project employment and local impact report detailing (1) the number of employees of Contractors and sub-contractors working on the project; (2) the number of employees on the project hired directly and hired through a third party; (3) the wages and benefits of workers on the project by classification; and (4) whether those wages are at rates less than those prevailing. Recipients must maintain sufficient records to substantiate this information upon request.

- 8.1.3.8.1. A Subrecipient may provide a certification that a project includes a project labor agreement, meaning a pre-hire collective bargaining agreement consistent with section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)). If the recipient does not provide such certification, the recipient must provide a project workforce continuity plan, detailing: (1) how the Subrecipient will ensure the project has ready access to a sufficient supply of appropriately skilled and unskilled labor to ensure high-quality construction throughout the life of the project; (2) how the Subrecipient will minimize risks of labor disputes and disruptions that would jeopardize timeliness and cost-effectiveness of the project; and (3) how the Subrecipient will provide a safe and healthy workplace that avoids delays and costs associated with workplace illnesses, injuries, and fatalities; (4) whether workers on the project will receive wages and benefits that will secure an appropriately skilled workforce in the context of the local or regional labor market; and (5) whether the project has completed a project labor agreement.
 - 8.1.3.8.2. Whether the project prioritizes local hires.
 - 8.1.3.8.3. Whether the project has a Community Benefit Agreement, with a description of any such agreement.
- 8.1.4. Subrecipient also agrees to comply with any reporting requirements established by the US Treasury, Governor's Office and Office of the State Controller. The State of Colorado may need additional reporting requirements after this agreement is executed. If there are additional reporting requirements, the State will provide notice of such additional reporting requirements via Exhibit Q – SLFRF Reporting Modification Form.

9. PROCUREMENT STANDARDS.

- 9.1. Procurement Procedures. A Subrecipient shall use its own documented procurement procedures which reflect applicable State, local, and Tribal laws and applicable regulations, provided that the procurements conform to applicable Federal law and the standards identified in the Uniform Guidance, including without limitation, 2 CFR 200.318 through 200.327 thereof.
- 9.2. Domestic preference for procurements (2 CFR 200.322). As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all Agreements and purchase orders for work or products under this award.
- 9.3. Procurement of Recovered Materials. If a Subrecipient is a State Agency or an agency of a political subdivision of the State, its Contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247, that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

10. ACCESS TO RECORDS.

- 10.1. A Subrecipient shall permit Prime Recipient and its auditors to have access to Subrecipient's records and financial statements as necessary for Recipient to meet the requirements of 2 CFR 200.332 (Requirements for pass-through entities), 2 CFR 200.300 (Statutory and national policy requirements) through 2 CFR 200.309 (Period of performance), and Subpart F-Audit Requirements of the Uniform Guidance.

11. SINGLE AUDIT REQUIREMENTS.

- 11.1. If a Subrecipient expends \$750,000 or more in Federal Awards during the Subrecipient's fiscal year, the Subrecipient shall procure or arrange for a single or program-specific audit conducted for that year in accordance with the provisions of Subpart F-Audit Requirements of the Uniform Guidance, issued pursuant to the Single Audit Act Amendments of 1996, (31 U.S.C. 7501-7507). 2 CFR 200.501.

- 11.1.1. Election. A Subrecipient shall have a single audit conducted in accordance with Uniform Guidance 2 CFR 200.514 (Scope of audit), except when it elects to have a program-specific audit conducted in accordance with 2 CFR 200.507 (Program-specific audits). The Subrecipient may elect to have a program-specific audit if Subrecipient expends Federal Awards under only one Federal program (excluding research and development) and the Federal program's statutes, regulations, or the terms and conditions of the Federal award do not require a financial statement audit of Prime Recipient. A program-specific audit may not be elected for research and development unless all of the Federal Awards expended were received from Recipient and Recipient approves in advance a program-specific audit.
- 11.1.2. Exemption. If a Subrecipient expends less than \$750,000 in Federal Awards during its fiscal year, the Subrecipient shall be exempt from Federal audit requirements for that year, except as noted in 2 CFR 200.503 (Relation to other audit requirements), but records shall be available for review or audit by appropriate officials of the Federal agency, the State, and the Government Accountability Office.
- 11.1.3. Subrecipient Compliance Responsibility. A Subrecipient shall procure or otherwise arrange for the audit required by Subpart F of the Uniform Guidance and ensure it is properly performed and submitted when due in accordance with the Uniform Guidance. Subrecipient shall prepare appropriate financial statements, including the schedule of expenditures of Federal awards in accordance with 2 CFR 200.510 (Financial statements) and provide the auditor with access to personnel, accounts, books, records, supporting documentation, and other information as needed for the auditor to perform the audit required by Uniform Guidance Subpart F-Audit Requirements.

12. GRANT PROVISIONS FOR SUBRECIPIENT AGREEMENTS.

- 12.1. In addition to other provisions required by the Federal Awarding Agency or the Prime Recipient, Grantees that are Subrecipients shall comply with the following provisions. Subrecipients shall include all of the following applicable provisions in all Subcontractors entered into by it pursuant to this Grant.
- 12.1.1. [Applicable to federally assisted construction Agreements.] Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all Agreements that meet the definition of "federally assisted construction Agreement" in 41 CFR Part 60-1.3 shall include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, Office of Federal Agreement Compliance Programs, Equal Employment Opportunity, Department of Labor.
- 12.1.2. [Applicable to on-site employees working on government-funded construction, alteration and repair projects.] Davis-Bacon Act. Davis-Bacon Act, as amended (40 U.S.C. 3141-3148).

- 12.1.3. Rights to Inventions Made Under a grant or agreement. If the Federal Award meets the definition of “funding agreement” under 37 CFR 401.2 (a) and the Prime Recipient or Subrecipient wishes to enter into an Agreement with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the Prime Recipient or Subrecipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Agreements and Cooperative Agreements,” and any implementing regulations issued by the Federal Awarding Agency.
- 12.1.4. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended. Agreements and subgrants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal awardees to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal Awarding Agency and the Regional Office of the Environmental Protection Agency (EPA).
- 12.1.5. Debarment and Suspension (Executive Orders 12549 and 12689). A Agreement award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in SAM, in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
- 12.1.6. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal Agreement, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- 12.1.7. Never Contract with the Enemy (2 CFR 200.215). Federal awarding agencies and recipients are subject to the regulations implementing “Never Contract with the Enemy” in 2 CFR part 183. The regulations in 2 CFR part 183 affect covered Agreements, grants and cooperative agreements that are expected to exceed \$50,000 within the period of performance, are performed outside the United States and its territories, and are in support of a contingency operation in which members of the Armed Forces are actively engaged in hostilities.
- 12.1.8. Prohibition on certain telecommunications and video surveillance services or equipment (2 CFR 200.216). Grantee is prohibited from obligating or expending loan or grant funds on certain telecommunications and video surveillance services or equipment pursuant to 2 CFR 200.216.

12.1.9. Title VI of the Civil Rights Act. The Subgrantee, Contractor, Subcontractor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits recipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this Agreement (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CRF Part 22, and herein incorporated by reference and made part of this Agreement or agreement.

13. CERTIFICATIONS.

- 13.1. Subrecipient Certification. Subrecipient shall sign a "State of Colorado Agreement with Recipient of Federal Recovery Funds" Certification Form in Exhibit E and submit to State Agency with signed grant agreement.
- 13.2. Unless prohibited by Federal statutes or regulations, Prime Recipient may require Subrecipient to submit certifications and representations required by Federal statutes or regulations on an annual basis. 2 CFR 200.208. Submission may be required more frequently if Subrecipient fails to meet a requirement of the Federal award. Subrecipient shall certify in writing to the State at the end of the Award that the project or activity was completed or the level of effort was expended. 2 CFR 200.201(3). If the required level of activity or effort was not carried out, the amount of the Award must be adjusted.

14. EXEMPTIONS.

- 14.1. These Federal Provisions do not apply to an individual who receives an Award as a natural person, unrelated to any business or non-profit organization he or she may own or operate in his or her name.
- 14.2. A Grantee with gross income from all sources of less than \$300,000 in the previous tax year is exempt from the requirements to report Subawards and the Total Compensation of its most highly compensated Executives.

15. EVENT OF DEFAULT AND TERMINATION.

- 15.1. Failure to comply with these Federal Provisions shall constitute an event of default under the Grant and the State of Colorado may terminate the Grant upon 30 days prior written notice if the default remains uncured five calendar days following the termination of the 30-day notice period. This remedy will be in addition to any other remedy available to the State of Colorado under the Grant, at law or in equity.
- 15.2. Termination (2 CFR 200.340). The Federal Award may be terminated in whole or in part as follows:
 - 15.2.1. By the Federal Awarding Agency or Pass-through Entity, if a Non-Federal Entity fails to comply with the terms and conditions of a Federal Award;
 - 15.2.2. By the Federal awarding agency or Pass-through Entity, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities;

- 15.2.3. By the Federal awarding agency or Pass-through Entity with the consent of the Non-Federal Entity, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
- 15.2.4. By the Non-Federal Entity upon sending to the Federal Awarding Agency or Pass-through Entity written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Federal Awarding Agency or Pass-through Entity determines in the case of partial termination that the reduced or modified portion of the Federal Award or Subaward will not accomplish the purposes for which the Federal Award was made, the Federal Awarding Agency or Pass-through Entity may terminate the Federal Award in its entirety; or
- 15.2.5. By the Federal Awarding Agency or Pass-through Entity pursuant to termination provisions included in the Federal Award.

EXHIBIT O

AGREEMENT WITH SUBSUBRECIPIENT OF FEDERAL RECOVERY FUNDS

Section 602(b) of the Social Security Act (the Act), as added by section 9901 of the American Rescue Plan Act (ARPA), Pub. L. No. 117-2 (March 11, 2021), authorizes the Department of the Treasury (Treasury) to make payments to certain Subrecipients from the Coronavirus State Fiscal Recovery Fund. The State of Colorado has signed and certified a separate agreement with Treasury as a condition of receiving such payments from the Treasury. This agreement is between your organization and the State and your organization is signing and certifying the same terms and conditions included in the State’s separate agreement with Treasury. Your organization is referred to as a Subrecipient.

As a condition of your organization receiving federal recovery funds from the State, the authorized representative below hereby (i) certifies that your organization will carry out the activities listed in section 602(c) of the Act and (ii) agrees to the terms attached hereto. Your organization also agrees to use the federal recovery funds as specified in bills passed by the General Assembly and signed by the Governor.

Under penalty of perjury, the undersigned official certifies that the authorized representative has read and understood the organization’s obligations in the Assurances of Compliance and Civil Rights Requirements, that any information submitted in conjunction with this assurances document is accurate and complete, and that the organization is in compliance with the nondiscrimination requirements.

Subrecipient Name _____

Authorized Representative: _____

Title: _____

Signature: _____

AGREEMENT WITH SUBRECIPIENT OF FEDERAL RECOVERY FUNDS
TERMS AND CONDITIONS

1. Use of Funds.
 - a. Subrecipient understands and agrees that the funds disbursed under this award may only be used in compliance with section 602(c) of the Social Security Act (the Act) and Treasury's regulations implementing that section and guidance.
 - b. Subrecipient will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
2. Period of Performance. The period of performance for this award begins on the date hereof and ends on December 31, 2026. As set forth in Treasury's implementing regulations, Subrecipient may use award funds to cover eligible costs incurred during the period that begins on March 3, 2021, and ends on December 31, 2024.
3. Reporting. Subrecipient agrees to comply with any reporting obligations established by Treasury as they relate to this award. Subrecipient also agrees to comply with any reporting requirements established by the Governor's Office and Office of the State Controller.
4. Maintenance of and Access to Records
 - a. Subrecipient shall maintain records and financial documents sufficient to evidence compliance with section 602(c), Treasury's regulations implementing that section, and guidance issued by Treasury regarding the foregoing.
 - b. The Treasury Office of Inspector General and the Government Accountability Office, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Subrecipient in order to conduct audits or other investigations.
 - c. Records shall be maintained by Subrecipient for a period of five (5) years after all funds have been expended or returned to Treasury, whichever is later.
5. Pre-award Costs. Pre-award costs, as defined in 2 C.F.R. § 200.458, may not be paid with funding from this award.
6. Administrative Costs. Subrecipient may use funds provided under this award to cover both direct and indirect costs. Subrecipient shall follow guidance on administrative costs issued by the Governor's Office and Office of the State Controller.
7. Cost Sharing. Cost sharing or matching funds are not required to be provided by Subrecipient.
8. Conflicts of Interest. The State of Colorado understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy

is applicable to each activity funded under this award. Subrecipient and Contractors must disclose in writing to the Office of the State Controller or the pass-through entity, as appropriate, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112. The Office of the State Controller shall disclose such conflict to Treasury.

9. Compliance with Applicable Law and Regulations.

a. Subrecipient agrees to comply with the requirements of section 602 of the Act, regulations adopted by Treasury pursuant to section 602(f) of the Act, and guidance issued by Treasury regarding the foregoing. Subrecipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Subrecipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.

b. Federal regulations applicable to this award include, without limitation, the following:

- i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.
- ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
- iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
- iv. OMB Guidelines to Agencies on Government wide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (Agreements and Subcontractors described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
- v. Subrecipient Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
- vi. Government wide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
- vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
- viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.

- ix. Generally applicable federal environmental laws and regulations.
- c. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
 - ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
10. Remedial Actions. In the event of Subrecipient's noncompliance with section 602 of the Act, other applicable laws, Treasury's implementing regulations, guidance, or any reporting or other program requirements, Treasury may impose additional conditions on the receipt of a subsequent tranche of future award funds, if any, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 602(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 602(e) of the Act and any additional payments may be subject to withholding as provided in sections 602(b)(6)(A)(ii)(III) of the Act, as applicable.
11. Hatch Act. Subrecipient agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
12. False Statements. Subrecipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or Agreements, and/or any other remedy available by law.

13. Publications. Any publications produced with funds from this award must display the following language: “This project [is being] [was] supported, in whole or in part, by federal award number SLFRF0126 awarded to the State of Colorado by the U.S. Department of the Treasury.”
14. Debts Owed the Federal Government.
- a. Any funds paid to the Subrecipient (1) in excess of the amount to which the Subrecipient is finally determined to be authorized to retain under the terms of this award; (2) that are determined by the Treasury Office of Inspector General to have been misused; or (3) that are determined by Treasury to be subject to a repayment obligation pursuant to sections 602(e) and 603(b)(2)(D) of the Act and have not been repaid by the Subrecipient shall constitute a debt to the federal government.
 - b. Any debts determined to be owed to the federal government must be paid promptly by Subrecipient. A debt is delinquent if it has not been paid by the date specified in Treasury’s initial written demand for payment, unless other satisfactory arrangements have been made or if the Subrecipient knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.
15. Disclaimer.
- a. The United States expressly disclaims any and all responsibility or liability to Subrecipient or third persons for the actions of Subrecipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any Agreement, or Subcontractor under this award.
 - b. The acceptance of this award by Subrecipient does not in any way establish an agency relationship between the United States and Subrecipient.
16. Protections for Whistleblowers.
- a. In accordance with 41 U.S.C. § 4712, Subrecipient may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal Agreement or grant, a gross waste of federal funds, an abuse of authority relating to a federal Agreement or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal Agreement (including the competition for or negotiation of an Agreement) or grant.
 - b. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;

- iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for Agreement or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Subrecipient, Contractor, or Subcontractor who has the responsibility to investigate, discover, or address misconduct.
- c. Subrecipient shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.
17. Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Subrecipient should encourage its Contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.
1. Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Subrecipient should encourage its employees, Subrecipients, and Contractors to adopt and enforce policies that ban text messaging while driving, and Subrecipient should establish workplace safety policies to decrease accidents caused by distracted drivers.

ASSURANCES OF COMPLIANCE WITH CIVIL RIGHTS REQUIREMENTS

ASSURANCES OF COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

As a condition of receipt of federal financial assistance from the Department of the Treasury, the Subrecipient provides the assurances stated herein. The federal financial assistance may include federal grants, loans and Agreements to provide assistance to the Subrecipient's beneficiaries, the use or rent of Federal land or property at below market value, Federal training, a loan of Federal personnel, subsidies, and other arrangements with the intention of providing assistance. Federal financial assistance does not encompass Agreements of guarantee or insurance, regulated programs, licenses, procurement Agreements by the Federal government at market value, or programs that provide direct benefits.

The assurances apply to all federal financial assistance from or funds made available through the Department of the Treasury, including any assistance that the Subrecipient may request in the future.

The Civil Rights Restoration Act of 1987 provides that the provisions of the assurances apply to all of the operations of the Subrecipient's program(s) and activity(ies), so long as any portion of the Subrecipient's program(s) or activity(ies) is federally assisted in the manner prescribed above.

1. Subrecipient ensures its current and future compliance with Title VI of the Civil Rights Act of 1964, as amended, which prohibits exclusion from participation, denial of the benefits of, or subjection to discrimination under programs and activities receiving federal financial assistance, of any person in the United States on the ground of race, color, or national origin (42 U.S.C. § 2000d *et seq.*), as implemented by the Department of the Treasury Title VI regulations at 31 CFR Part 22 and other pertinent executive orders such as Executive Order 13166, directives, circulars, policies, memoranda, and/or guidance documents.
2. Subrecipient acknowledges that Executive Order 13166, "Improving Access to Services for Persons with Limited English Proficiency," seeks to improve access to federally assisted programs and activities for individuals who, because of national origin, have Limited English proficiency (LEP). Subrecipient understands that denying a person access to its programs, services, and activities because of LEP is a form of national origin discrimination prohibited under Title VI of the Civil Rights Act of 1964 and the Department of the Treasury's implementing regulations. Accordingly, Subrecipient shall initiate reasonable steps, or comply with the Department of the Treasury's directives, to ensure that LEP persons have meaningful access to its programs, services, and activities. Subrecipient understands and agrees that meaningful access may entail providing language assistance services, including oral interpretation and written translation where necessary, to ensure effective communication in the Subrecipient's programs, services, and activities.
3. Subrecipient agrees to consider the need for language services for LEP persons when Subrecipient develops applicable budgets and conducts programs, services, and activities. As a resource, the Department of the Treasury has published its LEP guidance at 70 FR 6067. For more information on taking reasonable steps to provide meaningful access for LEP persons, please visit <http://www.lep.gov>.

4. Subrecipient acknowledges and agrees that compliance with the assurances constitutes a condition of continued receipt of federal financial assistance and is binding upon Subrecipient and Subrecipient's successors, transferees, and assignees for the period in which such assistance is provided.
5. Subrecipient acknowledges and agrees that it must require any sub-grantees, contractors, subcontractors, successors, transferees, and assignees to comply with assurances 1-4 above, and agrees to incorporate the following language in every Agreement or agreement subject to Title VI and its regulations between the Subrecipient and the Subrecipient's sub-grantees, Contractors, Subcontractors, successors, transferees, and assignees:

The sub-grantee, Contractor, Subcontractor, successor, transferee, and assignee shall comply with Title VI of the Civil Rights Act of 1964, which prohibits Subrecipients of federal financial assistance from excluding from a program or activity, denying benefits of, or otherwise discriminating against a person on the basis of race, color, or national origin (42 U.S.C. § 2000d et seq.), as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, which are herein incorporated by reference and made a part of this Agreement (or agreement). Title VI also includes protection to persons with "Limited English Proficiency" in any program or activity receiving federal financial assistance, 42 U.S.C. § 2000d et seq., as implemented by the Department of the Treasury's Title VI regulations, 31 CFR Part 22, and herein incorporated by reference and made a part of this Agreement or agreement.

6. Subrecipient understands and agrees that if any real property or structure is provided or improved with the aid of federal financial assistance by the Department of the Treasury, this assurance obligates the Subrecipient, or in the case of a subsequent transfer, the transferee, for the period during which the real property or structure is used for a purpose for which the federal financial assistance is extended or for another purpose involving the provision of similar services or benefits. If any personal property is provided, this assurance obligates the Subrecipient for the period during which it retains ownership or possession of the property.
7. Subrecipient shall cooperate in any enforcement or compliance review activities by the Department of the Treasury of the aforementioned obligations. Enforcement may include investigation, arbitration, mediation, litigation, and monitoring of any settlement agreements that may result from these actions. The Subrecipient shall comply with information requests, on-site compliance reviews and reporting requirements.
8. Subrecipient shall maintain a complaint log and inform the Department of the Treasury of any complaints of discrimination on the grounds of race, color, or national origin, and limited English proficiency covered by Title VI of the Civil Rights Act of 1964 and implementing regulations and provide, upon request, a list of all such reviews or proceedings based on the complaint, pending or completed, including outcome. Subrecipient also must inform the Department of the Treasury if Subrecipient has received no complaints under Title VI.
9. Subrecipient must provide documentation of an administrative agency's or court's findings of non-compliance of Title VI and efforts to address the non-compliance, including any voluntary compliance or other agreements between the Subrecipient and the administrative agency that made the finding. If the Subrecipient settles a case or matter alleging such discrimination, the Subrecipient must provide documentation of the settlement. If Subrecipient has not been the subject of any court or administrative agency finding of

discrimination, please so state.

10. If the Subrecipient makes sub-awards to other agencies or other entities, the Subrecipient is responsible for ensuring that sub-Subrecipients also comply with Title VI and other applicable authorities covered in this document. State agencies that make sub-awards must have in place standard grant assurances and review procedures to demonstrate that they are effectively monitoring the civil rights compliance of sub-Subrecipients.

The United States of America has the right to seek judicial enforcement of the terms of this assurances document and nothing in this document alters or limits the federal enforcement measures that the United States may take in order to address violations of this document or applicable federal law.

EXHIBIT P**SLFRF SUBRECIPIENT QUARTERLY REPORT****1. SLFRF SUBRECIPIENT QUARTERLY REPORT WORKBOOK**

- 1.1 The SLFRF Subrecipient Quarterly Report Workbook must be submitted to the State Agency within ten (10) days following each quarter ended September, December, March and June. The SLFRF Subrecipient Quarterly Report Workbook can be found at: <https://osc.colorado.gov/american-rescue-plan-act> (see SLFRF Grant Agreement Templates tab)

EXHIBIT Q
SAMPLE SLFRF REPORTING MODIFICATION FORM

Local Agency:		Agreement No:	
Project Title:		Project No:	
Project Duration: To:		From:	
State Agency:	CDOT		

This form serves as notification that there has been a change to the reporting requirements set forth in the original SLFRF Grant Agreement.

The following reporting requirements have been (add/ remove additional rows as necessary):

Updated Reporting Requirement (Add/Delete/Modify)	Project Number	Reporting Requirement

By signing this form, the Local Agency agrees to and acknowledges the changes to the reporting requirements set forth in the original SLFRF Grant Agreement. All other terms and conditions of the original SLFRF Grant Agreement, with any approved modifications, remain in full force and effect. Grantee shall submit this form to the State Agency within 10 business days of the date sent by that Agency.

Local Agency

Date

CDOT Program Manager

Date

Exhibit R
APPLICABLE FEDERAL AWARDS

FEDERAL AWARD(S) APPLICABLE TO THIS GRANT AWARD

Federal Awarding Office	US Department of the Treasury
Grant Program	Coronavirus State and Local Fiscal Recovery Funds
Assistance Listing Number	21.027
Federal Award Number	SLFRP0126
Federal Award Date *	May 18, 2021
Federal Award End Date	December 31, 2024
Federal Statutory Authority	Title VI of the Social Security Act, Section 602
Total Amount of Federal Award (this is <u>not</u> the amount of this grant agreement)	\$3,828,761,790

* Funds may not be available through the Federal Award End Date subject to the provisions in §2 and §5 below.

EXHIBIT S

PII Certification

STATE OF COLORADO

**LOCAL AGENCY CERTIFICATION FOR ACCESS TO PII THROUGH A
DATABASE OR AUTOMATED NETWORK**

Pursuant to § 24-74-105, C.R.S., I, _____, on behalf of _____ (legal name of Local Agency) (the “Local Agency”), hereby certify under the penalty of perjury that the Local Agency has not and will not use or disclose any Personal Identifying Information, as defined by § 24-74-102(1), C.R.S., for the purpose of investigating for, participating in, cooperating with, or assisting Federal Immigration Enforcement, including the enforcement of civil immigration laws, and the Illegal Immigration and Immigrant Responsibility Act, which is codified at 8 U.S.C. §§ 1325 and 1326, unless required to do so to comply with Federal or State law, or to comply with a court-issued subpoena, warrant or order.

I hereby represent and certify that I have full legal authority to execute this certification on behalf of the Local Agency.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

EXHIBIT T**CHECKLIST OF REQUIRED EXHIBITS DEPENDENT ON FUNDING SOURCE**

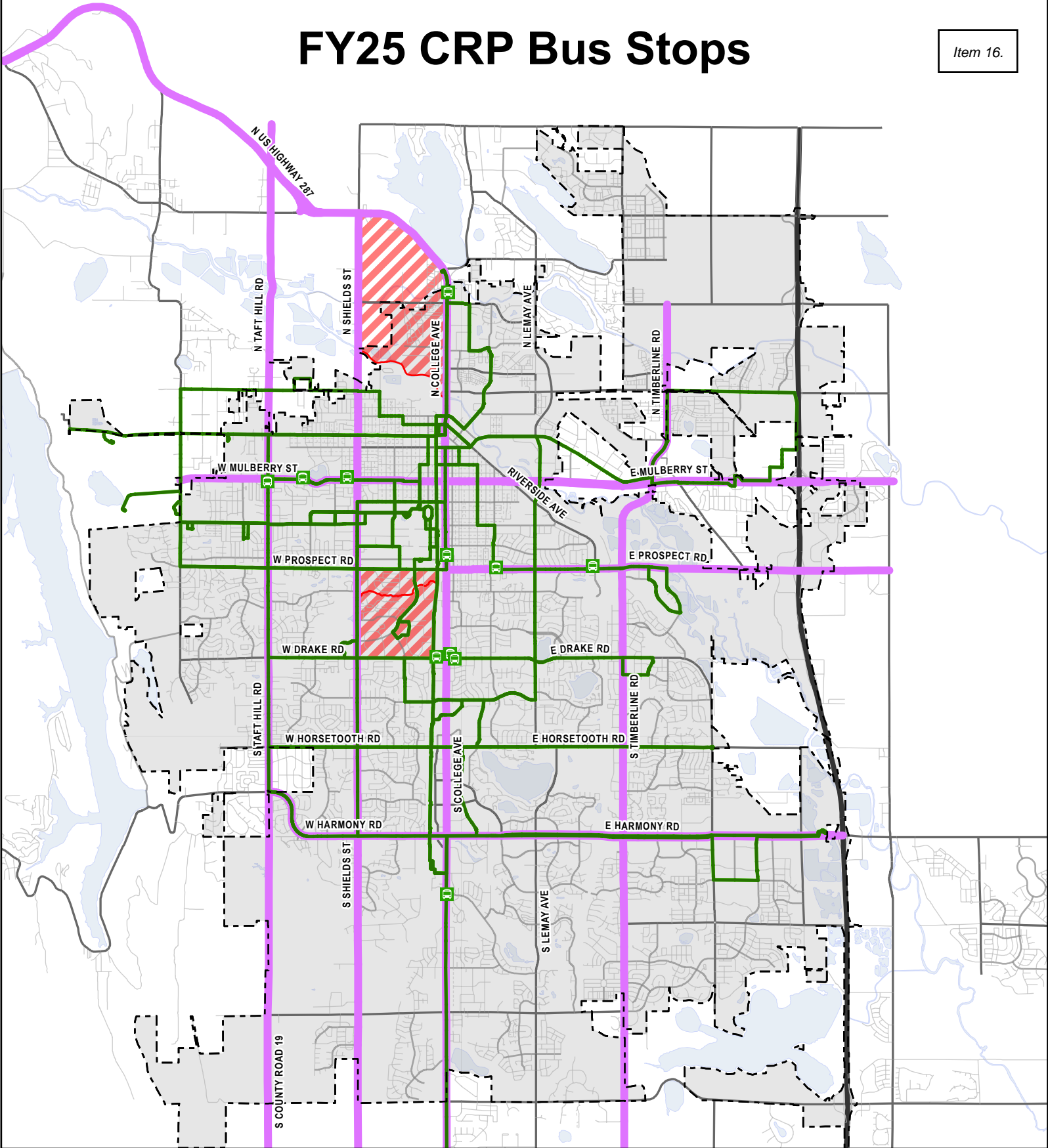
Checklist for required exhibits due to funding sources. Required Exhibits are dependent on the source of funding. This is a guide to assist in the incorporation and completion of Exhibits in relation to funding sources.

Exhibit	Funding only from FHWA	Funding only from ARPA	FHWA and ARPA Funding
EXHIBIT A, SCOPE OF WORK	✓	✓	✓
EXHIBIT B, SAMPLE OPTION LETTER	✓	✓	✓
EXHIBIT C, FUNDING PROVISIONS	✓	✓	✓
EXHIBIT D, LOCAL AGENCY RESOLUTION (IF APPLICABLE)	✓	✓	✓
EXHIBIT E, LOCAL AGENCY AGREEMENT ADMINISTRATION CHECKLIST	✓	✓	✓
EXHIBIT F, CERTIFICATION FOR FEDERAL-AID AGREEMENTS	✓		✓
EXHIBIT G, DISADVANTAGED BUSINESS ENTERPRISE	✓		✓
EXHIBIT H, LOCAL AGENCY PROCEDURES FOR CONSULTANT SERVICES	✓		✓
EXHIBIT I, FEDERAL-AID AGREEMENT PROVISIONS FOR CONSTRUCTION AGREEMENTS	✓		✓
EXHIBIT J, ADDITIONAL FEDERAL REQUIREMENTS	✓		✓

EXHIBIT K, FFATA SUPPLEMENTAL FEDERAL PROVISIONS	✓	✓	✓
EXHIBIT L, SAMPLE SUBRECIPIENT MONITORING AND RISK ASSESSMENT FORM	✓	✓	✓
EXHIBIT M, OMB UNIFORM GUIDANCE FOR FEDERAL AWARDS	✓		✓
EXHIBIT N, FEDERAL TREASURY PROVISIONS		✓	✓
EXHIBIT O, AGREEMENT WITH SUBRECIPIENT OF FEDERAL RECOVERY FUNDS		✓	✓
EXHIBIT P, SLFRF SUBRECIPIENT QUARTERLY REPORT		✓	✓
EXHIBIT Q, SLFRF REPORTING MODIFICATION FORM		✓	✓
EXHIBIT R, APPLICABLE FEDERAL AWARDS		✓	✓
EXHIBIT S, PII CERTIFICATAION	✓	✓	✓
EXHIBIT T, CHECKLIST OF REQUIRED EXHIBITS DEPENDENT ON FUNDING SOURCE	✓	✓	✓






FY25 CRP Bus Stops

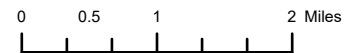
Item 16.



**CITY OF FORT COLLINS
GEOGRAPHIC INFORMATION SYSTEM MAP PRODUCTS**

These map products and all underlying data are developed for use by the City of Fort Collins for its internal purposes only, and were not designed or intended for general use by members of the public. The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, accuracy in labeling or displaying dimensions, contours, property boundaries, or placement of location of any map features thereon. THE CITY OF FORT COLLINS MAKES NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR PARTICULAR PURPOSE, EXPRESSED OR IMPLIED, WITH RESPECT TO THESE MAP PRODUCTS OR THE UNDERLYING DATA. Any user of these map products, map applications, or data, accepts them AS IS, WITH ALL FAULTS, and assumes all responsibility of the use thereof, and further covenants and agrees to hold the City harmless from and against all damage, loss, or liability arising from any use of this map product, in consideration of the City's having made this information available. Independent verification of all data contained herein should be obtained by any users of these products, or underlying data. The City disclaims, and shall not be held liable for any and all damage, loss, or liability, whether direct, indirect, or consequential, which arises or may arise from these map products or the use thereof by any person or entity.

-  Bus Stops
-  Bus Routes
-  Regionally Significant Corridors
-  Disadvantaged Census Tracts
-  City Limits



TRANSFORT



File Attachments for Item:

17. First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions.

The purpose of this item is to amend the enforcement and penalty provision under City Code Section 9-4 to clarify that it applies to all violations under Chapter 9, including violations of the Open Fire and Burning Restrictions.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Shawn McGaffin, Fire Marshal/Division Chief
 Kevin Sullivan, Assistant Fire Marshal
 Katie Quintana, Assistant Fire Marshal

SUBJECT

First Reading of Ordinance No. 050, 2025, Amending Section 9-4 of the Code of the City of Fort Collins for the Purpose of Clarifying Enforcement of Open Fire and Burning Restrictions.

EXECUTIVE SUMMARY

The purpose of this item is to amend the enforcement and penalty provision under City Code Section 9-4 to clarify that it applies to all violations under Chapter 9, including violations of the Open Fire and Burning Restrictions.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Article I of Chapter 9 of the City Code (Article I) contains the City's adopted version of the International Fire Code, with local amendments (IFC), which is being repealed and reenacted separately with Ordinance No. XXX, 2025. In addition to the IFC, Article I also contains Section 9-4, which sets forth the penalty applicable to violations of Article I.

Article II of Chapter 9 of the City Code describes limitations on open fires and open burning within the City (Open Burning Code). Unlike Article I, the Open Burning Code does not contain its own separate penalty provision.

Staff have been asked to clarify that the penalty under Section 9-4 also applies to the enforcement to violations of the Open Burning Code.

The City Attorney's Office reviewed Chapter 9 in collaboration with staff from Poudre Fire Authority (PFA) and recommend the penalty set forth under Section 9-4 be clarified to apply to all violations under Chapter 9, including violations of the Open Burning Code.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 050, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 9-4 OF THE CODE OF THE CITY OF
FORT COLLINS FOR THE PURPOSE OF CLARIFYING
ENFORCEMENT OF OPEN FIRE AND BURNING
RESTRICTIONS

- A. Article II of Chapter 9 of the City Code describes limitations on open fires and open burning within the City (the “Open Burning Code”).
- B. Article I of Chapter 9 of the City Code contains the City’s adopted version of the *International Fire Code*, with local amendments.
- C. Section 9-4 of the City Code sets forth the penalty applicable to violations of Article I of Chapter 9 of the City Code.
- D. City staff have been asked to clarify that the penalty under Section 9-4 also applies to violations of the Open Burning Code.
- E. Staff from the City Attorney’s Office and Poudre Fire Authority (PFA) have thoroughly reviewed Chapter 9 of City Code, and recommend the penalty set forth under Section 9-4 be clarified to apply to all violations under Chapter 9, including violations of the Open Burning Code.
- F. City Council has determined and now finds that the adoption of this Ordinance is necessary for the health, safety, and welfare of the public.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Section 9-4 of the Code of the City of Fort Collins is amended to read as follows:

Section 9-4. – Violations and penalties.

Any person who shall violate any of the provisions of **this chapter or** the International Fire Code, as amended, or who shall fail to comply with any of the provisions or who shall violate or fail to comply with any orders made thereunder or who shall act in any way in violation of any permits issued thereunder shall, severally and for each and every violation in noncompliance respectively, be guilty of a misdemeanor punishable by the penalty set forth in § 1-15 of this Code. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue, and all persons shall be required to correct or remedy the violations or defects within a reasonable time, and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense. The application of any penalty pursuant hereto shall not be held to prevent the forced removal of prohibited conditions nor the suspension or removal of a permit or license issued thereunder.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan/Travis Winter

File Attachments for Item:

18. First Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments.

The purpose of this item is to repeal the 2021 International Fire Code and adopt the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended.

Since the City's adoption of and amendments to the 2021 IFC are being repealed in their entirety and replaced with adoption of and amendments to the 2024 IFC, all highlights and strikethrough formatting in the Ordinance show changes from the way the language appears in the 2024 IFC, as published by the ICC, not changes to the current provisions under City Code.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Shawn McGaffin, Fire Marshal/Division Chief
 Kevin Sullivan, Assistant Fire Marshal
 Katie Quintana, Assistant Fire Marshal

SUBJECT

First Reading of Ordinance No. 051, 2025, Amending Chapter 9 of the Code of the City of Fort Collins for the Purpose of Repealing the 2021 International Fire Code and Adopting the 2024 International Fire Code, with Amendments.

EXECUTIVE SUMMARY

The purpose of this item is to repeal the 2021 International Fire Code and adopt the 2024 International Fire Code (IFC) with local amendments. The International Code Council (ICC) publishes code updates every three years. The Poudre Fire Authority (PFA) Board of Directors has reviewed and approved this code package and is requesting the code be adopted as amended.

Since the City's adoption of and amendments to the 2021 IFC are being repealed in their entirety and replaced with adoption of and amendments to the 2024 IFC, all highlights and strikethrough formatting in the Ordinance show changes from the way the language appears in the 2024 IFC, as published by the ICC, not changes to the current provisions under City Code.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Poudre Fire Authority ("PFA") is responsible for the enforcement and administration of the IFC in the City of Fort Collins, Town of Timnath and unincorporated areas of Larimer and Weld Counties within the Poudre Valley Fire Protection District boundaries. Every three years, the IFC is updated by the ICC with the most recent update having been published in 2024. PFA routinely reviews new codes, proposes local amendments, and then seeks adoption of IFC changes and local amendments by Council

At the April 23, 2024, PFA Board meeting, the Board approved the recommended appointment of the Fire Code Review Committee (Committee). This volunteer committee is comprised of community and industry stakeholders who reviewed the 2024 IFC and proposed local amendments in order to make a recommendation for adoption. The Committee completed their work on Thursday, October 17, 2024, with a unanimous recommendation to adopt the 2024 IFC along with the accompanying local amendments. At the February 25, 2025 meeting, the PFA Board unanimously approved the IFC adoption and local

amendments. This item was also unanimously approved by the Poudre Valley Fire Protection District Board at its February 25, 2025 meeting.

The Committee's primary goal was to limit the number of local amendments to the 2024 IFC, while still providing comprehensive life safety codes that are clear, relevant, and aligned with current practices. The Committee was able to accomplish this and focus on the amendments that were brought forward on local community needs. The local amendment for fire sprinklers has been maintained, as it has been since the 1980's, and as adopted by the local building departments. Of note, many other fire jurisdictions in Northern Colorado have, or are considering, similar amendments to specify fire suppression systems.

Several local 2021 amendments were eliminated due to the new 2024 published codes addressing the issues that had been a local amendment in the past.

There are changes to the published code that the Committee also supported. The most significant items in the 2024 IFC (as published) that have been changed from the 2021 IFC include:

- Adding provisions to address heating and cooking in temporary membrane structures, construction sites and wildfire areas.
- Adding temporary housing code (shelters).
- Adding new provisions specific to lithium-ion battery storage.
- Adding new provisions specific to Powered Micromobility Devices (E-bikes, Scooters).
- Updating provisions on Emergency Responder Communication Enhancement Systems to meet new technology.
- Recognizing a Hybrid Fire Extinguishing System as based out of National Fire Protection Agency (NFPA) 770.

Items of note for the 2024 IFC proposed local amendments include:

- Appendix A, Board of Appeals is being adopted as published with local amendments to create an appeal process over which PFA has jurisdiction. This differs from previous code adoptions, in which Appendix A had been deleted and replaced in its entirety to direct the appeals process with the Building Department having jurisdiction.
- The term "fire alarm" was defined to expand and elaborate on types and circumstances of such fire alarms.
- A provision was added to impose a fee when multiple unwanted alarms occur at the same location.
- Changes were made to the requirements for storage and use of lithium-ion batteries in factories.
- Requirements for letter sizes on signage were added.
- Valet trash service was removed from PFA's jurisdiction.
- Additional section added in Appendix D requiring schools to use a consistent numbering process on exterior doors for faster response in emergency situations.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Adoption of the 2024 IFC as amended was unanimously recommended by the Fire Code Review Committee. The Poudre Fire Authority Board of Directors and the Poudre Valley Fire Protection District

Board of Directors reviewed these amendments at their respective February 25, 2025, meetings, and each board unanimously voted to recommend adoption of the 2024 IFC, as amended, to the City of Fort Collins.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. Exhibit A to Ordinance
3. Poudre Fire Authority Resolution 25-3
4. Comparison Chart of 2021 IFC Amendments to 2024 IFC Proposed Amendments

ORDINANCE NO. 051, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 9 OF THE CODE OF THE CITY OF FORT COLLINS FOR THE
PURPOSE OF REPEALING THE 2021 INTERNATIONAL FIRE CODE AND
ADOPTING THE 2024 INTERNATIONAL FIRE CODE, WITH AMENDMENTS

A. As early as 1958, the City has reviewed, amended and adopted the latest nationally recognized fire protection standards available for the times.

B. The City previously adopted the 2021 *International Fire Code*, with local amendments, to minimize human suffering and property loss from fire.

C. The 2024 edition of the *International Fire Code* represents the most current version now available.

D. A Fire Code Review Committee (“Committee”), formed by the Poudre Fire Authority (“PFA”) in 2024 for the purpose of reviewing the 2024 *International Fire Code*, has recommended unanimously that the jurisdictions being served by PFA adopt the 2024 *International Fire Code* with certain local amendments tailored to the circumstances in Fort Collins.

E. The Fire Prevention Bureau staff of the PFA, working in conjunction with the Committee, also has reviewed the 2024 *International Fire Code* and the local amendments proposed by the Committee and has recommended that the jurisdictions being served by the PFA adopt the 2024 *International Fire Code* with the local amendments.

F. On February 25, 2025, the PFA Board of Directors unanimously voted to recommend that the 2024 *International Fire Code* with proposed local amendments be adopted by those jurisdictions being served by PFA.

G. The City Council has determined that it is in the best interests of the health, safety, and welfare of the city and its citizens that the 2024 *International Fire Code*, in substantially the form recommended by the Fire Code Review Committee and the PFA staff, be adopted, with local amendments as set forth in this Ordinance.

H. Pursuant to City Charter Article II, Section 7, City Council may enact any ordinance which adopts a code by reference in whole or in part provided that before adoption of such ordinance the Council hold a public hearing thereon and that notice of the hearing shall be published twice in a newspaper of general circulation published in the City, with one of such publications occurring at least eight (8) days preceding the hearing and the other publication occurring at least fifteen (15) days preceding the hearing.

I. In compliance with City Charter, Article II, Section 7, the City Clerk published in the Fort Collins Coloradoan such notice of hearing concerning adoption of the 2024 *International Fire Code* on February 23, 2025, and March 2, 2025.

J. Exhibit “A,” attached hereto and incorporated herein by reference is the Notice of Public Hearing dated February 23, 2025, that was so published and which the Council hereby finds meets the requirements of Article II, Section 7 of the City Charter.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council repeals the 2021 *International Fire Code* (“IFC”) and adopts the 2024 IFC as amended by this Ordinance.

Section 2. Section 9-1 of the Code of the City of Fort Collins is amended to read as follows:

Section 9-1. - Adoption of the International Fire Code, 2024⁴ Edition.

Pursuant to the authority conferred by Article II, Section 7 of the Charter and by Section 31-16-201 et seq., C.R.S., there is hereby adopted by reference as the fire code of the City, for the purposes of safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, the International Fire Code, 2024⁴ Edition, as promulgated by the International Code Council (hereafter, “this code” or “this fire code”). Except as to any portion of this fire code that is herein after added to, deleted, modified or amended in this Chapter, this fire code shall include all articles and appendices in the *International Fire Code*, 2024⁴ Edition. Not less than three (3) copies of this fire code shall be on file in the office of the Fire Marshal and may be inspected at regular business hours and purchased from the Fire Prevention Bureau at a price not to exceed one hundred dollars (\$100.00) per copy. The provisions of this fire code shall be controlling within the limits of the City of Fort Collins.

Section 3. Section 9-2 of the Code of the City of Fort Collins is repealed and reenacted to read as follows:

Section 9-2 - Amendments and deletions to the 2024 International Fire Code.

The 2024 International Fire Code adopted in §9-1 is amended to read as follows:

1. **Section 101.1 Title** is amended to read as follows:

101.1 Title. These regulations shall be known as the *Fire Code* of **the City of Fort Collins**, hereinafter referred to as “this code.”

2. **Section 103.1 Creation of Agency** is deleted in its entirety and replaced with the following:

103.1 Creation of agency. Pursuant to Section 1.2 of the January 1, 2025, Intergovernmental Agreement establishing the Poudre Fire Authority (“PFA” or “fire department”), the City has granted PFA the power and authority to enforce this code, and PFA’s Fire Chief, directly or through delegation to the PFA Fire Marshal, shall be known as the *fire code official*. The function of PFA shall be the implementation, administration, and enforcement of the provisions of this code.

3. **Section 104.8 Liability** is amended to read as follows:

104.8 Liability. The *fire code official*, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered personally liable, either civilly or criminally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties, unless such act or omission is determined by a court of competent jurisdiction to be willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, *et seq.*, C.R.S.

4. **Section 104.8.1 Legal defense** is deleted in its entirety and amended to read as follows:

104.8.1 Legal defense. Any civil suit instituted against any PFA director, officer or employee, including the *fire code official*, because of an act or omission performed by that director, officer, employee, or *fire code official*, PFA shall provide for the defense of such individual to the extent required or permitted by the Colorado Government Immunity Act, Section 24-10-101, *et seq.*, C.R.S.

5. **Section 112.1 General** is amended to read as follow:

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority in accordance with Appendix A and shall hold office at its pleasure. The board shall conduct business and procedures in accordance with Appendix A ~~adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *fire code official*.~~

6. **Section 202 General Definitions** is amended to read as follows:

...

BARREL. A charred wooden process vessel made of bent staves held together with steel hoops, with the greatest diameter being at the center of the staves, known as the “bilge.” The ends, known as “heads,” are flat, and the rim formed by staves overlapping the heads is known as the “chime.”

...

CASK. See “Barrel.”

...

DWELLING. ~~A building that contains one or two *dwelling units* used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.~~ A *building* used exclusively for residential occupancy and for permitted accessory uses, including single-family dwellings, two-family dwellings and multi-family dwellings. The term *dwelling* shall not include hotels, motels, homeless shelters, seasonal overflow shelters, tents or other structures designed or used primarily for temporary occupancy. Any dwelling shall be deemed to be a principal *building*.

DWELLING UNIT. ~~A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.~~ One or more rooms and a single kitchen and at least one bathroom, designed, occupied or intended for occupancy as separate quarters for the exclusive use of a single family for living, cooking and sanitary purposes, located in a single-family, two-family or multi-family dwelling, or mixed-use *building*.

...

FALSE ALARM. ~~The willful and knowing initiation or transmission of a signal, message or other notification of an event of fire when no such danger exists.~~ See *Unwanted Alarm*.

...

MALICIOUS ALARM. Any unwanted activation of an alarm initiating device caused by a person acting with malice.

...

MAZE. Temporary or permanent passageways constructed within agricultural crops such as corn, or within vegetation such as hedges, or constructed such as with hay bales, or by other means and methods, and where passageways

are occupied for amusement, entertainment, and are arranged in a manner to intentionally confound or bewilder identification of the means of egress, or otherwise make the means of egress path not readily available because of the nature of the attraction or mode of conveyance through passageways.

...

NUISANCE ALARM. ~~An alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm activated by a cause that cannot be determined.~~ Any unwanted activation of a signaling system or an alarm initiating device in response to a stimulus or condition that is not the result of a potentially hazardous condition. This includes such matters as mechanical failure, malfunction, improper installation or lack of proper maintenance, or an alarm for which the cause cannot be determined.

...

ROOM, SLEEPING (BEDROOM). A habitable room within a *dwelling* or other housing unit designed primarily for the purpose of sleeping. The presence of a bed, cot, mattress, convertible sofa or other similar furnishing used for sleeping purposes shall be prima facie evidence that such space or room is a sleeping room. The presence of closets or similar storage facilities shall not be considered relevant factors in determining whether or not a room is a sleeping room.

...

TOWNHOUSE. ~~A building that contains three or more attached townhouse units.~~ A single-family *dwelling unit* constructed as part of a group of two or more attached individual *dwelling units*, each of which is separated from the other from the foundation to the roof and is located entirely on a separately recorded and platted parcel of land (site) bounded by property lines, which parcel is deeded exclusively for such single-family dwelling.

...

UNWANTED ALARM. Any alarm that occurs that is not the result of a potentially hazardous condition. This includes *malicious alarms*, *nuisance alarms*, and *unintentional alarms* in accordance with National Fire Protection Association (NFPA) 72.

...

UNINTENTIONAL ALARM. An unwanted activation of an alarm initiating device caused by a person acting without malice.

...

7. **Section 304.1.1 Valet trash** is amended to read as follows:

304.1.1 Valet Trash. *Valet trash collection* shall be permitted only where approved. The owner and valet trash collection service provider shall comply with the rules and limitations established by the jurisdiction prohibited.

8. A new **Section 307.2.2 Time and Atmospheric Restrictions** is added to read as follows:

307.2.2 Time and Atmospheric Restrictions. *Open burning* shall be performed only when time and atmospheric conditions comply with the limits set forth in the Open Burning Permit.

9. **Section 307.4.1 Bonfires** is deleted in its entirety and replaced with the following:

307.4.1 Bonfires. A *bonfire* shall not be conducted within 50 feet (15 240 mm) of a structure or combustible material unless the fire is contained in a barbecue pit. Conditions that could cause a fire to spread within 50 feet (15 240 mm) of a structure shall be eliminated prior to ignition. Bonfires are prohibited unless specifically approved and permitted by the *fire code official*.

10. **Section 307.4.2 Recreational Fires** is deleted in its entirety and replaced with the following:

307.4.2 Recreational fires. *Recreational fires* shall not be conducted within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition. *Recreational fires* are prohibited.

Exception: *Recreational fires* may be conducted at campgrounds, open camping areas, parks, open lands or similar areas in accordance with the rules and restrictions set forth by the authority having jurisdiction at such locations, provided that such fires do not have a fuel area that exceeds 2 feet in height and are not conducted within 25 feet of a structure or combustible material.

11. **Section 307.4.3 Portable outdoor fireplaces** is deleted in its entirety and replaced with the following:

307.4.3 Portable and Fixed Outdoor Fireplaces. Portable outdoor fireplaces

~~shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.~~ Portable and fixed outdoor fireplaces, including fire tables, shall be used in accordance with the manufacturer's instructions. Outdoor fireplaces for public use must be listed for commercial use. Outdoor fireplaces shall not be placed closer to combustible materials than what is stated in the manufacturer's instructions. If the manufacturer's instructions are not available or do not establish a distance, outdoor fireplaces shall not be operated within 15 feet (4572 mm) of a combustible structure or combustible material. Outdoor fireplaces shall not be operated underneath a combustible structure of any type. Outdoor fireplaces shall be gas or liquid-fueled unless otherwise approved by the *fire code official*.

~~Exception: Portable outdoor fireplaces used at one and two-family dwellings~~ Outdoor fireplaces at one and two-family dwellings may use *approved solid fuels*.

12. **Section 308.1.7 Sky lanterns** is amended to read as follows:

308.1.7 Sky lanterns. A person shall not release or cause to be released an ~~tethered or~~ untethered sky lantern.

13. **Section 401.3 Emergency Responder Notification** is amended to read as follows:

401.3 Emergency Responder Notification. Notification of emergency responders shall be in accordance with Sections 401.3.1 through 401.3.3~~4~~.

...

401.3.4 Reporting Emergencies. In the event a fire occurs or upon the discovery of a fire, smoke, or unauthorized release of flammable, combustible, or hazardous materials on any property, the *owner*, the *owner's* authorized representative, or the occupant shall, without delay, report such condition to the fire department.

14. **Section 401.5 Making false report** is amended to read as follows:

401.5 Making false report. ~~A person shall not give, signal or transmit a false alarm.~~ False alarms shall be subject to enforcement in accordance with Section 401.9 Unwanted alarms.

15. A new **Section 401.9 Unwanted alarms** is added to read as follows:

401.9 Unwanted alarms. All *unwanted alarms* shall be subject to enforcement as per PFA's policies and procedures and adopted fee schedule.

16. **Section 402.1 Definitions** is amended to read as follows:

402.1 Definitions. The following terms are defined in Chapter 2:

EMERGENCY EVACUATION DRILL.

LOCKDOWN.

MALICIOUS ALARM.

NUISANCE ALARM.

UNINTENTIONAL ALARM.

UNWANTED ALARM.

17. **Section 503.1 Where required** is amended to read as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D Fire Apparatus Access Roads.

18. **Section 503.1.1 Buildings and facilities** is amended to read as follows:

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the *exterior walls* of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) up to 300 feet (91440 mm) where any of the following conditions occur:
 - 1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 - 1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
 - 1.3. ~~There are not more than two Group R-3 or Group U occupancies.~~

2. Where *approved* by the *fire code official*, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

19. **Section 503.2 Specifications** is amended to read as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and Appendix D Fire Apparatus Access Roads.

20. **Section 503.2.1 Dimensions** is amended to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than ~~13 feet 6 inches (4115 mm)~~ 14 feet (4267 mm).

21. **Section 503.2.4 Turning Radius** is amended to read as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the ~~fire code official~~ 25 feet (7.6 m) inside radius and 50 feet (15.2 m) outside radius.

22. **Section 503.2.7 Grade** is amended to read as follows:

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the ~~fire code official~~ based on the fire department's apparatus not exceed 10 percent in grade.

Exception: Where approved by the *fire code official*, grades steeper than 10 percent due to geographic or location conditions may be permitted.

23. **Section 503.2.8 Angles of approach and departure** is amended to read as follows:

503.2.8 Angles of approach and departure. The angles of approach and departure for when entering or exiting fire apparatus access roads shall be within the limits established by the ~~fire code official~~ based on the fire department's apparatus not exceed a 10 percent angle of approach or departure.

24. **Section 503.6 Security gates** is amended to read as follows:

503.6 Security gates. The installation of security gates across a fire apparatus

access road shall be *approved* by the *fire code official*. Where security gates are installed, they shall have an *approved* means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. ~~Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200 and shall comply with the requirements of Appendix D 103.5.~~

25. **Section 505.1 Address identification** is amended to read as follows:

Section 505.1 Address identification. New and existing buildings or facilities shall be provided with *approved* address identification. The Address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 4 inches (102 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). ~~Where required by the *fire code official*, address identification shall be provided in additional *approved* locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.~~

26. A new **Section 505.1.1 Address assignment and standards** is added to read as follows:

505.1.1 Address assignment and standards. Addresses shall be assigned by the governmental entity having jurisdiction (Fort Collins, Timnath, Weld County or Larimer County) and shall comply with the Larimer County Street Naming and Addressing Standards as contained in the Larimer County Urban Area Street Standards.

27. A new **Section 505.1.2 Location and size** is added to read as follows:

505.1.2 Location and size. The address numbers and letters for any commercial or industrial buildings shall be placed at a height to be clearly visible from the street. The minimum height and stroke shall be in accordance with Table 505.1.2.

A new **TABLE 505.1.2 Location and size** is added to read as follows:

**TABLE 505.1.2
LOCATION AND SIZE**

Distance from street curb to building	Letter/number height
---------------------------------------	----------------------

1 – 100 feet	8 inches ¹
101 – 150 feet	10 inches ¹
151 – 200 feet	12 inches ¹
201 – 350 feet	14 inches ²
351 – 500 feet	16 inches ²
501 – 700 feet	20 inches ²
In excess of 700 feet	As approved by the <i>Fire Code Official</i> ³

¹ 8 in.– 12 in. numbers shall be a minimum 1 in. stroke
² 13 in.– 20 in. numbers shall be a minimum 1 ½ in. stroke
³ 21 in. and larger shall have proportional strokes to ensure visibility

28. A new **Section 505.1.3 Posting on one- and two-family dwellings** is added to read as follows:

505.1.3 Posting on one- and two-family dwellings. The address numbers and letters for one- and two-family dwellings shall be a minimum of four inches in height with a minimum ½ inch stroke and shall be posted on a contrasting background. If bronze or brass numerals are used, they shall only be posted on a black background for visibility.

29. A new **Section 505.1.4 Monument signs** is added to read as follows:

505.1.4 Monument signs. Monument signs may be used in lieu of address numbers and letters on the building as approved by the *fire code official*. The address numbers and letters for monument signage shall be a minimum of four (4) inches in height with a minimum ½ inch stroke unless otherwise approved by the *fire code official*. The address letters and numbers shall also be located at a minimum height of 22 inches above the surface or grade directly below.

30. A new **Section 505.1.5 Unit identifiers** is added to read as follows:

505.1.5 Unit identifiers. Buildings with multiple suites, apartments or units shall have the individual suites, apartments or units provided with individual identification numbers in sequential order.

1. Suite identifiers accessed from the exterior of the building shall be a minimum of four inches in height with a minimum ½ inch stroke.
2. Suite identifiers accessed from the interior of the building shall be a minimum of two inches in height with a minimum ¼ inch stroke.
3. Suites, apartments, or units located on the first floor shall be identified by numbers within the 100 or 1000 range or series. Suites, apartments or units located on the second floor shall be identified by numbers within the 200 or 2000 range or series. Suites, apartments or units located on

the third floor shall be identified by numbers within the 300 or 3000 range or series. Higher floors shall follow this same numbering sequence.

31. A new **Section 505.1.6 Multiple address postings** is added to read as follows:

505.1.6 Multiple address postings. Buildings, either individually or part of a multi-building complex, that have emergency access lanes on sides other than on the addressed street side, shall have the address numbers and street name on each side that fronts a fire lane. Buildings that are addressed on one street but are accessible from another street, shall have the address numbers and street name on each side that is adjacent to another street.

32. A new **Section 505.1.7 Interior wayfinding** is added to read as follows:

505.1.7 Interior wayfinding. *Approved* wayfinding signage shall be posted in conspicuous locations within buildings to provide clear direction to locate any suite, apartment, or unit within the building. Interior wayfinding signage shall be a minimum of two inches in height with a minimum ¼ inch stroke.

33. A new **Section 505.1.8 Exterior wayfinding** is added to read as follows:

505.1.8 Exterior wayfinding. Multiple-building complexes must have *approved* signage as needed to direct first responders to individual buildings.

34. A new **Section 505.1.9 Campus addressing** is added to read as follows:

505.1.9 Campus addressing. Multiple-building complexes that have a single street address for the entire complex shall utilize alpha or numeric characters to identify the individual buildings. Such identification shall be assigned to the buildings in a sequential order following a clockwise direction starting at the main entrance to the complex.

35. **Section 507.2 Type of water supply** is amended to read as follows:

507.2 Type of water supply. A water supply shall consist of pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required **sustainable** fire flow.

36. **Section 507.5 Fire hydrant systems** is amended to read as follows:

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6 **and Appendix C.**

37. **Section 507.5.1 Where required** is amended to read as follows:

507.5.1 Where required. Where ~~a~~ **the furthest** portion of ~~the~~ **a** facility or building **or portion thereof** hereafter constructed or moved into or within the jurisdiction is more than ~~400 feet (122 m)~~ **300 feet (91 m)** from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

Exceptions:

1. For Group R-3, **one- and two-family dwellings**, and Group U occupancies, the distance requirement shall be ~~600 feet (183 m)~~ **400 feet (121 m)**.
 2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183m).
38. **Section 605.3 Chimneys and vents** is amended to read as follows:

605.3 Chimneys and vents. Masonry chimneys shall be constructed in accordance with the *International Building Code*. Factory-built chimneys and vent systems serving solid-fuel-fired appliances or oil-fired appliances shall be installed in accordance with the *International Mechanical Code*. Metal chimneys shall be constructed and installed in accordance with the *International Mechanical Code*. Factory-built chimneys and vent systems serving gas-fired appliances shall be installed in accordance with the *International Fuel Gas Code*. **Means for arresting sparks must be in compliance with the Wildland Urban Interface (WUI) Code.**

39. **Section 606.3 Operations and maintenance** is amended to read as follows:

606.3 Operations and maintenance Commercial cooking systems shall be operated, inspected and maintained in accordance with Sections 606.3.1 through 606.3.4. **As outlined in NFPA 96, cooking appliances shall not be moved, modified, or rearranged without prior re-evaluation of the fire extinguishing system by the system installer or qualified servicing agent, unless otherwise allowed by the design of the fire extinguishing system. Any movement, modification, or rearrangement of system components shall require an approved permit from PFA prior to the work being conducted.**

40. A new **Section 606.5 Solid fuel-fired cooking appliances** is added to read as follows:

606.5 Solid fuel-fired cooking appliances. Solid fuel-fired commercial cooking appliances shall comply with applicable provisions of National Fire Protection Association (NFPA) 96.

41. **Section 901.4.7.1 Access** is amended to read as follows:

901.4.7.1 Access. Automatic sprinkler system risers, fire pumps and controllers shall be provided with *ready access*. Where located in a fire pump room or *automatic sprinkler system* riser room, the door shall be permitted to be locked provided that the key is available at all times. The clear door opening shall be 32 inches wide and 80 inches high, or a size large enough to accommodate the largest piece of equipment, whichever is larger.

42. **Section 903.2.1.1 Group A-1** is amended to read as follows:

903.2.1.1 Group A-1. An *automatic sprinkler system* shall be provided throughout stories containing Group A-1 occupancies and throughout all stories from the Group A-1 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 12,000 5,000 square feet (1115 464.5 m²).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.
4. The *fire area* contains a multiple-theater complex.

43. **Section 903.2.1.3 Group A-3** is amended to read as follows:

903.2.1.3 Group A-3. An *automatic sprinkler system* shall be provided throughout stories containing Group A-3 occupancies and throughout all stories from the Group A-3 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 12,000 5,000 square feet (1115 464.5 m²).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

44. **Section 903.2.1.4 Group A-4** is amended to read as follows:

903.2.1.4 Group A-4. An *automatic sprinkler system* shall be provided throughout stories containing Group A-4 occupancies and throughout all stories from the Group A-4 occupancy to and including the *levels of exit discharge* serving that occupancy where one of the following conditions exists:

1. The *fire area* exceeds 12,000 5,000 square feet (4115464.5 m²).
2. The *fire area* has an *occupant load* of 300 or more.
3. The *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

45. **Section 903.2.2 Group B** is amended to read as follows:

903.2.2 Group B. An *automatic sprinkler system* shall be provided for Group B occupancies where the *fire area* exceeds 5,000 square feet (464.5 m²) as required in Sections 903.2.2.1 and 903.2.2.2.

46. **Section 903.2.3 Group E** is amended to read as follows:

903.2.3 Group E. An *automatic sprinkler system* shall be provided for Group E occupancies as follows:

1. Throughout all Group E *fire areas* greater than 12,000 5,000 square feet (4115464.5 m²) in area.
2. The Group E *fire area* is located on a floor other than a *level of exit discharge* serving such occupancies.

Exception: In buildings where every classroom has not fewer than one exterior exit door at ground level, an *automatic sprinkler system* is not required in any area below the lowest *level of exit discharge* serving that area.

3. The Group E *fire area* has an *occupant load* of 300 or more.

47. **Section 903.2.4 Group F-1** is amended to read as follows:

903.2.4 Groups F-1 and F-2. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group F-1 or F-2 occupancy where one of the following conditions exists:

1. A Group F-1 or F-2 *fire area* exceeds 12,000 5,000 square feet (4115464.5 m²).

2. A Group F-1 **or F-2** *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group F-1 **or F-2** *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group F-1 occupancy is used to manufacture lithium-ion or lithium metal batteries.
5. A Group F-1 occupancy is used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.

48. **Section 903.2.6 Group I** is amended to read as follows:

903.2.6 Group I. An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. An *automatic sprinkler system* is not required where Group I-4 day care facilities are at the *level of exit discharge* and where every room where care is provided has not fewer than one exterior *exit door* **and the fire area does not exceed 5,000 square feet (464.5 m²)**.
3. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge* and all floors below the *level of exit discharge* other than areas classified as an open parking garage.

49. **Section 903.2.7 Group M** is amended to read as follows:

903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds ~~12,000~~ **5,000** square feet (~~1115~~ **464.5** m²).
2. A Group M *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).

50. **Section 903.2.9 Group S-1** is amended to read as follows:

903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds ~~12,000~~ 5,000 square feet (~~1115~~ 464.5 m²).
2. A Group S-1 *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds ~~24,000~~ 5,000 square feet (~~2230~~ 464.5 m²).
4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464.5 m²).
5. A Group S-1 *fire area* used for the storage of lithium-ion or lithium metal powered vehicles where the *fire area* exceeds 500 square feet (46.4 m²).

51. **Section 903.2.9.1 Repair garages** is amended to read as follows:

903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406.8 of the *International Building Code*, as shown:

1. Buildings having two or more stories above *grade plane*, including *basements*, with a *fire area* containing a repair garage exceeding ~~10,000~~ 5,000 square feet (~~929~~ 464.5 m²).
2. Buildings not more than one story above *grade plane*, with a *fire area* containing a repair garage exceeding ~~12,000~~ 5,000 square feet (~~1115~~ 464.5 m²).
3. Buildings with repair garages servicing vehicles parked in *basements*.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).
5. A Group S-1 *fire area* used for the storage of lithium-ion or lithium metal powered vehicles where the *fire area* exceeds 500 square feet (46.4 m²).

52. **Section 903.2.10 Group S-2 parking garages** is amended to read as follows:

903.2.10 Group S-2 parking garages. An *automatic sprinkler system* shall be provided throughout ~~all~~ buildings classified as parking garages ~~containing a~~ **Group S-2 occupancy** where any of the following conditions exists:

1. Where the *fire area* of the enclosed parking garage, in accordance with Section 406.6 of the *International Building Code*, exceeds 12,000 square feet (1115 m²). **Where a Group S-2 fire area exceeds 5,000 square feet (464.5 m²).**
2. Where the enclosed parking garage, in accordance with Section 406.6 of the *International Building Code*, is located beneath other groups.

Exception: Enclosed parking garages located beneath Group R-3 occupancies.
3. Where the *fire area* of the open parking garage, in accordance with Section 406.5 of the *International Building Code*, exceeds 48,000 square feet (4460 m²).
4. **A Group S-2 fire area is located more than three stories above grade plane.**

53. **Section 903.2.11.1.3 Basements** is amended to read as follows:

903.2.11.1.3 Basements. Where any portion of a *basement* is located more than 75 feet (22 860 mm) from openings required by Section 903.2.11.1, ~~or where walls, partitions or other obstructions are installed that restrict the application of water from hose streams,~~ the *basement* shall be equipped throughout with an *approved automatic sprinkler system*.

54. **Section 903.3.1.2.3 Attics** is amended to add subsection 5 and its Exceptions to read as follows:

...

5. **In buildings containing dwelling or sleeping units where automatic fire sprinklers are required in attics, the automatic fire sprinkler system shall be designed and installed in accordance with NFPA 13, regardless of the fire sprinkler installation standard allowed for other portions of the building.**

Exceptions:

1. **Buildings that do not contain more than 6 individual dwelling units or sleeping units and the units are separated from each other with a 1-hour fire barrier.**
2. **Buildings that do not contain more than 12 individual dwelling units or sleeping units and is divided into no more than 6 individual dwellings units (complying with number 1 above) by a minimum 2-hour fire wall.**

3. Buildings containing only Group R-3 occupancy.

55. A new **Section 903.3.1.4 Core and shell buildings** is added to read as follows:

903.3.1.4 Core and shell buildings. Automatic fire sprinkler systems in buildings constructed to house future tenant spaces that are not assigned an occupancy shall have minimum hazard classification of Ordinary Hazard 2 in accordance with NFPA 13.

56. **Section 903.4.3 Alarms** is amended only as to the Exception to read as follows:

903.4.3 Alarms.

...

Exception: *Automatic sprinkler systems* protecting one- and two-family *dwellings*, unless such *dwellings* are arranged so that it is unclear which *automatic sprinkler system* has activated, and for these conditions an approved audible and visual sprinkler waterflow device, located on the exterior of the building in an approved location shall be provided for each fire sprinkler system installed.

57. **Section 906.1 Where required**, Exception 1 in paragraph 1 is deleted in its entirety and replaced to read as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all of the following locations:

...

Exceptions:

1. In Group R-2 occupancies, portable fire extinguishers shall be required in approved common spaces that are readily accessible to the occupants of dwelling units. Portable fire extinguishers shall have a minimum rating of 2-A:10-B:C, with a maximum travel distance of 75 feet (22860 mm) as measured from the entry doors of dwelling units to the mounted portable fire extinguisher. Unless otherwise specified by a law or regulation, it shall be the responsibility of the property *owner* of their authorized designee to maintain portable fire extinguishers in accordance with this code and NFPA 10.

...

58. **Section 907.2.11 Single-and multiple-station smoke alarms** is amended to read as follows:

907.2.11 Single- and multiple-stations smoke alarms. *Listed* single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.7, NFPA 72 and the manufacturer's instructions. Where one or more sleeping rooms are added or created in existing Group R Occupancies, the entire building shall be provided with smoke detectors located and installed as required for new Group R Occupancies described herein.

59. **Section 907.5.2.1.3.2 Smoke alarm signal in sleeping rooms** is amended to read as follows:

907.5.2.1.3.2 Smoke alarm signal in sleeping rooms. In sleeping rooms of Group R-1, R-2 and I-1 occupancies that are required by Section 907.2.8 or 907.2.9 to have a *fire alarm system*, the audible alarm signal activated by single- or multiple-station smoke alarms in the *dwelling unit* or *sleeping unit* shall be a 520-Hz signal complying with NFPA 72 or an alternative means approved by the *fire code official*.

Where a sleeping room smoke alarm is unable to produce a 520-Hz alarm signal, the 520-Hz alarm signal shall be provided by a *listed* notification appliance or a smoke detector with an integral 520-Hz sounder.

60. A new **Section 907.8.5 Excessive false alarms** is added to read as follows:

907.8.5 Excessive false alarms. An excessive number of false alarms shall be defined as two (2) alarm activations for a fire alarm system within a sixty (60) day period, provided that any such activations are not the result of a cause reasonably beyond the control of the *owner*, tenant, or operator of the building. In the event of an excessive number of false alarms, the *fire code official* may order the building *owner*, tenant, operator of the building or party responsible for the building to take reasonable actions necessary to prevent false alarms. These actions may include repair or replacement of the faulty alarm components, addition of tamper proof devices, modification of system design and repair of other building components which affect alarm system performance. The *fire code official* also may require the building *owner*, tenant, operator of the building or party responsible for the building to obtain an *approved* maintenance contract with a qualified fire alarm maintenance technician as required by NFPA 72 to provide continuous maintenance service of the system.

61. **Section 1010.1.4 Floor elevation** is amended to read as follows:

1010.1.4 Floor elevation. There shall be a floor or landing on each side of a door. Such floor or landing shall be at the same elevation on each side of the door. Landings shall be level except for exterior landings, which are permitted to have a slope not to exceed 0.25 unit vertical in 12 units horizontal (2-percent slope). All exterior steps, slabs, walks, decks and patios serving as exterior door landings or exterior stairs shall be adequately and permanently secured in place by *approved* methods to prevent such landings or stairs from being undermined or subject to significant displacement due to improper placement of supporting backfill or due to inadequate anchoring methods.

Exceptions:

...

7. Exterior doors serving individual dwelling units, other than the main entrance door to a dwelling unit, may open at one intervening exterior step that is equally spaced between the interior floor level above and exterior landing below, provided that the step has a minimum tread depth of 12 inches (30.48 cm), a maximum riser height of 7¾ inches (19.68 cm), and a minimum width equal to the door width and, provided further that the door does not swing over the step.

62. **Section 1011.11 Handrails** is amended to read as follows:

1011.11 Handrails. *Flights of stairways* of more than one riser shall have *handrails* on each side and shall comply with Section 1014. Where glass is used to provide the *handrail*, the *handrail* shall comply with Section 2407 of the *International Building Code*.

...

63. **Section 1015.8 Window openings** is amended to read as follows:

1015.8 Window openings. Windows in Group R-2 and R-3 buildings including *dwelling units*, where the bottom of the clear opening of an operable window is located less than 36 inches (914 mm) above the finished floor and more than 72 inches (1829 mm) above the finished grade or other surface below on the exterior of the building, shall comply with one of the following:

...

64. A new **Section 1015.9 Below grade openings** is added to read as follows:

1015.9 Below grade openings. All area wells, stair wells, window wells and light wells attached to any *building* that are located less than 36 inches from the nearest intended walking surface and deeper than 30 inches below the

surrounding ground level shall have guards or approved covers for fall protection.

65. **Section 1031.2 Where required** is amended only as to Exceptions 1 and 5 to read as follows:

...

Exceptions:

1. *Basements* with a ceiling height of less than 8072 inches (20321828.8 mm) and that do not contain habitable space, shall not be required to have *emergency escape and rescue openings*.

...

5. Within individual *dwelling* and *sleeping units* in Groups R-2 and R-3, where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 or 903.3.1.3, sleeping rooms in *basements* shall not be required to have *emergency escape and rescue openings* provided that the *basement* has one of the following:
 - 5.1. One *means of egress* and one *emergency escape and rescue opening*.
 - 5.2. Two *means of egress*.

66. **Section 1031.3 Emergency escape and rescue openings** is amended to read as follows:

1031.3 Emergency escape and rescue openings. *Emergency escape and rescue openings* shall comply with Sections 1031.3.1 through 1031.3.34.

67. A new **Section 1031.3.4 Emergency escape and rescue openings** shall be added to read as follows:

1031.3.4 Minimum height from floor. *Emergency escape and rescue window openings* that are located more than 72 inches (1829 mm) above the finished grade shall have a sill height of not less than 24 inches (609 mm) measured from the finished interior side floor.

68. **Section 1103.2 Emergency responder communications enhancement in existing buildings** is amended to read as follows:

1103.2 Emergency responder communications enhancement in existing buildings. Existing buildings other than Group R-3 that do not have *approved* in-building emergency response communications enhancement for emergency

responders in the building based on existing coverage levels of the public safety communication systems, shall be equipped with such coverage according to one of the following:

1. Where an existing wired communication system cannot be repaired or is being replaced, or where not *approved* in accordance with Section 510.1, Exception 1.
2. ~~Within a time frame established by the adopting authority.~~ **In all buildings exceeding 10,000 sq.ft. and any Type V construction exceeding 15,000 sq.ft.**

Exception: Where it is determined by the *fire code official* that the in-building emergency responder communications enhancement system is not needed.

69. **Section 1205.3 Other than Group R-3 buildings** is amended to read as follows:

1205.3 Other than Group R-3 buildings. Access to systems for buildings, other than those containing Group R-3 occupancies, shall be provided in accordance with Sections 1205.3.1 through 1205.3.3.

Exception: Where it is determined by the *fire code official* that the roof configuration is similar to that of a Group R-3 occupancy, **and the building does not exceed three stories and does not require aerial fire apparatus access in accordance with Appendix D,** the residential access and ventilation requirements in Section 1205.2.1.1 through 1205.2.1.3 are a suitable alternative.

...

70. **Section 3102.1 Definitions** is amended to read as follows:

3102.1 Definitions. The following terms are defined in Chapter 2:

...

MAZE.

71. A new **Section 3105.9 Mazes** is added to read as follows:

3105.9 Mazes. Mazes, including but not limited to, outdoor corn stalk or hedge-mazes, or similar indoor or outdoor conditions, shall be in accordance with requirements established by the *fire code official* and the PFA's special event policies and procedures.

72. **Section 3307.1.2 Stairways required** is amended to read as follows:

3307.1.2 Stairways required. Where building construction exceeds 40~~20~~ feet (12~~192~~6096 mm) ~~or one-story~~ in height above the lowest level of fire department vehicle access, a temporary or permanent *stairway* shall be provided ~~to all floors that have secured decking or flooring~~. As construction progresses, such *stairway* shall be extended to within one floor of the highest point of construction having secured decking or flooring.

73. **Section 5001.1 Scope** is amended only as to Exception 10 to read as follows:

...

10. The ~~production, processing and~~ storage of beer, distilled spirits and wines in barrels and casks ~~when the facility is in conformance with the Distilled Spirits Council of the United States ("DISCUS") "Recommended Fire Protection Practices for Distilled Spirits Beverage Facilities" and NFPA 13.~~

...

74. **Section 5601.1.3 Fireworks** is amended to read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.

Exceptions:

1. Storage and handling of fireworks as allowed in Section 5604.
- ~~2. Manufacture, assembly and testing of fireworks as allowed in Section 5605.~~
3. The use of fireworks for fireworks displays as allowed in Section 5608.
- ~~4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations, provided that such fireworks and facilities comply with the 2006 edition of NFPA 1124, CPSC 16 CFR Parts 1500 and 1507, and DOTn 49 CFR Parts 100-185, as applicable for consumer fireworks.~~

75. **Section 5701.2 Nonapplicability** is amended only as to numbered item 10 to read as follows:

...

10. The production, processing and storage of beer, distilled spirits and wines in barrels and casks when the facility is in conformance with the DISCUS “Recommended Fire Protection Practices for Distilled Spirits Beverage Facilities” and NFPA 13.

...

76. **Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited** is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as set forth in the fire code adoption ordinance or other regulation adopted by the jurisdiction the limits of districts in which such storage is prohibited in accordance with the City of Fort Collins Land Use Code.

77. **Section 5706.2.4.4 Locations where above-ground tanks are prohibited** is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as set forth in the fire code adoption ordinance or other regulations adopted by jurisdiction the limits of districts in which such storage is prohibited in accordance with the City of Fort Collins Land Use Code.

78. **Section 5806.2 Limitations** is amended to read as follows:

5806.2 Limitations. Storage of flammable *cryogenic fluids* in stationary containers outside of buildings is prohibited within the limits established by law as set forth in the fire code adoption ordinance or other regulation adopted by jurisdiction the limits of districts in which such storage is prohibited in accordance with the City of Fort Collins Land Use Code.

79. **Section 6104.2 Maximum capacity within established limits** is amended to read as follows:

6104.2 Maximum capacity within established limits. For the protection of heavily populated or congested areas, storage of liquified petroleum gas shall not exceed an aggregate capacity in any one installation of 2,000 gallons (7570 L) within the limits established by law as set forth in the fire code adoption ordinance or other regulation adopted by the jurisdiction and in accordance with the City of Fort Collins Land Use Code.

Exception: In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings,

capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

80. **Section 6109.13 Protection of containers** is amended to read as follows:

6109.13 Protection of containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

~~**Exception:** Vehicle impact protection shall not be required for protection of LP-gas containers where the containers are kept in lockable, ventilated cabinets of metal construction.~~

81. A new **CHAPTER 68 APPENDIX ADOPTION STATUS** is added to read as follows:

APPENDIX	TITLE	STATUS
A	Board of Appeals	Adopted, with amendments
B	Fire-flow Requirements for Buildings	Adopted, with amendments
C	Fire Hydrant Locations and Distribution	Adopted, with amendments
D	Fire Apparatus Access Roads	Adopted, with amendments
E	Hazard Categories	Adopted as reference
F	Hazard Ranking	Adopted
G	Cryogenic Fluids—Weights and Volume Equivalents	Adopted as reference
H	Hazardous Materials Management Plan (HMMP)	Adopted as reference
I	Fire Protection Systems—Non-compliant Conditions	Not Adopted
J	Building Information Sign	Not Adopted
K	Construction Requirements for Existing Ambulatory Care Facilities	Not Adopted
L	Requirements for Fire Fighter Air Replenishment Systems	Adopted
M	High-rise Buildings—Retroactive Automatic Sprinkler Requirements	Not Adopted
N	Indoor Trade Shows and Exhibitions	Adopted

O	Valet Trash and Recycling Collection in Group R-2 Occupancies	Not Adopted
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82. **CHAPTER 80 REFERENCED STANDARDS** is amended by adding the following additional referenced standards:

...

**CHAPTER 80
REFERENCED STANDARDS**



DISCUS

Distilled Spirits Council of the United States
1250 Eye Street, NW Suite 400
Washington, DC 20005

Standard Reference Reference	Title	Code
4 th Edition, February 2020 Protection Practices	Recommended Fire For Distilled Spirits Beverage Facilities	5001.1, 5701.2

...

LCUASS

Larimer County Engineering
200 W Oak Street
Fort Collins, CO 80524

Standard Reference Reference	Title	Code
Enacted August 1, 2021	Larimer County Urban Area Street StandardsD105.6

...

83. **APPENDIX A BOARD OF APPEALS** is deleted in its entirety and replaced with the following:

APPENDIX A

BOARD OF APPEALS

SECTION A101 GENERAL

A101.1 Scope. Pursuant to the provisions of Section 112 of this code, upon the filing of an application for appeal of a decision of the *fire code official* as to the application and/or interpretation of this code, a board of appeals shall be established in accordance with Section A101.3. The board shall be established and operated in accordance with this Section A101 and shall be authorized to hear evidence from appellant(s) and the *fire code official* pertaining to the application and intent of this code for the purpose of issuing a decision pursuant to these provisions.

A101.2 Application for appeal. Any person or entity shall have the right to appeal a decision of the *fire code official* to the board. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted thereunder have been incorrectly interpreted and/or applied, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board has the right to dismiss an application for appeal upon receipt which on its face does not demonstrate plausible grounds that the *fire code official* made an incorrect interpretation and/or application, the provisions of this code do not fully apply, or an equivalent or better form of construction should be considered. A person wishing to submit an appeal shall request an application via email or letter to the *fire code official*. The completed application shall be filed within 90 days after the date the *fire code official's* decision was issued. The board will not consider an appeal that is not filed within 90 days of the *fire code official's* decision.

A101.2.1 Limitation of authority. The board shall not have authority to waive requirements of this code or interpret the administration of this code.

A101.2.2 Stays of enforcement. Appeals of notice and orders, other than Imminent Danger notices, shall stay the enforcement of the notice and order until the board dismisses the application for appeal pursuant to Section A101.2, or it issues a decision on the appeal.

A101.3 Membership of board. The board shall consist of no less than three voting members appointed by the *fire code official*. Each member will be selected based on their expertise in the field of which the appellant is challenging the application and/or interpretation of this code. The board members will be selected within 20 business days of the *fire code official's* receipt of the appellant's application for appeal. The *fire code official* shall be an *ex officio* member of the board but shall not vote on any matter before the board.

A101.3.1 Qualifications. The board shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions, or *fire protection systems*, and are not employees of the jurisdiction.

A101.3.2 Chairperson. The board shall select one of its members as the chairperson of the board. The chairperson will present in writing the board's dismissal of or decision on an appeal.

A101.3.3 Secretary. The *fire code official* shall designate a qualified clerk to serve as secretary to the board. The secretary shall submit a detailed record of all proceedings to the chief appointing authority and the *fire code official*, which shall set forth the reasons for the board's decision, the vote of each member, the absence of a member, and any members abstaining from voting.

A101.3.4 Conflict of interest. A member with any personal, professional, or financial interest in a matter before the board shall declare such interest and shall recuse themselves from the board with respect to that matter.

A101.3.5 Compensation of members. Compensation of members shall be determined by law.

A101.3.6 Board decision and dissolution. The board's decision shall be promptly submitted in writing to the *fire code official* and the individual(s), entity, or entities that initiated the appeal. The board shall automatically dissolve 10 business days after it issues its decision if no post-decision issues have been brought to its attention. The board's decision is final and conclusive for purposes of exhaustion of administrative remedies.

A101.4 Rules and procedures. The board shall follow the applicable policies and procedures of the PFA in carrying out its duties consistent with the provisions of this code and applicable state law. The procedures shall not require compliance with strict rules of evidence but shall mandate that only relevant information be presented.

A101.5 Notice of meetings. The board shall meet upon notice from the chairperson within 20 calendar days of the last board member being selected by the *fire code official* or at stated periodic intervals.

84. **APPENDIX B FIRE-FLOW REQUIREMENTS** is adopted in its entirety, with the following amendments:

Section B105.1 One-and two-family dwellings, Group R-3 and R-4 buildings and townhouses is amended to read as follows, with Table B105.1(1) being deleted in its entirety:

B105.1 One- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum *fire-flow* and flow duration requirements for one- and two-family *dwellings*, Group R-3 and R-4 buildings and *townhouses* shall be as specified in ~~Tables B105.1(1) and B105.1(2)~~ 1000 gpm with residual pressure of 20 psi for a duration of one (1) hour.

Exception: One- and two-family *dwellings*, Group R-3 and R-4 buildings and townhouses located outside of the City of Fort Collins Growth Management Area shall provide a minimum *fire-flow* of 500 gpm with residual pressure of 20 psi for a duration of one (1) hour.

Section B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses is amended to read as follows, with Table B105.2 being deleted in its entirety:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum *fire-flow* and flow duration for buildings other than one- and two-family *dwellings*, Group R-3 and R-4 buildings and *townhouses* shall be as specified in ~~Tables~~ Table B105.1(2) and B105.2.

Exception: A reduction in required fire flow of up to 75%, as *approved*, is allowed when the building is protected with an automatic fire suppression system in accordance with Section 903.3.1.1 or 903.3.1.2. The resulting *fire-flow* shall not be less than 1,500 gpm for the prescribed duration as specified in Table B105.1(2).

85. **APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION** is deleted in its entirety and replaced with the following:

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

SECTION C101 GENERAL

C101.1 Scope. In addition to the requirements of Section 507.5.1, fire hydrants shall be provided along public roads and required fire apparatus access roads in accordance with this appendix for the protection of buildings, or portions of buildings, hereafter constructed or moved into the jurisdiction.

SECTION C102 NUMBER OF FIRE HYDRANTS

C102.1 Fire hydrants available. The number of fire hydrants available to a building, complex or subdivision shall be not less than that determined by spacing requirements listed in Table C102.1 when applied to fire apparatus access roads and adjacent public streets from which fire operations could be conducted.

TABLE C102.1 – REQUIRED NUMBER AND SPACING OF FIRE HYDRANTS.^f

APPLICATION	FIRE FLOW REQUIREMENTS (gpm)	SPACING BETWEEN HYDRANTS (feet)^{a,b,c}	MAXIMUM DISTANCE FROM FURTHEST POINT ON A BUILDING TO A HYDRANT (feet)^e
Commercial/ Multifamily	Value as calculated in accordance with section B105.2	600	300 ^d
One- & Two-Family Dwelling - Urban	1,000	800	400
One- & Two-Family Dwelling - Rural	500	800	400

- a. Reduce by 100 feet for dead-end streets or roads.
- b. Where streets are provided with median dividers that cannot be crossed by fire fighters pulling hose lines, or are arterial streets, hydrant spacing shall average 500 feet on each side of the street and be arranged on an alternating basis.
- c. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at spacing not to exceed 1,000 feet to provide for transportation hazards.
- d. For buildings equipped with a standpipe, see **Section 507.5.1.1**.
- e. For the purposes of determining distance from a building to a hydrant, hydrants located across 2- and 4-lane arterial roads shall not be considered available unless the building is protected with an *approved* automatic fire suppression system. Hydrants located across 6 lane arterial roads shall not be considered available.
- f. The fire code official is authorized to modify the location, number and distribution of fire hydrants based on site-specific constraints and hazards.

**SECTION C103
FIRE HYDRANT SPACING**

C103.1 Hydrant spacing. The average spacing between fire hydrants shall not exceed that listed in Table C102.1. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within the distances listed in Table C102.1.

Exception: The *fire code official* is authorized to accept a deficiency of up to 10 percent where existing fire hydrants provide all or a portion of the required fire hydrant service.

SECTION C104 CONSIDERATION OF EXISTING FIRE HYDRANTS

C104.1 Existing fire hydrants. Existing fire hydrants on public streets are allowed to be considered as available to meet the requirements of Sections C102 and C103. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads.

86. **APPENDIX D FIRE APPARATUS ACCESS ROADS** is deleted in its entirety and replaced with the following:

APPENDIX D FIRE APPARATUS ACCESS ROADS SECTION D101 GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code* adopted by the City of Fort Collins, including all local amendments.

SECTION D102 REQUIRED ACCESS

D102.1 Access, construction, and loading. Facilities, buildings, or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road. All access roads must be an all-weather driving surface constructed of asphalt, concrete, or compacted road base and engineered to support the imposed load of fire apparatus weighing at least 80,000 pounds (36,287 kg).

D102.2 [Reserved].

D102.2.1 Temporary emergency access. Compacted road base or chip shall only be used for a temporary emergency access. Temporary access shall be available as long as the site is under construction. Thereafter, permanent fire lanes shall be accessible and unobstructed at all times.

D102.2.2 Permanent emergency access. All permanent points of access shall be hard decks consisting of asphalt or concrete designed to HS 20 or to support 80,000 pounds (36,287 kg). Compacted road base or other surfaces engineered and capable of supporting the imposed loads may be *approved* by

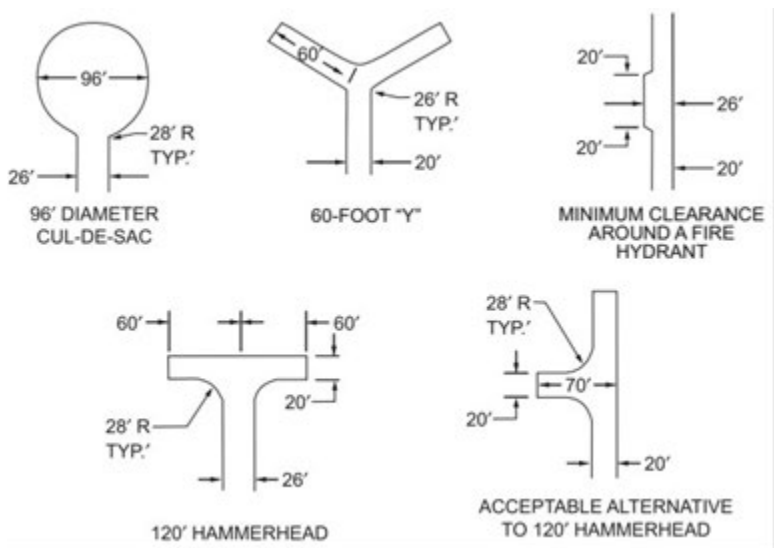
the *fire code official* for ground mounted solar installations, cell towers and similar isolated facilities and structures.

D102.2.3 Installation timing. All required access roads must be installed and serviceable before above-ground construction begins unless otherwise approved by the *fire code official*.

**SECTION D103
MINIMUM SPECIFICATIONS**

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7,925 mm), exclusive of shoulders (see Figure 103.1).

FIGURE D103.1 – DEAD END FIRE APPARATUS ACCESS ROAD TURNAROUND



D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the *fire code official*. (See section D105.5 for aerial fire apparatus access roads.)

D103.3 Turning radius. The minimum turning radius shall be 25 feet inside radius and 50 feet outside radius and 18 inches of clearance from the curb is required.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (46 m) shall be provided with width and turnaround provisions in accordance with Table D103.5.

TABLE D103.4 - REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS		
LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-660	20	100-foot hammerhead, 100-foot cul-de-sac in accordance with Figure D103.1
Over 660	Special Approval Required	

D103.4.1 Additional Points of Access Required. Additional points of access shall be required where a required access roadway exceeds 660 feet (201 m) in length.

Exception: Where the access road does not exceed 1320 feet (402 m) in length and all dwelling units beyond 660 feet (201 m) are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 access from two directions shall not be required.

D103.4.2 Remoteness. Where two or more points of access are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

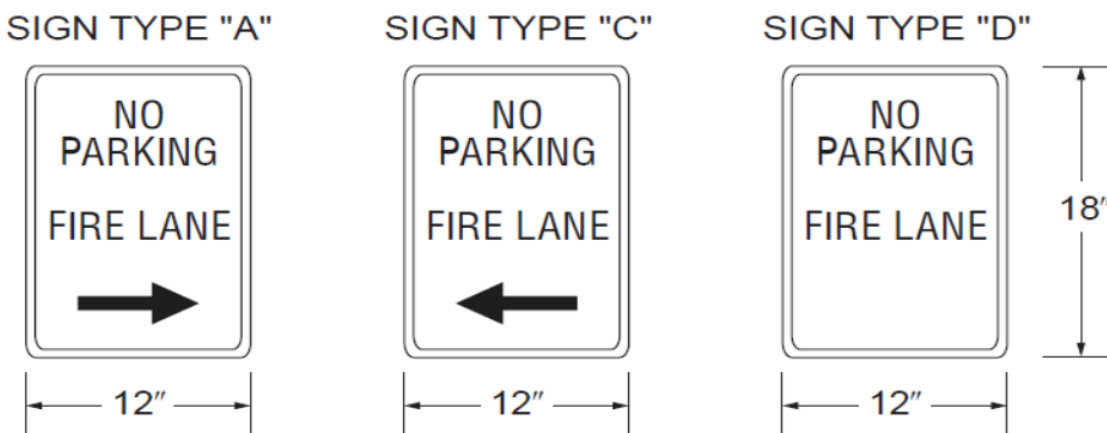
D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 20 feet (6,096 mm). Where a fire apparatus access road consists of a divided roadway, the gate shall be not less than 12 feet (3,658 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one person.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.

5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices must be *approved by the fire code official*.
6. Methods of locking the gate must be *approved by the fire code official*.
7. Manual opening gates shall not be locked with a padlock or chain and padlock unless the padlock is *approved by the fire code official* and is compatible with the *approved Key Boxes* in use by the fire department.
8. Gate design and locking device specifications shall be submitted for approval by the *fire code official* prior to installation.
9. Electric gate operators, where provided, shall be listed in accordance with UL325.
10. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200.

D103.6 Signs. Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING-FIRE LANE signs complying with Figure D 103.6 or other *approved* sign. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Sections D103.8.1 or D103.8.2.

FIGURE D103.6 – FIRE LANE SIGNS



D103.7 Angle of Approach/Departure. Grade changes upon a fire apparatus access road or when entering or exiting from or to a fire apparatus access road shall not exceed a 10 percent angle of approach or angle of departure.

SECTION D103.8 FIRE LANE SIGNS

D103.8.1 Roads 20 to 26 feet in width. *Fire lane* signs as specified in D103.6 shall be posted on both sides of fire apparatus access roads that are 20 to 26 feet wide (6,096 to 7,925 mm).

D103.8.2 Roads more than 26 feet in width. *Fire lane* signs as specified in D103.6 shall be posted on one side of fire apparatus access roads more than 26 feet wide (7,925 mm) and less than 32 feet wide (9,754 mm).

D103.9 Minimum Overhead Clearance. Fire access roads shall have a minimum overhead clearance for the entire width of the access road of not less than 14 feet (4,267 mm).

D103.10 Fire Apparatus Access Roads. Fire apparatus access roads shall not be located on an arterial street, as defined by the LCUASS Standards for arterial roads.

Exception: Buildings, structures, facilities and premises located on multiple arterial roads may use one arterial road defined as less than six lanes.

SECTION D104 COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

D104.1 Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height shall have at least two means of fire apparatus access for each structure.

Exception: Buildings or facilities exceeding 30 feet (9144 mm) or three stories in height that have a single *approved* fire apparatus access road where the buildings are equipped throughout with *approved automatic sprinkler systems*.

D104.2 Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet (5760 m²) shall be provided with two separate and *approved* fire apparatus access roads.

Exception: Projects having a gross *building area* of up to 124,000 square feet (11 520m²) that have a single *approved* fire apparatus access road

where all buildings are equipped throughout with *approved automatic sprinkler systems*.

D104.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

SECTION D105 AERIAL FIRE APPARATUS ACCESS ROADS

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9,144 mm), *approved* aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Exception: Where approved by the *fire code official*, building of Type IA, Type IB or Type IIA construction equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and having firefighter access through an enclosed stairway with Class I Standpipe from the lowest level of fire department vehicle access to all roof surfaces.

D105.2 Width. Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7925 mm), exclusive of shoulders, in the immediate vicinity of the building or portion thereof if the fire apparatus access road is not a dead end. Dead end fire apparatus access roads for aerial apparatus access shall be a minimum of 30 feet (9144 mm) wide.

D105.3 Proximity to building. One or more of the required access roads meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

D105.4 Obstructions. Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus access road and the building. Other obstructions may be permitted to be placed only if *approved* by the *fire code official*.

D105.5 Grade. Aerial fire apparatus access roads adjacent to the building shall not exceed 5 percent in grade.

D105.6 Road type. Aerial fire apparatus access roads shall not be located on an arterial streets as defined by the LCUASS standards for arterials.

Exception: Buildings or facilities located on multiple arterial roads can use one arterial road defined as less than six (6) lanes. Or approved by the *fire code official*.

SECTION D106 MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Multiple-family residential projects having more than 100 *dwelling units* shall be equipped throughout with two separate and *approved* fire apparatus access roads.

Exception: Projects having up to 200 *dwelling units* may have a single *approved* fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1 or 903.3.1.2.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 *dwelling units* shall be provided with two separate and *approved* fire apparatus access roads regardless of whether they are equipped with an *approved automatic sprinkler system*.

D106.3 Remoteness. Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

SECTION D107 ONE- OR TWO-FAMILY RESIDENTIAL DEVELOPMENTS

D107.1 One- or two-family dwelling residential developments. Developments of one- or two-family *dwelling units* where the number of *dwelling units* exceeds 30 shall be provided with two separate and *approved* fire apparatus access roads that comply with Section D103.5.2.

Exception: Where there are more than 30 *dwelling units* on a single public or private fire apparatus access road not exceeding 1320 feet (402 m) in length and all dwelling units are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 access from two directions shall not be required.

D107.2 Future connection. The number of *dwelling units* on a single fire apparatus access road shall not exceed 30 *dwelling units* unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

D107.3 Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

**SECTION D108
REFERENCED STANDARDS**

D108.1 General. See Table D108.1 for standards that are referenced in various sections of this appendix. Standards are listed by the standard identification with the effective date, standard title, and the section or sections of this appendix that reference the standard.

**TABLE D108.1
REFERENCED STANDARDS**

STANDARD ACRONYM	STANDARD NAME	SECTIONS HEREIN REFERENCED
ASTM F 2200—14	<i>Standard Specification for Automated Vehicular Gate Construction</i>	D103.5
UL 325—02	<i>Door, Drapery, Gate, Louver, and Window Operators and Systems, with Revisions through May 2015</i>	D103.5

**SECTION D109
SCHOOL EMERGENCY IDENTIFICATION NUMBERS
AND EMERGENCY RESPONSE MAP**

D109.1 Scope. New and existing buildings, structures, mobile rooms, and auxiliary buildings as part of any public school, institute charter school, and junior college meeting 8 CCR 1507-30, shall be provided with approved emergency identification numbering and an approved emergency response map. Emergency identification numbers shall be placed on the exterior, top left corner of each door in an approved clockwise sequence for each building or

structure. Numbers shall be Arabic and numerically displayed as opposed to spelled out. Each number shall be a minimum of 5 inches (127 mm) high with a minimum stroke of 3/4 inch (19.05 mm). Emergency identification numbers which serve doors that do not have electronic access are permitted to be of any color scheme other than the color red, provided the numbers contrast with their background and are readily distinguishable. Emergency identification numbers which serve doors that do have electronic access shall have numbers that are green in color with a white background and shall be of a reflective quality. Emergency identification numbers shall be permanent and durable. Emergency identification numbers shall be maintained.

D109.2 Emergency Response Map. An emergency response map shall be required to be provided to the PFA and any responding law enforcement agency. The map shall display an aerial view of all buildings and structures. The boundary of each building or structure shall be clearly distinguishable with the corresponding emergency identification numbers displayed.

Exceptions:

1. Where it is impractical to post emergency identification numbers on or above a door frame, such as for glass doors, posting in the top left corner of the glass or spandrel panel within the door is permissible.
2. Where more than one door is provided as part of an assembly, only one door is required to have an emergency identification number.
3. Where multiple doors or assemblies of doors are provided, they occur along the same wall, and they serve the same common area, only one door is required to have an emergency identification number.
4. Doors which serve floors above the first floor or primary access level, shall have an emergency identification number to correspond with the number of the door in closest proximity on the first floor or primary access level.
5. Doors which do not provide access to the greater interior portion of any building or structure, such as for electrical or mechanical access, shall not require an emergency identification number but shall be identified on the emergency response map and labeled as a utility room with a designation as (UR).

6. Elevators shall not require an emergency identification number but shall be identified on the emergency response map and labeled as an elevator with a designation as (ELV).

Section 4. The City Attorney and the City Clerk are authorized to modify the formatting and to make such other amendments to this Ordinance as necessary to facilitate publication in the Fort Collins Municipal Code; provided, however, that such modifications and amendments shall not change the substance of the Code provisions.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan

NOTICE OF PUBLIC HEARING

NOTICE is hereby given of a public hearing to be held before the City Council of the City of Fort Collins, Colorado, on the 18th day of March, 2025, at 6:00 p.m., or as soon thereafter as the matter may come on for hearing, in the Council Chambers at the City Hall, 300 Laporte Avenue, Fort Collins, Colorado for the purpose of considering the adoption of ordinances adopting by reference the *2024 International Fire Code*, together with local amendments, promulgated by the International Code Council.

Not less than one (1) copy of said Codes has been, and now is on file in the Office of the City Clerk of the City of Fort Collins and is available for public inspection.

The purpose of the International Fire Code adopted by said ordinance is to provide for protection of public health and safety and general welfare regarding fire prevention and suppression.

Individuals who wish to address Council via remote public participation can do so through Zoom at <https://zoom.us/j/98241416497>. (The link and instructions are also posted at www.fcgov.com/councilcomments.) Individuals participating in the Zoom session should watch the meeting through that site, and not via FCTV, due to the streaming delay and possible audio interference.

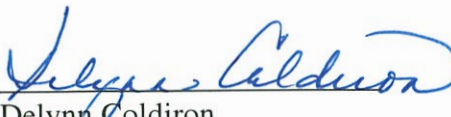
Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide 48-hour advance notice when possible.

A petición, 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 48 horas de aviso previo cuando sea posible.

This notice is given and published by order of the City of Fort Collins, Colorado.

Dated at Fort Collins, Colorado this 23rd day of February, 2025




Delynn Coldiron
City Clerk

Resolution 25 - 03

Poudre Fire Authority Board of Directors Support and Recommend Adoption or Ratification of the 2024 International Fire Code

Whereas, the adoption and application of the current edition of the International Fire Code contributes to minimizing human suffering and property loss from fire, and

Whereas, the 2024 edition of the International Fire Code represents the most current of the International Fire Code, and

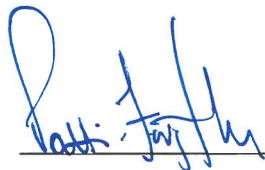
Whereas, the Board desires that the recommendations of the appointed Fire Code Review Committee be included as the community's input from those impacted by the enforcement of the code through the adoption process, and

Whereas, the Fire Code Review Committee members are unanimous in their recommendation of the 2024 International Fire Code with amendments, and support initiating the final adoption process with the Poudre Valley Fire Protection District, the City of Fort Collins, the Town of Timnath, and ratification by the Larimer and Weld County Commissioners, and

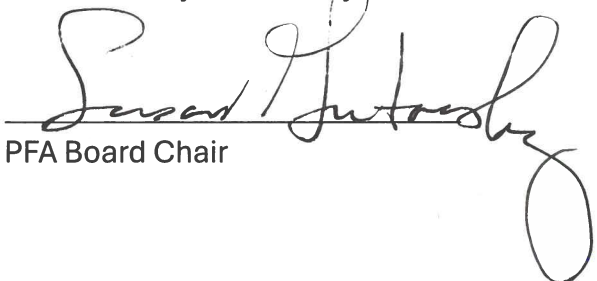
Whereas, the City of Fort Collins, the Town of Timnath, and Larimer County have, or are in the process of, adopting the other 2024 editions of the International Codes published by the International Code Council.

Now, therefore, be it resolved by the Poudre Fire Authority Board of Directors that the Fire Marshal is directed to begin final adoption procedures for the 2024 International Fire Code with amendments, as recommended by the Fire Code Review Committee, and further, that the Poudre Fire Authority Board of Directors requests and recommends to the Poudre Valley Fire Protection District Board of Directors, the Fort Collins City Council, the Timnath Town Council, and the Larimer and Weld County Commissioners that the 2024 International Fire Code as amended be adopted or ratified as appropriate.

Approved by the PFA Board of Directors this 25th day of February 2025.



Attest



PFA Board Chair

2021 Code # (Adopted 6/7/2022)	Proposed 2024 Code #	Action needed Delete/Add/Modify	Proposed Changes from Internal and External Stakeholders	Proposed Amendment after approval from PFA and City attorney's office. Red=New and strikethroughs
				The fire code official, member of the board of appeals, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally liable, either civilly or criminally , and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any an act or by reason of an act or omission in the discharge of official duties, unless such act or omission is determined by a Court of competent jurisdiction to be willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, <i>et seq.</i> , C.R.S.
104.7	104.8	Modify	Add langauge and Code Section	
111.1	112.1	Modify	Add langauge and Code Section	Board of appeals established General Means of Appeal
112.4	113.4	Update	Add Langauge and Code Section	Change code number - Violation penalties
115		Delete	Delete Section 115	Code amendment will be added to Section 401
202	202	Delete	Delete Amendment	Puzzle Room- now in code
202	202	Delete	Delete Definition	Townhouse Unit
503.6	503.6	Modify	Modify code reference to D103.5	Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation and shall comply with the requirements of Appendix D 103.5 .
605.3	605.3	Modify	Modify language	605.3 Chimneys and vents- Masonry chimneys shall be constructed in accordance with the International Building Code. Factory-built chimneys and vent systems serving solid-fuel-fired appliances or oil-fired appliances shall be installed in accordance with the International Mechanical Code. Metal chimneys shall be constructed and installed in accordance with the International Mechanical Code. Factory-built chimneys and vent systems serving gas-fired appliances shall be installed in accordance with the International Fuel Gas Code. Means for arresting sparks must be in compliance with the Wildland Urban Interface (WUI) Code.
606.3	606.3	Modify	Modify language	606.3 Operations and maintenance- Commercial cooking systems shall be operated, inspected and maintained in accordance with Sections 606.3.1 through 606.3.4. As outlined in NFPA 96, cooking appliances shall not be moved, modified, or rearranged without prior re-evaluation of the fire extinguishing system by the system installer or qualified servicing agent, unless otherwise allowed by the design of the fire extinguishing system. Any movement, modification, or rearrangement of system components shall require an approved permit from PFA prior to the work being conducted.
918	None	Delete	Remove from amendments	
1031.7	1031.5.3	Delete and modify	Remove section and add exception to 1031.5.3	Exception 2: A drainage systemis not required for new window wells on additions to existing dwellings.
3312.1	3307.1.2	Modify	Change code number	Section 3312.1 3307.1.2 Stairways required is hereby amended to read as follows:

**610.1	610.1	Modify	Modify language	<p>610.1.1 Installation- Clothes dryer exhaust duct systems shall be installed in accordance with the International Mechanical Code or the International Fuel Gas Code, and the manufacturer's installation instructions.</p> <p>[M] Transitions ducts used to connect the dryer to the exhaust duct system shall be a single length that is listed and labeled in accordance with UL 2158A. Transition ducts shall not be greater than 8 feet (2438 mm) in length and shall not be concealed within construction.</p>
104.7.1	104.8.1	Modify	Add Language and Code Section	<p>Any suit or criminal complaint instituted against any PFA officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code or other laws or ordinances implemented through the enforcement of this code, unless such act or omission is determined by a court of competent jurisdiction to be willful and wanton, as provided in the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S., shall be defended by PFA's representatives until the final termination of the proceedings. The fire code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of fire prevention, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.</p>
112.5*	108.4	Delete	Delete 112.5	<p>Already Covered by 108.4 Work commencing before permit issuance. A person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to a fee established by the applicable governing authority, which shall be in addition to the required permit fees.</p>
202*	203.9.3.2	Add	amend the definition by Adding this Using Building amendment definition	<p>203.9.3.2 Lodging houses. Owner-occupied lodging houses with five or fewer guestrooms and 10 or fewer total occupants shall be constructed in accordance with the International Residential Code.</p>
	304.1.1	Modify	Add Language	<p>304.1.1 Valet trash. Valet trash collection shall be prohibited. Valet trash collection shall be permitted only where approved. The owner and valet trash collection service provider shall comply with the rules and limitations established by the jurisdiction.</p>
308.1.6.3	308.1.7	Update	Update code section	<p>308.1.7 Sky lanterns. A person shall not release or cause to be released an untethered sky lantern.</p>

401.3.1	401.3.1	ADD	Add verbiage from Section 115 (deleted amendment)	401.3.1 Fire events. In the event an unwanted fire occurs on a property, the owner or occupant shall immediately report such condition to the fire department. Reporting Emergencies. In the event a fire occurs or upon the discovery of a fire, smoke, or unauthorized release of flammable, combustible, or hazardous materials on any property, the owner, the owner’s authorized representative, or the occupant shall, without delay, report such condition to the fire department.
503.1.1	503.1.1	Add	Modify distance to 300 omitting Group R3	1. The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) up to 300 feet where any of the following conditions occur: 1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with ection 903.3.1.1, 903.3.1.2 or 903.3.1.3. 1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided. 1.3. There are not more than two Group R-3 or Group U occupancies.
505.1.4	505.1.4.1	Modify	Add Monument sign address size	Monument signage address letters and numerals shall be a minimum height of 4 inches and stroke width of 1/2 inch unless otherwise approved by the fire code official. The letters and numerals shall also be located at a minimum height of 22 inches above the surface or grade directly below.
507.5.1	507.5.1	Modify and add	Modify language and add exception 2	Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) 300 feet (91m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: 1. For Group R-3, one-and two-family dwellings and Group U occupancies, the distance requirement shall be 400 feet (121 m). 2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the fire code official is authorized to extend the distance requirement up to 600 feet (183 m).
None*	510.1 Exception 4	Add	Modify existing 2024 code	Exception 4 - In all buildings not exceeding 10,000 sq. ft. and any Type V construction building not exceeding 15,000 sq. ft with no below-ground area(s)
903.2.1.8	903.2.2	Modify	Update code number	903.2.1.8 903.2.2 Group B. (Amended) An automatic sprinkler system shall be provided for all areas containing Group B occupancies where the fire area exceeds 5,000 square feet (464.5 m2) or as required in Sections 903.2.2.1 and 903.2.2.2.

903.2.4	903.2.4	Modify	Add #4 & #5	<p>4. A Group F-1 or F-2 occupancy is used to manufacture lithium-ion or lithium metal batteries.</p> <p>5. A Group F-1 or F-2 occupancy is used to manufacture vehicles, energy storage systems or equipment containing lithium-ion or lithium metal batteries where the batteries are installed as part of the manufacturing process.</p>
903.2.6	903.2.6	Modify	Add back in Exception #1 to the amendment	<p>903.2.6 Group I. An automatic sprinkler system shall be provided throughout buildings with a Group I fire area.</p> <p>Exceptions:</p> <p>1. An automatic sprinkler system installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.</p> <p>2. An automatic sprinkler system is not required where Group I-4 day care facilities are at the level of exit discharge and where every room where care is provided has not fewer than one exterior exit door and the fire area does not exceed 5,000 square feet (464.5m2)</p> <p>3. In buildings where Group I-4 day care is provided on levels other than the level of exit discharge , an automatic sprinkler system in accordance with Section 903.3.1.1 shall be installed</p>
903.2.9	903.2.9	Add	Add #5	<p>5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m2).</p>
903.2.9.1	903.2.9.1	Add	Add #5	<p>(Repair Garage) 5. A Group S-1 fire area used for the storage of lithium-ion or lithium metal powered vehicles where the fire area exceeds 500 square feet (46.4 m2).</p>
903.4.2	903.4.3	Add and Modify	Modify language	<p>903.4.3 Alarms. An approved audible and visual sprinkler waterflow alarm device, located on the exterior of the building in an approved location, shall be connected to each automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a water switch is required by Section 903.4.1 to be electrically supervised, such sprinkler waterflow alarm devices shall be powered by a fire alarm control unit or, where provided, a fire alarm system. Where a fire alarm system is provided, actuation of the automatic sprinkler system shall actuate the building's fire alarm system. Exception: Automatic sprinkler systems protecting one- and two-family dwellings, unless such dwellings are arranged so that it is unclear which sprinkler system has activated, and for these conditions an approved audible and visual sprinkler waterflow device, located on the exterior of the building in an approved location shall be provided for each fire sprinkler system installed.</p>
907.2.11	907.2.11	Modify	Update code language	<p>52. Section 907.2.11 Single- and multiple-station smoke alarms is amended to read as follows:</p> <p>907.2.11 Single- and multiple-stations smoke alarms. (Amended) Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 907.2.11.1 through 907.2.11.7, and NFPA 72, and the manufacturer's instructions. Where one or more sleeping rooms are added or created in existing Group R Occupancies, the entire building</p>
907.5.2.1.3.2	907.5.2.1.3.2	Added	Add Language	<p>907.5.2.1.3.2 Smoke alarm signal in sleeping rooms. In sleeping rooms of Group R-1, R-2 and I-1</p>
Appendices J & K			None	<p>No amendments recommended</p>
Appendix D 103.3	Appendix D 103.3	modify	Add second sentence	<p>The minimum turning radius shall be 25 feet inside radius and 50 feet outside radius. 18 inches of clearance form the curb is required</p>

Appendix D Figure 103.1	Appendix D Figure 103.1	Modify	Add all figures with amended dimensions	Add Y, Clearance around fire hydrant and alternative hammerhead.
Appendix D105.1	Appendix D 105.1 Exception	Add and Modify		Exception: Where approved by the fire code official, buildings of Type IA, Type IB or Type IIA construction equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and having firefighter access through an enclosed stairway with a Class I Standpipe from the lowest level of fire department vehicle access to all roof surfaces.
Appendix E, F, G, N		Add	None	No ammendements recommended and adopt as written in 2024.
Appendix H		modify		Modify from Adopted"adopted as refrecence" to Adopted
Appendix I	Appendix I	Modify	Adopt	As written
Appendix L	Appendix L	Add	None	Adopt as written
Appendix M	Appendix M	Do Not Adopt		
Appendix O		Delete	Remove	None, valet trash are not allowed
Chapter 12			None	No amendments recommended in this chapter.
Chapter 22			None	No amendments recommended in this chapter. *Ensure that the current Distilled Spirits Council of the United States (DISCUS) edition is referenced in Chapter 80. -KS (We add DISCUS to our ammendments) KQ
None	1103.2	Add and Modify		2. Within a time frame established by the adopting authority 2. In all buildings exceeding 10,000 sq.ft and any Type V construction exceeding 15,000 sq.ft
None	None	Add	Add code section D103.9	Road type. Fire apparatus access roads shall not be located on an arterial streets as defined by the LCUASS standards for arterials. Exception: Buildings or facilities located on multiple arterial roads can use one arterial road defined as less than 6 lane. Or approved by the fire code official
None*	510.1 Exception 4	Add	Modify existing 2024 code	Exception 4 - In all buildings not exceeding 10,000 sq. ft. and any Type V construction building not exceeding 15,000 sq. ft with no below-ground area(s)

File Attachments for Item:

19. First Reading of Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The purpose of this item is to seek an amendment, as requested by the property owners of 509 Remington Street, to the Landmark boundary listed in the designation ordinance of the property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024. After review and consideration of the proposal at their February 19, 2025 hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the Landmark boundary.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Lori Schwarz, Director, Community Development & Neighborhood Services
 Maren Bzdek, Manager, Historic Preservation Services
 Yani Jones, Historic Preservation Planner

SUBJECT

First Reading of Ordinance No. 052, 2025, Amending the Boundary of the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

EXECUTIVE SUMMARY

The purpose of this item is to seek an amendment, as requested by the property owners of 509 Remington Street, to the Landmark boundary listed in the designation ordinance of the property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024. After review and consideration of the proposal at their February 19, 2025 hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the Landmark boundary.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Council designated the Willard and Gladys Eddy House and Shared Barn at 509 Remington St. as a City Landmark on October 21, 1997, for their architectural and historical significance. Under the current Municipal Code, the significance of 509 Remington Street would fall under Standard 2 (Persons/Groups), for association with Willard and Gladys Eddy, significant to Fort Collins and CSU history, and Standard 3 (Design/Construction), for the house's foursquare architecture and for the shared barn being a rare early example of a barn in this neighborhood.

The subject property, along with 515 Remington Street to its south, underwent a lot line adjustment in 2024, recorded with Larimer County at Reception #20240030529. This modified the west portion of the property line between the two parcels, specifically the section that intersected the shared barn. To accurately reflect the boundaries of the Landmark properties, amendments to the Landmark Ordinances are needed.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

At their February 19, 2025, regular meeting, the HPC considered the evidence presented and determined that the proposed Landmark Ordinance amendment would support the City's historic preservation policies, outlined under City Code Section 14-1, and purposes, outlined under City Code Section 14-2, and would not result in a negative effect to the historic property based on its significance, period of significance, and character-defining features. The HPC adopted Resolution 1, 2025, recommending that Council approve the Ordinance amending the Landmark boundary. Additionally, at the same February 19, 2025, meeting, the HPC reviewed and approved through the issuance of a Certificate of Appropriateness a Final Landmark Design Review application for 509 Remington Street that included a rehabilitation project for the historic barn and its relocation to entirely within the 509 Remington Street parcel.

PUBLIC OUTREACH

Because this proposed Landmark Ordinance amendment was supported by the property owner, public outreach or noticing described under City Code Section 14-34 was not required. Outreach was limited to coordination with the property owners for this item and the public hearing that occurred at the February 19, 2025, HPC regular meeting. No public comment was received at the hearing.

ATTACHMENTS

1. Ordinance for Consideration
2. Historic Preservation Commission Resolution 1, 2025
3. Location Map
4. 1997 Landmark Ordinance
5. Landmark Owner Acknowledgment
6. 2024 Lot Line Adjustment Record

ORDINANCE NO. 052, 2025
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 AMENDING THE BOUNDARY OF THE WILLARD AND GLADYS EDDY HOUSE AND
 SHARED BARN, 509 REMINGTON STREET, FORT COLLINS, COLORADO,
 A FORT COLLINS LANDMARK PURSUANT TO CHAPTER 14 OF THE CODE OF THE
 CITY OF FORT COLLINS

A. It is a matter of public policy that the protection, enhancement, and perpetuation of sites, structures, objects, and districts of historic, architectural, archeological, or geographic significance, located within the City, are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

B. It is the policy of the City Council that the economic, cultural, and aesthetic standing of this City cannot be maintained or enhanced by disregarding the historic, architectural, archeological, and geographical heritage of the City and by ignoring the destruction or defacement of such cultural assets.

C. The Willard and Gladys Eddy House and Shared Barn, located at 509 Remington Street in Fort Collins (the "Property") was designated as a Fort Collins Landmark by Ordinance No. 149, 1997 adopted on October 21, 1997, for the Property's historic and architectural significance (corresponding to City Code Section 14-22(a) under Standard 2, Persons/Groups, for association with Willard and Gladys Eddy, and Standard 3, Design/Construction, for the house's Foursquare architecture and the barn being an early and rare example of a barn in this neighborhood, historically shared with 515 Remington Street).

D. The Property owners have requested an amendment to the existing designation, specifically a modification to the boundary to reflect a lot line adjustment recorded with Larimer County at Reception #20240030529 and the changed location of the barn to be located within the boundary lines of 509 Remington Street.

E. The Historic Preservation Commission has determined that the amendment to the Property's Landmark boundary is consistent with the City's Policies in City Code Section 14-1 and Purposes in City Code Section 14-2 and would not result in adverse effects to the Property and therefore recommends adoption of this Landmark Ordinance.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The boundary of the Landmark Property located in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

NORTH FORTY-FIVE FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS,
COUNTY OF LARIMER, STATE OF COLORADO ALSO KNOWN AS 509
REMINGTON STREET

is amended to read:

NORTH 45 FEET OF LOT 6 AND THE SOUTH 5 FEET OF THE WEST 39 FEET OF
LOT 6, AND THE NORTH 8 FEET OF THE WEST 39 FEET OF LOT 5, BLOCK 125,
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, ALSO
KNOWN AS 509 REMINGTON STREET

Section 2. The criteria contained in Chapter 14, Article IV of the City Code will continue to serve as the standards by which alterations, additions and other changes to buildings and structures located upon the above-described Property will be reviewed.

Section 3. In compliance with Section 14-36 of the City Code, the City shall, within fifteen days of the effective date of this Ordinance, record among the real estate records of the Larimer County Clerk and Recorder a certified copy of this Ordinance amending the designation of the Property.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Heather N. Jarvis



RESOLUTION 1, 2025
OF THE CITY OF FORT COLLINS
HISTORIC PRESERVATION COMMISSION
RECOMMENDING AMENDMENT OF THE LANDMARK DESIGNATIONS OF THE
WILLARD AND GLADYS EDDY HOUSE AND SHARED BARN,
509 REMINGTON STREET, AND THE FRED W. STOVER HOUSE AND GARAGE, 515
REMINGTON STREET, FORT COLLINS, COLORADO,
PURSUANT TO CHAPTER 14 OF THE CODE OF THE CITY OF FORT COLLINS

WHEREAS, it is a matter of public policy that the protection, enhancement, and perpetuation of sites, structures, objects, and districts of historic, architectural, archeological, or geographic significance, located within the City, are a public necessity and are required in the interest of the prosperity, civic pride, and general welfare of the people; and

WHEREAS, it is the policy of the City Council that the economic, cultural, and aesthetic standing of this City cannot be maintained or enhanced by disregarding the historic, architectural, archeological, and geographical heritage of the City and by ignoring the destruction or defacement of such cultural assets; and

WHEREAS, the Willard and Gladys Eddy House and Shared Barn, located at 509 Remington Street in Fort Collins was designated as Fort Collins Landmarks by Ordinance No. 149, 1997, adopted on October 21, 1997, for the property's historical and architectural significance to Fort Collins (corresponding to Municipal Code Section 14-22(a) under Standard 2, Persons/Groups, for association with Willard and Gladys Eddy, and Standard 3, Design/Construction, for the house's Foursquare architecture and the barn being an early and rare example of a barn in this neighborhood); and

WHEREAS, the Fred W. Stover House, Garage, and Shared Barn, located at 515 Remington Street in Fort Collins was designated as Fort Collins Landmarks by Ordinance No. 151, 1997, adopted on October 21, 1997, for the property's historical and architectural significance to Fort Collins (corresponding to Municipal Code Section 14-22(a) under Standard 2, Persons/Groups, for association with Fred W. Stover, and Standard 3, Design/Construction, for the house's Victorian architecture with Colonial Revival details, for the brick garage, and the barn being an early and rare example of a barn in this neighborhood); and

WHEREAS, the property owners have requested amendments to the existing designations, specifically a modification to the boundaries to reflect a lot line adjustment recorded with Larimer County at Reception #20240030529 and to the name of the 515 Remington Street Landmark to reflect the relocation of the shared barn to entirely within the 509 Remington Street Landmark; and

WHEREAS, the Historic Preservation Commission approved relocation of the barn and issued a Certificate of Appropriateness dated February 19, 2025; and

City of Fort Collins Historic Preservation Commission
Resolution No. 1, 2025

WHEREAS, the Historic Preservation Commission has determined that the amendment to the properties' Landmark boundaries is consistent with the City's Policies in Municipal Code 14-1 and Purposes in Municipal Code 14-2 and would not result in adverse effects to the properties' significance and/or integrity.

NOW, THEREFORE, be it resolved by the Historic Preservation Commission of the City of Fort Collins as follows:

Section 1. That the Historic Preservation Commission hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Historic Preservation Commission hereby incorporates the following findings of fact:

- a. That the amendments proposed will continue to advance the City of Fort Collins Policies and Purposes for Historic Preservation; and
- b. That the properties are significant under Municipal Code Section 14-22(a) and will continue to convey that significance after this amendment.
- c. That the properties possess integrity under Municipal Code Section 14-22(b) and will continue to possess integrity after this amendment.

Section 3. That the Landmark boundary of the designated property located at 509 Remington Street in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

NORTH FORTY-FIVE FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO ALSO KNOWN AS 509 REMINGTON STREET

should be amended to read as follows:

NORTH 45 FEET OF LOT 6 AND THE SOUTH 5 FEET OF THE WEST 39 FEET OF LOT 6, AND THE NORTH 8 FEET OF THE WEST 39 FEET OF LOT 5, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, ALSO KNOWN AS 509 REMINGTON STREET

Section 4. That the Landmark boundary of the designated property located at 515 Remington Street in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

LOT 5 AND THE SOUTH 5 FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO ALSO KNOWN AS 515 REMINGTON STREET

should be amended to read as follows:

City of Fort Collins Historic Preservation Commission
Resolution No. 1, 2025

LOT 5 AND THE SOUTH 5 FEET OF LOT 6, EXCEPT THE NORTH 8 FEET OF THE WEST 39 FEET OF LOT 5, AND EXCEPT THE SOUTH 5 FEET OF THE WEST 39 FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, ALSO KNOWN AS 515 REMINGTON STREET

Section 5. That the phrase “shared barn” should be stricken from the name of the 515 Remington Street Landmark.

Section 6. That the criteria contained in Chapter 14, Article IV of the Municipal Code will continue to serve as the standards by which alterations, additions and other changes to buildings and structures located upon the above described properties will be reviewed.

Passed and adopted at a regular meeting of the Historic Preservation Commission of the City of Fort Collins held this 19th day of February, 2025.

Signed by:

Jim Rose

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Jim Rose, Chair

ATTEST:

Signed by:

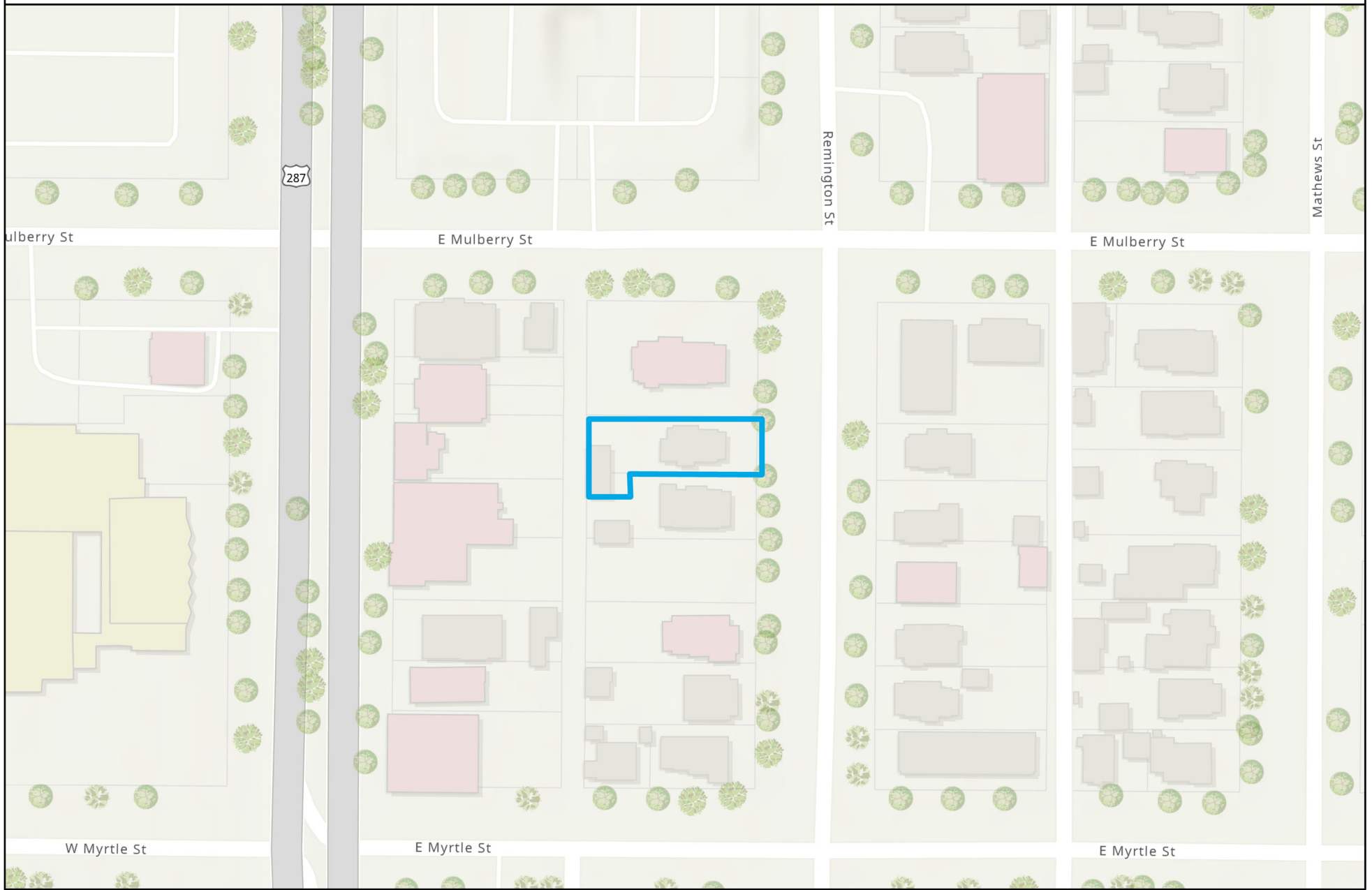
Jeyana Jones

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Secretary/Staff

Willard and Gladys Eddy House & Shared Barn (509 Remington St.)

Item 19.



ORDINANCE NO. 149, 1997
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 DESIGNATING THE WILLARD AND GLADYS EDDY HOUSE AND SHARED BARN,
 509 REMINGTON STREET, FORT COLLINS, COLORADO,
 AS A HISTORIC LANDMARK PURSUANT TO CHAPTER 14 OF
 THE CODE OF THE CITY OF FORT COLLINS

WHEREAS, pursuant to Section 14-2 of the City Code, the City Council has established a public policy encouraging the protection, enhancement and perpetuation of historic landmarks within the City; and

WHEREAS, by Resolution dated September 23, 1997 the Landmark Preservation Commission ("Commission") has determined that the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado have importance to the City in that they represents architectural and historical significance; and

WHEREAS, the Commission has further determined that said property meets the criteria of a landmark as set forth in Section 14-5 of the Code and is eligible for designation as a local landmark, and has recommended to the City Council that said property be designated by the City Council as a local landmark; and

WHEREAS, the owner of the property has consented to such landmark designation; and

WHEREAS, such landmark designation will preserve the property's significance to the community; and

WHEREAS, the City Council has reviewed the recommendation of the Commission and desires to approve such recommendation and designate said property as a historic landmark.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

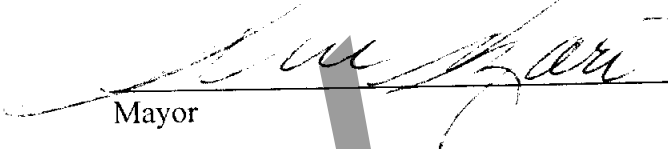
Section 1. That the structures, know as the Willard and Gladys Eddy House and Shared Barn, located on lands in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

North forty five feet of Lot 6, Block 125, City of Fort Collins,
 County of Larimer, State of Colorado
 also known as 509 Remington Street

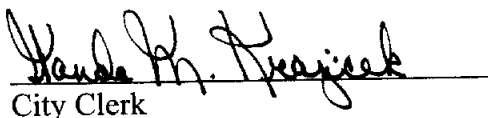
be, and hereby is, designated as a historic landmark pursuant to Chapter 14 of the Code of the City of Fort Collins.

Section 2. That the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, Revised 1983) shall serve as the standards by which alterations, additions and other changes to the structures located upon the above described property shall be reviewed for compliance with Chapter 14, Article III, of the Code of the City of Fort Collins.

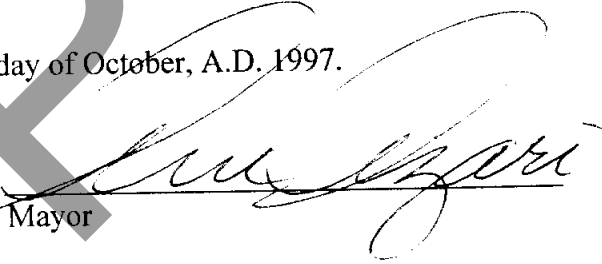
Introduced, considered favorably on first reading, and ordered published this 7th day of October, A.D. 1997, and to be presented for final passage on the 21st day of October, A.D. 1997.


Mayor

ATTEST:

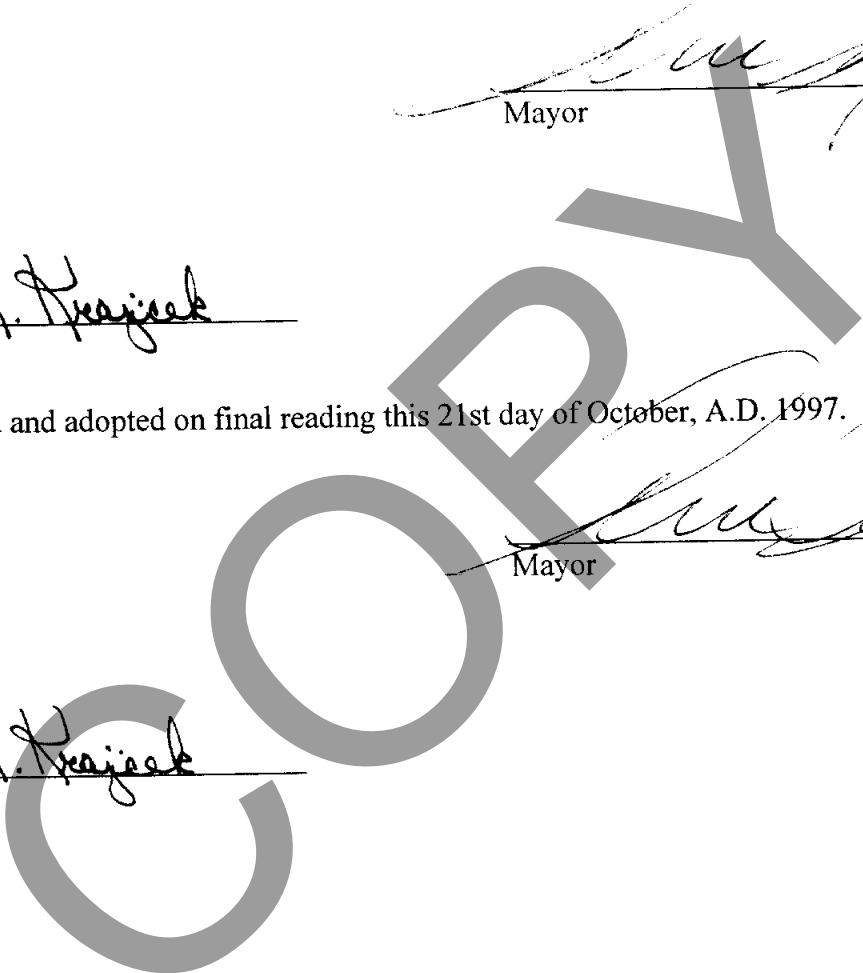

City Clerk

Passed and adopted on final reading this 21st day of October, A.D. 1997.


Mayor

ATTEST:


City Clerk



ACKNOWLEDGEMENT

Property: 509 Remington St.

The undersigned owner, or owners, of the Property hereby submit the Property for designation as a Fort Collins landmark pursuant to the Fort Collins Landmark Preservation Ordinance, Chapter 14 of the Code of the City of Fort Collins. The undersigned owner, or owners, certify that all signatures necessary to consent to the designation of the Property are affixed below.

I understand that upon designation, I or my successors will be required to receive approval from the City of Fort Collins Historic Preservation staff prior to the occurrence of any of the following:

- Preparation of plans for reconstruction or alteration of the exterior of the improvements on the Property or interior spaces readily visible from any public street, alley, park, or other public place; and/or
- Preparation of plans for construction of, addition to, or demolition of improvements on the Property.

DATED this Jan 28th day of 28, 2025.

Kevin and Dawn M. Buffington
Owner Name (please print)

Kevin D. Buffington, Dawn M. Buffington
Owner Signature

State of COLORADO

)ss.

County of ROUIT

BLANE JOYNER
Notary Public
State of Colorado
Notary ID # 20234029694
My Commission Expires 08-04-2027

Subscribed and sworn before me this 28 day of JANUARY, 2025.

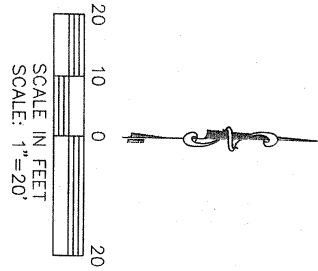
by KEVIN AND DAWN BUFFINGTON

Witness my hand and official seal. My commission expires 08-04-2027.

Blane Joyner
Notary

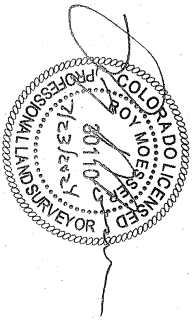
EXHIBIT SKETCH

NOTICE OF BOUNDARY LINE ADJUSTMENT BETWEEN LOT 5 AND LOT 6,
 CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
 NW1/4, Section 13, T. 7 N., R. 69 W. of the 6th P.M.



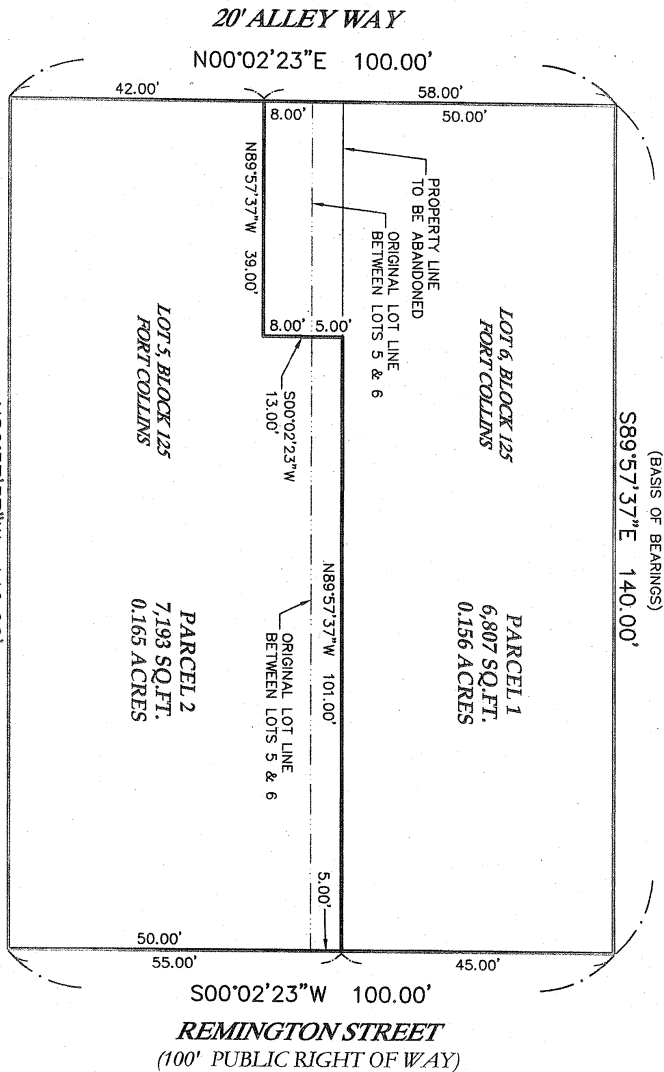
The Boundary Line Adjustment depicted on this Exhibit complies with Fort Collins Land Use Code Regulations for "Non-Regulated Land Transfers" as set forth in Sec.14.7(A).

Rob Bianchetti
 Zoning Administrator 7/24/2024



Roy Moesser - On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #30110

NOTICE: This drawing is intended as an illustration of the parcels described in the deed(s) which is (are) being recorded to accomplish a Non-Regulated Land Transfer (Boundary Line Adjustment). This is not a document of conveyance, nor is it a Land Survey Plat, Subdivision Plat or Replat.
 NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein. (13-80-105 C.R.S. 2012)



KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821
 email: contact@KingSurveyors.com

PROJECT NO: 20230537
 DATE: 7/23/2024
 CLIENT: Kevin Burfington
 DWG: 20230537-BLA-EXH
 DRAWN: CSK CHECKED: RM

EXHIBIT A

PARCEL 1 DESCRIPTION

A parcel of land, being a portion of the Northwest Quarter of the Northwest Quarter (NW1/4,NW1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

The North 45 feet of Lot 6, and the South 5 feet of the West 39 feet of Lot 6, and the North 8 feet of the West 39 feet of Lot 5, Block 125, City of Fort Collins, County of Larimer, State of Colorado.

SURVEYOR'S STATEMENT

I, Roy Moesser, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, that it is in accordance with applicable standards of practice, that it is not a guaranty or warranty, either expressed or implied, and that it is true and correct to the best of my knowledge, information and belief.



Roy Moesser - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #30110

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

EXHIBIT A

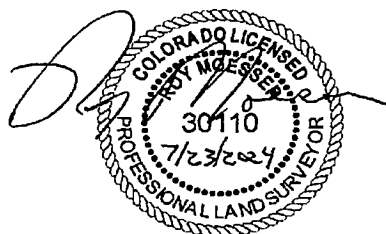
PARCEL 2 DESCRIPTION

A parcel of land, being a portion of the Northwest Quarter of the Northwest Quarter (NW1/4,NW1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

Lot 5 and the South 5 feet of Lot 6, Except the North 8 feet of the West 39 feet of Lot 5, and Except the South 5 feet of the West 39 feet of Lot 6, Block 125, City of Fort Collins, County of Larimer, State of Colorado.

SURVEYOR'S STATEMENT

I, Roy Moesser, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, that it is in accordance with applicable standards of practice, that it is not a guaranty or warranty, either expressed or implied, and that it is true and correct to the best of my knowledge, information and belief.



Roy Moesser - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #30110

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

EXHIBIT A



DESCRIPTION OF PARCEL TO BE TRANSFERRED

A parcel of land, being a portion of the Northwest Quarter of the Northwest Quarter (NW1/4,NW1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

The North 8 feet of the West 39 feet of Lot 5, and the South 5 feet of the West 39 feet of Lot 6, Block 125, City of Fort Collins, County of Larimer, State of Colorado.

SURVEYOR'S STATEMENT

I, Roy Moesser, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, that it is in accordance with applicable standards of practice, that it is not a guaranty or warranty, either expressed or implied, and that it is true and correct to the best of my knowledge, information and belief.

Roy Moesser - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #30110

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

File Attachments for Item:

20. First Reading of Ordinance No. 053, 2025, Amending the Boundary and Landmark Name of the Fred W. Stover House and Garage, 515 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The purpose of this item is to seek an amendment, as requested by the property owners of 515 Remington Street, a City Landmark designated in 1997, to the Landmark boundary and title listed in the designation ordinance of their property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024, and the barn that was shared between 515 and 509 Remington Street was relocated entirely within the 509 Remington Street parcel. After review and consideration of the proposal at their February 19, 2025, hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the boundary and the name of the Landmark.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Lori Schwarz, Director, Community Development & Neighborhood Services
 Maren Bzdek, Manager, Historic Preservation Services
 Yani Jones, Historic Preservation Planner

SUBJECT

First Reading of Ordinance No. 053, 2025, Amending the Boundary and Landmark Name of the Fred W. Stover House and Garage, 515 Remington Street, Fort Collins, Colorado, a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

EXECUTIVE SUMMARY

The purpose of this item is to seek an amendment, as requested by the property owners of 515 Remington Street, a City Landmark designated in 1997, to the Landmark boundary and title listed in the designation ordinance of their property to more accurately reflect its legal description. The lot line modification was recorded with Larimer County in 2024, and the barn that was shared between 515 and 509 Remington Street was relocated entirely within the 509 Remington Street parcel. After review and consideration of the proposal at their February 19, 2025, hearing, the Historic Preservation Commission (HPC) recommended through HPC Resolution 1, 2025, that Council approve the Ordinance amending the boundary and the name of the Landmark.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Council designated the Fred W. Stover House, Garage, and Shared Barn at 515 Remington St. as a City Landmark on Oct. 21, 1997, for their architectural and historical significance. Under the current Municipal Code, the significance of 515 Remington Street without the barn would fall under Standard 2 (Persons/Groups), for association with Fred W. Stover, an early Fort Collins resident, mayor, and judge, and under Standard 3 (Design/Construction), for the house's Victorian architecture with Colonial Revival details and the brick garage dating to the period of significance.

The subject property, along with 509 Remington St. to its north, underwent a lot line adjustment in 2024, recorded with Larimer County at Reception #20240030529. This modified the west portion of the property line between the two parcels, specifically the section that intersected the shared barn. To accurately reflect the boundaries of the Landmark properties, amendments to the Landmark Ordinances are needed.

Additionally, on February 19, 2025, the Historic Preservation Commission (HPC) reviewed and approved through the issuance of a Certificate of Appropriateness a Final Landmark Design Review application for

509 Remington Street that included a rehabilitation project for the historic barn and its relocation to entirely within the 509 Remington Street parcel. Because this approved project will move the shared barn outside of the boundary of 515 Remington Street, the term “shared barn” should also be removed from this property’s Landmark Designation.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

At their February 19, 2025, regular meeting, the HPC considered the evidence presented and determined that the proposed Landmark Ordinance amendment would support the City’s historic preservation policies, outlined under City Code Section 14-1, and purposes, outlined under City Code Section 14-2, and would not result in a negative effect to the historic property based on its significance, period of significance, and character-defining features. The HPC adopted Resolution 1, 2025, recommending that Council approve the Ordinance amendment.

PUBLIC OUTREACH

Because this proposed Landmark Designation amendment was supported by the property owner, public outreach or noticing described under City Code Section 14-34 was not required. Outreach was limited to coordination with the property owners for this item and the public hearing that occurred at the February 19, 2025, HPC regular meeting. No public comment was received at the hearing.

ATTACHMENTS

1. Ordinance for Consideration
2. Historic Preservation Council Resolution 1, 2025
3. Location Map
4. 1997 Landmark Ordinance
5. Landmark Owner Acknowledgment
6. 2024 Lot Line Adjustment Record

ORDINANCE NO. 053, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE BOUNDARY AND LANDMARK NAME OF THE FRED W. STOVER
HOUSE AND GARAGE, 515 REMINGTON STREET, FORT COLLINS, COLORADO, A
FORT COLLINS LANDMARK PURSUANT TO CHAPTER 14 OF THE CODE OF THE
CITY OF FORT COLLINS

A. It is a matter of public policy that the protection, enhancement, and perpetuation of sites, structures, objects, and districts of historic, architectural, archeological, or geographic significance, located within the City, are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people.

B. It is the policy of the City Council that the economic, cultural, and aesthetic standing of this City cannot be maintained or enhanced by disregarding the historic, architectural, archeological, and geographical heritage of the City and by ignoring the destruction or defacement of such cultural assets.

C. The Fred W. Stover House, Garage, and Shared Barn, located at 515 Remington Street in Fort Collins (the "Property") was designated as a Fort Collins Landmark by Ordinance No. 151, 1997 adopted on Oct. 21, 1997, for the Property's historic and architectural significance (corresponding to City Code Section 14-22(a) under Standard 2, Persons/Groups, for association with Fred W. Stover, and Standard 3, Design/Construction, for the house's Victorian architecture with Colonial Revival details, for the brick garage, and for the barn being an early and rare example of a barn in this neighborhood, historically shared with 509 Remington Street).

D. The Property owners have requested an amendment to the existing designation, specifically a modification to the boundary to reflect a lot line adjustment recorded with Larimer County at Reception #20240030529 and to the title of the landmark designation to reflect the relocation of the shared barn to entirely within the neighboring parcel (Willard and Gladys Eddy House and Shared Barn) outside the boundary of 515 Remington Street.

E. The Historic Preservation Commission approved relocation of the barn and issued a Certificate of Appropriateness dated February 19, 2025.

F. The Historic Preservation Commission has determined that the amendment to the Property's Landmark boundary and name is consistent with the City's Policies in City Code Section 14-1 and Purposes in City Code Section 14-2 and would not result in adverse effects to the Property and therefore passed a resolution recommending adoption of this Landmark Ordinance.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The boundary of the Landmark Property located in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

LOT 5 AND THE SOUTH 5 FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS,
COUNTY OF LARIMER, STATE OF COLORADO ALSO KNOWN AS 515
REMINGTON STREET

is amended to read:

LOT 5 AND THE SOUTH 5 FEET OF LOT 6, EXCEPT THE NORTH 8 FEET OF THE
WEST 39 FEET OF LOT 5, AND EXCEPT THE SOUTH 5 FEET OF THE WEST 39
FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER,
STATE OF COLORADO, ALSO KNOWN AS 515 REMINGTON STREET

Section 2. The phrase “shared barn” is stricken from the name of the Landmark as reflected in the title of this Ordinance amending the designation of the Property.

Section 3. The criteria contained in Chapter 14, Article IV of the City Code will continue to serve as the standards by which alterations, additions and other changes to buildings and structures located upon the above-described Property will be reviewed.

Section 4. In compliance with Section 14-36 of the City Code, the City shall, within fifteen days of the effective date of this Ordinance, record among the real estate records of the Larimer County Clerk and Recorder a certified copy of this Ordinance amending the designation of the Property.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Heather N. Jarvis



RESOLUTION 1, 2025
OF THE CITY OF FORT COLLINS
HISTORIC PRESERVATION COMMISSION
RECOMMENDING AMENDMENT OF THE LANDMARK DESIGNATIONS OF THE
WILLARD AND GLADYS EDDY HOUSE AND SHARED BARN,
509 REMINGTON STREET, AND THE FRED W. STOVER HOUSE AND GARAGE, 515
REMINGTON STREET, FORT COLLINS, COLORADO,
PURSUANT TO CHAPTER 14 OF THE CODE OF THE CITY OF FORT COLLINS

WHEREAS, it is a matter of public policy that the protection, enhancement, and perpetuation of sites, structures, objects, and districts of historic, architectural, archeological, or geographic significance, located within the City, are a public necessity and are required in the interest of the prosperity, civic pride, and general welfare of the people; and

WHEREAS, it is the policy of the City Council that the economic, cultural, and aesthetic standing of this City cannot be maintained or enhanced by disregarding the historic, architectural, archeological, and geographical heritage of the City and by ignoring the destruction or defacement of such cultural assets; and

WHEREAS, the Willard and Gladys Eddy House and Shared Barn, located at 509 Remington Street in Fort Collins was designated as Fort Collins Landmarks by Ordinance No. 149, 1997, adopted on October 21, 1997, for the property's historical and architectural significance to Fort Collins (corresponding to Municipal Code Section 14-22(a) under Standard 2, Persons/Groups, for association with Willard and Gladys Eddy, and Standard 3, Design/Construction, for the house's Foursquare architecture and the barn being an early and rare example of a barn in this neighborhood); and

WHEREAS, the Fred W. Stover House, Garage, and Shared Barn, located at 515 Remington Street in Fort Collins was designated as Fort Collins Landmarks by Ordinance No. 151, 1997, adopted on October 21, 1997, for the property's historical and architectural significance to Fort Collins (corresponding to Municipal Code Section 14-22(a) under Standard 2, Persons/Groups, for association with Fred W. Stover, and Standard 3, Design/Construction, for the house's Victorian architecture with Colonial Revival details, for the brick garage, and the barn being an early and rare example of a barn in this neighborhood); and

WHEREAS, the property owners have requested amendments to the existing designations, specifically a modification to the boundaries to reflect a lot line adjustment recorded with Larimer County at Reception #20240030529 and to the name of the 515 Remington Street Landmark to reflect the relocation of the shared barn to entirely within the 509 Remington Street Landmark; and

WHEREAS, the Historic Preservation Commission approved relocation of the barn and issued a Certificate of Appropriateness dated February 19, 2025; and

City of Fort Collins Historic Preservation Commission
Resolution No. 1, 2025

WHEREAS, the Historic Preservation Commission has determined that the amendment to the properties' Landmark boundaries is consistent with the City's Policies in Municipal Code 14-1 and Purposes in Municipal Code 14-2 and would not result in adverse effects to the properties' significance and/or integrity.

NOW, THEREFORE, be it resolved by the Historic Preservation Commission of the City of Fort Collins as follows:

Section 1. That the Historic Preservation Commission hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Historic Preservation Commission hereby incorporates the following findings of fact:

- a. That the amendments proposed will continue to advance the City of Fort Collins Policies and Purposes for Historic Preservation; and
- b. That the properties are significant under Municipal Code Section 14-22(a) and will continue to convey that significance after this amendment.
- c. That the properties possess integrity under Municipal Code Section 14-22(b) and will continue to possess integrity after this amendment.

Section 3. That the Landmark boundary of the designated property located at 509 Remington Street in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

NORTH FORTY-FIVE FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO ALSO KNOWN AS 509 REMINGTON STREET

should be amended to read as follows:

NORTH 45 FEET OF LOT 6 AND THE SOUTH 5 FEET OF THE WEST 39 FEET OF LOT 6, AND THE NORTH 8 FEET OF THE WEST 39 FEET OF LOT 5, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, ALSO KNOWN AS 509 REMINGTON STREET

Section 4. That the Landmark boundary of the designated property located at 515 Remington Street in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

LOT 5 AND THE SOUTH 5 FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO ALSO KNOWN AS 515 REMINGTON STREET

should be amended to read as follows:

City of Fort Collins Historic Preservation Commission
Resolution No. 1, 2025

LOT 5 AND THE SOUTH 5 FEET OF LOT 6, EXCEPT THE NORTH 8 FEET OF THE WEST 39 FEET OF LOT 5, AND EXCEPT THE SOUTH 5 FEET OF THE WEST 39 FEET OF LOT 6, BLOCK 125, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO, ALSO KNOWN AS 515 REMINGTON STREET

Section 5. That the phrase “shared barn” should be stricken from the name of the 515 Remington Street Landmark.

Section 6. That the criteria contained in Chapter 14, Article IV of the Municipal Code will continue to serve as the standards by which alterations, additions and other changes to buildings and structures located upon the above described properties will be reviewed.

Passed and adopted at a regular meeting of the Historic Preservation Commission of the City of Fort Collins held this 19th day of February, 2025.

Signed by:

Jim Rose

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Jim Rose, Chair

ATTEST:

Signed by:

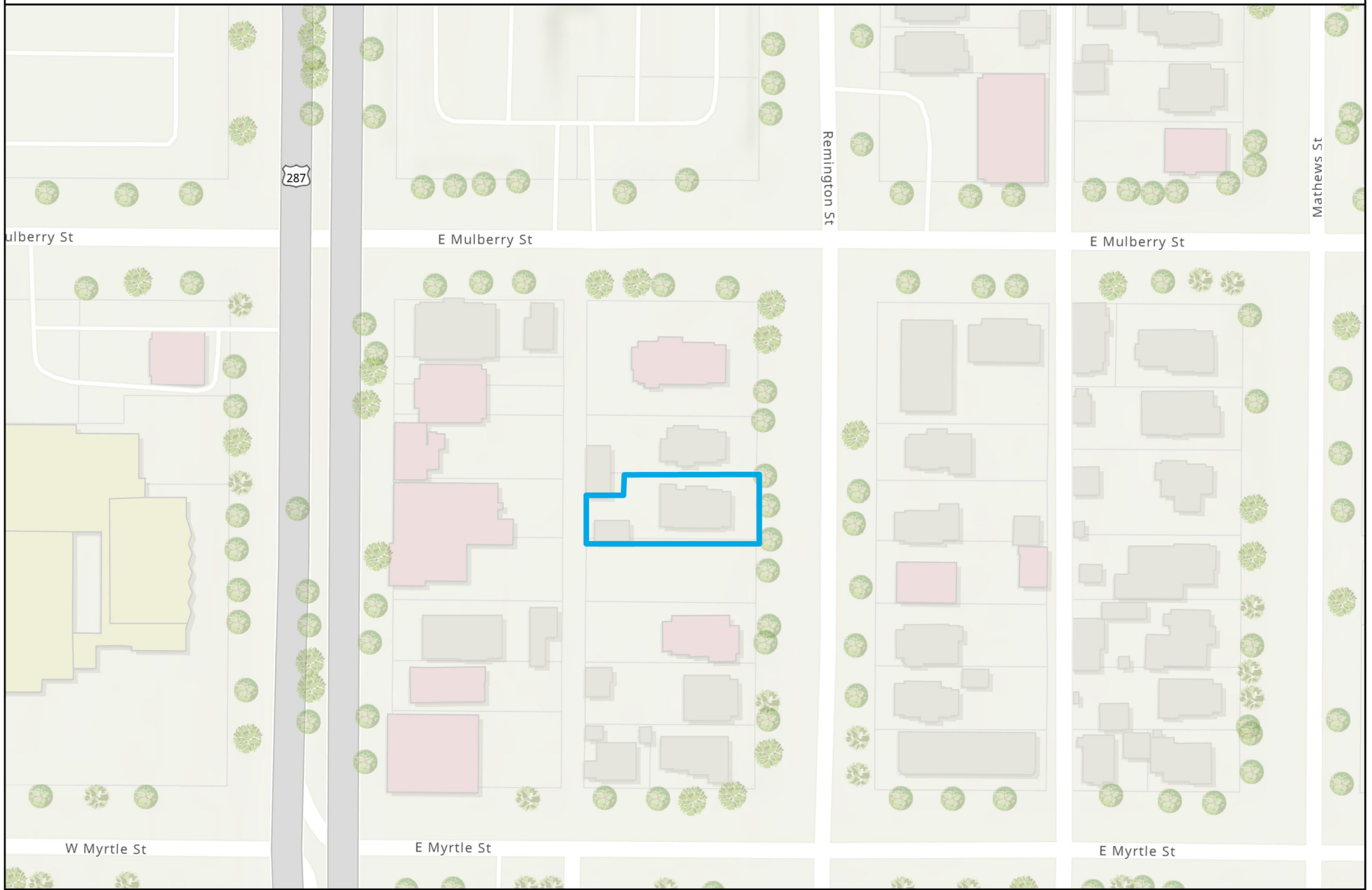
Jeyana Jones

33817E7A690E480FC

Secretary/Staff

Fred W. Stover House and Garage (515 Remington St.)

Item 20.



ORDINANCE NO. 149, 1997
OF THE COUNCIL OF THE CITY OF FORT COLLINS
DESIGNATING THE WILLARD AND GLADYS EDDY HOUSE AND SHARED BARN,
509 REMINGTON STREET, FORT COLLINS, COLORADO,
AS A HISTORIC LANDMARK PURSUANT TO CHAPTER 14 OF
THE CODE OF THE CITY OF FORT COLLINS

WHEREAS, pursuant to Section 14-2 of the City Code, the City Council has established a public policy encouraging the protection, enhancement and perpetuation of historic landmarks within the City; and

WHEREAS, by Resolution dated September 23, 1997 the Landmark Preservation Commission ("Commission") has determined that the Willard and Gladys Eddy House and Shared Barn, 509 Remington Street, Fort Collins, Colorado have importance to the City in that they represents architectural and historical significance; and

WHEREAS, the Commission has further determined that said property meets the criteria of a landmark as set forth in Section 14-5 of the Code and is eligible for designation as a local landmark, and has recommended to the City Council that said property be designated by the City Council as a local landmark; and

WHEREAS, the owner of the property has consented to such landmark designation; and

WHEREAS, such landmark designation will preserve the property's significance to the community; and

WHEREAS, the City Council has reviewed the recommendation of the Commission and desires to approve such recommendation and designate said property as a historic landmark.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

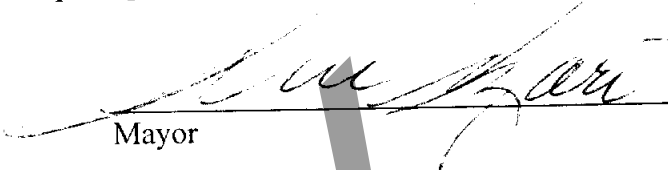
Section 1. That the structures, know as the Willard and Gladys Eddy House and Shared Barn, located on lands in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

North forty five feet of Lot 6, Block 125, City of Fort Collins,
County of Larimer, State of Colorado
also known as 509 Remington Street

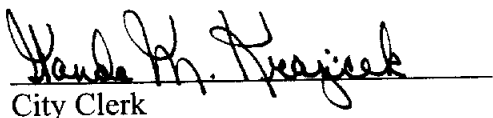
be, and hereby is, designated as a historic landmark pursuant to Chapter 14 of the Code of the City of Fort Collins.

Section 2. That the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, Revised 1983) shall serve as the standards by which alterations, additions and other changes to the structures located upon the above described property shall be reviewed for compliance with Chapter 14, Article III, of the Code of the City of Fort Collins.

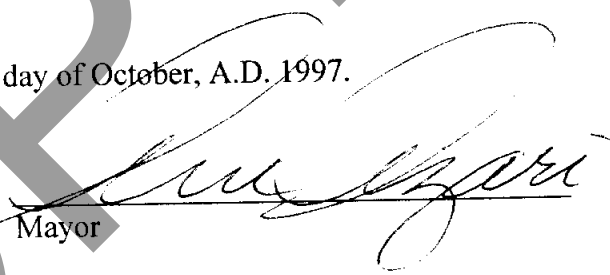
Introduced, considered favorably on first reading, and ordered published this 7th day of October, A.D. 1997, and to be presented for final passage on the 21st day of October, A.D. 1997.


Mayor

ATTEST:

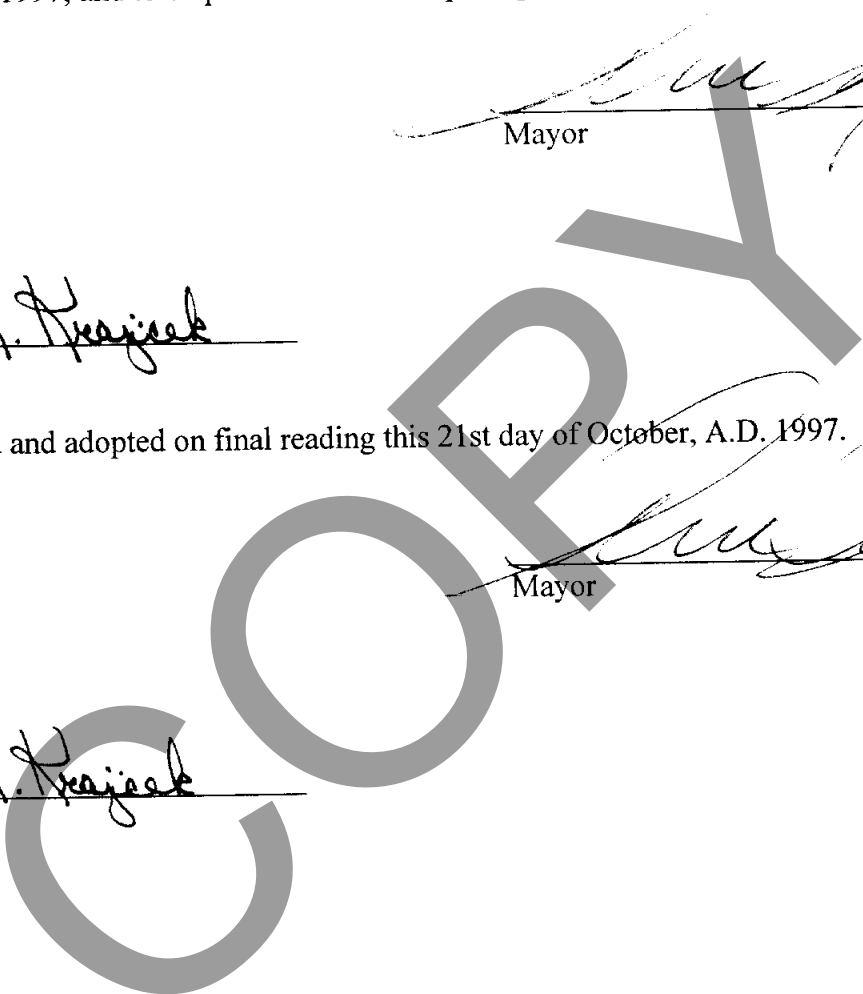

City Clerk

Passed and adopted on final reading this 21st day of October, A.D. 1997.


Mayor

ATTEST:


City Clerk



ACKNOWLEDGEMENT

Property: 515 Remington St.

The undersigned owner, or owners, of the Property hereby submit the Property for designation as a Fort Collins landmark pursuant to the Fort Collins Landmark Preservation Ordinance, Chapter 14 of the Code of the City of Fort Collins. The undersigned owner, or owners, certify that all signatures necessary to consent to the designation of the Property are affixed below.

I understand that upon designation, I or my successors will be required to receive approval from the City of Fort Collins Historic Preservation staff prior to the occurrence of any of the following:

- Preparation of plans for reconstruction or alteration of the exterior of the improvements on the Property or interior spaces readily visible from any public street, alley, park, or other public place; and/or
- Preparation of plans for construction of, addition to, or demolition of improvements on the Property.

DATED this January day of 28, 2025.

Kevin D. Buffington Dawn M. Buffington
Owner Name (please print)

Kevin D. Buffington Dawn M. Buffington
Owner Signature

State of Colorado

County of ROUT

)ss.

BLANE JOYNER
Notary Public
State of Colorado
Notary ID # 20234029694
My Commission Expires 08-04-2027

Subscribed and sworn before me this 28 day of JANUARY, 2025.

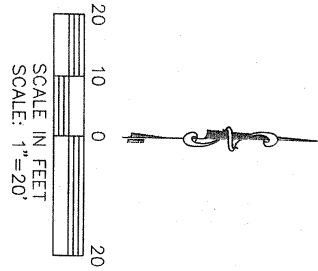
by KEVIN AND DAWN BUFFINGTON

Witness my hand and official seal. My commission expires 08-04-2027.

Blane Joyner
Notary

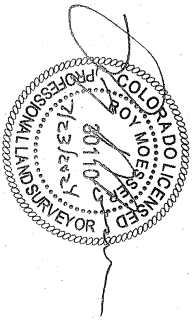
EXHIBIT SKETCH

NOTICE OF BOUNDARY LINE ADJUSTMENT BETWEEN LOT 5 AND LOT 6,
 CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
 NW1/4, Section 13, T. 7 N., R. 69 W. of the 6th P.M.

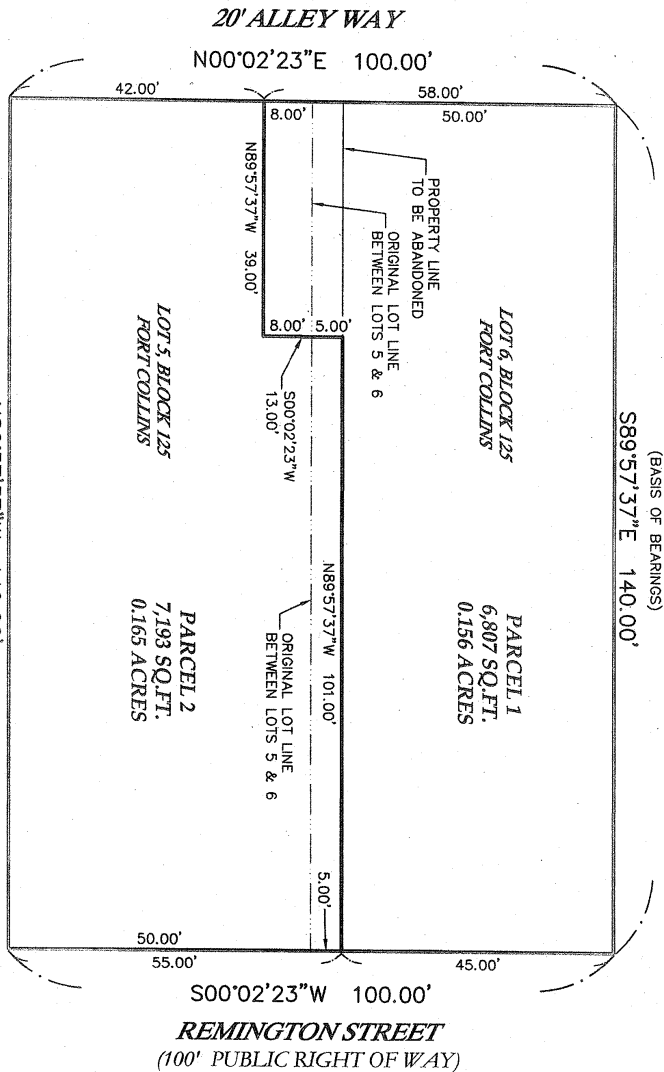


The Boundary Line Adjustment depicted on this Exhibit complies with Fort Collins Land Use Code Regulations for "Non-Regulated Land Transfers" as set forth in Sec.14.7(A).

Rob Bianchetti
 Zoning Administrator
 7/24/2024



Roy Moesser - On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #30110



NOTICE: This drawing is intended as an illustration of the parcels described in the deed(s) which is (are) being recorded to accomplish a Non-Regulated Land Transfer (Boundary Line Adjustment). This is not a document of conveyance, nor is it a Land Survey Plat, Subdivision Plat or Replat.
 NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein. (13-80-105 C.R.S. 2012)



KING SURVEYORS
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821
 email: contact@KingSurveyors.com

PROJECT NO: 20230537
 DATE: 7/23/2024
 CLIENT: Kevin Buffington
 DWG: 20230537-BLA-EXH
 DRAWN: CSK CHECKED: RM

EXHIBIT A

PARCEL 1 DESCRIPTION

A parcel of land, being a portion of the Northwest Quarter of the Northwest Quarter (NW1/4,NW1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

The North 45 feet of Lot 6, and the South 5 feet of the West 39 feet of Lot 6, and the North 8 feet of the West 39 feet of Lot 5, Block 125, City of Fort Collins, County of Larimer, State of Colorado.

SURVEYOR'S STATEMENT

I, Roy Moesser, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, that it is in accordance with applicable standards of practice, that it is not a guaranty or warranty, either expressed or implied, and that it is true and correct to the best of my knowledge, information and belief.



Roy Moesser - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #30110

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

EXHIBIT A

PARCEL 2 DESCRIPTION

A parcel of land, being a portion of the Northwest Quarter of the Northwest Quarter (NW1/4,NW1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

Lot 5 and the South 5 feet of Lot 6, Except the North 8 feet of the West 39 feet of Lot 5, and Except the South 5 feet of the West 39 feet of Lot 6, Block 125, City of Fort Collins, County of Larimer, State of Colorado.

SURVEYOR'S STATEMENT

I, Roy Moesser, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, that it is in accordance with applicable standards of practice, that it is not a guaranty or warranty, either expressed or implied, and that it is true and correct to the best of my knowledge, information and belief.



Roy Moesser - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #30110

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

EXHIBIT A

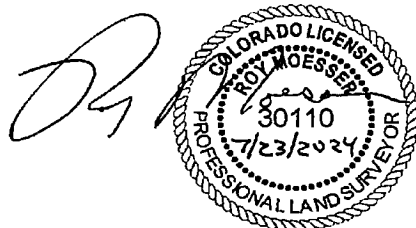
DESCRIPTION OF PARCEL TO BE TRANSFERRED

A parcel of land, being a portion of the Northwest Quarter of the Northwest Quarter (NW1/4,NW1/4) of Section Thirteen (13), Township Seven North (T.7N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

The North 8 feet of the West 39 feet of Lot 5, and the South 5 feet of the West 39 feet of Lot 6, Block 125, City of Fort Collins, County of Larimer, State of Colorado.

SURVEYOR'S STATEMENT

I, Roy Moesser, a Colorado Licensed Professional Land Surveyor, do hereby state that this Parcel Description was prepared under my personal supervision and checking, that it is in accordance with applicable standards of practice, that it is not a guaranty or warranty, either expressed or implied, and that it is true and correct to the best of my knowledge, information and belief.



Roy Moesser - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #30110

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

File Attachments for Item:

21. Resolution 2025-017 Approving an Intergovernmental Agreement and Grant Agreement with Larimer County for a Grant From the City's Digital Inclusion Program.

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Larimer County for a Digital Inclusion grant made to the Larimer County Economic and Workforce Development to support the "Digital Roots" bilingual program.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Nina Bodenhamer, City Give Director

SUBJECT

Resolution 2025-017 Approving an Intergovernmental Agreement and Grant Agreement with Larimer County for a Grant From the City's Digital Inclusion Program.

EXECUTIVE SUMMARY

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Larimer County for a Digital Inclusion grant made to the Larimer County Economic and Workforce Development to support the "Digital Roots" bilingual program.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

Connexion, created by and for our community, was launched to improve life and business in Fort Collins through faster, more accessible, and more affordable internet.

The City requires that 6% of Connexion's gross receipts be transferred to the City General Fund as a broadband Payment in Lieu of Taxes (PILOT), per City Code Sec. 26-583. Council has recognized the economic inequality resulting from limited or unreliable internet access creates a gap in economic and educational opportunities for some City residents and their children, often referred to as the "digital divide."

Council appropriates funds to be used through the DI Program (the "DI Program") to address the "digital divide" by providing, among other things, grants to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantaged constituents with access to affordable Internet services and digital literacy.

Larimer County Economic and Workforce Development has requested a \$85,000 grant in 2025 from the City's DI Program in order to support job seekers in learning or grow their digital skills for a successful job search through its program, Digital Roots, which also provides participants who successfully complete the program with a device that they get to keep upon completion. City staff has reviewed this request and has recommended that the grant be awarded.

To authorize and administer the Grant, City and County staff have negotiated and are proposing that the City and Larimer County enter into both an Intergovernmental Agreement Authorizing a Grant under the City of Fort Collins Digital Inclusion Program (the “Grant IGA”) and a Grant Agreement under the City of Fort Collins Digital Inclusion Program (the “Grant Agreement”).

CITY FINANCIAL IMPACTS

Council appropriated in the City’s biennial 2025-2026 budget (Neighborhood Livability and Social Health Budget Offer #34.2), funds to be used through the City’s Digital Inclusion Program (the “DI Program”).

Upon adoption, this Resolution will authorize the City Manager to enter into the Grant IGA and Grant Agreement on the City’s behalf, and to disburse from amounts appropriated in the City’s DI Program \$85,000 as a grant to the Larimer County Economic and Workforce Development for its Digital Roots program, a purpose which helps address the “digital divide” in the City. Funds disbursed pursuant to this Resolution, Grant IGA, and Grant Agreement are subject to the availability of appropriated funds.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution for Consideration
2. Exhibit A to Resolution (Grant IGA)
3. Exhibit B to Resolution (Grant Agreement)

RESOLUTION 2025-017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN INTERGOVERNMENTAL AGREEMENT AND GRANT AGREEMENT
WITH LARIMER COUNTY FOR A GRANT FROM THE CITY'S DIGITAL INCLUSION
PROGRAM

A. The City has established and is operating as a utility a fiber-optic broadband system known as Connexion, which provides various telecommunication services, including internet services.

B. Related to the City's operation of Connexion, the City Council has recognized that because of economic inequality many residents of Fort Collins do not have access to affordable and reliable Internet services causing a gap in economic and educational opportunity for these residents and their children, often referred to as the "digital divide."

C. To address this digital divide, the City Council appropriated in the City's biennial 2025-2026 budget, Ordinance No. 163, 2024 (Neighborhood Livability and Social Health Budget Offer #34.2), funds to be used through the City's Digital Inclusion Program (the "DI Program") to provide, among other things, grants to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantage constituents with access to affordable and reliable Internet services.

D. The City has received an application from Larimer County Economic Workforce Development (the "County") for a grant under the DI Program that City staff has reviewed and is recommending that the grant requested be awarded.

E. The County has requested a grant of \$85,000 to be used to support the "Digital Roots" Program, which helps job seekers learn or grow their digital skills for a successful job search (the "County Grant").

F. City and County staff have negotiated and are proposing that the City and the County enter into both the attached Intergovernmental Agreement Authorizing a Grant under the City of Fort Collins Digital Inclusion Program (the "Grant IGA"), attached hereto as Exhibit A and incorporated herein by reference, and the Grant Agreement under the City of Fort Collins Digital Inclusion Program (the "Grant Agreement"), attached hereto as Exhibit B and incorporated herein by reference.

G. The City Council wishes to expressly grant the City Manager the authority to approve the County Grant, to enter into the Grant IGA and Grant Agreement on the City's behalf, and to disburse the grant funds under it to the County, subject to the availability of appropriated funds.

H. Colorado governments are authorized in C.R.S. § 29-1-203 to cooperate and contract with one another to provide any function, service, or facility each is lawfully authorized to provide.

I. The City and the County are both lawfully authorized to assist their respective constituents who are economically disadvantaged with access to affordable and reliable Internet services.

J. The City Council finds and determines that this Resolution is in the City's best interest and necessary for the public's health, safety, and welfare.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Council hereby authorizes the City Manager to approve the County Grant, to enter into the Grant IGA and Grant Agreement on the City's behalf, and to disburse the grant funds under it to the County, subject to the availability of appropriated funds, with the Grant IGA to be in the form attached hereto as Exhibit A and Grant Agreement to be in the form attached hereto as Exhibit B, subject to such modifications as the City Manager, in consultation with the City Attorney, may determine are necessary and appropriate to protect the interests of the City or to effectuate the purposes of this Resolution and the DI Program.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Dianne Criswell

**INTERGOVERNMENTAL AGREEMENT AUTHORIZING A GRANT
UNDER THE CITY OF FORT COLLINS DIGITAL INCLUSION PROGRAM**

THIS INTERGOVERNMENTAL AGREEMENT AUTHORIZING A GRANT UNDER THE CITY OF FORT COLLINS DIGITAL INCLUSION PROGRAM (this "Agreement") is entered into this ___ day of _____, 2025, by and between Larimer County (the "Grantee") and the City of Fort Collins, a Colorado home rule municipality, (the "City"). The Grantee and City shall be referred to jointly herein as the "Parties" or individually as "Party".

RECITALS

WHEREAS, the City has established and is operating as a utility a fiber-optic broadband system known as Connexion that provides various telecommunication services, including Internet services; and

WHEREAS, related to the City's operation of Connexion, the City Council has recognized that because of economic inequality, many residents of Fort Collins do not have access to affordable and reliable connectivity, technological devices, and digital skills, causing a gap in economic and educational opportunity for these residents and their children, often referred to as the "digital divide"; and

WHEREAS, to address this digital divide, the City Council appropriated in the City's biennial 2025-2026 budget, Ordinance No. 163, 2024 (Neighborhood Livability and Community Vitality Budget Offer #34.2), funds to be used through the City's Digital Inclusion Program (the "DI Program") to provide, among other things, grants to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantaged constituents with access to digital literacy skill building, technological hardware and devices, and affordable internet services;

WHEREAS, the Grantee has been awarded a grant under the DI Program to be used in support of the "Digital Roots" bilingual program, which helps job seekers learn or grow their digital skills for a successful job search and provides participants who successfully complete the program with a device that they get to keep upon completion (the "Grant Work"); and

WHEREAS, the City has approved this application and agreed to provide the Grantee with a grant of \$85,000 for 2025, for a total grant of \$85,000, to be used by the Grantee in accordance with the terms and conditions of this Agreement to fund its costs in these years for the Grant Work and the Grantee has agreed to so use the grant funds; and

WHEREAS, on March 18, 2025, the City Council approved this Agreement in Resolution 2025-017 authorizing the City Manager to enter into this Agreement of the City's behalf: and

WHEREAS, Colorado governments are authorized in C.R.S. § 29-1-203 to cooperate and contract with one another to provide any function, service, or facility each is lawfully authorized to provide; and

WHEREAS, the City and the Grantee are both lawfully authorized to assist their respective constituents who are economically disadvantaged with access to affordable and reliable Internet services.

AGREEMENT

NOW, THEREFORE, in consideration of the objectives, policies and findings expressed in the Recitals of this Agreement, which are hereby adopted by the Parties and incorporated by this reference, and the mutual promises contained in this IGA, the City and District agree as follows:

1. Grant. Subject to the terms and conditions of this Agreement, the City agrees to pay the Grantee a total of no more than Eighty-Five Thousand Dollars (\$85,000) on or before December 31, 2025, (the "Grant Funds").

2. Use and Repayment of Grant Funds. The Grantee agrees to use the Grant Funds only for the Grant Work. In any year in which the Grantee does not perform the Grant Work in whole or part, the amount of the Grant Funds not used by the Grantee for the Grant Work as required by this Agreement shall be repaid by the Grantee to the City by February 1 of the year following the year in which Grant Work was not performed in whole or part.

3. Appropriation. To the extent this Agreement or any provision in it constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation by City Council as required in Article V, Section 8(b) of the City Charter, City Code Section 8-186, and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year for which no such supporting appropriation has been made.

4. Accounting. At any time it deems necessary, the City may request an accounting from the Grantee of its expenditure of the Grant Funds under this Agreement. The Grantee agrees to promptly provide such accounting upon receiving the City's written request for such accounting.

5. Amendments. This Agreement may be amended only by agreement of the Parties evidenced by a written instrument authorized and executed with the same formality as used for this IGA.

6. Notice. Any notice given under this Agreement shall be in writing. If such notice is hand delivered or personally served, it shall be effective immediately upon such delivery or service. If given by mail, it shall be sent by certified mail with return receipt requested and addressed to the following addresses:

City Manager
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

Wendy Horst
Larimer County Economic and Workforce Development
200 W Oak St
Fort Collins, CO 80521

Notice given by certified mail shall be effective three (3) days after it is deposited in the United States mail depository correctly addressed and with sufficient postage for delivery.

7. Governing Law and Venue. This Agreement and the rights and obligations of the Parties under it shall be interpreted and construed in accordance with the laws of the State of Colorado, the City Code, and the City Charter (collectively, the "Controlling Laws"). In the event of any conflict

between this Agreement and the Controlling Laws, the Controlling Laws shall control the interpretation of the Agreement and the Parties' performance of their obligations under it. Neither Party shall be obligated under this Agreement to take any action that would be a violation of or in conflict with any of the Controlling Laws. The Parties agree that venue for any judicial action to interpret, enforce, or seek damages under this Agreement shall be in the District Court of Larimer County, Colorado.

8. Severability. If this Agreement, or any portion of it, is for any reason held invalid or unlawful by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of the IGA.

9. Indemnity. To the full extent permitted by law, the Grantee agrees to indemnify and save harmless the City, its officers, agents and employees against and from any and all actions, suits, claims, demands or liability of any character whatsoever brought or asserted for injuries to or death of any person or persons, or damages to property arising out of, result from or occurring in connection with the Grantee's performance of the Grant Work and that of its officers and employees. However, nothing contained in this Agreement shall constitute any waiver by the City or the Grantee of any defenses, immunities, or limitations of liability available to them under the Colorado Governmental Immunity Act or available to them under any other applicable Colorado or federal law.

10. No Third-Party Beneficiaries. None of the terms, conditions, or covenants in this Agreement shall give or allow any claim, benefit, or right of action by any third person or entity not a party hereto.

11. No Assignment. The rights, benefits and obligations of this Agreement shall not be assigned by either of the Parties without the other Party's prior written consent. Any assignment without such prior written consent shall be deemed null and void and of no effect.

12. Default. Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either Party should fail or refuse to perform according to the terms of this Agreement, such Party may be declared in default thereof.

13. Remedies. In the event the either Party has been declared in default under this Agreement, they shall be allowed a period of ten (10) days after receiving written notice of the declared default within which to cure said default. In the event the default remains uncorrected after the ten (10) days, the non-faulting Party may elect to (a) terminate this Agreement and seek damages; (b) treat this Agreement IGA as continuing and require specific performance; or (c) avail itself of any other remedy at law or equity.

14. Binding Effect. This Agreement shall inure to the benefit of and be binding on the Parties' respective successors and permitted assigns.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date stated above.

CITY OF FORT COLLINS, COLORADO

ATTEST:

By _____
City Manager

Name: _____ Title: _____

Date

APPROVED AS TO LEGAL FORM:

Senior Assistant Attorney

LARIMER COUNTY

ATTEST:

By _____
Wendy Horst, Accounting Manager

Secretary

Date

**GRANT AGREEMENT UNDER THE CITY OF FORT COLLINS
DIGITAL INCLUSION PROGRAM**

THIS GRANT AGREEMENT UNDER THE CITY OF FORT COLLINS DIGITAL INCLUSION PROGRAM (this "Agreement") is entered into this _____ day of March 2025, by and between Larimer County Economic and Workforce Development (the "Grantee"), and the City of Fort Collins, a Colorado home rule municipality, (the "City"). The Grantee and City shall be referred to jointly herein as the "Parties" or individually as "Party".

RECITALS

WHEREAS, the City has established and is operating as a utility a fiber-optic broadband system known as Connexion that provides various telecommunication services, including Internet services; and

WHEREAS, related to the City's operation of Connexion, the City Council has recognized that, because of economic inequality, many residents of Fort Collins do not have access to affordable and reliable Internet services causing a gap in economic and educational opportunity for these residents and their children, often referred to as the "digital divide"; and

WHEREAS, to address this digital divide, the City Council appropriated in the City's biennial 2025-2026 budget, Ordinance No. 163, 2024 (Neighborhood Livability and Community Vitality Budget Offer #34.2), funds to be used through the City's Digital Inclusion Program to provide, among other things, awards to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantage constituents with access to affordable Internet services and digital literacy; and

WHEREAS, the Grantee has applied for a grant under the Digital Inclusion Program to support the "Digital Roots" bilingual program. This program helps job seekers learn or grow their digital skills for a successful job search. Digital Roots also provides participants who successfully complete the program with a device that they get to keep upon completion (the "Grant Work").

WHEREAS, the City has agreed to provide the Grantee with a grant of \$85,000, to be used by the Grantee in accordance with the terms and conditions of this Agreement to fund its costs for the Grant Work and the Grantee has agreed to so use the grant funds; and

WHEREAS, the City Manager has been authorized to approve this grant and to enter into this Agreement of the City's behalf; and

WHEREAS, Colorado governments are authorized in C.R.S. § 29-1-203 to cooperate and contract with one another to provide any function, service, or facility each is lawfully authorized to provide; and

WHEREAS, the City and the Grantee are both lawfully authorized to assist their respective constituents who are economically disadvantaged with access to affordable Internet services and digital literacy programming.

AGREEMENT

NOW, THEREFORE, in consideration of the objectives, policies and findings expressed in the Recitals of this Agreement, which are hereby adopted by the Parties and incorporated by this reference, and the mutual promises contained in this Agreement, the Parties agree as follows:

1. Grant. Subject to the terms and conditions of this Agreement, the City agrees to pay the Grantee \$85,000 on or before December 31, 2025 (the "Grant Funds").

2. Use and Repayment of Grant Funds. The Grantee agrees to use the Grant Funds only for the Grant Work. In any year in which the Grantee does not perform the Grant Work in whole or part, the amount of the Grant Funds not used by the Grantee for the Grantee Work as required by this Agreement shall be repaid by the Grantee to the City by February 1 of the year following the year in which Grant Work was not performed in whole or part.

3. Appropriation. To the extent this Agreement or any provision in it constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation by City Council as required in Article V, Section 8(b) of the City Charter, City Code Section 8-186, and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year for which no such supporting appropriation has been made.

4. Accounting. At any time it deems necessary, the City may request an accounting from the Grantee of its expenditure of the Grant Funds under this Agreement. The Grantee agrees to promptly provide such accounting upon receiving the City's written request for such accounting.

5. Amendments. This Agreement may be amended only by agreement of the Parties evidenced by a written instrument authorized and executed with the same formality as used for this Agreement.

6. Notice. Any notice given under this Agreement shall be in writing. If such notice is hand delivered or personally served, it shall be effective immediately upon such delivery or service. If given by mail, it shall be sent by certified mail with return receipt requested and addressed to the following addresses:

City Manager, City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

With a copy to:
City Attorney, City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

Larimer County Economic and Workforce Development
200 W Oak St
Fort Collins, CO 80521

Notice given by certified mail shall be effective three (3) days after it is deposited in the United States mail depository correctly addressed and with sufficient postage for delivery.

7. Governing Law and Venue. This Agreement and the rights and obligations of the Parties under it shall be interpreted and construed in accordance with the laws of the State of Colorado, the City Code, and the City Charter (collectively, the "Controlling Laws"). In the event of any conflict between this Agreement and the Controlling Laws, the Controlling Laws shall control the interpretation of the Agreement and the Parties' performance of their obligations under it. Neither Party shall be obligated under this Agreement to take any action that would be a violation of or in conflict with any of the Controlling Laws. The Parties agree that venue for any judicial action to interpret, enforce, or seek damages under this Agreement shall be in the District Court of Larimer County, Colorado.

8. Severability. If this Agreement, or any portion of it, is for any reason held invalid or unlawful by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of the Agreement.

9. Indemnity. To the full extent permitted by law, the Grantee agrees to indemnify and save harmless the City, its officers, agents and employees against and from any and all actions, suits, claims, demands or liability of any character whatsoever brought or asserted for injuries to or death of any person or persons, or damages to property arising out of, result from or occurring in connection with the Grantee's performance of the Grant Work and that of its officers and employees. However, nothing contained in this Agreement shall constitute any waiver by the City or the Grantee of any defenses, immunities, or limitations of liability available to them under the Colorado Governmental Immunity Act or available to them under any other applicable Colorado or federal law.

10. No Third-Party Beneficiaries. None of the terms, conditions, or covenants in this Agreement shall give or allow any claim, benefit, or right of action by any third person or entity not a party hereto.

11. No Assignment. The rights, benefits and obligations of this Agreement shall not be assigned by either of the Parties without the other Party's prior written consent. Any assignment without such prior written consent shall be deemed null and void and of no effect.

12. Default. Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either Party should fail or refuse to perform according to the terms of this Agreement, such Party may be declared in default thereof.

13. Remedies. In the event the either Party has been declared in default under this

Agreement, they shall be allowed a period of ten (10) days after receiving written notice of the declared default within which to cure said default. In the event the default remains uncorrected after the ten (10) days, the non-faulting Party may elect to (a) terminate this Agreement and seek damages; (b) treat this Agreement as continuing and require specific performance; or (c) avail itself of any other remedy at law or equity.

14. Binding Effect. This Agreement shall inure to the benefit of and be binding on the Parties' respective successors and permitted assigns.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date stated above.

CITY OF FORT COLLINS, COLORADO

By _____
Kelly DiMartino, City Manager

ATTEST:

Name: _____ Title: _____

Date

APPROVED AS TO LEGAL FORM:

Senior Assistant City Attorney

Larimer County Economic and Workforce Development

By _____
Wendy Horst, Accounting Manager

ATTEST:

Secretary

Date

File Attachments for Item:

22. Resolution 2025-018 Approving an Intergovernmental Agreement and Grant Agreement with Poudre School District for a Grant from the City's Digital Inclusion Program.

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Poudre School District (PSD) for a grant from the City's Digital Inclusion Program for the PSD Digital Literacy Liaison, who will support the technological literacy of PSD Family Liaisons, as well as the families and students that they serve.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Nina Bodenhamer, City Give Director

SUBJECT

Resolution 2025-018 Approving an Intergovernmental Agreement and Grant Agreement with Poudre School District for a Grant from the City's Digital Inclusion Program.

EXECUTIVE SUMMARY

The purpose of this item is to authorize the approval of an Intergovernmental Agreement and Grant Agreement with Poudre School District (PSD) for a grant from the City's Digital Inclusion Program for the PSD Digital Literacy Liaison, who will support the technological literacy of PSD Family Liaisons, as well as the families and students that they serve.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

Connexion, created by and for our community, was launched to improve life and business in Fort Collins through faster, more accessible, and more affordable internet.

The City requires that 6% of Connexion's gross receipts be transferred to the City General Fund as a broadband Payment in Lieu of Taxes (PILOT), per City Code Sec. 26-583. Council has recognized the economic inequality resulting from limited or unreliable internet access creates a gap in economic and educational opportunities for some City residents and their children, often referred to as the "digital divide."

Council appropriates funds to be used through the DI Program (the "DI Program") to address the "digital divide" by providing, among other things, grants to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantaged constituents with access to affordable Internet services and digital literacy.

PSD requested an annual grant of \$85,000 for the years 2025 and 2026, for a total grant of \$170,000, to be used by PSD for its operational expenses of a Digital Literacy Liaison, a PSD staff member, to support the technological literacy of PSD Family Liaisons and the digital literacy of those families served by PSD's Family Liaisons. Family Liaisons serve as a trusted link between the PSD and the families of students in PSD Title 1 schools. The Digital Literacy Liaison is an individual with the lived-experience and digital skills to support PSD Family Liaisons in their digital fluency, accompany them on home visits, and support the digital skills of the families Liaisons serve. The person serving as the Digital Literacy Liaison will be onsite at PSD's newly launched PSD Future Ready center. Located in the Foothills Mall, the welcome center

maintains non-traditional hours of operations to allow families, students and Family Liaisons expanded access to DI Program support to address their technological needs, digital fluency, and digital platforms. City staff has reviewed this request and has recommended that the grant be awarded.

CITY FINANCIAL IMPACTS

Council appropriated in the City’s biennial 2025-2026 budget (Neighborhood Livability and Social Health Budget Offer #34.2), funds to be used through the City’s Digital Inclusion Program (the “DI Program”).

Upon adoption, this Resolution will authorize the City Manager to enter into the Grant IGA and Grant Agreement on the City’s behalf, and to disburse of \$85,000 for the years 2025 and 2026, for a total grant of \$170,000, from amounts appropriated in the City’s DI Program as a grant to the PSD for to help support its Digital Literacy Liaison, a purpose which helps address the “digital divide” in the City. Funds disbursed pursuant to this Resolution, Grant IGA, and Grant Agreement are subject to the availability of appropriated funds.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

- 1. Resolution for Consideration
- 2. Exhibit A to Resolution (Grant IGA)
- 3. Exhibit B to Resolution (Grant Agreement)

RESOLUTION 2025-018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN INTERGOVERNMENTAL AGREEMENT AND GRANT AGREEMENT
WITH POUDBRE SCHOOL DISTRICT FOR A GRANT FROM THE CITY'S DIGITAL
INCLUSION PROGRAM

A. The City has established and is operating as a utility a fiber-optic broadband system known as Connexion, which provides various telecommunication services, including Internet services.

B. Related to the City's operation of Connexion, the City Council has recognized that because of economic inequality many residents of Fort Collins do not have access to affordable and reliable Internet services causing a gap in economic and educational opportunity for these residents and their children, often referred to as the "digital divide."

C. To address this digital divide, the City Council appropriated in the City's biennial 2025-2026 budget, Ordinance No. 163, 2024 (Neighborhood Livability and Social Health Budget Offer #34.2), funds to be used through the City's Digital Inclusion Program (the "DI Program") to provide, among other things, grants to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantage constituents with access to affordable and reliable Internet services.

D. The City has received an application from the Poudre School District (the "District") for a grant under the DI Program that City staff has reviewed and is recommending that the grant requested by the District be awarded.

E. The District has requested an annual grant of \$85,000 for the years 2025 and 2026, for a total grant of \$170,000, to be used by the District to fund its costs employing a full-time Digital Literacy Liaison who will be responsible for supporting the technological literacy of the District's Family Liaisons and of the families served by its Family Liaisons (the "District Grant").

F. City and District staff have negotiated and are proposing that the City and the District enter into both the attached Intergovernmental Agreement Authorizing a Grant under the City of Fort Collins Digital Inclusion Program (the "Grant IGA") attached hereto as Exhibit A and incorporated herein by reference, and the Grant Agreement under the City of Fort Collins Digital Inclusion Program (the "Grant Agreement"), attached hereto as Exhibit B and incorporated herein by reference.

G. The City Council wishes to expressly grant the City Manager the authority to approve the District Grant, to enter into the Grant IGA and Grant Agreement on the City's behalf, and to disburse the grant funds under it to the District, subject to the availability of appropriated funds.

H. Colorado governments are authorized in C.R.S. § 29-1-203 to cooperate and contract with one another to provide any function, service, or facility each is lawfully authorized to provide.

I. The City and the District are both lawfully authorized to assist their respective constituents who are economically disadvantaged with access to affordable and reliable Internet services.

J. The City Council finds and determines that this Resolution is in the City's best interest and necessary for the public's health, safety, and welfare.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Council hereby authorizes the City Manager to approve the District Grant, to enter into the Grant IGA and Grant Agreement on the City's behalf, and to disburse the grant funds under it to the District, subject to the availability of appropriated funds, with the Grant IGA to be in the form attached hereto as Exhibit A and Grant Agreement to be in the form attached hereto as Exhibit B, subject to such modifications as the City Manager, in consultation with the City Attorney, may determine are necessary and appropriate to protect the interests of the City or to effectuate the purposes of this Resolution and the DI Program.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Dianne Criswell

**INTERGOVERNMENTAL AGREEMENT AUTHORIZING A GRANT
UNDER THE CITY OF FORT COLLINS DIGITAL INCLUSION PROGRAM**

THIS INTERGOVERNMENTAL AGREEMENT AUTHORIZING A GRANT UNDER THE CITY OF FORT COLLINS DIGITAL INCLUSION PROGRAM (this "Agreement") is entered into this ___ day of _____, 2025, by and between Poudre School District (the "Grantee") and the City of Fort Collins, a Colorado home rule municipality, (the "City"). The Grantee and City shall be referred to jointly herein as the "Parties" or individually as "Party".

RECITALS

WHEREAS, the City has established and is operating as a utility a fiber-optic broadband system known as Connexion that provides various telecommunication services, including Internet services; and

WHEREAS, related to the City's operation of Connexion, the City Council has recognized that because of economic inequality, many residents of Fort Collins do not have access to affordable and reliable connectivity, technological devices, and digital skills, causing a gap in economic and educational opportunity for these residents and their children, often referred to as the "digital divide"; and

WHEREAS, to address this digital divide, the City Council appropriated in the City's biennial 2025-2026 budget, Ordinance No. 163, 2024 (Neighborhood Livability and Community Vitality Budget Offer #34.2), funds to be used through the City's Digital Inclusion Program (the "DI Program") to provide, among other things, grants to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantaged constituents with access to digital literacy skill building, technological hardware and devices, and affordable Internet services;

WHEREAS, the Grantee has been awarded a grant under the DI Program to be used to fund for the operational expenses of a Digital Literacy Liaison, a Poudre School District ("PSD") staff member to support the technological literacy of PSD Family Liaisons and the digital literacy of those families served by PSD's Family Liaisons (the "Grant Work"); and

WHEREAS, the City has approved this application and agreed to provide the Grantee with a grant of \$85,000 for each of the calendar years of 2025 and 2026, for a total grant of \$170,000, to be used by the Grantee in accordance with the terms and conditions of this Agreement to fund its costs in these years for the Grant Work and the Grantee has agreed to so use the grant funds; and

WHEREAS, on March 18, 2025, the City Council approved this Agreement in Resolution 2025-018 authorizing the City Manager to enter into this Agreement of the City's behalf: and

WHEREAS, Colorado governments are authorized in C.R.S. § 29-1-203 to cooperate and contract with one another to provide any function, service, or facility each is lawfully authorized to provide; and

WHEREAS, the City and the Grantee are both lawfully authorized to assist their respective constituents who are economically disadvantaged with access to affordable and reliable Internet services.

AGREEMENT

NOW, THEREFORE, in consideration of the objectives, policies and findings expressed in the Recitals of this Agreement, which are hereby adopted by the Parties and incorporated by this reference, and the mutual promises contained in this IGA, the City and District agree as follows:

1. Grant. Subject to the terms and conditions of this Agreement, the City agrees to pay the Grantee Eighty-Five Thousand Dollars (\$85,000) on or before each of the following dates: (i) December 31, 2025, and (ii) December 31, 2026 (collectively, the "Grant Funds").

2. Use and Repayment of Grant Funds. The Grantee agrees to use the Grant Funds only for the Grant Work. In any year in which the Grantee does not perform the Grant Work in whole or part, the amount of the Grant Funds not used by the Grantee for the Grant Work as required by this Agreement shall be repaid by the Grantee to the City by February 1 of the year following the year in which Grant Work was not performed in whole or part.

3. Appropriation. To the extent this Agreement or any provision in it constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation by City Council as required in Article V, Section 8(b) of the City Charter, City Code Section 8-186, and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year for which no such supporting appropriation has been made.

4. Accounting. At any time it deems necessary, the City may request an accounting from the Grantee of its expenditure of the Grant Funds under this Agreement. The Grantee agrees to promptly provide such accounting upon receiving the City's written request for such accounting.

5. Amendments. This Agreement may be amended only by agreement of the Parties evidenced by a written instrument authorized and executed with the same formality as used for this IGA.

6. Notice. Any notice given under this Agreement shall be in writing. If such notice is hand delivered or personally served, it shall be effective immediately upon such delivery or service. If given by mail, it shall be sent by certified mail with return receipt requested and addressed to the following addresses:

City Manager
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

David Autenrieth, Interim Director of Language, Culture & Equity
Poudre School District
2407 Laporte Ave
Fort Collins, CO 80521

Notice given by certified mail shall be effective three (3) days after it is deposited in the United States mail depository correctly addressed and with sufficient postage for delivery.

7. Governing Law and Venue. This Agreement and the rights and obligations of the Parties under it shall be interpreted and construed in accordance with the laws of the State of Colorado, the City Code, and the City Charter (collectively, the "Controlling Laws"). In the event of any conflict

between this Agreement and the Controlling Laws, the Controlling Laws shall control the interpretation of the Agreement and the Parties' performance of their obligations under it. Neither Party shall be obligated under this Agreement to take any action that would be a violation of or in conflict with any of the Controlling Laws. The Parties agree that venue for any judicial action to interpret, enforce, or seek damages under this Agreement shall be in the District Court of Larimer County, Colorado.

8. Severability. If this Agreement, or any portion of it, is for any reason held invalid or unlawful by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of the IGA.

9. Indemnity. To the full extent permitted by law, the Grantee agrees to indemnify and save harmless the City, its officers, agents and employees against and from any and all actions, suits, claims, demands or liability of any character whatsoever brought or asserted for injuries to or death of any person or persons, or damages to property arising out of, result from or occurring in connection with the Grantee's performance of the Grant Work and that of its officers and employees. However, nothing contained in this Agreement shall constitute any waiver by the City or the Grantee of any defenses, immunities, or limitations of liability available to them under the Colorado Governmental Immunity Act or available to them under any other applicable Colorado or federal law.

10. No Third-Party Beneficiaries. None of the terms, conditions, or covenants in this Agreement shall give or allow any claim, benefit, or right of action by any third person or entity not a party hereto.

11. No Assignment. The rights, benefits and obligations of this Agreement shall not be assigned by either of the Parties without the other Party's prior written consent. Any assignment without such prior written consent shall be deemed null and void and of no effect.

12. Default. Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either Party should fail or refuse to perform according to the terms of this Agreement, such Party may be declared in default thereof.

13. Remedies. In the event the either Party has been declared in default under this Agreement, they shall be allowed a period of ten (10) days after receiving written notice of the declared default within which to cure said default. In the event the default remains uncorrected after the ten (10) days, the non-faulting Party may elect to (a) terminate this Agreement and seek damages; (b) treat this Agreement IGA as continuing and require specific performance; or (c) avail itself of any other remedy at law or equity.

14. Binding Effect. This Agreement shall inure to the benefit of and be binding on the Parties' respective successors and permitted assigns.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date stated above.

CITY OF FORT COLLINS, COLORADO

ATTEST:

By _____
City Manager

Name: _____ Title: _____

Date

APPROVED AS TO LEGAL FORM:

Senior Assistant City Attorney

POUDRE SCHOOL DISTRICT

ATTEST:

By _____
David Autenrieth, Interim Director of
Language, Culture & Equity

Secretary

Date

**GRANT AGREEMENT UNDER THE CITY OF FORT COLLINS
DIGITAL INCLUSION PROGRAM**

THIS GRANT AGREEMENT UNDER THE CITY OF FORT COLLINS DIGITAL INCLUSION PROGRAM (this "Agreement") is entered into this _____ day of March 2025, by and between Poudre School District (the "Grantee"), and the City of Fort Collins, a Colorado home rule municipality, (the "City"). The Grantee and City shall be referred to jointly herein as the "Parties" or individually as "Party".

RECITALS

WHEREAS, the City has established and is operating as a utility a fiber-optic broadband system known as Connexion that provides various telecommunication services, including Internet services; and

WHEREAS, related to the City's operation of Connexion, the City Council has recognized that, because of economic inequality, many residents of Fort Collins do not have access to affordable and reliable Internet services causing a gap in economic and educational opportunity for these residents and their children, often referred to as the "digital divide"; and

WHEREAS, to address this digital divide, the City Council appropriated in the City's biennial 2025-2026 budget, Ordinance No. 163, 2024 (Neighborhood Livability and Community Vitality Budget Offer #34.2) funds to be used through the City's Digital Inclusion Program to provide, among other things, awards to non-profit entities and other governments who will agree to use these grant funds to assist their economically disadvantage constituents with access to affordable Internet services and digital literacy; and

WHEREAS, the Grantee has applied for a grant under the Digital Inclusion Program to be used to support the operational expenses of a Digital Equity Liaison, a PSD staff member to support the technological literacy of PSD Family Liaisons and the digital literacy of those families served by PSD's Family Liaisons (the "Grant Work").

WHEREAS, the City has agreed to provide the Grantee with a grant of \$85,000 for each of the calendar years of 2025 and 2026, for a total grant of \$170,000, to be used by the Grantee in accordance with the terms and conditions of this Agreement to fund its costs for the Grant Work and the Grantee has agreed to so use the grant funds; and

WHEREAS, the City Manager has been authorized to approve this grant and to enter into this Agreement of the City's behalf; and

WHEREAS, Colorado governments are authorized in C.R.S. § 29-1-203 to cooperate and contract with one another to provide any function, service, or facility each is lawfully authorized to provide; and

WHEREAS, the City and the Grantee are both lawfully authorized to assist their respective constituents who are economically disadvantaged with access to affordable Internet services and digital literacy programming.

AGREEMENT

NOW, THEREFORE, in consideration of the objectives, policies and findings expressed in the Recitals of this Agreement, which are hereby adopted by the Parties and incorporated by this reference, and the mutual promises contained in this Agreement, the Parties agree as follows:

1. Grant. Subject to the terms and conditions of this Agreement, the City agrees to pay the Grantee Eighty-Five Thousand Dollars (\$85,000) on or before each of the following dates: (i) December 31, 2025, and (ii) December 31, 2026 (collectively, the "Grant Funds").

2. Use and Repayment of Grant Funds. The Grantee agrees to use the Grant Funds only for the Grant Work. In any year in which the Grantee does not perform the Grant Work in whole or part, the amount of the Grant Funds not used by the Grantee for the Grant Work as required by this Agreement shall be repaid by the Grantee to the City by February 1 of the year following the year in which Grant Work was not performed in whole or part.

3. Appropriation. To the extent this Agreement or any provision in it constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation by City Council as required in Article V, Section 8(b) of the City Charter, City Code Section 8-186, and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year for which no such supporting appropriation has been made.

4. Accounting. At any time it deems necessary, the City may request an accounting from the Grantee of its expenditure of the Grant Funds under this Agreement. The Grantee agrees to promptly provide such accounting upon receiving the City's written request for such accounting.

5. Amendments. This Agreement may be amended only by agreement of the Parties evidenced by a written instrument authorized and executed with the same formality as used for this Agreement.

6. Notice. Any notice given under this Agreement shall be in writing. If such notice is hand delivered or personally served, it shall be effective immediately upon such delivery or service. If given by mail, it shall be sent by certified mail with return receipt requested and addressed to the following addresses:

City Manager, City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

With a copy to:

City Attorney, City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

David Autenrieth, Director of Language, Culture & Equity
Poudre School District
2407 Laporte Ave
Fort Collins, CO 80521

Notice given by certified mail shall be effective three (3) days after it is deposited in the United States mail depository correctly addressed and with sufficient postage for delivery.

7. Governing Law and Venue. This Agreement and the rights and obligations of the Parties under it shall be interpreted and construed in accordance with the laws of the State of Colorado, the City Code, and the City Charter (collectively, the “Controlling Laws”). In the event of any conflict between this Agreement and the Controlling Laws, the Controlling Laws shall control the interpretation of the Agreement and the Parties’ performance of their obligations under it. Neither Party shall be obligated under this Agreement to take any action that would be a violation of or in conflict with any of the Controlling Laws. The Parties agree that venue for any judicial action to interpret, enforce, or seek damages under this Agreement shall be in the District Court of Larimer County, Colorado.

8. Severability. If this Agreement, or any portion of it, is for any reason held invalid or unlawful by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of the Agreement.

9. Indemnity. To the full extent permitted by law, the Grantee agrees to indemnify and save harmless the City, its officers, agents and employees against and from any and all actions, suits, claims, demands or liability of any character whatsoever brought or asserted for injuries to or death of any person or persons, or damages to property arising out of, result from or occurring in connection with the Grantee’s performance of the Grant Work and that of its officers and employees. However, nothing contained in this Agreement shall constitute any waiver by the City or the Grantee of any defenses, immunities, or limitations of liability available to them under the Colorado Governmental Immunity Act or available to them under any other applicable Colorado or federal law.

10. No Third-Party Beneficiaries. None of the terms, conditions, or covenants in this Agreement shall give or allow any claim, benefit, or right of action by any third person or entity not a party hereto.

11. No Assignment. The rights, benefits and obligations of this Agreement shall not be assigned by either of the Parties without the other Party’s prior written consent. Any assignment without such prior written consent shall be deemed null and void and of no effect.

12. Default. Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either Party should fail or refuse to perform according to the terms of this Agreement, such Party may be declared in default thereof.

13. Remedies. In the event the either Party has been declared in default under this Agreement, they shall be allowed a period of ten (10) days after receiving written notice of the declared default within which to cure said default. In the event the default remains uncorrected after the ten (10) days, the non-faulting Party may elect to (a) terminate this Agreement and seek damages; (b) treat this Agreement as continuing and require specific performance; or (c) avail itself of any other remedy at law or equity.

14. Binding Effect. This Agreement shall inure to the benefit of and be binding on the Parties' respective successors and permitted assigns.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date stated above.

CITY OF FORT COLLINS, COLORADO

By _____
Kelly DiMartino, City Manager

ATTEST:

Name: _____ Title: _____

Date

APPROVED AS TO LEGAL FORM:

Senior Assistant City Attorney

Poudre School District

By _____
David Autenrieth, Director of Language,
Culture & Equity

ATTEST:

Secretary

Date

File Attachments for Item:

23. Resolution 2025-019 Approving the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6.”

The purpose of this item is to consider the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “First Amendment”). The “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “Public Benefits Agreement” or “PBA”) requires alley access to the garages of at least 40% of the total dwelling units. This First Amendment would require 45% of the total dwelling units to have non-street facing garages rather than the current requirement of 40% of total dwelling units being served by alley loaded garages. Alleys limit design flexibility for multi-unit buildings, and this First Amendment would meet the intent of the Public Benefits Agreement by ensuring garages do not dominate the streetscape within the Mulberry Metropolitan Districts 1 through 6 (the “Metro District”).

Clarifying this PBA requirement has become critical to reviewing development plans for the many phases of the planned unit development (“Bloom PUD”), while working to achieve the overall intent of providing more active and engaging streetscapes that are dominated by homes and front porches instead of driveways and garage doors.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Kim Meyer, Principal Planner

SUBJECT

Resolution 2025-019 Approving the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6.”

EXECUTIVE SUMMARY

The purpose of this item is to consider the First Amendment to the “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “First Amendment”). The “Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos.1 Through 6” (the “Public Benefits Agreement” or “PBA”) requires alley access to the garages of at least 40% of the total dwelling units. This First Amendment would require 45% of the total dwelling units to have non-street facing garages rather than the current requirement of 40% of total dwelling units being served by alley loaded garages. Alleys limit design flexibility for multi-unit buildings, and this First Amendment would meet the intent of the Public Benefits Agreement by ensuring garages do not dominate the streetscape within the Mulberry Metropolitan Districts 1 through 6 (the “Metro District”).

Clarifying this PBA requirement has become critical to reviewing development plans for the many phases of the planned unit development (“Bloom PUD”), while working to achieve the overall intent of providing more active and engaging streetscapes that are dominated by homes and front porches instead of driveways and garage doors.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND/DISCUSSION

The Bloom PUD is located north of East Mulberry Street in the Mulberry Corridor in proximity to the I-25 intersection. Mulberry Development LLC (the “Developer”) branded the Metro District development as “Bloom” and this is the name used to refer to this development. Council approved the Metro District in 2019. The Planning and Zoning Commission approved the Bloom PUD in 2021, and Council approved the extended vesting agreement in 2022. This agenda item addresses the public benefits that the Metro District, through the Developer, is required to provide.

On April 16, 2019, Council approved the Consolidated Service Plan with boundaries corresponding to Bloom for the Metro District (the “Service Plan”) via Resolution 2019-050. The Service Plan is general in

nature, does not include specific detail, and is designed with sufficient flexibility to enable the Metro District to provide required improvements, services, and facilities under evolving circumstances without the need for numerous amendments to the Service Plan. Section IV.B.2. of the Service Plan requires that the Developer's provision of the public benefits generally set forth in the Public Benefit Evaluation table in Exhibit I (p. 104) of the Service Plan be secured by an agreement between the City and the Developer that has been approved by resolution of Council before the Metro District can, among other things, impose any property taxes or issue any debt.

On March 23, 2021, via Resolution 2021-030, Council approved the Public Benefits Agreement to more particularly define and describe the public benefits generally described in Exhibit I of the Service Plan.

The proposed First Amendment modifies only Subsection I.B.3(ii) of the Public Benefits Agreement relating to High Quality and Smart Growth Elements.

Subsection I.B.3(ii) "alley access to the garages of at least 40% of the Total Dwelling Units" is proposed to be amended to read:

"(ii) non-street-facing garages must be provided for at least 45% of the Total Dwelling Units,"

Non-street-facing garage would mean a garage accessed internal to a block, lot, or larger single-site development (such as a multiunit or mixed-use building). This change in description would provide more flexibility in meeting the requirements of the PBA while meeting the design intent of minimizing the visual impact of garage doors to streetscapes.

Further clarity related to the intent and application of the requirement for alley access would greatly assist staff and the Developer as they continue with the phases of development design and review of this project. Numerous facts related to development of the Bloom PUD have raised concerns with how this alley access requirement is interpreted and applied as City staff reviews development plans the Developer proposes.

- Alleys have a specific design requirement within the Land Use Code, by reference to the *Larimer County Urban Area Street Standards*.
- Larger multi-unit structures face significant design and financial challenges in garaging a large percentage of their parking, resulting in the need for surface parking and any garages often being accessed from an internal parking lot versus a true alley.
- The Service Plan contemplates the alley-loaded garages for single family homes; however, the Public Benefit Evaluation table in Exhibit I indicates "40% of Units – 600 Units" (of the 1600 envisioned).

The current preliminary layout of Bloom PUD has increased in total unit count to approximately 1,832 units. As the Developer works to complete development plans for remaining phases, it has become critical for both parties to ensure compliance with the PBA. The configuration and intended use of an "alley" is dictated by the adopted *Larimer County Urban Area Street Standards* and employing that specific design would require significant redesign of several proposed phases of Bloom, resulting in an overall loss of housing units.

This clarification to non-street-facing (NSF) garages would permit development review staff and the developer's designers and architects to consider and utilize other configurations of homes and garages and expand the diversity in housing design options – such as side-loaded motor courts for smaller, clustered "cottage" homes and other interior, non-street-facing garage configurations – thereby accomplishing the overall intent of a more aesthetically-pleasing and interesting streetscape, without the specific requirement and design of a standard alley.

City staff has worked with the Developer to craft the proposed amended language for the PBA that fulfills the intent and spirit of ensuring garage doors do not face the street, while acknowledging the challenges related to garaging multiunit dwellings.

The proposed increased percentage acknowledges that many of the units will be surface-parked in larger multi-unit site development plans, and that a significant public benefit remains in removing garages from the neighborhood streetscape, which may not always be accessed by a true rear-loaded “alley.” The increase in unit count and percentage also allows staff to count garage spaces that face interior to the multi-unit developments, accessed from parking lots, as qualifying to satisfy the required public benefit.

Summary:	Total Dwelling Units (DUs)	Non-Street Facing Garages
Approved DUs	1,166	550 (47%)
Single-unit (Filings 1,2,5,7)	394	300 (76% of 394)
Multi-unit (Filings 3,4)	772	250 (32% of 772)
Proposed DUs (Filing 8)	308	228 (74% of 308)
Totals to Date	1,474	778 (53%)
Estimated Future DUs	358	min: 47
Estimated Total DUs	1,832	825 (45%)

Conceptual design estimates on total dwelling unit counts would place the total units served by non-street-facing garages at about 50%, and staff and the Developer want to ensure that any variation in final unit counts based on detail plans and configuration of homes maintain some flexibility as final designs are developed. Therefore, raising the percentage from 40% to 45% of total units has been proposed.

With the increase in total estimated dwelling unit count from 1,600 to 1,832, the increase with this amendment, would result in the non-street facing (versus “alley”) garage units increasing from 600 to 825.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution for Consideration
2. Exhibit A to the Resolution – the proposed First Amendment to the Public Benefits Agreement
3. The Public Benefits Agreement
4. Service Plan, Exhibit I – Public Benefit Evaluation

RESOLUTION 2025-019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE FIRST AMENDMENT TO THE “AGREEMENT
TO SECURE PUBLIC BENEFITS FOR MULBERRY
DEVELOPMENT AS PROVIDED IN SERVICE PLAN FOR
MULBERRY METROPOLITAN DISTRICT NOS. 1 THROUGH 6”

A. Mulberry Development LLC, a Colorado limited liability company (the “Developer”) is currently developing planned unit development (the “Bloom PUD”) of approximately 232 acres north of East Mulberry Street (Highway 14) along Greenfields Drive in proximity to the intersection of Mulberry Street and Interstate-25. The Planning and Zoning Commission approved the Bloom PUD in 2021, and City Council approved the extended vesting agreement in 2022.

B. In 2019, pursuant to the Colorado’s Special District Act, City Council approved the Mulberry Metropolitan District Numbers 1 through 6 (the “Metro District”). On April 16, 2019, City Council approved the Consolidated Service Plan with boundaries corresponding to the Bloom PUD for the Metro District (the “Service Plan”) via Resolution 2019-050. The Service Plan is general in nature, does not include specific detail, and is designed with sufficient flexibility to enable the Metro District to provide required improvements, services, and facilities. Exhibit I of the Service Plan describes public benefits to be provided, including affordable housing, critical on-site and off-site public infrastructure, high-quality and smart growth elements, and environmental sustainability.

C. Section IV.B.2. of the Service Plan requires that the Developer’s provision of the public benefits described in Exhibit I of the Service Plan be secured by an agreement between the City and the Developer that has been approved by resolution of the City Council before the Metro District can, among other things, impose any property taxes or issue any debt.

D. On March 23, 2021, City Council approved Resolution 2021-030. Shortly thereafter, the City and Developer executed the “Agreement to Secure Public Benefits for the Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “Public Benefits Agreement” or “PBA”) to more particularly define and describe certain public benefits generally described in Exhibit I of the Service Plan and to set the terms and conditions by which the Developer will provide those public benefits.

E. Since adoption of Resolution 2021-030, City staff and the Developer have identified a need to clarify a term in the Public Benefits Agreement relating to high quality and smart growth elements. Subsection I.B.3(ii) of the Public Benefits Agreement requires the Developer to include “alley access to the garages of at least 40% of the Total Dwelling Units.” The configuration and intended use of an “alley” is dictated by the adopted *Larimer County Urban Area Street Standards* and employing that specific design would require significant redesign of several proposed phases of Bloom, resulting in an overall loss of housing units.

F. The proposed First Amendment to the “Agreement to Secure Public Benefits for the Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” (the “First Amendment”) modifies Subsection I.B.3(ii) of the Public Benefits Agreement to read, “(ii) non-street-facing garages must be provided for at least 45% of the Total Dwelling Units.” A “non-street-facing garage” means a garage accessed internal to a block, lot, or larger single-site development (such as a multiunit or mixed-use building). This change in description provides more flexibility in meeting the requirements of the PBA while meeting the design intent of minimizing the visual impact of garage doors to streetscapes.

G. Staff recommends City Council approve the First Amendment, attached hereto as Exhibit A, to better reflect the intent of the City and the Developer and provide greater clarity related to design and the City’s development review.

H. Under Subsection II.F. of the Public Benefits Agreement, the City and the Developer are authorized to amend the Public Benefits Agreement.

I. The City Council finds and determines that adoption of this resolution and approval of the First Amendment is in the City’s best interest and advances the public’s health, safety and welfare by facilitating the Developer’s delivery of the agreed upon public benefits.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby approves the First Amendment to the “Agreement to Secure Public Benefits for the Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6.”

Section 2. The City Manager is authorized to execute the First Amendment to the “Agreement to Secure Public Benefits for the Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6” on behalf of the City in substantially the same form attached to this resolution as Exhibit A, subject to minor modifications as the City Manager, in consultation with the City Attorney, may determine to be necessary and appropriate to protect the interests of the City or to effectuate the purposes of this resolution.

Section 3. Promptly after the effective date of this resolution, the Developer shall record a copy of this resolution with all attachments in the office of the Larimer County Clerk and Recorder, with all recording fees paid by the Developer.

Section 4. After execution by the City and the Developer, the Developer shall record a copy of the First Amendment to the “Agreement to Secure Public Benefits for the Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos.

1 Through 6” in the office of the Larimer County Clerk and Recorder, with all recording fees paid by the Developer.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Heather N. Jarvis

**FIRST AMENDMENT TO THE
"AGREEMENT TO SECURE PUBLIC BENEFITS FOR MULBERRY DEVELOPMENT
AS PROVIDED IN SERVICE PLAN FOR MULBERRY METROPOLITAN DISTRICT
NOS. 1 THROUGH 6."**

THIS FIRST AMENDMENT TO THE "AGREEMENT TO SECURE PUBLIC BENEFITS FOR MULBERRY DEVELOPMENT AS PROVIDED IN SERVICE PLAN FOR MULBERRY METROPOLITAN DISTRICT NOS. 1 THROUGH 6" (the "First Amendment") is made and entered into on the date of the last signature below, by and between the CITY "F FORT COLLINS, COLORADO, a municipal corporation ("City"); and MULBERRY DEVELOPMENT, LLC, a Colorado limited liability company ("Developer"). The City and the Developer may be referred to individually, each as a "Party," or collectively as the "Parties."

RECITALS

WHEREAS, on March 23, 2021, the City and the Developer entered into the Agreement to Secure Public Benefits for Mulberry Development as Provided in Service Plan for Mulberry Metropolitan District Nos. 1 Through 6 (the "Public Benefits Agreement");

WHEREAS, the Parties wish to enter into this First Amendment for the purpose of clarifying a term in the Public Benefits Agreement relating to high quality and smart growth elements; and

WHEREAS, under Subsection II.F. of the Public Benefits Agreement the City and the Developer may amend the Public Benefits Agreement by an instrument in writing signed by the City and the Developer.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements of the Parties contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the Parties agree as follows.

TERMS AND CONDITIONS

1. Incorporation of Recitals. The foregoing Recitals are incorporated herein as material terms and conditions.
2. Capitalized Words and Terms. Capitalized words and terms not otherwise defined in this First Amendment shall retain the meaning given to them in the Public Benefits Agreement.
3. Amendment of Subsection I.B.3(ii) regarding securing the public benefits of High-Quality and Smart Growth Elements. Subsection I.B.3(ii) of the Public Benefits Agreement is amended and replaced to read as follows:

(ii) non-street-facing garages must be provided for at least 45% of the Total Dwelling Units,

4. Amendment of Subsection II.L. regarding Notices. Subsection II.L. of the Public Benefits Agreement is amended to replace the Developer's attorney contact information to read as follows:

With a copy to:

Coan, Payton & Payne, LLC
ATTN: Bob Choate
103 W. Mountain Avenue, Suite 200
Fort Collins, CO 80524
Email: BChoate@cp2law.com

5. Original Agreement. The Public Benefits Agreement remains in full force and effect, as amended by this First Amendment.

6. First Amendment Effective Date: This First Amendment shall be effective after all of the following have occurred: (a) the City Council has adopted a resolution approving this First Amendment, (b) the City and the Developer have executed this First Amendment with their signatures below, and (c) the Developer has recorded this First Amendment with the Larimer County Clerk and Recorder, with the Developer paying the cost of recording.

7. Counterparts. This First Amendment may be executed in counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same amendment.

[Remainder of page left intentionally blank. Signature page follows.]

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**AGREEMENT TO
SECURE PUBLIC BENEFITS FOR
MULBERRY DEVELOPMENT AS PROVIDED IN SERVICE PLAN FOR
MULBERRY METROPOLITAN DISTRICT NOS. 1 THROUGH 6**

THIS AGREEMENT TO SECURE PUBLIC BENEFITS FOR MULBERRY DEVELOPMENT AS PROVIDED IN SERVICE PLAN FOR MULBERRY METROPOLITAN DISTRICT NOS. 1 THROUGH 6 (this "Agreement") is made and entered into this 23rd day of March, 2021, by and between the CITY OF FORT COLLINS, COLORADO, a home rule municipality of the State of Colorado (the "City") and MULBERRY DEVELOPMENT LLC, a Colorado limited liability company (the "Developer"). The City and the Developer may be referred to herein individually as a "Party" and jointly as the "Parties."

WITNESSETH:

WHEREAS, Whitham Farms LLC ("Whitham") is currently the owner of the approximately 157.55 acres of real property legally described in Exhibit "A" attached hereto and incorporated herein by reference (the "Whitham Property"); and

WHEREAS, Springer-Fisher Inc. ("Springer-Fisher") is currently the owner of the approximately 75 acres of real property legally described in Exhibit "B" attached hereto and incorporated herein by reference (the "Springer-Fisher Property"); and

WHEREAS, Whitham and Springer-Fisher shall hereafter be referred to jointly as "the Owners" and the Whitham Property and Springer-Fisher Property shall hereafter be referred to jointly as "the Property"; and

WHEREAS, the Developer is currently under contract with each of the Owners to purchase from them their respective portions of the Property, which Property is generally located north of East Mulberry Street, south of East Vine Drive and east of the East Ridge Subdivision; and

WHEREAS, although the Developer has not yet submitted to the City under the City's Land Use Code (the "LUC") any development approval applications for the Property, the Developer anticipates that such future development approval applications will seek development review approval for approximately 1,600 dwelling units, including single-family detached, single-family attached, and multi-family living options, as well as a neighborhood town center and pedestrian-oriented market street, including approximately 20-30 acres of retail, commercial, and office uses to be developed on the Property (the "Project"); and

WHEREAS, the Project will be developed on the Property in phases and for each phase the Developer will be required to obtain the approval of a "final plan" as provided in the LUC ("Final Plan") and, as part of that approval of the Final Plan for each phase, the Developer will be required under the LUC to enter into a development agreement with the City for each phase setting forth, among other things, the Developer's obligations for constructing public improvements related to that phase of the Project and any restrictions placed on the issuance on building permits and certificates of occupancy for structures built in that phase (the "Development Agreement"); and

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WHEREAS, it is the intent of the Parties that this Agreement, the Final Plans and the Development Agreements for all the phases of the Project shall be read together in determining the Developer's obligations to provide the "Public Benefits" as hereafter described and required in this Agreement; and

WHEREAS, the Developer's goals for the Property align with and promote the City's Triple Bottom Line priorities of economic health, environmental services and social sustainability; and

WHEREAS, pursuant to the provisions of Article 1 of Title 32 of the Colorado Revised Statutes (the "Special District Act"), the City Council of the City (the "Council") approved on April 16, 2019, the Consolidated Service Plan (the "Service Plan") for the Mulberry Metropolitan District Nos. 1-6 (each a "District" and collectively the "Districts") by Resolution 2019-050; and

WHEREAS, organization of the Districts is intended to enable development of the Property in a manner that will provide the public benefits generally described in Exhibit I of the Service Plan, and more particularly defined and described in Paragraph I.B. below (the "Public Benefits"); and

WHEREAS, Section IV.B.2. of the Service Plan requires that the Public Benefits to be provided by the Developer for its planned development shall be secured by a development agreement between the City and the Developer and the City and the Developer desire to secure the Public Benefits in accordance therewith through this Agreement; and

WHEREAS, the Parties also desire to more fully address in this Agreement the timing and requirements related to the provision of certain of the Public Benefits that shall be delivered through approved Final Plans and related Development Agreements entered into as part of the development review approval of each phase of the Project.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements of the Parties contained herein, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, it is agreed as follows:

I. SECURING OF PUBLIC BENEFITS

A. Overview

1. Method of Securing Public Benefits. Although the intent is that one or more of the Districts will ultimately reimburse the Developer for those Public Benefits they have the legal ability to fund, the Developer shall have the obligation to develop, construct and/or install the Public Benefits in accordance with the terms and conditions of this Agreement.

2. Public Benefits Summary. Exhibit I to the Service Plan generally summarizes four (4) categories constituting the Public Benefits which are required to be secured under this Agreement: (1) Affordable Housing, (2) Critical On-Site and Off-Site Public Infrastructure, (3) High-Quality and Smart Growth Elements, and (4) Environmental

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Sustainability. Each of these categories are defined and addressed in Sections I.B.1 through I.B.4. below.

B. Public Benefits Secured

1. Affordable Housing.

a. The Developer has not yet submitted final site plans or development approval applications to the City for the Property, but the Developer anticipates that such future site plans and development approval applications will include approximately 1,600 dwelling units to be constructed on the Property. The **“Total Dwelling Units”** shall mean the total number of dwelling units authorized under one or more approved Final Plans for the Property. For the purposes of determining compliance with this Section I.B.1.a., at least fifteen percent (15%) of the Total Dwelling Units approved within the Project (with any fraction rounded up to the next whole number) must each be a dwelling unit affordable for households earning eighty percent (80%) or less of the area median income, as adjusted for household size, in the for-sale context, and an average of not more than sixty percent (60%) or less of the area median income, as adjusted for household size, in the for-rent context, both as measured against the Fort Collins/Loveland Metropolitan Statistical Area published annually by the U.S. Department of Housing and Urban Development (**“AMI”**), which units may be offered either for-sale or for-rent consistent with the additional parameters set forth below (**“Required Affordable Units”**). If more than 1,600 Total Dwelling Units are approved for the Property, the number of the Required Affordable Units shall be increased accordingly so that the Required Affordable Unit count meets or exceeds the fifteen percent (15%) requirement. On the other hand, if less than one thousand six hundred (1,600) Total Dwelling Units are approved, the number of Required Affordable Units shall not be less than two hundred forty (240) dwelling units. Of the Required Affordable Units, a minimum of forty (40) dwelling units shall be offered for-sale at a price that is affordable for households earning eighty percent (80%) or less of AMI, as adjusted for household size (the **“For-Sale Affordable Units”**). The For-Sale Affordable Units shall be built as “dispersed site” units, integrating market rate units and affordable housing units within the Project. The above-referenced disbursement requirement does not apply to The Required Affordable Units offered for rent. This sixty percent (60%) average AMI in the for-rent context shall be calculated using the averaging methodology adopted by the Colorado Housing and Finance Authority in effect at the time the affected Required Affordable Units are determined by the City to count toward the Required Affordable Units as provided in Section I.B.1.c. below.

b. Each of the Required Affordable Units must continue to satisfy its affordability standard as defined in Section I.B.1.a. above for at least twenty (20) years from the date of issuance of the first certificate of occupancy for each such unit. This means that it is the intent of the Parties that the initial and subsequent conveyances and leases of each of the Required Affordable Units during the twenty (20)-year period must be to purchasers or lessees whose AMI qualifies them for that Required Affordable Unit as defined in Section I.B.1.a. above. This requirement shall be deemed satisfied upon recording of a restrictive covenant or deed restriction for each of the Required Affordable Units in a form reasonably acceptable to the City, which shall include (without limitation) the information set forth in the last paragraph in Section I.B.1.c. below, that is for the City’s benefit and enforceable by the City at law and in

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equity and recorded with the Larimer County Clerk and Recorder (the “20-Year Covenant”). When recorded, the 20-Year Covenant shall not be subordinate to any lien or other financial encumbrance other than liens for real property taxes. Notwithstanding the foregoing, the Developer may use methods other than the 20-Year Covenant to ensure for twenty (20) years the affordability of the Required Affordable Units if the method is first approved in writing by the City.

c. The Required Affordable Units may be provided through any of the following four (4) mechanisms or by any other mechanism mutually agreed upon in writing by the Developer and the City, or any combination of the same:

(i) Developer has developed any portion of the Required Affordable Units within the Project under one or more approved Final Plans for the Project.

(ii) Execution of a contract for the sale of land of any portion of the Project by the Developer to a non-profit or for-profit builder with a legally enforceable contract obligation to the City in a form reasonably acceptable to the City to develop such land as part or all of the Required Affordable Units, and the subsequent development of that land under one or more future approved final development plans for the Project by such builder as part or all of the Required Affordable Units. At the time any such sale is closed and relevant documentation provided to the City by the Developer for each such sale, the City shall determine the number and type of Required Affordable Units which reasonably could be expected to develop on such acreage pursuant to the future approved final development plan and all other applicable City ordinances, regulations, standards and policies and, upon such determination, those units shall count toward the Required Affordable Units.

(iii) A reservation of any portion of the Property to be developed under one or more future approved Final Plans by the Developer for the benefit of and legally enforceable by the City at law and in equity for the eventual sale to an entity for development of all or a portion of the Required Affordable Units. At the time such reservation is made by the Developer and the reservation is in a form reasonably acceptable to the City that is for the City’s benefit and enforceable by the City at law and in equity and recorded with the Larimer County Clerk and Recorder, the City shall determine the number and type of Required Affordable Units which could reasonably be expected to develop on such acreage pursuant to the future approved Final Plan(s) and all other applicable City ordinances, regulations, standards and policies. Upon such determination, those units shall count toward the Required Affordable Units.

(iv) The Developer conveys any portion of the Property to the City to be used by the City in its land bank program for affordable housing. At the time such conveyance is made by the Developer to the City, the City shall determine the number and type of Required Affordable Units which could reasonably be expected to develop on such acreage pursuant to the future approved Final Plan(s) for that Property and all other applicable City ordinances, regulations, standards and policies. Upon such determination, those units shall count toward the Required Affordable Units.

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d. As to any Required Affordable Units provided pursuant to subparts I.B.1.(ii) and (iii) above, in the deed conveying the land for development of such Required Affordable Units from Developer to the initial purchaser thereof from the Developer (the "Initial Purchaser"), the Developer must include the following:

(i) A specific reference in the body of the deed, reflecting that the property conveyed thereby is conveyed subject to the 20-Year Covenant,

(ii) A copy of the 20-Year Covenant as an exhibit to such deed,

(iii) A requirement that the Initial Purchaser include, in the body of the deed conveying each such Required Affordable Unit to a residential purchaser from such Initial Purchaser, a statement that, in accordance with the 20-Year Covenant, if such residential purchaser or any subsequent owner of such Required Affordable Unit sells or leases such Required Affordable Unit while the Required Affordable Unit is subject to the 20-Year Covenant, such subsequent owner or lessee must comply with the affordability requirements of the 20-Year Covenant as set forth in Section I.B.1.a. above (the "Affordability Notice"), and

(iv) A provision that, while the Required Affordable Units to be developed on such land are subject to the 20-Year Covenant, the Initial Purchaser thereof is responsible for causing to be prepared and filed annually with the City Manager's Office, as provided in Section I.B.1.f. below, a written report stating compliance of such Required Affordable Unit with the 20-Year Covenant as set forth in Section I.B.1.a. above (the "Compliance Report").

e. As to any of the Required Affordable Units provided pursuant to subpart I.B.1.c.(i) above, the Developer shall:

(i) Include in any deed by which it conveys a Required Affordable Unit to the Initial Purchaser of the Unit: (1) a specific reference in the body of the deed, reflecting that the property conveyed thereby is conveyed subject to the 20-Year Covenant, (2) attach a copy of the 20-Year Covenant as an exhibit to such deed, and (3) the Affordability Notice; and

(ii) Cause the Compliance Reports for these Units to be prepared and delivered to the City on an annual basis.

f. Each annual Compliance Report for the Required Affordable Units provided under subparts (i), (ii) and (iii) above must be delivered to the City Manager's Office within ninety (90) days after the end of each calendar year and must report whether any Required Affordable Units which were for-rent at any time during the past calendar year and whether any Required Affordable Units which were sold during such preceding calendar year, that such rentals and/or sales, as applicable, were to a household satisfying the requirements of Section I.B.1.a. above.

g. At least sixty-six percent (66%) of the Required Affordable Units must be provided through one of the mechanisms described in Sections I.B.1.c.(i) through

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(iv) above (or through any other mechanism agreed upon in writing between the City and the Developer) before the City is required to issue any building permit that will authorize the construction of more than eight hundred (800) Total Dwelling Units within the Project, and the remaining thirty-four percent (34%) of the Required Affordable Units must be so provided prior to the City being required to issue a building permit that will authorize the construction of any of the last one hundred (100) of the Total Dwelling Units within the Project. The City agrees that this hold on the last one hundred (100) Total Dwelling Units shall not apply to the issuance of a building permit for any Required Affordable Unit.

2. Critical On-Site and Off-Site Public Infrastructure. The Developer agrees that one or more of the future Final Plans for the Property and related future Development Agreements between the City and Developer shall require that the following critical public infrastructure and contributions be provided by the Developer:

a. Rail Crossing. Fund, design and construct a railroad crossing of the Great Western Railroad for both vehicular and pedestrian access in the dedicated Greenfield Court right of way (the "Rail Crossing Improvements");

b. Greenfields Roundabout. Fund, design and construct a traffic roundabout on Greenfields Court planned near East Mulberry Street (the "Greenfields RAB");

c. Vine & Timberline Intersection Contribution. Contribution to the City by the Developer of \$250,000 for the design and construction, or alternatively design and construction by the Developer at a cost of \$250,000 or greater, of the improvements to the intersection of East Vine Drive and North Timberline Road (the "Vine & Timberline Contribution");

d. Frontage Road and Highway 14 Median Contribution. Contribution to the City by the Developer of \$800,000 for the design and construction, or alternatively design and construction by the Developer at a cost of \$800,000 or greater, of landscape improvements in the North Frontage Road and Highway 14 Median and at the intersection of North Frontage Road and Highway 14 (the "Median Contribution"); and

e. Community Gateway Contribution. Contribution to the City by the Developer of \$500,000 for the design and construction, or alternatively design and construction by the Developer at a cost of \$500,000 or greater, of monumentation and landscape improvements on parcels located between the realigned North Frontage Road and East Mulberry Street to create a welcoming entry feature (the "Community Gateway Contribution"). Despite this parcel of property's ideal location for a profitable convenience store or drive-thru site, the Developer has committed to developing this site as a City monument and community entry feature, at a lost opportunity cost to Developer of approximately \$1,250,000 in foregone land value.

The timing for each of the above-described critical onsite and off-site public infrastructure shall occur as reasonably determined by the City as part of its consideration of the development application filed with the City under the LUC for each phase of the Project and

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with the resulting obligations included in the Final Plan and Development Agreement approved for each such phase of the Project. The City's approval of one or more future Final Plans and Development Agreements for the Project, as required under the LUC, that legally obligates the Developer to provide the Rail Crossing Improvements, Greenfields RAB, Vine & Timberline Contribution, Median Contribution and/or the Community Gateway Contribution shall be prerequisites to the Developer's receipt from the City of any residential building permit for construction under the applicable future approved Final Plan and Development Agreement for the relevant phase of the Project.

3. High-Quality and Smart Growth Elements. The Developer agrees that the future approved Final Plans for the Property and the related future Development Agreements between the City and Developer shall include the following smart growth elements: (i) increased density from Low Density Mixed-Use Neighborhood District standard of 4 units per acre in LUC Division 4.5, (ii) alley access to the garages of at least 40% of the Total Dwelling Units, (iii) added utility services and raw water dedication, (iv) enhanced pedestrian crossings, (v) a central pedestrian-oriented greenway spine through the center of the neighborhood, (vi) a secondary bicycle path to provide a more direct route for cyclists, (vii) an enhanced east-west greenway to connect from the railroad crossing to Cooper Slough, and (v) a mixed-use design. Such future approved Final Plans shall also include neighborhood parks, pocket parks adjacent to the pedestrian-oriented greenway spine, and a commercial center promenade (collectively, "Smart Growth Elements"). The timing of Developer's obligation for each of the Smart Growth Elements shall occur as reasonably determined by the City as part of its consideration of the development applications filed with the City under the LUC for each phase of the Project and with the resulting obligations included in the Final Plan and Development Agreement approved for each such phase of the Project. The City's approval of one or more future Final Plans and Development Agreements for the Project that legally obligates the Developer to provide any of the Smart Growth Elements, shall be prerequisites to the Developer's receipt from the City of any residential building permit for construction under the applicable future approved Final Plan and Development Agreement for the relevant phase of the Project.

4. Environmental Sustainability.

a. Solar Photovoltaic Energy. The Developer agrees that one or more of the future approved Final Plans for each of the phases of the Project and related future Development Agreements shall require the Developer to construct a solar power generation system or systems that shall generate a minimum of 800 kilowatts (each a "Solar Power Generation System"). At Developer's option, each Solar Power Generation System shall be certified by either (i) a licensed, independent, third-party electrical engineer or solar professional in accordance with the requirements of the City, or (ii) an agent or representative of the City, in accordance with the requirements of the City. The Developer shall also provide documentation satisfactory to the City certifying that each Solar Power Generation System will be owned, operated and maintained by the owner of the property on which the Solar Power Generation System is located (the "Owner's Certification"). The City must have received certification of one or more Solar Power Generation Systems generating at least 400 kilowatts and the related Owner's Certification before the City is required to issue any certificate of occupancy for more than fifty percent (50%) of the Total Dwelling Units within the Property, and certification of one or more Solar Power Generations Systems generating the remaining 400 kilowatts and the

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related Owner's Certification shall be received by the City prior to the City being required to issue a certificate of occupancy for any of the last one hundred (100) of the Total Dwelling Units within the Property.

b. Water Conservation through Non-Potable Irrigation System. The Developer agrees that the future approved Final Plans for each phase of the Project and related future Development Agreements shall require the Developer to design and install a non-potable water system to provide irrigation water to all the natural areas and private lots in that phase of the Project (the "Water System"). The Parties acknowledge that it is the Developer's intention that the Water system shall be owned, operated and maintained by Mulberry Metropolitan District No. 1 or one of the other Districts. The Developer shall apply to the applicable District for acceptance of the Water system in accordance with the relevant agreement(s) in place between the Developer and the District concerning the District's acquisition of public improvements and infrastructure. Nevertheless, the Developer shall be responsible for ensuring the Water System and each phase of it is in full compliance with all applicable federal and Colorado law including, without limitation, the Colorado Constitution, statutes and regulations regarding water use, applicable court decrees regarding water rights and well permitting requirements. The Developer shall also provide to the City, for its prior approval, the Water System design plans for each phase of the Project and such plans must comply with all applicable City ordinances, regulations, standards and policies, as well all applicable county, state and federal laws and regulations. Developer's legal obligation to provide the Water System for each phase of the Project, as provided in this Agreement, shall be included in the Final Plan and Development Agreement for that phase, and Developer agreeing to this obligation in the Final Plan and Development Agreement is a prerequisite to Developer's receipt from the City of a building permit for the construction of any building in that phase of the Project. In addition, the approved Final Plan and Development Agreement for each phase of the Project must provide that the City shall not be required to issue a certificate of occupancy for any building in that phase if the portion of the Water System designed to serve that building has not been installed in accordance with the City-approved design plans for that phase of the Water System and the Water System is operational to serve that building.

c. Sustainable Landscape Design. The Developer desires to promote water conservation in the Project through its landscaping design. The Developer agrees that all the future approved Final Plans for the Project and related future Development Agreements related to each phase of the Project shall require xeric plantings and grouping of plant species with similar water needs to allow for efficiency in irrigation (the "Sustainable Landscape Design"). The Developer also agrees that its legal obligation to provide the Sustainable Landscape Design for each phase of the Project shall be a prerequisite to Developer's receipt from the City of any building permit for residential construction within that phase of the Project.

d. Enhanced Community Resiliency. The Developer agrees that one or more of the future approved Final Plans for the Project and related future Development Agreements shall require that the following improvements to provide for enhanced community resiliency be provided by the Developer:

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(i) Improvements to the Cooper Slough to reduce runoff and lower peak flows through upstream planting and mitigation;

(ii) Improvements to Lake Canal to help bring it out of the current flood plain; and

(iii) Landscape architecture designed to support the flight distances and migration patterns of applicable pollinators (together, the “**Enhanced Community Resiliency Improvements**”).

The timing of Developer’s obligation for each of the Enhanced Community Resiliency Improvements shall occur as reasonably determined by the City as part of its consideration of the development applications filed with the City under the LUC for each phase of the Project and with the resulting obligations included in the Final Plan and Development Agreement approved for each such phase of the Project. The City’s approval of one or more future Final Plans and Development Agreements for the Project that legally obligates the Developer to provide any of the Enhanced Community Resiliency Improvements, shall be prerequisites to the Developer’s receipt from the City of any residential building permit for construction under the applicable future approved Final Plan and Development Agreement for the relevant phase of the Project.

C. City Acknowledgement. The City and Developer specifically acknowledge and agree that the Public Benefits described and secured in paragraphs I.B.1 through I.B.4. above, shall only be deemed to have satisfied the requirement and precondition set forth in Section IV.B. of the Service Plan for securing the Public Benefits as generally described in Exhibit I of the Service Plan when this Agreement goes into full effect as provided in Section II. R. below.

II. MISCELLANEOUS

A. City Findings. The City hereby finds and determines that the approval of this Agreement is in the best interests of the City and the public’s health, safety and general welfare.

B. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.

C. Covenants/Binding Effect. This Agreement shall run with the Property, including any subsequent replatting of all, or a portion of the Property. This Agreement shall also be binding upon and inure to the benefit of the Parties and their respective personal representatives, heirs, successors, grantees and assigns. It is agreed that all improvements required pursuant to this Agreement touch and concern the Property regardless of whether such improvements are located on the Property. Assignment of interest within the meaning of this paragraph shall specifically include, but not be limited to, a conveyance or assignment of any portion of the Developer’s legal or equitable interest in the Property, as well as any assignment of the Developer’s rights to develop the Property under the terms and conditions of this Agreement and the Final Plans and Development Agreements approved for the Property.

RECEPTION #20220050896, 8/15/2022 3:40:59 PM, 10 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO

Item 23.

RECEPTION #20210057027, 6/10/2021 4:30:09 PM, 10 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO

D. Default.

1. Notice; Cure. If either Party defaults under this Agreement, the non-defaulting Party shall deliver written notice to the defaulting Party of such default in accordance with Section II.L, and the defaulting Party shall have thirty (30) days from and after receipt of such notice to cure such default. If such default is not of a type which can be cured within such thirty (30) day period and the defaulting Party gives written notice to the non-defaulting Party within such thirty (30) day period that it is actively and diligently pursuing such cure, the defaulting Party shall have a reasonable period of time given the nature of the default following the end of such thirty (30) day period to cure such default, provided that such defaulting Party is at all times within such additional time period actively and diligently pursuing such cure and provided further that in no event shall such cure period exceed a total of six (6) months. Notwithstanding the cure period set forth in this Section II.D.1, Developer, its successors and assigns, shall have the right to include a claim for breach of this Agreement in any action brought under C.R.C.P. Rule 106 if Developer, its successors and assigns, believes that the failure to include such claim may jeopardize its ability to exercise its remedies with respect to this Agreement at a later date. Any claim for breach of this Agreement brought before the expiration of the applicable cure period set forth in this Section II.D. shall not be prosecuted by Developer, its successors and assigns, until the expiration of such cure period except as set forth in this Agreement, and shall be dismissed by Developer, its successors and assigns, if the default is cured in accordance with this Section II.D.

2. Remedies. If any default under this Agreement is not cured as described above, the non-defaulting Party shall have the right to enforce the defaulting Party's obligation hereunder by an action at law or in equity, including, without limitation, injunction and/or specific performance, and shall be entitled to an award of any damages available at law or in equity.

E. Governing Law. This Agreement shall be construed under and governed by the laws of the State of Colorado.

F. Integration; Amendment. This Agreement represents the entire agreement between the Parties with respect to the subject matter hereof and there are no oral or collateral agreements or understandings. The Parties agree that this Agreement may be amended only by an instrument in writing signed by the City and the Developer, and successors and permitted assigns of the Developer to whom the Developer has granted in writing the right to consent to any such amendments. Notwithstanding the foregoing, this Agreement shall be in addition to and supplemented by the Development Agreements that will be entered into by the Developer with the City for the Property as required in the LUC.

G. Jurisdiction and Venue. The City and the Developer, its successors and assigns, stipulate and agree that in the event of any dispute arising out of this Agreement, the courts of the State of Colorado shall have exclusive jurisdiction over such dispute and venue shall only be proper in Larimer County, Colorado. The Parties hereby submit themselves to jurisdiction of the State District Court, 8th Judicial District, County of Larimer, State of Colorado.

RECEPTION #20220050896, 8/15/2022 3:40:59 PM, 11 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO

Item 23.

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Angela Myers, Clerk & Recorder, Larimer County, CO

H. City Approvals. Where this Agreement requires the City's future approval or consent, such approval or consent may be given by the City Manager of the City within his or her sole discretion. Where this Agreement requires the City Council's approval or consent, such approval or consent shall be within the Council's sole discretion.

I. Multiple-Fiscal Year Obligations. To the extent that any of the obligations of the City contained in this Agreement are or should be considered multiple-fiscal year obligations, such obligations shall be subject to annual appropriation by the Fort Collins City Council, in its sole discretion.

J. No Joint Venture or Partnership. No form of joint venture or partnership exists between the Developer and the City, and nothing contained in this Agreement shall be construed as making the Developer and the City joint venturers or partners.

K. No Third-Party Beneficiaries. Except as otherwise provided in this Agreement, enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the City and the Developer, and its successors and assigns, and nothing contained in this Agreement shall give or allow any such claim or right of action by any third party.

L. Notices. Any notice or communication required under this Agreement between the City and the Developer, and its successors and assigns, must be in writing and may be given either personally, by registered or certified mail, return receipt requested, by Federal Express or other reliable courier service that guarantees next day delivery or by facsimile transmission (followed by an identical hard copy via registered or certified mail). If personally delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. If given by any other method, a notice shall be deemed to have been given and received on the first to occur of: (a) actual receipt by any of the addressees designated below as the Party to whom notices are to be sent; or (b) as applicable: (i) three (3) days after a registered or certified letter, return receipt requested, containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail; (ii) the following business day after being sent via Federal Express or other reliable courier service that guarantees next day delivery; or (iii) the following business day after being sent by facsimile transmission (provided that such facsimile transmission is promptly followed by an identical hard copy sent via registered or certified mail, return receipt requested). Any Party hereto may at any time, by giving written notice to the other party hereto as provided in this Section II.L, designate additional persons to whom notices or communications shall be given and designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

If to City: City of Fort Collins
 ATTN: City Manager
 300 LaPorte Avenue
 Fort Collins, CO 80521

With a copy to: City of Fort Collins
 ATTN: City Attorney

RECEPTION #20220050896, 8/15/2022 3:40:59 PM, 12 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO

RECEPTION #20210057027, 6/10/2021 4:30:09 PM, 12 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO

300 LaPorte Avenue
Fort Collins, CO 80521

If to Developer: Mulberry Development LLC
4801 Goodman Road
Timnath, CO 80547
ATTN: Patrick McMeekin

With copies to: WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law
ATTN: Robert Rogers, Esq.
2154 East Commons Avenue, Suite 2000
Centennial, Colorado 80122

M. Paragraph Captions. The captions of the paragraphs are set forth only for the convenience and reference of the Parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

N. Recordation. The Developer agrees to record this Agreement with the Larimer County Clerk and Recorder after the recording of each of the deeds from the Owners conveying their respective portions of the Property to the Developer and prior to recording any other encumbrance on the Property, and the Developer shall pay the cost of both recordings of this Agreement.

O. Severability. If any term, provision, covenant or condition of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Agreement shall continue in full force.

P. Survival. The covenants, representations and warranties and agreements to be performed or complied with under this Agreement by the Parties shall be continuing obligations of the Parties until fully complied with or performed, respectively.

Q. Waiver. No waiver of one or more of the terms of this Agreement shall constitute a waiver of other terms. No waiver of any provision of this Agreement in any instance shall constitute a waiver of such provision in other instances.

R. Effective Date and Termination. This Agreement shall not go into full effect unless and until all of the following events have occurred: (i) the Owners have both deeded their respective portions of the Property to the Developer, (ii) both deeds have been duly recorded with the Larimer County Clerk and Recorder, and (iii) this Agreement has been duly recorded as against both the Whitham Property and the Springer-Fisher Property as provided in Section II.N above. However, if any of these events has not occurred on or before June 30, 2023, this Agreement shall terminate on July 1, 2023, and the Parties shall be released from all obligations hereunder.

[Remainder of page left intentionally blank. Signature Pages follow.]

**RECEPTION #20220050896, 8/15/2022 3:40:59 PM, 15 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO**

Item 23.

**RECEPTION #20210057027, 6/10/2021 4:30:09 PM, 15 of 16, \$88.00 Electronically Recorded
Angela Myers, Clerk & Recorder, Larimer County, CO**

EXHIBIT A

The Whitham Property

The NW1/4 of Section 9, Township 7 North, Range 68 West of the 6th P.M., EXCEPT Right of Way for County Road 48 and EXCEPT Right of Way in Book 245 at Page 77, County of Larimer, State of Colorado.

EXHIBIT I
PUBLIC BENEFITS

Mulberry Metro District Public Benefit Evaluation

Total Project Units

1608

Environmental Sustainability			
Non-Basic Improvements			
GHG Reduction	Total Benefit (\$)	Benefit per Unit	Notes
1 800 kW Solar Power	\$1,969,400	\$8,600	Total 800kW Generated - 3.5kW system on 229 Homes
Water and Energy Conservation			
1 Non-Potable Irrigation System	\$4,642,190	\$2,887	See Cost Estimate
Multi-modal Transportation			
1			
Enhanced Resiliency			
1 Pollinator Corridors	\$160,800	\$100	Enhanced planting plans to encourage Pollinator development
Increased Renewable Capacity			
1 See GHG Reduction			
TOTAL Environmental Sustainability Benefit	\$6,772,390	\$11,587	

Critical Public Infrastructure			
Non-Basic Improvements			
On-Site	Total Benefit (\$)	Benefit per Unit	Notes
1 Rail Crossing	\$500,000	\$311	
Off-Site			
1 Vine & Timberline Contributions*	\$250,000	\$155	Estimated Contribution
2 Greenfields RAB	\$524,453	\$326	
TOTAL Critical Public Infrastructure Benefit	\$1,274,453	\$793	

Smarth Growth Management			
Non-Basic Improvements			
Increase Density	Total Benefit (\$)	Benefit per Unit	Notes
1 Alley Load Homes	\$4,002,023	\$6,670.04	40% of Units - 600 Units
2 Added Utility Services/Raw water Dedication^	\$18,020,145	\$11,207	Additional Sewer and Water Service - 825 Unit Density Bonus
Walkability & Pedestrian Infrastructure			
1 Enhanced crossings	\$75,000	\$47	6 Crossings Total @ \$12,500 ea.
Availability of Transit			
1			
Public Space			
1 Neighborhood Parks	\$3,270,672	\$2,034	Pocket Parks / Neighborhood Parks
2 Swimming Pool	\$3,000,000	\$1,866	
3 Commercial Center Promenade	\$3,000,000	\$1,866	
Mixed - Use			
1 Project is designed as Mixed-use	Difficult to Quant.		
TOTAL Smarth Growth Management	\$31,367,840	\$23,689	

Strategic Priorities			
Non-Basic Improvements			
Affordable Housing	Total Benefit (\$)	Benefit per Unit	Notes
1 15% Affordable housing target	\$15,687,750	\$9,750	\$65K Subsidy for 15% of Units at 80% AMI
2 Water Savings for Non-Potable Irrigation System	\$21,671,479	\$13,477	Savings on Raw water not required to be purchased to satisfy Project
Workforce Housing			
1			
Infill & Redevelopment			
1 Mulberry Frontage Improvements	\$500,000	\$311	Landscaping Improvements on Frontage
2 Monument / Gateway Signage	\$1,750,000	\$1,088	Land (1.77 Ac @ \$15/Ft.) plus Signage Cost
3 Mulberry Intersection / Median Improvements	\$300,000	\$187	
Economic Health			
1 Catalyze corridor Redevelopment	Difficult to Quant.		
2 New Employment / Sales Tax Generation	Difficult to Quant.		
TOTAL Strategic Priorities Benefit	\$39,909,229	\$24,813	

DISCLAIMER: The above represents Preliminary estimates designed to provide an illustrative representation for the value of public benefit. This illustration is non-binding pending execution of a Development Agreement

TOTAL PUBLIC BENEFITS \$79,323,912 \$60,881

Footnotes

^.3/AF per Unit - 825 Unit Density Bonus over LMN - \$57K/AF for Water

*Estimated Contribution



HARTFORD DEVELOPMENT
MULBERRY METROPOLITAN DISTRICT
PUBLIC BENEFITS NARRATIVE

Fort Collins, Colorado

Prepared for the
Fort Collins Planning Department

3.08.2019



THE PROJECT

The Mulberry Corridor (“the Corridor”) is quickly becoming the primary gateway to Fort Collins – Old Town, new hotels, breweries, Woodward, the Poudre River Whitewater Park, Poudre Canyon access, etc. This gateway does not represent our City well. While enclaving the Corridor represents significant progress, the Corridor needs a project to set a high development standard and catalyze redevelopment. On the last remaining large greenfield development site on the Corridor, Mulberry (the Community) represents the perfect opportunity to do just that. A Metropolitan District will provide the financing mechanism to accomplish this higher standard of development and accelerate redevelopment of the Corridor.

Our City is in desperate need of affordable and attainable housing. Hartford has entitled, developed and built 1,000+ homes at affordable and attainable price points in northeast Fort Collins – Dry Creek, TimberVine, Mosaic – since 2011. Hartford’s ability to maintain these price points and deliver affordable or attainable homes under the historical model is no longer possible due to rising water, land, infrastructure, labor and material costs. In order to provide this much needed housing Mulberry will use Metropolitan District funds to offset costs of innovating on water sources and uses, community and home designs, construction techniques, and public/private partnerships, to deliver a minimum of 241 affordable, and 1,367 attainable units.

Mulberry’s vision is to deliver on these critical City objectives and with Metropolitan District financing tools, will:

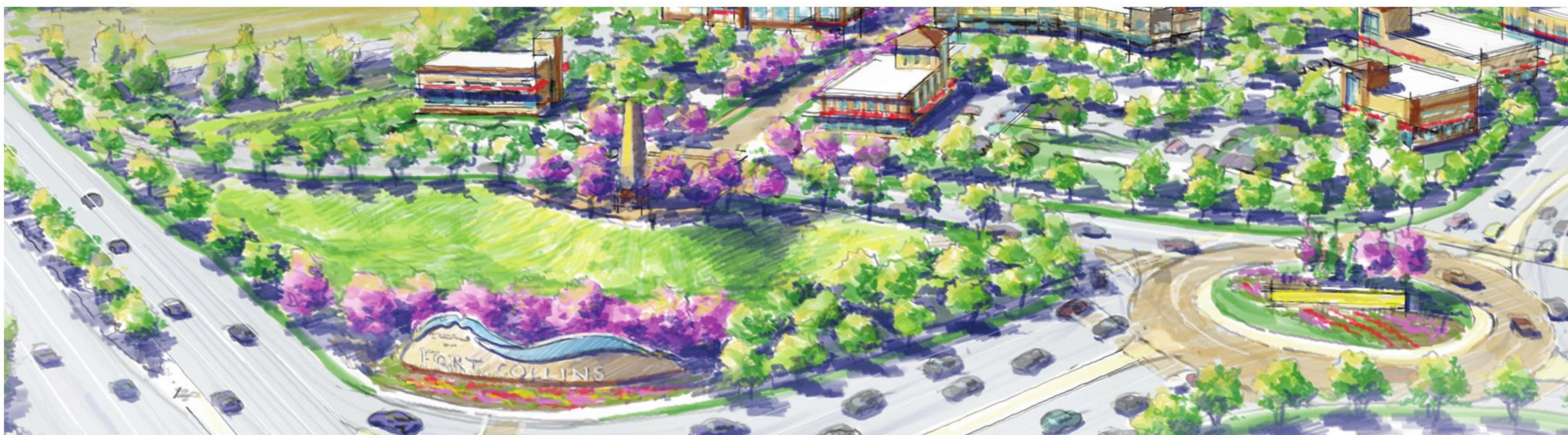
- 1) Catalyze redevelopment of the Corridor;**
- 2) Create affordable housing units; and**
- 3) Create attainable housing units to support the workforce.**

In addition to these top priorities, Metropolitan District Financing will support the City’s objectives to:

- 3) Employ high quality and Smart Growth practices;**
- 4) Incorporate Environmental Sustainability through energy conservation, water conservation, and enhanced community resiliency; and**
- 5) Develop critical on-site and off-site public infrastructure.**

This mixed-use community will provide a variety of opportunities for shopping, working, living, and playing, including:

- A neighborhood town center located between the Corridor and the residential portions of Mulberry, with a central pedestrian-oriented market street acting as the continuation of the central north-south greenway running through the community; and including:
 - Approximately 20-30 acres of retail, commercial, office uses
 - Up to +/- 160,000 SF of retail and commercial uses, including the potential of a neighborhood-scaled grocery store up to 50,000 SF
 - Up to +/- 80,000 SF of office uses integrated into the market street
- 1,600 or more residences to include single-family detached, single-family attached, and multi-family living options, of which a minimum of 15% will be designated as affordable;
- Significant open space, including a range of features from amenitized parks to preservation of high-value natural areas; and
- An extensive trail corridor and pedestrian network, providing both internal community connectivity and walkability, as well as links to the surrounding Fort Collins community.





PUBLIC BENEFITS

1. CATALYZE THE MULBERRY CORRIDOR

MULBERRY STREET FRONTAGE, INTERSECTION AND MEDIAN IMPROVEMENTS

The Mulberry project would like to make improvements beyond its boundaries to help establish the appropriate standard for the Corridor redevelopment. Specifically, Mulberry will contribute to the Frontage Road, the HWY 14 Median and the Intersection of HWY 14 and Greenfields improvements. With the appropriate infrastructure and landscaping improvements, Mulberry can be a catalyst and provide an appropriate entrance to our City.

Quantitative Benefit: Improvement Costs - \$800,000

Qualitative Benefit: Establishing an implicit standard for redevelopment of the Corridor; catalyzing investment in and redevelopment of the Corridor.

Metropolitan District Role: Design, construction and financing of all infrastructure associated with the frontage area improvements adjacent to the Mulberry community, including roadway, utility, drainage/grading, landscape, identity and signage and other related improvements along this corridor.

MULBERRY COMMUNITY GATEWAY

Per the East Mulberry Corridor Plan, this property is uniquely positioned to provide a gateway to Fort Collins from I-25. Two small parcels have been created between the realigned frontage road and Mulberry Road as a part of the ongoing County-led improvements, the westernmost of which is located within the prop boundaries of the proposed Mulberry community. Despite its ideal situation for a profitable convenience store or drive-thru site, Mulberry would rather see this site developed for an iconic City monument and community entry feature

- This entry feature will reinforce the role of this property as a gateway to the City of Fort Collins.
- This welcoming monument, were it to be supported by the City, would be constructed and maintained by the Mulberry Metropolitan Districts.

Quantitative Public Benefit: Foregone Land Value - \$1.25M; Entry Feature - \$500,000

Qualitative Public Benefit: Establishing an iconic gateway to the Mulberry Community, as well as a Fort Collins as a whole

Metropolitan District Role: Ownership of monument land, design, construction, maintenance and financing of gateway features/improvements.





DESIGN STANDARDS.

Mulberry provides an opportunity to set a high standard of design for the redevelopment of the corridor including

- Infrastructure design through new pedestrian, vehicular, and landscape improvements
- Establishment of an architectural character for this portion of the city
- Develop a signature mixed-use New Urbanist community which will also help catalyze investment in this area.

Quantitative Public Benefit: \$0

Qualitative Public Benefit: Establishing an implicit standard for redevelopment of the Corridor; catalyzing investment in and redevelopment of the Corridor.

Metropolitan District Role: Infrastructure reimbursements allow for higher quality design.



ECONOMIC HEALTH OUTCOMES

Mulberry will provide a range of economic benefits to the Corridor, as it will

- Help retain existing businesses by filling the need for an appropriate gateway to the northern portions of the city.
- Create an attractive, attainable, affordable, and diverse place to live, work, and play, through innovative site planning, construction methods, and overall design
- Provide employment opportunity as well as additional tax revenues to the City through retail, commercial, and office uses within the mixed-use community center
- Attract a dynamic workforce with its healthy balance of natural and urban environments

Quantitative Public Benefit: \$0

Qualitative Public Benefit: New Employment; Sales Tax Generation

Metropolitan District Role: Financing and District reimbursements make the project economically feasible, delivering high priority retail, employment and attainable housing to the Corridor.

2. CREATE AFFORDABLE HOUSING

The financing and reimbursement options created by the Metropolitan Districts will offset infrastructure costs during development and enable the Mulberry project to deliver a minimum of 241 residential units, or 15% of the total project, at 80% AMI or lower. These units will be delivered under the following guidelines:

- **For Sale:** A minimum of 40 units (2.5%) will be for sale
- **For Rent:** Approximately 200 units (12.5%) are anticipated to be for rent
- **Integrated / Dispersed Site:** Approximately 40 units will be built as 'dispersed site' units, integrating market rate units and affordable housing units within the neighborhood. It is anticipated that affordable units will be the same units as market-rate units and will be integrated along a block or product type within the community.
- **Enforceability:** Prior to or concurrent with preparation of the Development Agreement, Mulberry will create legally enforceable guarantees for affordable housing commitments. Potential options include a contract with the City for Land Bank, deed restriction, and reservation of acreage.



A variety of opportunities and potential delivery methods exist to achieve the above guidelines, including:

- **Qualified Census Tract** – Mulberry is located in a Qualified Census Tract, creating access to HUD financing for affordable multi-family developers and builders. If infrastructure costs can be offset by a Metropolitan District, experienced, affordable housing developers have expressed interest in the site
- **Opportunity Zone** – Mulberry is located in an Opportunity Zone, qualifying long-term investments for new tax incentives; this further provides viability for affordable, multi-family developers
- **Partnership with Habitat for Humanity** – Hartford Homes and the Mulberry community have been working on a partnership with Habitat for Humanity to build the affordable, for-sale residential units
- **Land Trust Partnership** - Hartford Homes and the Mulberry community have been in early discussions with several Land Trusts
- **Partnership with the City of Fort Collins** – Mulberry would like to explore partnership opportunities with the City - Land Bank or other similar programs
- **Partnership with Major Employer(s)** – Mulberry is exploring co-investment programs with multiple employers to provide workforce housing
- **Builder/Developer Model** – As Developer and Builder, Hartford Homes has the ability to fully deliver or subsidize costs, where necessary, to ensure delivery of the affordable housing units

Quantitative Public Benefits: \$65K per unit subsidy - \$15.5M

Qualitative Public Benefits: Provide for sale and for rent affordable housing and create a more integrated and diverse community.

Metropolitan District Role: Lower cost of infrastructure (through District reimbursements), enabling creation of more affordable units.

3. CREATE ATTAINABLE HOUSING

In addition to the aforementioned methods to provide and ensure affordable homes within the proposed Mulberry community, the Mulberry Metropolitan Districts will allow for the use of innovative land planning and construction strategies, lowering the overall cost of housing and providing for a wide range of market-rate attainable housing options.

RESIDENTIAL NEIGHBORHOOD DESIGN

Consistent with New Urbanist principles, the single-family attached and detached homes at Mulberry are envisioned to have predominately alley-accessed garages, with less private yard space, but direct access to open spaces, pedestrian corridors and public streets. This and related design features are a critical component to developing smaller, more attainably priced homes, including:

- Decreasing the amount of land required per home allows the home to be sold for a lower market price. (land accounts for approximately 25% of the cost of new construction)
- Mulberry anticipates a density of 8.8 units per acre versus LMN code standard of 4 units per acre. (an increase of about 825 units) further diluting the overall cost of land for development.
- Locating the garage in the rear of the home, allows for the overall lot to be narrower
- Open spaces will be integrated throughout the neighborhood, with construction and maintenance provided by the Mulberry Metropolitan Districts, rather than by private homeowners.

While alleys help facilitate denser and more urban patterns of development, they also lead to somewhat higher construction costs. The additional paving that is required for alley-based community design is typically passed on to the homebuyer, through an increase in the sale price of the home. The Metropolitan District can be used to offset this increase instead of passing it directly to homebuyers, creating an overall more attainable neighborhood at Mulberry.

Quantitative Public Benefit: Alley Construction Costs - \$4M; Additional Utilities - \$18M

Qualitative Public Benefit: More attainably priced homes for Fort Collins households, increased space for community interaction.

Metropolitan District Role: Lower the direct cost of infrastructure for homebuyers; Design, construction, and maintenance of alleys and common open spaces.

HOME DESIGN & CONSTRUCTION

Home design and construction will play a key role in keeping construction costs lower and home prices attainable. Key methods employed will include:

- Constructing some homes with a slab foundation, as opposed to a full basement
- Utilizing detached, condominiumized garages
- Utilizing ready-frame construction
- Building homes in 4' increments only
- Reducing the number of corners in some home types
- Avoiding the use of steel
- Developing fully sprinkled homes with 2' side setbacks
- Including roof top outdoor spaces and/or 3-stories, and other strategies, as appropriate

Quantitative Public Benefit: \$0

Qualitative Public Benefit: More attainably priced homes for Fort Collins households; greater sustainability achieved through reduced overall consumption per home.

Metropolitan District Role: Density increase allows potential for construction methods outlined above.



NON-POTABLE IRRIGATION SYSTEM

Mulberry will provide for the construction and maintenance of a non-potable water system for community-wide landscaping and landscaping on individual lots. The proposed non-potable water system for Mulberry will lead to a 45% reduction in potable water demand. Utilizing the onsite wells for irrigation reduces overall water dedication requirements, reducing project costs and home costs. Simultaneously, the non-potable system will reduce the monthly costs of homeownership.

Quantitative Benefit: Raw Water reduction - \$22M, reduction in monthly water bills

Qualitative Public Benefit: Less demand on water treatment system; lower initial cost for homes; lower on-going water costs than City system.

Metropolitan District Role: Design, financing, construction, operation, and maintenance of the non-potable system.



4. EMPLOY HIGH QUALITY AND SMART GROWTH PRACTICES

In planning the Mulberry community, special effort has been made to ensure that the community will not only meet, but exceed City standards, integrating best practices in planning and design to create a high quality, environmentally sustainable community.

As a New Urbanist community employing Traditional Neighborhood Development principles, Mulberry proposes a greenway system that will not only integrate nature into the City but will activate it through numerous connections to pocket parks, green courts, and front doors. Features include:

- A pedestrian-friendly mixed-use neighborhood center that will function as the central node on the south end of the community
- A central pedestrian-oriented greenway spine proposed to run north-south through the center of the neighborhood, flanked by a variety of housing types
- Pocket parks adjacent to the spine providing central access to open space facilities and activation on the main corridor
- A secondary bicycle path on the west side of Greenfields Court to provide a more direct route for cyclists, which will also allow the central spine to be more focused on local pedestrian traffic
- A neighborhood pool on the east side of Greenfields Drive, within a +/- 5-minute walk from all residential areas within Mulberry
- An enhanced east-west greenway to connect from the railroad crossing to Cooper Slough

Quantitative Benefit: Neighborhood Parks - \$3.3M, Swimming Pool - \$3M, Commercial Center Promenade - \$3M, Enhanced crossings - \$75K

Qualitative Public Benefit: Increased walkability / connectivity, creating a better sense of community and place in key gathering areas. Embracing Nature in the City.

Metropolitan District Role: Design, financing, construction and maintenance of parks, commercial center promenade, trail system and other related improvements.



5. INCORPORATE ENVIRONMENTAL SUSTAINABILITY THROUGH ENERGY CONSERVATION, WATER CONSERVATION, AND ENHANCED COMMUNITY RESILIENCY

Fort Collins Sustainability Goals are promoted throughout the community with environmentally friendly design.

WATER CONSERVATION

An irrigation system, designed congruently with a water conserving landscape design, is not a requirement of the City; however, to achieve a water conserving landscape both the overall planting plan and irrigation system will be designed congruently. Once this is designed and installed, true water savings is primarily achieved through the proper operation of a strategically designed community wide irrigation system.

- Xeric landscaping and use of non-potable irrigation will conserve water
- Plants with similar water needs will be grouped together and a properly designed irrigation system will correspond with this planting plan.
- The vision for the landscape character includes water-wise landscaping throughout, which can reduce further demand for irrigation water by about 20% compared to conventional landscaping.
- Utilizing onsite wells reduces need for excess water rights to be pulled from agricultural (“Buy and Dry”) thereby preserving more water in its current state/use.
- Yard areas on some residential lots will be minimized to reduce the amount of traditionally irrigated area.

Quantitative Public Benefits: Non-potable System Cost - \$4.6M

Qualitative Public Benefits: Xeric, Waterwise Landscaping; preservation of agricultural water rights

Role of Metropolitan District: Design, financing, construction and maintenance of common areas where water conserving landscape improvements occur. Holistic design, construction and maintenance of overall infrastructure improvements and non-potable system.

ENERGY CONSERVATION

A commitment to 800 kW of solar capacity generated within and distributed throughout Mulberry will further promote resource conservation and renewable energy use.

Quantitative Public Benefits: Solar - \$2M

Qualitative Public Benefits: Addresses City’s goals to achieve carbon neutrality by 2050, with 2% from local installed distribution generation.

Metropolitan District Role: Enforce delivery of system.

ENHANCED RESILIENCY

Cooper Slough Improvements, Lake Canal Improvements, Community Resiliency through Flood Plain Reduction, Pollinator Corridors

- Improvements to the Cooper Slough will reduce runoff and lower peak flows through upstream planting and mitigation.
- Improvements to Lake Canal will help to bring it out of the current flood plain. This will reduce financial, health and safety risks for the future while supporting development of the commercial portion of the project.
- Landscape architecture will be designed to support the flight distances and migration patterns of applicable pollinators and will increase the biodiversity of the area.

Quantitative Benefit: Pollinator Corridors - \$160,000

Qualitative Public Benefit: Design and engineering of the full master planned community of Mulberry will achieve an integrated and complete solution for these improvements, likely beyond minimum standards.

Metropolitan District Role: Design, construction and maintenance of Cooper Slough, Lake Canal and other associated common open space area improvements.

6. DEVELOP CRITICAL ON-SITE AND OFF-SITE PUBLIC INFRASTRUCTURE.

DEVELOPING CRITICAL PUBLIC INFRASTRUCTURE

To develop the proposed new community, significant infrastructure elements are required, including the extension of Greenfields Court from Mulberry Street north to Vine Drive. This roadway extension is described in the East Mulberry Corridor Plan and is a critical component of the City's Master Streets Plan, and it will:

- Provide a critical connection to the Mulberry and I-25 interchange for residents and businesses in northern Fort Collins.
- Relieve pressure on failing or nearly failing intersections (Timberline & Vine and Lemay & Vine).
- Require a railroad crossing for an existing railroad right-of-way that currently serves industrial tenants along I-25, to the east of the site.

Quantitative Benefit: Rail Crossing - \$500,000, Vine & Timberline Contribution - \$250,000, Greenfields RAB - \$524,453

Qualitative Public Benefit: Better means for transportation for Fort Collins residents, improved accessibility to surrounding area.

Metropolitan District Role: Design, construction and maintenance of significant roadway infrastructure associated with the Mulberry community.



File Attachments for Item:

24. Items Relating to Appointments to Various Boards and Commissions.

- A. Resolution 2025-020 Making an Appointment to the Active Modes Advisory Board.
- B. Resolution 2025-021 Making an Appointment to the Affordable Housing Board.
- C. Resolution 2025-022 Making Appointments to the Air Quality Advisory Board.
- D. Resolution 2025-023 Making Appointments to the Art in Public Places Board.
- E. Resolution 2025-024 Making Appointments to the Citizen Review Board.
- F. Resolution 2025-025 Making Appointments to the Cultural Resources Board.
- G. Resolution 2025-026 Making Appointments to the Disability Advisory Board.
- H. Resolution 2025-027 Making Appointments to the Economic Advisory Board.
- I. Resolution 2025-028 Making Appointments to the Energy Board.
- J. Resolution 2025-029 Making an Appointment to the General Employees Retirement Committee.
- K. Resolution 2025-030 Making Appointments to the Historic Preservation Commission.
- L. Resolution 2025-031 Making Appointments to the Human Relations Commission.
- M. Resolution 2025-032 Making Appointments to the Human Services and Housing Funding Board.
- N. Resolution 2025-033 Making Appointments to the Land Conservation and Stewardship Board.
- O. Resolution 2025-034 Making Appointments to the Land Use Review Commission.
- P. Resolution 2025-035 Making Appointments to the Natural Resources Advisory Board.
- Q. Resolution 2025-036 Making Appointments to the Parks and Recreation Board.
- R. Resolution 2025-037 Making an Appointment to the Planning and Zoning Commission.
- S. Resolution 2025-038 Making Appointments to the Senior Advisory Board.
- T. Resolution 2025-039 Making Appointments to the Transportation Board.
- U. Resolution 2025-040 Making Appointments to the Water Commission.
- V. Resolution 2025-041 Making an Appointment to the Women and Gender Equity Advisory Board.

The purpose of this item is to fill vacancies on various Boards and Commissions.

March 18, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Davina Lau, Public Engagement Specialist

SUBJECT

Items Relating to Appointments to Various Boards and Commissions.

EXECUTIVE SUMMARY

- A. Resolution 2025-020 Making an Appointment to the Active Modes Advisory Board.
- B. Resolution 2025-021 Making an Appointment to the Affordable Housing Board.
- C. Resolution 2025-022 Making Appointments to the Air Quality Advisory Board.
- D. Resolution 2025-023 Making Appointments to the Art in Public Places Board.
- E. Resolution 2025-024 Making Appointments to the Citizen Review Board.
- F. Resolution 2025-025 Making Appointments to the Cultural Resources Board.
- G. Resolution 2025-026 Making Appointments to the Disability Advisory Board.
- H. Resolution 2025-027 Making Appointments to the Economic Advisory Board.
- I. Resolution 2025-028 Making Appointments to the Energy Board.
- J. Resolution 2025-029 Making an Appointment to the General Employees Retirement Committee.
- K. Resolution 2025-030 Making Appointments to the Historic Preservation Commission.
- L. Resolution 2025-031 Making Appointments to the Human Relations Commission.
- M. Resolution 2025-032 Making Appointments to the Human Services and Housing Funding Board.
- N. Resolution 2025-033 Making Appointments to the Land Conservation and Stewardship Board.
- O. Resolution 2025-034 Making Appointments to the Land Use Review Commission.
- P. Resolution 2025-035 Making Appointments to the Natural Resources Advisory Board.
- Q. Resolution 2025-036 Making Appointments to the Parks and Recreation Board.

R. Resolution 2025-037 Making an Appointment to the Planning and Zoning Commission.

S. Resolution 2025-038 Making Appointments to the Senior Advisory Board.

T. Resolution 2025-039 Making Appointments to the Transportation Board.

U. Resolution 2025-040 Making Appointments to the Water Commission.

V. Resolution 2025-041 Making an Appointment to the Women and Gender Equity Advisory Board.

The purpose of this item is to fill vacancies on various Boards and Commissions.

STAFF RECOMMENDATION

Staff recommends adoption of all Resolutions.

BACKGROUND / DISCUSSION

These Resolutions appoint 54 individuals to fill vacancies left from previous board and commission members. These appointments will begin and expire as noted next to each recommended name shown below and in each of the individual resolutions.

Redacted applications are attached. Associated resumes and supporting documentation are available with the online version of the agenda.

Active Modes Advisory Board

Appointments	Term Effective Date	Expiration of Term
Humphrey Costello (Seat A)	April 1, 2025	March 31, 2029

Affordable Housing Board

Appointments	Term Effective Date	Expiration of Term
John Singleton (Seat C)	July 1, 2025	June 30, 2029

Air Quality Advisory Board

Appointments	Term Effective Date	Expiration of Term
Dan Welsh (Seat E)	April 1, 2025	March 31, 2029
Christina Swope (Seat G)	April 1, 2025	March 31, 2027

Art in Public Places Board

Appointments	Term Effective Date	Expiration of Term
Katherine Bauer (Seat C)	April 1, 2025	March 31, 2029
Myra Powers (Seat E)	April 1, 2025	March 31, 2027

Citizen Review Board

Appointments	Term Effective Date	Expiration of Term
Mike O'Malley (Seat C)	April 1, 2025	March 31, 2029
Shamera Loose (Seat E)	April 1, 2025	March 31, 2027
Valerie Krier (Seat G)	April 1, 2025	March 31, 2027

Cultural Resources Board

Appointments	Term Effective Date	Expiration of Term
Eleanor VanDeusen (Seat C)	April 1, 2025	March 31, 2029
Cori Hixon (Seat E)	April 1, 2025	March 31, 2027

Disability Advisory Board

Appointments	Term Effective Date	Expiration of Term
Anais Campbell (Seat B)	April 1, 2025	March 31, 2029
Matthew Cicanese (Seat C)	April 1, 2025	March 31, 2029
Cassidy Dellemonache (Seat E)	April 1, 2025	March 31, 2029
Daisy Montgomery (Seat G)	April 1, 2025	March 31, 2027
Linda Drees (Seat H)	April 1, 2025	March 31, 2027

Economic Advisory Board

Appointments	Term Effective Date	Expiration of Term
Brad Kreikemeier (Seat C)	April 1, 2025	March 31, 2029
Phillip Callahan (Seat E)	April 1, 2025	March 31, 2029
Kim Palmer (Seat G)	April 1, 2025	March 31, 2027
Braulio Rojas (Seat H)	April 1, 2025	March 31, 2027

Energy Board

Appointments	Term Effective Date	Expiration of Term
Brian Smith (Seat A)	April 1, 2025	March 31, 2029
Jason Hevelone (Seat B)	April 1, 2025	March 31, 2029
Marge Moore (Seat C)	April 1, 2025	March 31, 2029
Aleksander Thorstensen (Seat E)	April 1, 2025	March 31, 2029
Natalie Montecino (Seat G)	April 1, 2025	March 31, 2027

General Employees Retirement Committee

Appointments	Term Effective Date	Expiration of Term
Tamara Lindenstein (Seat D)	April 1, 2025	March 31, 2029

Historic Preservation Commission

Appointments	Term Effective Date	Expiration of Term
Jim Rose (Seat B)	April 1, 2025	March 31, 2029
Rich Ricketts (Seat G)	April 1, 2025	March 31, 2029

Human Relations Commission

Appointments	Term Effective Date	Expiration of Term
Kori Wilford (Seat A)	April 1, 2025	March 31, 2029
Diana Prieto (Seat C)	April 1, 2025	March 31, 2029
Everton Brossus (Seat E)	April 1, 2025	March 31, 2029

Human Services and Housing Funding Board

Appointments	Term Effective Date	Expiration of Term
Elizabeth Lok (Seat C)	July 1, 2025	June 30, 2029
Emma Woodfin (Seat E)	July 1, 2025	June 30, 2029
Kimberly Conner (Seat G)	July 1, 2025	June 30, 2027
Christine Koepnick (Seat I)	July 1, 2025	June 30, 2027

Land Conservation & Stewardship Board

Appointments	Term Effective Date	Expiration of Term
Scott Mason (Seat C)	April 1, 2025	March 31, 2029
Elena Lopez (Seat E)	April 1, 2025	March 31, 2029
Tom Shoemaker (Seat G)	April 1, 2025	March 31, 2027

Land Use Review Commission

Appointments	Term Effective Date	Expiration of Term
Rocky Gupta (Seat F)	April 1, 2025	March 31, 2029
Gary Floyd (Seat G)	April 1, 2025	March 31, 2029

Natural Resources Advisory Board

Appointments	Term Effective Date	Expiration of Term
Leslie Coleman (Seat E)	April 1, 2025	March 31, 2029
Sharel Erickson (Seat G)	April 1, 2025	March 31, 2027
Dawson Metcalf (Seat H)	April 1, 2025	March 31, 2027
Xavier Pereira (Seat I)	April 1, 2025	March 31, 2027

Parks and Recreation Board

Appointments	Term Effective Date	Expiration of Term
Nick Armstrong (Seat C)	April 1, 2025	March 31, 2029
Meghan Willis (Seat E)	April 1, 2025	March 31, 2029
Paul Baker (Seat G)	April 1, 2025	March 31, 2027

Planning and Zoning Commission

Appointments	Term Effective Date	Expiration of Term
Kent Bruxvoort (Seat F)	April 1, 2025	March 31, 2029

Senior Advisory Board

Appointments	Term Effective Date	Expiration of Term
Thomas Hilbert (Seat C)	April 1, 2025	March 31, 2029
Alicia Durand (Seat E)	April 1, 2025	March 31, 2029
Myles Crane (Seat G)	April 1, 2025	March 31, 2027

Transportation Board

Appointments	Term Effective Date	Expiration of Term
Ryan Noles (Seat C)	April 1, 2025	March 31, 2029
Mike Hooker (Seat E)	April 1, 2025	March 31, 2029

Water Commission

Appointments	Term Effective Date	Expiration of Term
Carson Madryga (Seat G)	April 1, 2025	March 31, 2029
Laura Chartrand (Seat H)	April 1, 2025	March 31, 2029
Paul Herman (Seat I)	April 1, 2025	March 31, 2029

Women and Gender Equity Advisory Board

Appointments	Term Effective Date	Expiration of Term
Jamie Ridgeway (Seat D)	April 1, 2025	March 31, 2029

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

Public outreach to seek applicants for boards and commissions included a spotlight and press release on the City website, media releases for earned coverage in local media sources, and social media promotion of opportunities.

ATTACHMENTS

1. Resolution A for Consideration
2. Resolution B for Consideration
3. Resolution C for Consideration
4. Resolution D for Consideration
5. Resolution E for Consideration
6. Resolution F for Consideration
7. Resolution G for Consideration
8. Resolution H for Consideration
9. Resolution I for Consideration
10. Resolution J for Consideration
11. Resolution K for Consideration
12. Resolution L for Consideration
13. Resolution M for Consideration
14. Resolution N for Consideration
15. Resolution O for Consideration
16. Resolution P for Consideration
17. Resolution Q for Consideration
18. Resolution R for Consideration
19. Resolution S for Consideration
20. Resolution T for Consideration
21. Resolution U for Consideration
22. Resolution V for Consideration
23. Redacted Applications (in order by board)

RESOLUTION 2025-020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING AN APPOINTMENT TO THE ACTIVE MODES
ADVISORY BOARD

A. The Active Modes Advisory Board has a vacancy due to the resignation of Destiny Dominguez.

B. Councilmembers interviewed candidates for this appointment on February 26, 2025.

C. The City Council desires to make an appointment to fill this vacancy on the Active Modes Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named person is hereby appointed to fill the open vacancy on the Active Modes Advisory Board with a term to begin and expire as noted below next to the appointee’s name:

Active Modes Advisory Board

Appointments	Term Effective Date	Expiration of Term
Humphrey Costello (Seat A)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-021
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING AN APPOINTMENT TO THE AFFORDABLE HOUSING
BOARD

A. The Affordable Housing Board has a vacancy due to the expiration of the term of John Singleton.

B. Councilmembers interviewed a candidate for this appointment on February 12, 2025.

C. The City Council desires to make an appointment to fill this vacancy on the Affordable Housing Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named person is hereby appointed to fill the open vacancies on the Affordable Housing Board with terms to begin and expire as noted below next to the appointee’s name:

Affordable Housing Board

Appointments	Term Effective Date	Expiration of Term
John Singleton (Seat C)	July 1, 2025	June 30, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE AIR QUALITY ADVISORY
BOARD

A. The Air Quality Advisory Board has vacancies due to the expiration of a certain member’s term and the resignation of Kaori Keyser.

B. Councilmembers interviewed candidates for these appointments on February 19, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Air Quality Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Air Quality Advisory Board with terms to begin and expire as noted below next to each appointees’ name:

Air Quality Advisory Board

Appointments	Term Effective Date	Expiration of Term
Dan Welsh (Seat E)	April 1, 2025	March 31, 2029
Christina Swope (Seat G)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-023
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 MAKING APPOINTMENTS TO THE ART IN PUBLIC PLACES
 BOARD

A. The Art in Public Places Board has vacancies due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for this appointment on February 7, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Art in Public Places Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Art in Public Places Board with terms to begin and expire as noted below next to each appointees' name:

Art in Public Places Board

Appointments	Term Effective Date	Expiration of Term
Katherine Bauer (Seat C)	April 1, 2025	March 31, 2029
Myra Powers (Seat E)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE CITIZEN REVIEW BOARD

A. The Citizen Review Board has vacancies due to the expiration of terms of certain board members.

B. Councilmembers interviewed candidates for this appointment on February 12, 2025.

C. The City Council desires to make a appointments to fill these vacancies on the Citizen Review Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Citizen Review Board with terms to begin and expire as noted below next to each appointee’s name:

Citizen Review Board

Appointments	Term Effective Date	Expiration of Term
Mike O’Malley (Seat C)	April 1, 2025	March 31, 2029
Shamera Loose (Seat E)	April 1, 2025	March 31, 2027
Valerie Krier (Seat G)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE CULTURAL RESOURCES
BOARD

A. The Cultural Resources Board has vacancies due to the expiration of the terms of certain members.

B. Councilmembers interviewed candidates on February 7, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Cultural Resources Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Cultural Resources Board with terms to begin and expire as noted below next to each appointees' name:

Cultural Resources Board

Appointments	Term Effective Date	Expiration of Term
Eleanor VanDeusen (Seat C)	April 1, 2025	March 31, 2029
Cori Hixon (Seat E)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE DISABILITY ADVISORY BOARD

A. The Disability Advisory Board has vacancies due to the expiration of terms of certain board members.

B. Councilmembers interviewed candidates for this appointment on February 26, 2025.

C. The City Council desires to make an appointment to fill these vacancies on the Disability Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Disability Advisory Board with terms to begin and expire as noted below next to each appointees' name:

Disability Advisory Board

Appointments	Term Effective Date	Expiration of Term
Anais Campbell (Seat B)	April 1, 2025	March 31, 2029
Matthew Cicanese (Seat C)	April 1, 2025	March 31, 2029
Cassidy Dellemonache (Seat E)	April 1, 2025	March 31, 2029
Daisy Montgomery (Seat G)	April 1, 2025	March 31, 2027
Linda Drees (Seat H)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-027
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE ECONOMIC ADVISORY
BOARD

A. The Economic Advisory Board has vacancies due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 21, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Economic Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Economic Advisory Board with terms to begin and expire as noted below next to each appointees' name:

Economic Advisory Board

Appointments	Term Effective Date	Expiration of Term
Brad Kreikemeier (Seat C)	April 1, 2025	March 31, 2029
Phillip Callahan (Seat E)	April 1, 2025	March 31, 2029
Kim Palmer (Seat G)	April 1, 2025	March 31, 2027
Braulio Rojas (Seat H)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

**RESOLUTION 2025-028
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE ENERGY BOARD**

A. The Energy Board has vacancies due to the expiration of terms of certain board members.

B. Councilmembers interviewed candidates for these appointments on February 5, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Energy Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, **BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS** as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Energy Board with terms to begin and expire as noted below next to each appointees' name:

Energy Board

Appointments	Term Effective Date	Expiration of Term
Brian Smith (Seat A)	April 1, 2025	March 31, 2029
Jason Hevelone (Seat B)	April 1, 2025	March 31, 2029
Marge Moore (Seat C)	April 1, 2025	March 31, 2029
Aleksander Thorstensen (Seat E)	April 1, 2025	March 31, 2029
Natalie Montecino (Seat G)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-029
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING AN APPOINTMENT TO THE GENERAL EMPLOYEES
RETIREMENT COMMITTEE

A. The General Employees Retirement Committee has a vacancy due to the expiration of the term of a certain member.

B. The City Council desires to make an appointment to fill this vacancy on the General Employees Retirement Committee.

C. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named person is hereby appointed to fill an open vacancy on the General Employees Retirement Committee with a term to begin and expire as noted below next to the appointee’s name:

General Employees Retirement Committee

Appointments	Term Effective Date	Expiration of Term
Tamara Lindenstein (Seat D)	April 1, 2025	March 31, 2029

Section 2. The person appointed in this Resolution may not take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-030
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE HISTORIC PRESERVATION
COMMISSION

A. The Historic Preservation Commission has vacancies due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 19, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Historic Preservation Commission.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Historic Preservation Commission with terms to begin and expire as noted below next to each appointees' name:

Historic Preservation Commission

Appointments	Term Effective Date	Expiration of Term
Jim Rose (Seat B)	April 1, 2025	March 31, 2029
Rich Ricketts (Seat G)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-031
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE HUMAN RELATIONS COMMISSION

A. The Human Relations Commission has vacancies due to the expiration of the terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 13, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Human Relations Commission.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Human Relations Commission with terms to begin and expire as noted below next to each appointees' name:

Human Relations Commission

Appointments	Term Effective Date	Expiration of Term
Kori Wilford (Seat A)	April 1, 2025	March 31, 2029
Diana Prieto (Seat C)	April 1, 2025	March 31, 2029
Everton Brossus (Seat E)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-032
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE HUMAN SERVICES AND
HOUSING FUNDING BOARD

A. Vacancies currently exist on the Human Services and Housing Funding Board due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 27, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Human Services and Housing Funding Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Human Services and Housing Funding Board with terms to begin and expire as noted below next to each appointees' name:

Human Services and Housing Funding Board

Appointments	Term Effective Date	Expiration of Term
Elizabeth Lok (Seat C)	July 1, 2025	June 30, 2029
Emma Woodfin (Seat E)	July 1, 2025	June 30, 2029
Kimberly Conner (Seat G)	July 1, 2025	June 30, 2027
Christine Koepnick (Seat I)	July 1, 2025	June 30, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-033
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE LAND CONSERVATION
AND STEWARDSHIP BOARD

A. The Land Conservation and Stewardship Board has vacancies due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 14, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Land Conservation and Stewardship Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Land Conservation and Stewardship Board with terms to begin and expire as noted below next to each appointees' name:

Land Conservation and Stewardship Board

Appointments	Term Effective Date	Expiration of Term
Scott Mason (Seat C)	April 1, 2025	March 31, 2029
Elena Lopez (Seat E)	April 1, 2025	March 31, 2029
Tom Shoemaker (Seat G)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-034
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE LAND USE REVIEW COMMISSION

A. The Land Use Review Commission has vacancies due to the expiration of the terms of Ian Shuff and John McCoy.

B. Councilmembers interviewed candidates for these appointments on February 19, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Land Use Review Commission.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Land Use Review Commission with a term to begin and expire as noted below next to the appointees' name:

Land Use Review Commission

Appointments	Term Effective Date	Expiration of Term
Rocky Gupta (Seat F)	April 1, 2025	March 31, 2029
Gary Floyd (Seat G)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-035
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE NATURAL RESOURCES ADVISORY BOARD

A. The Natural Resources Advisory Board has vacancies due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 28, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Natural Resources Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Natural Resources Advisory Board with terms to begin and expire as noted below next to each appointees' name:

Natural Resources Advisory Board

Appointments	Term Effective Date	Expiration of Term
Leslie Coleman (Seat E)	April 1, 2025	March 31, 2029
Sharel Erickson (Seat G)	April 1, 2025	March 31, 2027
Dawson Metcalf (Seat H)	April 1, 2025	March 31, 2027
Xavier Pereira (Seat I)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

**RESOLUTION 2025-036
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE PARKS AND RECREATION BOARD**

A. Vacancies currently exist on the Parks and Recreation Board due to the expiration of terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 3, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Parks and Recreation Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Parks and Recreation Board with terms to begin and expire as noted below next to each appointees' name:

Parks and Recreation Board

Appointments	Term Effective Date	Expiration of Term
Nick Armstrong (Seat C)	April 1, 2025	March 31, 2029
Meghan Willis (Seat E)	April 1, 2025	March 31, 2029
Paul Baker (Seat G)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-037
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING AN APPOINTMENT TO THE PLANNING AND ZONING
COMMISSION

A. The Planning and Zoning Commission has a vacancy due to the expiration of the term of David Katz.

B. Councilmembers interviewed candidates for this appointment on February 19, 2025.

C. The City Council desires to make an appointment to fill this vacancy on the Planning and Zoning Commission.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named person is hereby appointed to fill the open vacancy on the Planning and Zoning Commission with a term to begin and expire as noted below next to the appointee's name:

Planning and Zoning Commission

Appointments	Term Effective Date	Expiration of Term
Kent Bruxvoort (Seat F)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-038
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE SENIOR ADVISORY BOARD

A. The Senior Advisory Board has vacancies due to the expiration of terms of certain board members.

B. Councilmembers interviewed candidates for these appointments on February 7, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Senior Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Senior Advisory Board with terms to begin and expire as noted below next to each appointees' name:

Senior Advisory Board

Appointments	Term Effective Date	Expiration of Term
Thomas Hilbert (Seat C)	April 1, 2025	March 31, 2029
Alicia Durand (Seat E)	April 1, 2025	March 31, 2029
Myles Crane (Seat G)	April 1, 2025	March 31, 2027

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-039
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE TRANSPORTATION BOARD

A. The Transportation Board has vacancies due to the expiration of terms of certain board members.

B. Councilmembers interviewed candidates for these appointments on February 24, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Transportation Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Transportation Board with terms to begin and expire as noted below next to each appointee's name:

Transportation Board

Appointments	Term Effective Date	Expiration of Term
Ryan Noles (Seat C)	April 1, 2025	March 31, 2029
Mike Hooker (Seat E)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-040
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPOINTMENTS TO THE WATER COMMISSION

A. The Water Commission has vacancies due to the expiration of the terms of certain members.

B. Councilmembers interviewed candidates for these appointments on February 11, 2025.

C. The City Council desires to make appointments to fill these vacancies on the Water Commission.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named persons are hereby appointed to fill the open vacancies on the Water Commission with terms to begin and expire as noted below next to each appointees' name:

Water Commission

Appointments	Term Effective Date	Expiration of Term
Carson Madryga (Seat G)	April 1, 2025	March 31, 2029
Laura Chartrand (Seat H)	April 1, 2025	March 31, 2029
Paul Herman (Seat I)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

RESOLUTION 2025-041
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING AN APPOINTMENT TO THE WOMEN AND
GENDER EQUITY ADVISORY BOARD

A. The Women and Gender Equity Advisory Board has a vacancy due to the resignation of MK Irvine.

B. Councilmembers interviewed candidates for this appointment on February 13, 2025.

C. The City Council desires to make an appointment to fill the vacancy on the Women and Gender Equity Advisory Board.

D. In 2023, the City Council adopted a Code of Conduct and updated Boards and Commissions Policy, along with other policies and procedures that apply to service on City boards and commissions. Each board and commission appointee is required to acknowledge and accept these requirements.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The following named person is hereby appointed to fill the open vacancy on the Women and Gender Equity Advisory Board with a term to begin and expire as noted below next to the appointee's name:

Women and Gender Equity Advisory Board

Appointments	Term Effective Date	Expiration of Term
Jamie Ridgeway (Seat D)	April 1, 2025	March 31, 2029

Section 2. No person appointed in this Resolution may take office until they have completed the required acknowledgement and acceptance of the Code of Conduct and the applicable laws and policies that govern service on City of Fort Collins boards and commissions.

Passed and adopted on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 18, 2025
Approving Attorney: Jenny Lopez Filkins

VOLUNTEER APPLICATION

Phillip Callahan

12/31/2024 2:12 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Economic advisory
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Retired, corporate development roles in finance and engineering
Current Employer	Retired
Prior work experience (please include dates):	I was employed for over 30 years in the semiconductor industry as a corporate development executive and engineer from 1985 to 2020. I was employed by Hewlett Packard here in Fort Collins, as well as NCR, micro electronics
Volunteer experience (please include dates):	I participated in Home building projects in Mexico through my church 2005 through 2010. I served as a volunteer soccer coach for several girls and boys teams in Austin, Texas for approximately eight years
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No; I am a passionate bicyclist and exercise

Why do you want to become a member of this particular board or commission?

and enthusiast who would love to bring some of my passion to the active modes mobility board

Specify any activities which might create a serious conflict of interest if you are appointed:

as I am now retired, I would like to get back to the community that has been so generous to me, by applying my passion for cycling and low impact mobility to this board

Please describe your interest regarding active modes of transportation and related issues.

None

Having lived and worked in the US and Europe and extensive travel in Asia. I'm fascinated with the idea of applying some of the best learnings of my career to help Fort Collins improve and expand its transportation and mobility options for citizens.

How do you think the City can improve the way people move around in Fort Collins?

Expand the bike lanes throughout underserved areas, develop education programs to help communicate the benefits of cycling and other low impact modes of transportation to the community at large

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Humphrey Costello

1/8/2025 2:04 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Skills & Interests

Additional Skills / Interests: Swahili

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 8

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Senior Research Scientist

Current Employer: University of Wyoming

Prior work experience (please include dates): University of Wyoming 2008-present
Mississippi State University 2003-2008
University of North Carolina 2000-2003

Volunteer experience (please include dates): Fort Collins Bike Co-op 2004-present (I must admit that my volunteering at the Co-op is regrettably minimal)

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one?

No;
N/A

Why do you want to become a member of this particular board or commission?

I am an enthusiastic cyclist, both for transportation and recreation, and believe there are opportunities to promote and improve cycling in Fort Collins. My professional work entails evaluation of public health programs, including programs aimed at lifestyle change to prevent diabetes and heart disease. Serving on this board seems like a good way to lend my expertise in support of my hobbies.

Specify any activities which might create a serious conflict of interest if you are appointed:

I am an enthusiastic cyclist which, I recognize, may at times compete with other active modes of transportation. I hope, however, that in general the interests of all active modes of transportation align.

Please describe your interest regarding active modes of transportation and related issues.

As a pedestrian, cyclist, and driver in Fort Collins, I have seen huge improvements in infrastructure that facilitates easier and safer transportation for all City residents. I would like the City to continue in this direction and want to contribute to the work.

How do you think the City can improve the way people move around in Fort Collins?

We can improve the ways people move around our city by: Continuing to build designated and, where possible, separate bicycle lanes. Promoting respectful use and sharing of infrastructure by all users. Pursuing equity of opportunity to use infrastructure and to reach all parts of the City, where equity encompasses physical ability and economic resources.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Social Media;
Facebook

VOLUNTEER APPLICATION

Luiz Cotton-Maceta

1/10/2025 7:45 AM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 20+

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: Export Sales Manager

Current Employer: Interra International, LLC (Atlanta - remote work from residence in Fort Collins)

Prior work experience (please include dates): I have developed an extensive international career in export sales, providing me with a wealth of experience and a unique perspective on transportation systems and their impact on urban living. My career has taken me to various parts of the world, including Brazil, the United Arab Emirates (Dubai), and the United States. This global exposure has allowed me to immerse myself in diverse cultures, adapt to different business environments, and gain firsthand knowledge of how transportation infrastructure affects communities of varying sizes.

While living and working in Brazil, I navigated the bustling streets of major

navigated the bustling streets of many cities like São Paulo, a megalopolis of over 20 million inhabitants, as well as the more serene settings of smaller towns. This experience highlighted the importance of efficient public transportation systems and safe, accessible pathways for cyclists and pedestrians. In Dubai, a rapidly growing metropolis, I witnessed the implementation of cutting-edge transportation solutions and the integration of sustainable practices to accommodate the city's expanding population. My time in the United States, particularly in Fort Collins, has further deepened my understanding of the crucial role that active modes of transportation play in enhancing the quality of life for residents.

Throughout my career, I have not only honed my skills in international sales but also developed a keen interest in the ways transportation infrastructure can influence economic development, environmental sustainability, and public health. My professional journey has equipped me with the ability to analyze complex systems, communicate effectively with diverse stakeholders, and advocate for innovative solutions that address the unique challenges faced by different communities.

In addition to my professional experience, my business acumen and people management skills equip me to work at a board level with other stakeholders. I am committed to professionally managing and helping improve the city of Fort Collins through collaborative efforts and strategic planning. My diverse background and expertise make me well-suited to contribute meaningfully to the Active Modes Advisory board, ensuring that our city's transportation infrastructure supports a vibrant, healthy, and sustainable community.

Resume:

Seaboard Corp./Interra International – Fortune 500 company. \$1B division specialized in food distribution (2021 to present)

Global Sales Manager (Mar/2021 to present) Atlanta, GA/USA (Remote)

OM Foods International - Boutique trading operation focused on foodstuff (2019 to 2020)

COO/General Manager (Jan/2019 to

JBS USA – Fortune 500 company. 2nd world largest food company (2011 – 2018)

Global Sales Director - MENA and CIS Exports at Pilgrims (Aug/2014 – Dec/2018) Greeley, CO/USA

Global Product Manager - Value Added Exports at Pilgrims (Oct/2012 – Aug/2014) Greeley, CO/USA

Operations & Sales Manager at Swift & Co Trade Group (Mar/2011 – Oct/2012) Dubai/ United Arab Emirates

BRF – Forbes World 2000 company. 50th world largest food company (2006 – 2011)

Operations & Sales Manager – UAE Retail (Jul/2009 – Mar/2011) Dubai/United Arab Emirates

Global Key Account Manager - Exports (Jun/2006 – Jul/2009) Sao Paulo/Brazil & Dubai/United Arab Emirates

Astra – Materials for construction manufacturer (2003 – 2006)

Sales Manager – Europe, Middle East, and Africa Exports (Feb/2004 – Jun/2006) Sao Paulo/Brazil

Sales Coordinator – Exports (Jan/2003 – Feb/2004) Sao Paulo/Brazil

Recycling project at the city of Sao Paulo, Brazil, training low income individuals to segregate recyclable materials to increase their income. 2000-2003

Soup Kitchen at Rescue Mission, Fort Collins, CO. 2014

Bike Fort Collins - MyCycle project with local schools. 2024

Bike Fort Collins - Safe Routes 2024

Zach Elementary, PSD School District - Safe Routes, Book Fair, FundRun, among others. 2024

Cheeseburgers & Trails - Kids bike club formed in 2024 in Fort Collins, CO. Founder and ride leader. 2024

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

As an avid cyclist and an enthusiastic advocate for outdoor activities, I possess a deep-seeded interest in promoting transportation alternatives and fostering a healthy lifestyle. My dedication to cycling and the great outdoors provides me with a unique perspective on how we can enhance Fort Collins's infrastructure to benefit all residents. I firmly believe that my passion, combined with my commitment to active modes of transportation, can contribute significantly to improving our city's overall quality of life.

My wife and I have made a conscious decision to become more involved in our community's development and well-being. She currently serves on the Poudre School District Accountability Board, and I am eager to follow suit by participating in a board or commission where I can make a positive and lasting impact on our society. Additionally, my wife is an avid runner and provides me with valuable insights and perspectives that I can bring to the board. I actively participate in cycling groups, which allows me to gather input from fellow cyclists, and I have numerous friends living in the city who are both cyclists and runners.

Joining the Active Modes Advisory Board will allow me to leverage my experiences and insights to advocate for sustainable transportation solutions, promote safe and accessible cycling routes, and encourage the adoption of healthier lifestyles among our citizens. By working collaboratively with fellow board members and city officials, I am confident that we can create a more vibrant, interconnected, and resilient Fort Collins.

In summary, my passion for cycling, commitment to community engagement, and desire to contribute meaningfully to the betterment of our city make me an ideal candidate for the Active Modes of Transportation board. I am excited about the opportunity to work towards a future where active transportation options are seamlessly integrated into our daily lives, leading to a healthier, happier, and more sustainable Fort Collins.

None

As a passionate cyclist and a member of a family that includes both a dedicated runner and an uncle who has used a wheelchair for my entire life, I have a deep and personal interest in advocating for active modes of transportation and related issues. My experiences have given me a unique perspective on the importance of making Fort Collins a more accessible, equitable, and inclusive city for all its residents.

I am committed to helping create an environment where cyclists, runners, and individuals who rely on wheelchairs can navigate our city's streets and pathways with ease and safety. My personal and family experiences have highlighted the need for well-designed, accessible infrastructure that accommodates the diverse needs of our community members. I believe that by promoting active modes of transportation, we can enhance the quality of life, promote healthier lifestyles, and foster a sense of community and connectivity within Fort Collins.

I am eager to contribute my insights and advocate for policies and initiatives that prioritize accessibility, safety, and inclusivity. By working together with fellow board members and city officials, I am confident that we can make Fort Collins a model city for active transportation, benefiting residents of all ages and abilities.

I can speak from both my own experience and my family's on how active modes of transportation can positively impact our lives. As regular users of Fort Collins's infrastructure, including trails, bike lanes, sidewalks, streets, and parks, we have come to appreciate the benefits of a well-designed transportation network.

Personally, my love for cycling has allowed me to explore the city in a more intimate way, connecting with different neighborhoods and enjoying the scenic beauty of Fort Collins. My family, which includes a dedicated runner and an uncle who relies on a wheelchair, also benefits greatly from accessible and safe pathways. These experiences have highlighted the

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your interest regarding active modes of transportation and related issues.

How do you think the City can improve the way people move around in Fort Collins?

These experiences have highlighted the importance of creating an environment where all residents, regardless of their mode of transportation, can move around the city with ease and confidence.

My professional background in business management equips me with the skills to analyze complex systems and collaborate effectively with diverse stakeholders. I am eager to apply these skills to help improve the lives of Fort Collins residents, ensuring that our city's transportation infrastructure continues to support a vibrant and healthy community. This opportunity excites me, as it allows me to contribute to the ongoing efforts to make Fort Collins a model city for active transportation, fostering a sense of community and promoting a healthier lifestyle for all.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); FC Move Newsletter and Bike Forts Collins

VOLUNTEER APPLICATION

Kristen Davenport

12/4/2024 7:35 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 6-8

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Chief of Staff, College of Veterinary Medicine and Biomedical Sciences

Current Employer: Colorado State University

Prior work experience (please include dates): IDEXX Laboratories (Portland, Maine - diagnostic company) Nov 2021-May 2024
University of Utah (SLC, UT - academic research) July 2019 - Nov 2021
Colorado State University (graduate student) Aug 2012 - June 2019

Volunteer experience (please include dates): Tufts University Alumni Council (2012 - 2023)
Tufts University Student Interviewer (2012 - present)
Tufts University Denver Alumni Chapter leader (2014 - 2019)
Clinical Research One Health Alliance mentor/program manager (2024 - present)

Have you applied for this board before? If yes, please explain. No.

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I have commuted by bicycle for almost 8 years in Fort Collins and 4 years in other cities with very different approaches to active transportation. I have always been impressed with Fort Collins' bikeability and would like to help increase awareness of active transportation and make it easier for my community to choose this option.

Specify any activities which might create a serious conflict of interest if you are appointed:

I work in CSU administration, but can't think of any conflicts that would cause.

Please describe your interest regarding active modes of transportation and related issues.

It seems like active transportation is win-win - less traffic/pollution/congestion, plus exercise, plus getting people outside, plus community building. I consider myself a cautious, safe biker who accepts the risks, and I'd love to be part of the work to make biking and other active modes of transportation safer and more widely adopted.

How do you think the City can improve the way people move around in Fort Collins?

I think there remain intersections that are problematic for drivers, pedestrians and bikers, and, of course, the risk is highest to the non-drivers. I'm interested in how the City identifies these intersections and decides to intervene. I would love to see more lights/crosswalks with lights/whatever the traffic engineers advise at these very busy intersections.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
FC Moves newsletter

VOLUNTEER APPLICATION

Meg Dunn

12/7/2024 11:51 AM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: College degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5 hours... unless reading about these issues in general counts, in which case it would be a lot more

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: I'm a full time volunteer. I'm vice-president of Historic Larimer County, president of the Fort Collins Historical Society, and on the board of On Mission Global. I also run the websites UrbanFortCollins.com and NorthernColoradoHistory.com (neither of which I've written on my lately, but all prior articles are still around).

Current Employer See above.

Prior work experience (please include dates): Oh glory. How far back are you looking for? And what kinds of jobs. I currently do some property management in Colorado, Idaho, and California. I'm also an administrator for a non-profit based out of Israel. But those are way less than part time jobs. Like I said, I'm mostly a full time volunteers. Paid jobs before these would include teaching for 3 years in a private school in San Francisco (1996-2001) and teaching in Detroit, Michigan.

teaching in Detroit public schools (1991-1995).

Volunteer experience (please include dates):

I volunteer all the time. For a variety of organizations. In addition to those already listed above, I've also volunteered for the City of Fort Collins, Poudre School District, Bike Fort Collins, the Loveland Historical Society, City Park Church, and the Bohemian Foundation (at New West Fest). There's probably several more, but I honestly lose track.

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No; I was on the Historic Preservation Commission for 9 years, but stepped down at the end of 2022. I love the idea of being on a board that's not quasi-judicial. :-)

Why do you want to become a member of this particular board or commission?

I walk and bike a lot. I also have a push scooter, but don't use it a whole ton. So I'm an interested participant in active modes transportation. I also can't believe that we're putting in yet more slip lanes in this city (at Trilby and College) when slip lanes are like pedestrian-death-enticements. Why do we do this to ourselves?! There's got to be a better way to move people in cars while still protecting people not in cars. And don't get me started on parking lots. Holy Guacamole, have we got a parking lot problem.

Specify any activities which might create a serious conflict of interest if you are appointed:

I can't think of any.

Please describe your interest regarding active modes of transportation and related issues.

I'm a fan. See my reasons for wanting to be on the advisory board above for more.

How do you think the City can improve the way people move around in Fort Collins?

Stop planning everything around how quickly motorized vehicles can move. "Efficiency" is not what we should be aiming for. Safety should be priority number 1. Ease of use for all transportation modes should be number 2. Efficiency should be way down the list.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Transportation newsletter

VOLUNTEER APPLICATION

Gary Floyd

12/20/2024 11:26 AM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Active Modes, Land Use Code
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6+
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Senior Project Manager (Civil Engineer)
Current Employer	Lamp Rynearson
Prior work experience (please include dates):	Larimer County Engineering Intern 5/2012-8/2012 and 5/2013-8/2013 Civil Design Engineer - Quality Engineering 3/2014-2/2017 Civil Engineering Technician - Coffey Engineering 2/2017-8/2017
Volunteer experience (please include dates):	ACE Mentor Judge May 2021, 2022 Habitat for Humanity Build days (6 over the past decade) Mustaches for Houses fundraiser - Habitat for Humanity 5/2024 Neighbor to Neighbor - Bike Drive and Mural - 5/2024
Have you applied for this board before? If yes, please explain.	Yes, I applied last year and am still very interested in giving back to my community!
Are you currently serving on a City board or Commission? If so, which	No

one?

Why do you want to become a member of this particular board or commission?

As a graduate of CSU, a community member for more than a decade, and a leader in the civil engineering field, I have built up a strong desire to give back to this community that I have called home and have grown with. I am a recent graduate of Leadership Fort Collins which has served as an eye opening experience and has only multiplied my desire to give back.

I am an avid cyclist (Primarily riding to work and around town for dinners, errands etc.) and have always had a curiosity for how to most efficiently and effectively travel around town whether on bicycle, foot, or other alternative means. Being a civil engineer also offers me a unique perspective as a large portion of our focus is on ADA accessibility and overall pedestrian access/flow. While at CSU, I traveled to school most times via skateboard so have a unique perspective on that mode of transportation as well. I also enjoy riding my wife's e-bike and have had my fair share of fun on e-scooters.

I'm excited that this board has been created and would love to collaborate with its members to make a meaningful impact to our already flourishing alternative transportation community!

Specify any activities which might create a serious conflict of interest if you are appointed:

It is highly unlikely, but there could be a chance that a project of mine would be up for consideration through the board. I would recuse myself if this situation occurred.

Please describe your interest regarding active modes of transportation and related issues.

I'm an active alternative transportation mode participant and would love to build on the great foundation that the city staff and development professionals have already created. I truly believe that providing alternative modes of transportation opens up the community for all walks of life and experiences. The more diverse our population is the greater it will be. Active modes of transportation is one vital piece in allowing our community to continue evolving for the better.

How do you think the City can improve the way people move around in Fort Collins?

I know the city usually follows the idea that developers are the main provider items like sidewalks and trails but this can create islands that have potential for being far more connected to areas that would improve their way of life. Sometimes it can be decades before sidewalk connections are made, but perhaps with a special fund, the city can look to connect these islands in a more timely manner...

Another one might be that the city could

send out a flyer showing what sidewalks/ trails/roadway bike lanes etc... are close by to all citizens and what services can be reached by utilizing those. For example: Show an alternative transportation mode to get to the nearest grocery store, restaurant, health care facility etc... Just to get more folks understanding how convenient it can be to get to these types of facilities. This wouldn't take much utilizing the city's GIS department. As that gains steam, maybe the GIS becomes active and citizens can access it on their own time when making decisions on where to live.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Leadership Fort Collins & the City's monthly newsletter.

VOLUNTEER APPLICATION

Kyle Kasten

12/17/2024 2:19 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Manager of Regenerative Agriculture North America
Current Employer	PepsiCo
Prior work experience (please include dates):	Customer Success Manager, Regrow Ag 2023-2024 Customer Success Associate, Climate AI 2022-2023 Habitat Coordinator, Monarch Joint Venture 2015-2020
Volunteer experience (please include dates):	Monarch Habitat Citizen Scientist 2015-2023 PSEO Tutor 2011-2015
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	My partner and I moved to Fort Collins last year from Ann Arbor and we intend to

make this our long-term home as we to raise a family here in the near future. I'm actively looking for more ways to get involved in my community. One of the primary reasons we wanted to move here was to take advantage of a smaller city where biking and walking could be our primary forms of transportation.

I am passionate about creating vibrant, accessible, and sustainable communities, and I believe Fort Collins' Active Modes Advisory Board offers an excellent opportunity to contribute to that mission. With a deep appreciation for walking, biking, and alternative modes of transportation—developed through my experiences living and traveling across diverse communities globally—I understand how active mobility enhances public health, equity, and environmental sustainability. I'm eager to collaborate with others to improve infrastructure, promote safety, and encourage active transportation as a viable choice for all residents. My background provides a unique perspective on how thoughtful urban planning can shape inclusive, connected communities. By serving on the board, I hope to help Fort Collins continue to innovate and set an example as a leader in active transportation, ensuring that walking, biking, and public transit are not only convenient but celebrated parts of daily life.

None

I am an active cyclist around Fort Collins. My bicycle is my primary mode of transportation for both utility and enjoyment. As a younger individual in my neighborhood, I think I also represent a unique perspective on the ways we can make our city more friendly to bikes and pedestrians. My experience living in Minneapolis, Ann Arbor, and Paris have all shaped the way my view on how cities can become healthier and happier places for people to live.

The City of Fort Collins can improve mobility by prioritizing infrastructure that supports active and multimodal transportation. Expanding protected bike lanes, improving pedestrian crossings, and creating safer sidewalks will make walking and biking more accessible and appealing for all residents. Additionally, integrating a connected network of shared-use paths with clear wayfinding can ensure smoother transitions between neighborhoods, parks, and business areas.

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your interest regarding active modes of transportation and related issues.

How do you think the City can improve the way people move around in Fort Collins?

Focusing on equity is crucial—investing in underserved neighborhoods to ensure they have the same access to safe, reliable active transportation options will help create a more inclusive community. Promoting education campaigns on safe road sharing, coupled with traffic-calming measures, can improve safety and encourage behavioral shifts. By prioritizing equity, safety, and connectivity, Fort Collins can become a model city for sustainable and inclusive mobility.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Friend

VOLUNTEER APPLICATION

Casey Lipok

1/2/2025 7:01 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: College degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 16

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Full time Real Estate Broker September 2013 to Present

Current Employer: Self Employed

Prior work experience (please include dates): CL Carpentry February 2012 to March 2023: Scope of Work: Remodel/Restoration/Additions. September 1983 to December 2012 Freelance Photography. Clients included: Human Kinetics Publishing, LazyBoy, Raising Caines, AV Fuel Aviation, Rollerland Fort Collins, Black City Magazine, Sierra Club. Also, Built/Owned/Operated/Sold a Photo Studio from March 2003 to November 2007, Seaside, Oregon: (Nine Employees, averaging 15,000 people per year through the studio) September 1993 to March 2003 Museum Exhibit Preparator, Exhibits Coordinator, Traveling ExhibitsCoordinator, at the Museum of the Rockies, Bozeman, MT. August 1989 to May 2002 Attended MSU

August 1989 to May 2005 Attended MSU-Bozeman. B.A Media Theaters Arts/Film and Photography. August 1982 to August 1989 Owned operated Kastle Construction, based in Cody, Wyoming, with clients in NW Wyoming, Buffalo, NY and Long Island, NY. (Secured building contracts between Wyoming and New York: 1985-1989 while dealing with illness and other family matters)

Volunteer experience (please include dates):

Fort Collins Sustainable Homes: April 2013 to May 2015. Bike FC, June 2015 to present. FC Moves, 2017 to present.

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I've been involved in the cycling community since 2015 and I'm an avid cyclist. The city is on a good path building its infrastructure and I see room for ideas to enhance cycling and commuting outside of cars in and around the city. (Amy Gage suggested I could be a good fit.)

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't have any specific activities which might create conflicts outside of some potential summer travel.

Please describe your interest regarding active modes of transportation and related issues.

Weaning people from the "car culture" is one of the biggest challenges not only in N Colorado, but also in the US. Working towards creating incentives for people to use public transport more frequently to get around the city and surrounding areas including improving efficiency. I know there are challenges because of the shortage of drivers for the transit system which creates scheduling and transportation issues. When my In-Laws had family visiting from England last October, it took them 2 hours to get from Loveland/Centerra to Old Town using public transportation.

How do you think the City can improve the way people move around in Fort Collins?

Hiring more transit drivers which could hopefully improve the efficiency and timely routes. Possibly creating major routes within the city with dedicated/protected bike lanes. (The Dutch Cycling Embassy Group) has been helpful in planning safe routes and intersections around the city.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);

VOLUNTEER APPLICATION

Jonathan Lok

1/10/2025 12:33 AM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Active Modes, Land Conservation and Stewardship
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	4
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
Current Occupation:	Professional Engineer (Chemical Engineer/ Materials Scientist)
Current Employer	Fluor Corporation
Prior work experience (please include dates):	<p>FLUOR CORPORATION (2023 - Present) Senior Design Engineer / Engineer of Record - Remote</p> <p>EXXONMOBIL (Contracted by G.R. Stucker & Associates) (2021 - 2023) Senior Materials Engineer - Remote</p> <p>EXXONMOBIL RESEARCH AND ENGINEERING (2006 - 2018) Senior Materials Engineer - Spring, TX (2013-2018) Materials and Mechanical Engineering Supervisor - Antwerp, Belgium (2011-2013) Process and Materials Engineer - Fairfax, VA (2006 - 2011)</p>

MARATHON OIL CORPORATION /
KINDER MORGAN (2001 - 2004)
Facilities and Process Engineer - Midland,
TX

Volunteer experience (please include dates):

FORT COLLINS BIKE COOPERATIVE -
Fort Collins, CO 2023 -Present
Board Member / Mechanic (2023-Present)

BAYOU LAND CONSERVANCY - Houston,
TX 2016 - 2022
Chair, Board of Directors (2021-2022)
Board Member (2016-2023)

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I am eager to join the Active Modes Transportation Advisory Board because of my deep-rooted passion for land conservation and promoting equitable access to natural areas. My background in these fields has given me a unique perspective on the importance of sustainable and inclusive transportation options, which I believe are crucial for the well-being of our community and environment.

Having worked extensively in land conservation, I understand the critical role that transportation infrastructure plays in connecting people to natural spaces. I am committed to advocating for active transportation modes, such as cycling and walking, that not only reduce our environmental impact but also promote health and well-being by encouraging physical activity.

Equitable access to transportation helps ensure all residents, regardless of their socioeconomic status, have safe and efficient transportation options which are essential for fostering an inclusive community. I am dedicated to working on initiatives that make active transportation accessible and appealing to everyone, thereby enhancing connectivity and improving quality of life for all.

Furthermore, my experience in promoting access to natural areas has taught me the importance of preserving and integrating green spaces within urban environments. I am excited about the potential to advocate for transportation solutions that prioritize the environment and promote the coexistence of urban development and natural ecosystems.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Please describe your interest regarding active modes of transportation and related issues.

Active transportation is essential for fostering a sustainable and healthy community. I have seen the transformative impact that well-planned, active transportation infrastructure can have on communities.

I am particularly passionate about the health benefits of active transportation and the stronger sense of community it engenders as people interact and engage with their surroundings and fellow residents. Equitable access that ensures all residents, regardless of their socioeconomic status, have safe and convenient options for active transportation is just as important for creating an inclusive and thriving city.

Furthermore, I am interested in exploring innovative solutions and technologies that can enhance active transportation. From integrating green infrastructure to implementing smart city technologies, there are many opportunities to make our city more sustainable and resilient.

How do you think the City can improve the way people move around in Fort Collins?

To improve the way people move around in Fort Collins, the city should focus on enhancing safety, accessibility, sustainability, and community engagement.

Expand and Enhance Active Transportation Infrastructure: Safe and accessible infrastructure will encourage more residents to choose active transportation modes, such as cycling and walking, thereby reducing traffic congestion and lowering emissions. Continue to expand infrastructure to underserved areas of the city, particularly around schools and community centers.

Continue E-Bike Pilot Programs: Continue to pilot research on electric bike use on shared paved bike paths and collaborate with other jurisdictions on drafting and adopting best practices that prioritizes safety for all users and promoting access.

Adopt Smart Transportation Solutions: Implement smart traffic management systems and use data-driven approaches to optimize traffic flow and reduce congestion. Technologies such as adaptive traffic signals and connected vehicle systems can help improve efficiency and safety on the roads.

Education and Awareness Campaigns: Launch campaigns to raise awareness about the benefits of active transportation and public transit. Educational programs can help shift attitudes and behaviors

towards more sustainable transportation choices. Programs on e-bike use and education may help improve interactions among shared path users.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify);
Community Advisory Board Open House

VOLUNTEER APPLICATION

Jared McGlothlin

12/28/2024 2:32 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Active Modes, Transportation
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	5-8
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Graduate Research Assistant
Current Employer	Colorado State University
Prior work experience (please include dates):	<ul style="list-style-type: none"> -Intern Scientist at the NOAA Pacific Marine Environmental Laboratory, Seattle WA, Summer 2022 -Wildfire and Smoke Meteorology Assistant at the Washington Department of Natural Resources, Olympia WA, Summer 2023 -Undergraduate Research Assistant (studying explosive wildfire growth) at the University of Washington, Seattle WA, 2023-2024 -Graduate Research Assistant (studying nocturnal cloud properties) at Colorado State University, Fort Collins CO, 2024-
Volunteer experience (please include dates):	<ul style="list-style-type: none"> -Volunteer at the University Food Bank, Seattle WA, 2023-2024 -Seattle Neighborhood Greenways Member, Seattle WA, 2022-2024

-Student Advisory Council Member at UW College of the Environment, Seattle WA, 2023-2024
-Senator at the Associated Students of Colorado State University, Fort Collins CO, 2024-
-CSU Food Security Advisory Board, Fort Collins CO, 2024-

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I want to advocate for better bike and pedestrian infrastructure in Fort Collins, especially when it comes to the interests of students and young people who are often underrepresented in local government. As a frequent user of public and non-motorized transportation, I am also impassioned to work to make them better to improve my life and encourage my peers and fellow residents to switch to more body and environmentally friendly transportation methods. As an official of the Associated Students of Colorado State University, I can build connections between this board/the City of Fort Collins and the CSU community, which will allow better representation of one of the largest groups of active transportation users in the city.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding active modes of transportation and related issues.

I bike, walk, or take transit for all my daily trips, ranging from walking/biking to grocery store to biking/taking transit to CSU and Old Town. As such, I utilize Fort Collins transportation infrastructure on a daily basis (primarily in district 6) so I am well aware of the strengths and shortcomings of the current system. I also recently moved to Fort Collins from another city with a large cyclist and pedestrian population and ample infrastructure (Seattle), so I am excited to look at what works there and in other cities that Fort Collins could implement in our neighborhoods.

How do you think the City can improve the way people move around in Fort Collins?

Better connections between transit and active modes, better entrances for pedestrians and active mode users into shopping centers, increased bus frequency on routes with a high proportion of transit dependent users and potential users, and better enforcement of traffic laws to increase comfort on arterial bike lanes. Better maintenance/more frequent cleaning of bike lanes will also help increase the comfort of riders throughout the city.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Jared McGlothlin

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Liam Myers

1/9/2025 11:58 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Some College
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8-10 hr/mo
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Ecosystem Science and Sustainability Student, Bike Mechanic
Current Employer	Colorado State University
Prior work experience (please include dates):	Bike Mechanic (CSU The Spoke, Mar. 2024 - Pres.) Rapid Prototyping and Applied Engineering Technician (Energy Institute, Jan. 2022 - Aug. 2022) Climbing Wall Assistant (CSU Campus Recreation, Feb. 2021 - Jul. 2021)
Volunteer experience (please include dates):	Land Policy Researcher & Analyst (Open Lands Initiative, May 2024 - Pres.) Media Director & Engagement Lead (CSU Democrats, Aug. 2020 - Aug. 2021)
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No; N/A

Liam Myers

Why do you want to become a member of this particular board or commission?

I want to help cultivate a more sustainable built environment, increase mobility equity, and improve community health in Fort Collins. Through the lens of a walking, cycling, transit riding, and occasional vehicle driving individual I hope to advocate for policy that works to correct auto-centricity.

Specify any activities which might create a serious conflict of interest if you are appointed:

No conflicts of interest.

Please describe your interest regarding active modes of transportation and related issues.

I'm deeply interested in built environment planning and policy, infrastructure design/theory, urban-rural ecology, and climate science. Moreover, the intersection of these categories presents many opportunities for righting inequities of past misguided policy. After obtaining my B.S., I intend to pursue secondary education pertaining to built environment ecology and planning.

How do you think the City can improve the way people move around in Fort Collins?

I think there are quite a few avenues available for advancing substantive policy that works to address deficits in local mobility access, infrastructure allocation, and overall public health. In alignment with city council 15-minute city objectives, the Active Modes Plan, and climate targets, the passenger vehicle can no longer be prioritized in the built environment. Private passenger vehicle use and access is a privilege, not a right.

For example, the current two-way stop control at Howes and Myrtle presents a hazard to walkers, cyclists, and other non-vehicular users due to high speed limits along Howes, large conflict zones, a lack of traffic calming infrastructure, and insufficient intersection daylighting. A potential interim solution could be as simple as converting the intersection to a four-way stop and reducing the speed limit. Other corrective actions could include increased daylighting, traffic calming mechanisms (e.g. bollards, refuge islands, and asphalt art), and increased lighting.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Word of mouth

VOLUNTEER APPLICATION

Kevin O'Toole

1/5/2025 9:08 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Doctoral degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	5
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Occupation:	Part-time physician
Current Employer	Self-employed
Prior work experience (please include dates):	Occupational Medicine physician, 2006-2024; US Air Force pilot and Aerospace Medicine physician, 1976-2006.
Volunteer experience (please include dates):	Fort Collins Transportation Board, 2011-2015.
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	I have been a bike commuter most of my working life. I would like to help improve the active transportation infrastructure for everyone in Fort Collins. It would be a good use of my time and a nice way to give back.
Specify any activities which might create a serious conflict of interest if	None



you are appointed:

Please describe your interest regarding active modes of transportation and related issues.

I believe that helping more people utilize active transportation can meaningfully benefit a number of societal problems, including the diseases of a sedentary lifestyle, transportation inequality and the climate crisis.

How do you think the City can improve the way people move around in Fort Collins?

By continuing investments in anything that makes active transportation easier, safer and/or more fun.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Max Salzburg

1/8/2025 10:26 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Sales and Marketing

Current Employer Fly Water Travel / Far Bank Enterprises

Prior work experience (please include dates): Fly Water Travel: 2019 - Present
Sonja K Photography: 2015 - Present
Go West T-Shirt Company: 2003 - 2015
Fox Theatre: 2002 - 2003

Volunteer experience (please include dates): Fort Collins Bike Ambassador: 2016 - 2019
The Big Jump: 2018
Neighborhood Connections: 2016 - 2017

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? I am interested in walkable/bikeable communities and how to make a place better for all the citizens. I feel that connected communities are resilient communities. I think I have a small

something to offer the board and the community.

None

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your interest regarding active modes of transportation and related issues.

I am interested in capital improvements, communication with the public, safe routes to school, and how to make Fort Collins a safer and more accessible community for active modes of transportation.

How do you think the City can improve the way people move around in Fort Collins?

I think the city is world class for transportation. I believe that the city can focus on building and improving on the active modes of transportation infrastructure and keep educating citizens how to use it. In addition I believe that it is important to maintain and update the infrastructure that is in place,

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
City email communications

VOLUNTEER APPLICATION

Scott Sampl

12/5/2024 9:25 AM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5-10 hrs

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Retired

Current Employer N/A

Prior work experience (please include dates): Hewlett Packard Loveland - 1979-2014. Innosphere - 2016-2022

Volunteer experience (please include dates): Bike Ambassador for City of Fort Collins - 2014-16. FAST (Fort Collins Swim Team) - board of directors and board chair - 1999-2004 (aprox) and Larimer County Partners - senior partner, board and board chair - 1980-88 (aprox). As a Bike Ambassador, I championed and created the Bike Friendly Driver program together with BikeFC (the non profit) and FCBikes (City).

Have you applied for this board before? If yes, please explain. Yes, I applied last year (Dec 2023)

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission?

I'd like to help with the Active Modes Plan/ Board to promote and encourage a more mobile lifestyle within our city. Integrating the AMP goals with the other departments, helping the city to prioritize funding for expenses and capital improvements and examining alternatives for the longer range plans, are all of interest to me. My experience with Bike Friendly Driver gave me an appreciation for the challenges and opportunities we face going forward.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding active modes of transportation and related issues.

My work on Bike Friendly Driver was 'interrupted' by an opportunity to join Innosphere. I've retired a second time and am now looking for ways to re-engage with the City. I'm an avid cyclist and walker in my personal life.

How do you think the City can improve the way people move around in Fort Collins?

We have an excellent foundation on which to build. Our culture and history work in our favor. Going forward, issues like safety (do user's feel safe...walking, riding...etc), accessibility (can I get to where I want to go...) are likely still at the top. And as we look out ahead, can we find ways to ensure that our aging population continues to take advantage of all mobility options. Can we think more regionally about how the connected Poudre River Trail can play a role in mobility. And are we in touch with what impediments there are from a citizens point of view. These are just a few things that come to mind. I'm sure that I don't yet have a complete perspective.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); I think I saw it in a City email or newsletter. And Bruce Henderson reached out via email to make sure I was aware.

VOLUNTEER APPLICATION

Rebekah Stein

12/27/2024 10:09 AM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Transportation, Active Modes, Natural Resources
I acknowledge I am available when the Active Modes Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Program Specialist
Current Employer	University Corporation for Atmospheric Research
Prior work experience (please include dates):	January 2023-May 2024 Assistant Professor, Chemistry & Physical Sciences, Quinnipiac University 2021-2022 Postdoctoral Scholar, Earth & Planetary Sciences, University of California, Berkeley 2016-2020 Graduate Student Researcher and Instructor, Earth & Environmental Sciences, University of Michigan 2015-2016 High School Science Teacher, Beth Chana Academy

2014-2015
Laboratory Manager, Science & Technology, Bryant University

Animal Friends Alliance Dog Walker (July 2024-Present)
Voices for Science Policy Member (May 2024-Present)
Hamden Mobile Food Pantry Volunteer (January 2023-June 2024)
The Big Event Volunteer Clean Up (April 2023, April 2024)

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I am a climate scientist with an expertise in the carbon cycle who loves the outdoors and wants to make them accessible and safe to any and everyone. I am passionate about thinking about alternative transportations to cars and ways that people can utilize them safely.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't have a conflict of interest, per say, but I do work in conjunction with the federal government and will need to be thoughtful about the ways I engage with the federal government if that comes up in a role of the City of Fort Collins (still can, but need to emphasize as a citizen).

Please describe your interest regarding active modes of transportation and related issues.

In addition to my career expertise in the carbon cycle, I am an avid runner, hiker, and biker, and really love being able to do these in a safe environment. I am passionate about data and thinking about efficiency and accessibility, and I think that active transportation is an area rife with areas for improvement I'd love to be a part of.

How do you think the City can improve the way people move around in Fort Collins?

There is some lack of clarity in how to move as a pedestrian and/or biker, user of skateboard scooter, etc. Education programs could be very helpful, as could additional signage and clear messaging on social media, etc.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Sarah Wooldridge

1/3/2025 4:59 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Legislative Analyst

Current Employer: State of Colorado

Prior work experience (please include dates):
Colorado State University 2022-2023; Research Assistant and Development Associate
Project Self Sufficiency 2020-2022; Outreach Advisor
Crossroads Safehouse 2015-2020; Youth Program Manager
Boys and Girls Club of Larimer County 2014-2015; Academic Programs Coordinator
BASE Camp 2013-2014; Site Director

Volunteer experience (please include dates):
Gnar Runners 2024
Downtown Business Association 2017
Larimer County Humane Society 2015
Crossroads Safehouse 2014

Have you applied for this board before? If yes, please explain. N/A

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I want to be more involved in my local government. I care deeply about Fort Collins and want to help fellow community members thrive with various transportation options. One thing I love most about the city is it's bikability and walkability. I would love a chance to sit at the table with other folks brainstorming ways to keep and increase alternative modes of transportation, continuing to make FTC one of the best cities in America.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't think my professional role working with the state would be considered a conflict of interest. Although I am open to having a conversation with this board, city council, and/or Ms. Lau to make that determination. My role with the state is isolated to the Tax Division, providing fiscal analysis and implementation of state tax policy.

Please describe your interest regarding active modes of transportation and related issues.

I believe that communities thrive when access to their support networks and resources are accessible by certain means of transportation. I believe the more bike lanes and walking paths we can offer, the more likely our community becomes intertwined with each other, allowing for diverse interaction and barrier reduction. I have served community members in various nonprofits which shared first hand experience of difficulty navigating the city without a vehicle. It was incredibly impactful to first help an individual navigate transportation options before being able to address hard resources needed to thrive.

How do you think the City can improve the way people move around in Fort Collins?

One thing I recently discovered which touches a personal nerve is the number of sidewalks that are not wide enough for wheelchair access. This simple, but large, problem cuts off some Fort Collins residents from a number of geographical areas, resources, and experiences. As the population of the city ages, wheelchair accessibility will have to be addressed.

As mentioned above, I think widening all city sidewalks to be wheelchair compliant is a great first step to improve the ways people can and will access this wonderful city.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Social Media

VOLUNTEER APPLICATION

Sarah Wooldridge

1/3/2025 4:59 PM

Application: **AMAB - Active Modes Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Active Modes Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Active Modes Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Legislative Analyst

Current Employer: State of Colorado

Prior work experience (please include dates):
Colorado State University 2022-2023; Research Assistant and Development Associate
Project Self Sufficiency 2020-2022; Outreach Advisor
Crossroads Safehouse 2015-2020; Youth Program Manager
Boys and Girls Club of Larimer County 2014-2015; Academic Programs Coordinator
BASE Camp 2013-2014; Site Director

Volunteer experience (please include dates):
Gnar Runners 2024
Downtown Business Association 2017
Larimer County Humane Society 2015
Crossroads Safehouse 2014

Have you applied for this board before? If yes, please explain. N/A

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I want to be more involved in my local government. I care deeply about Fort Collins and want to help fellow community members thrive with various transportation options. One thing I love most about the city is it's bikability and walkability. I would love a chance to sit at the table with other folks brainstorming ways to keep and increase alternative modes of transportation, continuing to make FTC one of the best cities in America.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't think my professional role working with the state would be considered a conflict of interest. Although I am open to having a conversation with this board, city council, and/or Ms. Lau to make that determination. My role with the state is isolated to the Tax Division, providing fiscal analysis and implementation of state tax policy.

Please describe your interest regarding active modes of transportation and related issues.

I believe that communities thrive when access to their support networks and resources are accessible by certain means of transportation. I believe the more bike lanes and walking paths we can offer, the more likely our community becomes intertwined with each other, allowing for diverse interaction and barrier reduction. I have served community members in various nonprofits which shared first hand experience of difficulty navigating the city without a vehicle. It was incredibly impactful to first help an individual navigate transportation options before being able to address hard resources needed to thrive.

How do you think the City can improve the way people move around in Fort Collins?

One thing I recently discovered which touches a personal nerve is the number of sidewalks that are not wide enough for wheelchair access. This simple, but large, problem cuts off some Fort Collins residents from a number of geographical areas, resources, and experiences. As the population of the city ages, wheelchair accessibility will have to be addressed.

As mentioned above, I think widening all city sidewalks to be wheelchair compliant is a great first step to improve the ways people can and will access this wonderful city.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Social Media

VOLUNTEER APPLICATION

Gregory Wells

12/28/2024 1:15 PM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10 to 20
Current Occupation:	Senior Instructional Designer - Colorado State University
Current Employer:	Colorado State University
Prior work experience (please include dates):	(2009 - 2014) - Regis University - Instructional Designer (1990 - 2008) - Hewlett-Packard - Test Engineer, Project Manager, & Program Manager
Volunteer experience (please include dates):	City of Fort Collins - Senior Advisory Board (2016 - 2019)
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	As an active member of the Fort Collins community I want to examine and participate in options for housing that includes all members of the community

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

from an affordable and long-term strategic plan for the city and county.

Yes;
Served periodically as a liaison representing the Senior Advisory Board

Specify any activities which might create a serious conflict of interest if you are appointed:

No conflicts at this time.

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

At present my only experience with affordable housing is the ongoing discussions at the city, county, and state levels to find innovative ways to meet the needs of community members who are experiencing issues with affordable housing options. At present, I do not know of anyone who is living in a subsidized housing option.

Describe what you think of when you hear the words "affordable housing".

When I hear the words affordable housing I think of working within the community to find innovative and practical ways to include all members of the community in the ability to afford housing and to build housing that is sustainable and practical within the context of a growing population and tax structure.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Adam Stephens

12/31/2024 12:34 PM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthdate: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Current Occupation: Municipal Attorney

Current Employer: Thornton City Attorney's Office

Prior work experience (please include dates): Thornton City Attorney's Office, 2022-present. Fort Collins City Attorney's Office, 2020-2022. Milwaukee WI City Attorney's Office, 2005-2020.

Volunteer experience (please include dates): Colorado Bar Association, Executive Council member, Gov't Counsel Section, 2024-present. Milwaukee Continuum of Care Board member, 2018-2020. Americorps National Service, housing rehabilitation, 1995-1996.

Are you currently serving on a City board or Commission? If so, which one? No

Have you applied for this board before? If yes, please explain. No.

Why do you want to become a member of this particular board or commission?

The focus of my career is civic stewardship. I have always been passionate about creating and sustaining inclusive and equitable communities. Affordable housing is a necessary component, and probably the priority, of ensuring healthy neighborhoods.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; I am familiar with municipal-led programs supporting Affordable Housing priorities.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

I have led multidisciplinary neighborhood revitalization teams of attorneys, planners, building inspectors, code compliance and municipal finance professionals to address affordable housing problems through receiverships and holistic responses to deficient housing. My AmeriCorps National Service term focused on rehabilitating public and subsidized housing.

Describe what you think of when you hear the words "affordable housing".

Sustainable, quality housing for all people.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

John Erik Singleton

12/5/2024 11:50 AM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthdate: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8
Current Occupation:	Senior Mechanical Engineer
Current Employer:	Otter Products LLC
Prior work experience (please include dates):	Otter - July 5th 2022 to present Root Policy Research - Jan 2022 to July 2022 Colorado State University - Apr 2019 to Apr 2022
Volunteer experience (please include dates):	Affordable Housing Board - last 5 years
Are you currently serving on a City board or Commission? If so, which one?	Yes; Affordable Housing Board
Have you applied for this board before? If yes, please explain.	Yes, and was accepted
Why do you want to become a member of this particular board or commission?	Because I am currently on the board and very proud of the work we are doing.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	Yes; I am the chair.
Specify any activities which might create a serious conflict of interest if	None

John Erik Singleton

[REDACTED]

you are appointed:

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

I am neighbors with subsidized housing. I have worked on affordable housing policy. I worked at Outreach fort collins.

Describe what you think of when you hear the words "affordable housing".

Supply of housing that can be obtained without severely cost burdens, working towards limiting even cost burdening.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Currently on the board

VOLUNTEER APPLICATION

Ali Raza

12/14/2024 2:47 PM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthdate: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Skills & Interests

Additional Skills / Interests: Sindhi, Urdu

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	human relations commission; economic advisory board
I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10+ and whatever is needed
Current Occupation:	Educator
Current Employer:	Colorado State University
Prior work experience (please include dates):	Assistant Director for Involvement at CSU: 2019-Present Senior Program Coordinator: 2016-2020 Graduate Assistant at Florida State: 2014-2016
Volunteer experience (please include dates):	Board, Homeward Alliance: 2022-Present Board, Be Kind FoCo: 2021-Present Steering Committee, Leadership Fort Collins: 2018-Present

Board, Diverse Fort Collins: 2020-2022

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

No

Why do you want to become a member of this particular board or commission?

Affordable housing has always been a part of my life. I lived in 7 states and moved 20 times by the time I got to high school. My family and I experienced homelessness, we lived in section 8 housing, lived in a trailer, lived in apartments, and even owned a home when I grew up. I have lived in Fort Collins for more than 8 years now and have been involved in many housing conversations and have been involved with conversations on land use code, planning and zoning, affordable and attainable housing, and more. I have been a renter and live with roommates. Owning a home is a dream one day, but we need to have critical conversations on increasing density and housing, especially along high transit corridors.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
See above.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

See above. I experienced homelessness, and lived in section 8 housing. Currently a renter with roommates. I would appreciate having the opportunity to serve given my lived experience and proximity to many experiencing challenges since I work at CSU.

Describe what you think of when you hear the words "affordable housing".

Housing that is attainable to anyone who wants it.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Recommended by several people in Fort Collins

VOLUNTEER APPLICATION

Alexis Kennedy

1/9/2025 3:06 PM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: PhD
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1
- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10
- Current Occupation: Assistant Professor of Public Policy and Administration
- Current Employer: Colorado State University
- Prior work experience (please include dates):
 - 2015-2021 PhD Program at CU Denver School of Public Affairs
 - 2016-2017 Consultant for Sparks Strategic Consulting, Denver, CO.
 - 2015-2018 Research Assistant, School of Public Affairs, University of Colorado, Denver, CO.
 - 2014-2018 Associate, Social Impact Solutions, Denver, CO.
 - 2014-2015 Consultant for the Buechner Institute for Governance at University of Colorado, Denver, CO.

2014-2015 Consultant for Center for Education Policy Analysis at University of Colorado, Denver, CO.

2024-present Colorado Asset Limited, Income Constrained, Employed (ALICE) Research Advisory Committee, United for ALICE, United Way Worldwide, Colorado

Co-Chair, Community Impact Committee, United Way of Larimer County. Larimer County, Colorado.

2024 Executive Board Member, United Way of Larimer County, Larimer County, Colorado.

2023-present Volunteer, Northern Colorado Works. Northern Colorado

2022-present Volunteer, Nonprofit Sector Partnership. Northern Colorado

2022-present Board Member United Way of Larimer County. Larimer County, Colorado

Volunteer experience (please include dates):

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

No

Why do you want to become a member of this particular board or commission?

As an Assistant Professor at CSU, my research, teaching, and service all revolve around social equity, diversity, and inclusion. Outside of work, I serve on the Board of United Way of Larimer County and have supported and helped guide their strategic shift to lead with social equity in their pursuit of philanthropic supported programming and policies that support youth and their families. Serving on the affordable housing board would allow me to extend that work to municipal government, to continue supporting DEIJ through improving accessible opportunities for housing. I see housing as a human right and despite being a private good in the United States, I see that there exists a market failure in which people do not have access to safe and affordable housing. I want to be part of the change that can only happen through policy processes that incentivize and regulate the housing market to be more accessible, affordable, and thus equitable. I see this as a necessity for human rights as well as an economic, social, and sustainable future within my community.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

I wrote my PhD dissertation about the Community Reinvestment Act, a federal policy that increases credit and banking access (along with mortgages) to low and moderate-income community members within the United States. In addition, more recently (2024), I wrote the NoCo Works External Barriers report that examined in what ways Northern Colorado practitioners and policymakers are working to decrease barriers around housing, transportation, and child care. I interviewed several housing experts in Northern Colorado and summarized initiatives, programs, and strategic plans around housing (as well as transportation and child care). I do not know anyone living in affordable housing; however, I am aware that some of my students at CSU heavily rely on subsidies to help them afford to live in Fort Collins.

Describe what you think of when you hear the words "affordable housing".

"Affordable housing" is defined by HUD as housing in which the occupant/household pays no more than 30% of their income, including rent/mortgage, insurance, HOA fees, and utilities. However, as housing prices have increased faster than people's incomes, fewer individuals can find housing that meets this criteria. As such, what was formally considered "affordable" is no longer attainable to many residents. This has forced many people in this community to move away, live outside Fort Collins and commute in, double or triple up, or live in conditions that are not energy efficient, safe, or healthy. As such, to me, affordability is bigger than the percentage of one's income but the supply of adequate housing that exists, the barriers in place to build that housing such as financing, incentives, NIMBYism, or public regulations, and the other costs that people have to incur that take away from their income including child care, medical care, and higher education.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
BIPOC Alliance Newsletter

VOLUNTEER APPLICATION

Jessica Hazlett

12/5/2024 10:49 AM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Not applying for more than this position
I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	80+
Current Occupation:	Section 8 housing coordinator/property manager
Current Employer:	Neighbor to Neighbor
Prior work experience (please include dates):	Bar/restaurant/kitchen management 2009-2021
Volunteer experience (please include dates):	Volunteer/Board member Until They're Home 2019-present
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	Affordable housing is a solvable crisis in our community. I've learned a lot at N2N and would love to love the opportunity to serve my community.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No

Specify any activities which might create a serious conflict of interest if you are appointed:	None
What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?	I manage 68 subsidized units.
Describe what you think of when you hear the words "affordable housing".	Professionally, I think of section 8, HUD and tax credit communities. In general I think of housing at or below 30% of your income.
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	No
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	No
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Other (please specify); Cityworks alumni email

VOLUNTEER APPLICATION

Jenn Fieldhack

1/8/2025 5:07 PM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6
- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 15
- Current Occupation: Small Business Owner: Nutritionist BS MS MScN
- Current Employer: The Whole Food Nut: My Nutrition Business
- Prior work experience (please include dates): Please see the attached resume.
- Volunteer experience (please include dates): 2024 Vindekot: FOCO Food Bank (Volunteer in different departments)
2005 - 2015: AMA Foundation Champions for Health (Speaker/Advocate/Educate Children)
2000 - Current: Local Animal Shelters (Foster Rescued Dogs)
2023-2024 City Health Fair: Volunteer Education and Health Testing
2003-2008 HUD (Annual Interview of Homeless for state initiatives and funding)
- Are you currently serving on a City board or Commission? If so, which one? No

Have you applied for this board before? If yes, please explain.

No

Why do you want to become a member of this particular board or commission?

I've had an interest in affordable and smaller housing for a long time. I have attended various meetings on this topic and have a serious desire to contribute to improving growth and access to affordable housing. I'm also compassionate about homelessness and helping get them off the streets into a safe and warm place. I've also seen it done well in other cities and know the potential to duplicate some of that. Lastly, I have spoken with many city chambers on this topic and feel strongly that progress can be made in unincorporated and urban areas.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

I run my own business and would block out this time on Thursday from 4-6 pm each month.

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

I've lived very close to affordable housing in 2 different cities. And I have friends who live in subsidized housing. My experience and serious interest in AH came when I attended graduate school in Portland, OR. The cost of renting was off the charts there; similar to NY. At the same time, I saw that most people lived in much smaller housing units. Most houses were split into 2 or 4 units. The city did an incredible job of controlling sprawl and providing dense housing. I see the potential and would enjoy being a part of that process.

Describe what you think of when you hear the words "affordable housing".

I think of the homeless and minorities as it affects them the most. Affordable Housing reduces homelessness b/c unaffordable housing is the biggest contributor to homelessness. Even individuals or families who can afford housing are often spending more than half of their income on rent each month. And the shortage of affordable rental units disproportionately affects minorities. Therefore, we need to promote equitable access to Affordable Housing. Affordable housing can be for sale, rental, lease-to-own, or co-housing. It can also be new construction, redevelopment, or rehabilitation. One key advantage of affordable housing is its resilience during recessions. We need to break through the barriers, increase funding, gain support, explore alternative and successful programs, and find people/builders to champion growth and development.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
FCGOV Emails. I'm signed up for most departments and received the information that way.

VOLUNTEER APPLICATION

Nina Clark

1/9/2025 10:34 AM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Current Occupation:	Credit Analyst - Affordable Housing Finance
Current Employer:	Enterprise Community Partners - Loan Fund
Prior work experience (please include dates):	Enterprise Community Partners – Loan Fund Denver, CO Credit Analyst June 2024-Present <ul style="list-style-type: none"> • Managed a \$40 million portfolio of predevelopment, acquisition, and construction loans to affordable housing and community development projects, providing financial analysis, monitoring loan performance, and ensuring compliance with loan covenants. • Developed workout plans for troubled loans, drafted loan modifications, and ensured timely processing of construction draw requests.

processing of construction draw requ
Enterprise Community Partners –
Development (ECD)
Silver Spring, MD
Affordable Housing Real Estate
Development Intern June
2023-December 2023

- Developed a financial sustainability-mission matrix to measure the portfolio’s adherence to ECD’s dual bottom line of simultaneously achieving profitability and mission impact.
- Created a mission service level rubric to generate property level budget forecasts for the resident services department.

City of Columbia
Columbia, MO
City Management Fellow
February 2022-May 2022

- Conducted research and statistical analysis to provide the City Manager’s Office with municipal reports and policy recommendations, primarily concerning homelessness and racial inequality.

USPS Office of Inspector General
Washington D.C.

Auditing Co-op
July 2020-December 2021

- Analyzed Postal Service financial data and projections, researched macroeconomic trends and industry practices to support financial audits.

Columbia Housing Authority
Columbia, MO

Finance Intern
June 2021-August 2021

- Drafted the Columbia Housing Authority’s 2022 budget based on historical trends, contract and loan agreements, and the anticipated consumer price index in order to support the finance department’s revenue and expense estimates for the upcoming year.

Department of Housing and Urban
Development (HUD)
Washington D.C.

Management Analysis Student Trainee
August 2020-September 2020

- Crafted communication with applicants to the COVID-19 Fair Housing Initiatives Program to facilitate an efficient application process for potential grant recipients.

Office of US Representative Emanuel
Cleaver (MO-5)
Washington D.C.

Legislative Intern
January 2020-March 2020

- Researched and collected data pertaining to current and proposed legislation, mainly concerning issues relevant to the Congressman’s seats on

the Financial Services Committee and Subcommittee on Housing, Community Development, and Insurance.

- Crafted and edited sponsorship memos, constituent letters, and public testimony to support the efficiency of the Congressman's legislative team.

Volunteer experience (please include dates):

Affordable Housing Board – City of Fort Collins - Legislative Committee Member (August 2024-present)
 Neighbor 2 Neighbor - Front Desk Volunteer (September 2024-present)
 Homeward Alliance – Pantry Volunteer (July 2024 -present)
 Partners for Change - Mentor (August 2024 - Present)
 (DC) Ward 2 Mutual Aid – Homeless Encampment Outreach Volunteer (2018-2020)
 Room at the Inn – Dinner Volunteer (2016-2018)

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

Yes, I applied in the previous round of applications

Why do you want to become a member of this particular board or commission?

I am an affordable housing professional with a strong passion for economic justice. I have volunteered extensively with people experiencing homelessness and housing insecurity. The combination personal relationships with people experiencing housing insecurity and technical knowledge of affordable housing programs and development provide me with a strong foundation to advise the Board and City Council. I have worked in both local and federal government positions, allowing me a well rounded understanding of the policy process. Since moving to Fort Collins I have volunteered with the Affordable Housing Board, The Murphy Center, and Neighbor 2 Neighbor. Through these experiences I have seen the impact of the City of Fort Collins's policies and programs on my community members and would be excited to be a part of that impact. As a member of the legislative committee on the Affordable Housing Board I found great meaning from conducting research and drafting memos on public camping to advise the City Council. I would be excited to continue this work as a member of the Board.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
 I have been volunteering as a Legislative Committee Member with the Board since August. I took the lead on drafting a memo to City Council urging councilmembers to change the city's policy on public camping. I meet biweekly with the Legislative

Committee Members and have attended all Affordable Housing Board meetings I was available for since August.

Specify any activities which might create a serious conflict of interest if you are appointed:

My supervisor at Enterprise does not believe any conflicts of interest will be present. I do not believe my volunteer work will provide any conflicts and I have no personal conflicts.

What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?

I have worked in the field of affordable housing for the extent of my professional career and studied affordable housing in my master's program. I have volunteered directly with people experiencing homeless, housing insecurity, and living in subsidized housing throughout my life. I have never personally faced housing insecurity.

Describe what you think of when you hear the words "affordable housing".

I think of scarcity of housing supply, economic injustice, and human rights.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
City of Fort Collins Facebook Post

VOLUNTEER APPLICATION

Robert Brown

12/20/2024 7:54 AM

Application: **AHB - Affordable Housing Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Affordable Housing Board

Job Description

I have read the job description

Questions

Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Human Relations Commission, Disability Advisory Board, Affordable Housing Board
I acknowledge I am available when the Affordable Housing Board meets: 1st Thursday of each month 4 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6
Current Occupation:	Human Resources
Current Employer:	Naropa University
Prior work experience (please include dates):	Listed on my resume that was uploaded.
Volunteer experience (please include dates):	Listed on my resume.
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	Looking for a way to contribute.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No
Specify any activities which might create a serious conflict of interest if you are appointed:	No
What is your experience with Affordable Housing? Have you or anyone you know well lived in subsidized affordable housing?	Not that I know of.

Robert Brown

Describe what you think of when you hear the words "affordable housing". Housing that is affordable based on standard earning ability in the area.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Dan Welsh

1/7/2025 4:10 PM

Application: **AQAB - Air Quality Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Air Quality Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Air Quality Advisory Board meets: The 3rd Monday of each month, 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
Current Occupation:	Air Quality Meteorologist
Current Employer:	Colorado Department of Public Health and Environment, 2016-present
Prior work experience (please include dates):	Instructor, General Meteorology, Front Range Community College (FRCC) Aug. 2015-May 2016
Volunteer experience (please include dates):	Member of the City of Fort Collins Air Quality Advisory Board, Jan. 2021-Present (AQAB Chair June 2024-present) Colorado Rural and Urban Source Health (CRUSH) Air Quality Monitoring, Aug. 2010- May 2011 Many other various participations in community events/science fairs/informal speaking engagements/etc.
Are you currently serving on a City board or Commission? If so, which one?	Yes; Air Quality Advisory Board
Have you applied for this board before? If yes, please explain.	Yes, seeking reappointment

Why do you want to become a member of this particular board or commission?

I have lived in Fort Collins for my entire life and am now raising a family here. I have a great deal of vested interest in finding ways to use my education and experience to improve and protect the community that I love and am a part of. I want Fort Collins to continue to thrive so that my children can have as great of a place to call home as I have been so lucky to have.

In your opinion, what are the biggest issues related to air quality regionally and in the City?

In my opinion, the three greatest challenges to air quality in Fort Collins are:
1) Oil and Gas Development- In northern Colorado this is one of the greatest contributors to air pollution and must be considered as a factor for air quality concern. Within reason, appropriate siting, monitoring, and emission regulations must be considered to ensure that public health impacts are minimized from these activities. This will require careful and deliberate coordination and partnership with all concerned parties, so that reasonable conduct can be attained, ensuring mutual benefit with minimal negative impact(s).
2) Transportation-This topic goes hand in hand with population growth and urban expansion. While these things continue to grow rapidly in our area, careful consideration must be given to how these things will progress. Be it through cleaner vehicle technologies, mass transit options, alternatives to traditional transportation, or any number of other possibilities, it is necessary to think ahead to allow the needed increases in travel and infrastructural growth, while maintaining adherence to standards that protect our economy, environment, and citizens.
3) Energy Production-I think that energy production closely follows transportation as a topic of needed consideration as our population and energy needs continue to grow. I think that many energy producers in our region have clean and healthy goals and practices defined, so this may have less need to be addressed by the board or City Council immediately, yet this topic warrants due attention in an ongoing manner.

What do you think the City should prioritize in air quality management?

I think that, overall, the City has done a good job of addressing the major air quality concerns that are within it's purview. However, continued vigilance regarding new or existing air quality sources should be maintained, and additional efforts to further reduce air quality impacts should continue. I think that through regional partnerships with energy producers (PRPA) and other government entities (including city, county, and state agencies), and continued reflection on City operations

that contribute to air pollution, additional progress toward clean air in Fort Collins can continue to be achieved.

My work at CDPHE is the only potential conflict of interest that may arise. I have communicated with my supervisors about this, and we all agree that if I simply abstain from any votes on matters that may be perceived as overlapping or conflicting in these areas, this conflict of interests can be avoided. There have not been any instances of conflict of interests in the 4 years that I have served on the Board so far.

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); AQAB conduct, Staff notification of reapplication to the Board

VOLUNTEER APPLICATION

Christina Swope

1/2/2025 8:26 PM

Application: **AQAB - Air Quality Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Air Quality Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Air Quality Advisory Board meets: The 3rd Monday of each month, 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Biological Science Technician

Current Employer: USDA-ARS-NLGRP

Prior work experience (please include dates): Summit Plant Laboratories (2015-2024)

Volunteer experience (please include dates): Mulberry Community Gardens (2013), Sierra Club (currently), the Growing Project (2015), door knocking with Working Families Party (this year)

Are you currently serving on a City board or Commission? If so, which one? No

Have you applied for this board before? If yes, please explain. No

Why do you want to become a member of this particular board or commission? I care a lot about the intersection of social policies and environmental conditions. I wanted to study sustainability in college but i settled for Environmental Sociology, then agriculture. I care a lot about sustainability and one reason I love living in Fort Collins is that we prioritize that and

In your opinion, what are the biggest issues related to air quality regionally and in the City?

plan ahead for it.

I worry a lot about nitrogen pollution from the gases emitted by the dairies and meat industries to the East of us, as well as methane emissions from fracking, and trapped car pollution from the interstate.

What do you think the City should prioritize in air quality management?

If i were queen of the city we would find ways to improve walkable areas, increase bus routes and reduce car use overall. Then we would convince the state into fast-tracking high speed rail along i-25.

Specify any activities which might create a serious conflict of interest if you are appointed:

I am interested in the activities of the Fort Collins Sustainability Group, and i am going to attend some of their meetings this year, I am very sympathetic to the concerns of environmental groups.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Friend: Kaori told me she has to leave her position this year.

VOLUNTEER APPLICATION

Howard Gebhart

1/10/2025 10:59 AM

Application: **AQAB - Air Quality Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Air Quality Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Air Quality Advisory Board meets: The 3rd Monday of each month, 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8-12
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	GMA
Current Occupation:	Retired
Current Employer:	Retired
Prior work experience (please include dates):	1997-2004, Air Resource Specialists, Inc. Fort Collins, CO 1992-1997, Trinity Consultants, Fort Collins, CO 1982-1992, Env Research & Technology, now AECOM Environmental, Fort Collins CO 1981-1982, Utah Bureau of Air Quality, Salt Lake City, UT
Volunteer experience (please include dates):	N/A
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	I am a retired air quality professional with almost 50 years of experience in

meteorology and environmental science. Now that I'm retired, I'm looking for a way to give back to my community and my technical and regulatory expertise on air quality issues should be of value to the community. As a contractor, I was the primary author of the original City of fort Collins air quality plan in the 1980s.

In your opinion, what are the biggest issues related to air quality regionally and in the City?

Ozone non-attainment, transportation emissions, air toxics exposures in the community

What do you think the City should prioritize in air quality management?

Helping to reduce/manage emissions to minimize pollutant exposures in the community

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Social media (facebook, Twitter)

VOLUNTEER APPLICATION

Sharel Erickson

1/9/2025 9:56 PM

Application: **AQAB - Air Quality Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Air Quality Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Energy Board, Natural Resources Board
I acknowledge I am available when the Air Quality Advisory Board meets: The 3rd Monday of each month, 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	15-20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Store Manager
Current Employer:	Downtown Ace Hardware
Prior work experience (please include dates):	Downtown Ace Hardware- 9/2023- Present Jax Farm & Ranch- 1/2023-9/2023 The Cupboard- 7/2022-1/2023 Sustainability Partners- 10/2020-6/2022 Speedway Harley Davidson- 8/2018-10/2020 The Container Store- 6/2008-8/2018
Volunteer experience (please include dates):	Sustain Charlotte- 2016-2022 Tree's Charlotte- 2014-2022 Catawba River Keepers- 2017-2022
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	I'd like to be a part of protecting the environment, conserving natural resources

In your opinion, what are the biggest issues related to air quality regionally and in the City?

and mitigating climate change locally to improve the health and wellbeing of my community.

The biggest air quality issues in Fort Collins and the surrounding region stem from a combination of transportation emissions, wildfire smoke, industrial pollution, agricultural activities, and the urban heat island effect. These challenges are further complicated by climate change, population growth, and insufficient public awareness and action. These factors are threatening the health of some people in our community, causing breathing problems, asthma attacks, and chronic lung issues.

What do you think the City should prioritize in air quality management?

The City of Fort Collins should prioritize comprehensive, data-driven approaches that reduce transportation emissions, promote clean energy, strengthen local air quality monitoring, and engage the community in sustainable behaviors. Addressing these priorities will help improve air quality, protect public health, and work toward a more resilient, sustainable city.

Specify any activities which might create a serious conflict of interest if you are appointed:

I have no conflicts of interest.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Kori Wilford

1/9/2025 3:35 PM

Application: **APP - Art in Public Places Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Art in Public Places Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Human Relations, Art in Public Places

I acknowledge I am available when the Art in Public Places meets: The 3rd Wednesday of each month, 3:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 3-6 hours a month

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Communications and Technology Manager at the Larimer County Department of Health and Environment

Current Employer: Larimer County

Prior work experience (please include dates): Please see resume attached for specifics. I've worked in the field of public health for over 25 years and with the Larimer County Health Department in various roles since 2000. I have worked at both the local and state level on public health education campaigns and have been in my current role as the Health Department's communications manager for almost 3 years.

Volunteer experience (please include dates): I love volunteering and am hoping to get back to being more involved in the community- my job was all-consuming during the COVID-19 pandemic. I spent two summers in a remote part of northern

India providing health education and working in a dental clinic (2008 and 2009), worked on a volunteer committee to bring an annual young women's leadership conference to PSD students (2000-2015), served on the board of OpenStage Theatre for 6 years (circa 2012 -2017), and served on the Fort Collins Women's Commission just before the pandemic.

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

No

Why do you want to become a member of this particular board or commission?

I have a passion for improving the health and well-being of our Fort Collins community, and access to art plays an important role in creating a thriving place for people to enjoy living in. Art has the ability to reach people on an emotional level, bring cultures together, and simply beautify a space, making it more welcoming and vibrant. I believe I could bring a unique perspective to this board and am interested in the work being done in this space.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

What is your favorite piece of public art in Fort Collins?

I love the pianos, the bike frames at the roundabout at Shields and Vine, the mural on the La Familia tattoo building on College/Laurel, and the community mural in the Civic Center Parking structure.

What function do you feel public art serves in the community?

There are so many functions that public art serves! It plays an important role in making communities more vibrant, livable, and welcoming. First it is an expression of community values, history, culture, and helps to create a sense of place and identity for people. It also enhances the public environment by making places appealing to look at and be in, which promotes pride in one's community. I particularly like that public art can also raise awareness about social issues and might encourage people to look at the world in a new way or think critically about an issue.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

Kori Wilford

1/9/2025 3:00 PM

Item 24.

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Myra Powers

1/9/2025 3:29 PM

Application: **APP - Art in Public Places Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Art in Public Places Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Art in Public Places meets: The 3rd Wednesday of each month, 3:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Retired from CSU Administration- President's Office

Current Employer: Retired

Prior work experience (please include dates): Elementary School Teacher 1968-1974; CSU Department of Vocational Education- Research Associate 1974-75; Larimer County administrator-- Comprehensive Employment and Training Program 1975-78; CSU President's Office, Administrator 1978-2001

Volunteer experience (please include dates): Fort Collins Museum of Art, Board Member 2015-2021, MOA Advisory Committee, current; MOA chair of Masks Committee 4 years; Lincoln Center Birthday Ball Committee; Lincoln Center Dance Committee; ArtWear Garment selection committee- 2015; Science & Culture Financial District (SCFD) Committee- Ballot initiative; CARE Housing Board

1994; Fort Collins/CSU Diversity Task Force 1992; United Way Board and President 1982; Larimer County Election Judge 16 years.

Are you currently serving on a City board or Commission? If so, which one?

Yes; Art in Public Places Board for 2 years. I feel like I now have a better understanding of the breadth and scope of programs and projects and can build on my 2 years' experience to participate as a stronger board member.

Have you applied for this board before? If yes, please explain.

Only once, resulting in my appointment.

Why do you want to become a member of this particular board or commission?

I would like to continue my service on the APP board to build on 2 years of experience of helping to enhance the arts in our rich cultural city.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; Just completed my 2 year term.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

What is your favorite piece of public art in Fort Collins?

Lisa Cameron Russell's artistic panels outside the Remington garage.

What function do you feel public art serves in the community?

Public art brings beauty, richness and spirit to our community for all to enjoy, bringing people from all backgrounds together for common appreciation. It also demonstrates pride in our surroundings and lives.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

NO

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); My first 2 year term just expired and I was invited to reapply,

VOLUNTEER APPLICATION

Jaime Pimsler

1/10/2025 11:45 AM

Application: **APP - Art in Public Places Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Art in Public Places Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	PRB, APP
I acknowledge I am available when the Art in Public Places meets: The 3rd Wednesday of each month, 3:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10-15
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Instructional Design
Current Employer:	Ensign Services
Prior work experience (please include dates):	Peraton, 2018-2024, Learning and Development Specialist Overstock, 2016-2017, Learning and Development Specialist Playworks, 2011-2015, Coordinator and HR Generalist
Volunteer experience (please include dates):	KRFC 88.9FM, 2020-current, voiceover recording for underwriting ads and camera operator for Live at Lunch SLC JCC, 2016, rock climb instructor for 3-6 year olds UT Special Olympics, 2016, bocceball coach
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No

Why do you want to become a member of this particular board or commission?

A main reason why Fort Collins is a wonderful place to live is because of the care taken with our public spaces. The integration of art, murals, sculptures, and artists in the community is very special and an incredibly thoughtful addition to the city. I want to be involved with the APP board because I appreciate all types of art and styles want to be part of the intentionality this boards focus. Looking for ways to make construction projects more appealing, shining a light on our local muralists, giving artists in the community opportunities to give back. It's a wonderful mission, and helping it all from a sustainability, budget, adviser aspect is a very cool opportunity.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None!

What is your favorite piece of public art in Fort Collins?

I love the Transformer Cabinet Murals; such a clever and simple way to bring art to an everyday situation! It's also a great example of the ways that art can be thoughtfully partnered with various city amenities/utilities. (I like them all but especially enjoy the octopus.)

What function do you feel public art serves in the community?

Public art is extremely valuable in society. The sense of community comes not just from engaging the artists in the community as individuals, but also brings residents together through shared appreciation and general belonging. There is huge economic gain as well for encouraging visitation and general beautification. Public art is a shared resource and it is a major factor contributing to what makes Fort Collins so special.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Melissa DaLuz

1/10/2025 11:43 AM

Application: **APP - Art in Public Places Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Art in Public Places Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	1. Citizen Review Board 2. Art in Public Places
I acknowledge I am available when the Art in Public Places meets: The 3rd Wednesday of each month, 3:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Retired
Current Employer:	n/a
Prior work experience (please include dates):	UNC: student teacher supervisor (2021-2024) Jefferson County Public Schools (1995-2019)
Volunteer experience (please include dates):	Food Bank for Larimer County: walk-up window services A Little Help: rides and home assistance for senior citizens Planned Parenthood: patient escort FoCo MX: emcee at the annual music festival Downtown FoCo Creative District: painting murals
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	no

Melissa DaLuz

Why do you want to become a member of this particular board or commission?

I am beyond impressed with the public art in Fort Collins. When I have people visit, one of our favorite things to do is take them around to see the murals, utility boxes, sculptures, and pianos all around Old Town. I have very much enjoyed volunteering to help with some of the projects as well.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

n/a

What is your favorite piece of public art in Fort Collins?

My favorite mural is the "Familia" one that faces the Verizon parking lot on College. My favorite alley is the one that runs right behind it with the lights and metal vegetables (I don't know if that was a public art piece or a streets improvement piece). My favorite utility box is the one with hares in a sort of desert scene. My favorite sculpture is the beautiful dancer on Walnut.

What function do you feel public art serves in the community?

Public art brings life to public spaces. It gives people with nothing in common something in common to admire and discuss. It brings beauty to places that are utilitarian. Public art sends a message to both citizens and visitors that Fort Collins is a special place.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Instagram

VOLUNTEER APPLICATION

Katherine Bauer

1/9/2025 4:53 PM

Application: **APP - Art in Public Places Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Art in Public Places Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Art in Public Places meets: The 3rd Wednesday of each month, 3:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	12+
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Retired
Current Employer:	N/A
Prior work experience (please include dates):	Please see resume
Volunteer experience (please include dates):	Rocky Mountain Raptor Program, Food Bank for Larimer County, Kappa Alpha Theta Alumnae Chapter, Museum of Art, Habitat for Humanity, United Way for Larimer County, Studio Tour (MOCA), Masks Steering Committee.
Are you currently serving on a City board or Commission? If so, which one?	Yes; Appointed to APP board January, 2022
Have you applied for this board before? If yes, please explain.	Yes - appointed January, 2022
Why do you want to become a member of this particular board or commission?	I have missed being involved in the arts community and have enthusiastically enjoyed being a board member and now chair. Keeping our arts community vibrant and open to new ideas is what fuels Fort

Collins, both in character and reputation as a wonderful place to live. Serving on this board has provided valuable insight into other departments within the city about which I had no knowledge prior to this involvement.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; I would like to continue as a board member of Art in Public Places.

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

What is your favorite piece of public art in Fort Collins?

I am so excited to see the campaign Artist in Residence Ally Ogg has done in conjunction with City Utilities - it is brilliant. Be prepared to win awards for this. Existing? Probably the roundabout on Shields and Vine with Tim Upham's "Up-Cy-Clone." And Pianos, of course.

What function do you feel public art serves in the community?

Bringing art in all forms to the people and exposing them to art that is not only eye-opening, but functional as well. Look up, look down, it's all around us to discover and enjoy. The elements of surprise, of discovery - it all adds to the strong fabric of our community. The street murals, the pavers, the sculptures are all critically important to making Fort Collins stronger.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Referral from two previous board members whose terms were expiring.

VOLUNTEER APPLICATION

Matthew Ascitutto

12/15/2024 10:42 PM

Application: **APP - Art in Public Places Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Doctoral degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Art in Public Places Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. n/a

I acknowledge I am available when the Art in Public Places meets: The 3rd Wednesday of each month, 3:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10 to 15

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Veterinarian, Emergency

Current Employer: Self-Employed
Founder of Inkwell Veterinary Emergency Clinic (opening at Drake and Timberline in January 2025). Emergency veterinarian.

Prior work experience (please include dates):
Owner of Inkwell Veterinary Emergency Clinic (pre-operation, start-up phase) December 2023 to present
Owner of Bindle Vet, PLLC (traveling relief emergency veterinarian) Feb 2018 to present
Podcaster at The Greatest Profession Podcast Jan 2023 to present
Author of Road Rash: An Unconventional Guide to Life (as a Relief Veterinarian), to be published January 2025
Speaker and Presenter, various veterinary conferences, 2018 to present
Teaching Fellow at Lincoln Memorial University Oct 2017 to Jul 2018

University Oct 2017 to Jul 2018
MCAT Instructor at Kaplan Jan 2014 to Dec 2017
Product Development and Engineering Intern Sep 2012 to Aug 2013
Writer, Director, Producer: Admiral Earth (the rock opera) January 2011 to June 2012
Consultant at Neuro-IFRAH organization, 2008 to present
Instructor of Improv Comedy, various (Canyon Crest Academy, The La Jolla Playhouse, Christian Youth Theater, National Comedy Theater High School League, various troupes around Chicago) Jan 2005 to Aug 2012
Improv Comedy Performer, various (The Second City, Improv Olympic, National Comedy Theater, various independent teams) Nov 2003 to Aug 2012

Volunteer experience (please include dates):

Speaker at various veterinary school student club meetings, 2018 to present
Club officer for the Veterinary Business Management Association, University of Tennessee Chapter (Co-President, 2015-2016; Marketing Director 2014-2015; Secretary 2013-2014).
Graduate Student Senate Delegate for the College of Veterinary Medicine, University of Tennessee, 2012 to 2015

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

No

Why do you want to become a member of this particular board or commission?

There is a vibrant art scene in this city, which is one of the things that drew us here in the first place. As I've moved further into my career, I've moved away from creating art as much as I used to. But I am constantly pulled by the art around me: strolling down the mural-lined alleyways or gazing at the sustainability pavers at my feet. In fact, my next business venture is basically an art project disguised as a veterinary hospital. It would be an honor to be a part of the artistic current of the city - supporting the arts in whatever way I can.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None

What is your favorite piece of public art in Fort Collins?

Pianos About Town (not sure I have a specific favorite). I almost never pass a piano sitting unoccupied. Not only are they dynamic, rotating pieces that punctuate the city; they inspire people to play music.

What function do you feel public art serves in the community?

Inspiration; wonderment; possibility. When people see art in a public place, they are drawn into the humanity that lies deep in

the roots of a city. For kids to see art around them, they are encouraged to dream and forge the path that inspires them. For adults, it reminds us that there is so much life beyond the lines we've drawn in our calendar.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Steven Treacle

1/10/2025 4:49 PM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Some College
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	Flexible, available as needed.
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Internet Reseller
Current Employer:	Self
Prior work experience (please include dates):	Boulder County Sheriff's Office (patrol, detective, personnel). 1983 to 2003 Mr. Handyman franchise (owner/manager) 2004 to 2010 HSS (flex hospital security) 2013 to 2014 Internet sales 2012 to present
Volunteer experience (please include dates):	Partners of Boulder County - youth mentor, approx. 1992 Boulder County Employees Association - member, president, 1999 to 2003 Waneka HOA Board of Directors - Member, president, 2001 to 2009.
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No

Why do you want to become a member of this particular board or commission?

I have an interest in serving and participating in the community and local government, and the Citizen Review Board is a good fit for my interests and experience.

My 20 years in the field included patrol, investigations, and recruiting and hiring deputies. In the two decades since I worked in law enforcement, I've watched with great interest the substantial evolution of the profession and societal changes that affect it.

The board looks like a great opportunity to learn about the current state of police work via the training provided, as well as an opportunity to contribute in, I believe, a balanced and objective way.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

In my role of background investigation and personnel selection I dealt with an applicant who was well known and liked by many in the agency, including by the divisional captain, as a result of his previous professional dealings with the applicant.

As a result of my background investigation, I concluded the hiring the applicant would likely result in negative outcomes for our agency and recommended not hiring him. This resulted in questions and subtle pressure from the captain involved.

My process in this and similar situations was verify my findings, apply a consistent standard, explain my conclusion and stand by my recommendation.

If you were Police Chief for the day, give one example of what you would change about the department.

There is not a specific change that comes to mind, based on my current knowledge of the department. My impression of FCPS is quite positive overall.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Newspaper

VOLUNTEER APPLICATION

Joshua Paiva

12/7/2024 7:03 PM

Application: **CIRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 24

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: Healthcare Executive

Current Employer: ColoVAX (full time) and UCHealth (part time)

Prior work experience (please include dates):
 2021-present: Public Health Executive (full time).
 2016-2020: Management Consultant (full time).
 2021-present (part time): Neutral Arbitrator, Financial Industry Regulatory Authority (FINRA).
 2013-present (part time): Tactical Paramedic / EMS Captain.
 Prior experience: 12+ years as a US Army Officer.
 Please see resume attached for details - thank you.

Volunteer experience (please include dates):
 2010-2021: Appeal Board Chair and EMS Instructor, Calvert County ALS.

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

Yes, I applied for this same Board last year, and there were many great applicants for limited positions available.

Why do you want to become a member of this particular board or commission?

I am privileged to have had the opportunity to serve for 14+ years in emergency medical services and as an Army Officer, as well as work for many years as a neutral arbitrator and management consultant. This unusual blend of experience gives me a deep understanding of public safety from all perspectives, and allows me to be a knowledgeable, fair, and neutral third party to help determine what FCPS is doing right, where there is room for improvement, and when appropriate provide suggestions and guidance as to how the City of Fort Collins can continually improve its public safety services.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No;
I work part time as a Paramedic for UCHealth. In that capacity, I do have professional interactions with Fort Collins Police Services employees, but not with this Board.

Specify any activities which might create a serious conflict of interest if you are appointed:

I work part time as a Paramedic for UCHealth. In that capacity, I do have professional interactions with Fort Collins Police Services employees.

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

As a healthcare executive, management consultant, and neutral arbitrator, I think the most important thing a leader can do in this situation is A) make sure every party feels that I attentively listened to their side of the story with an open mind, and B) that an unbiased decision was made based on the facts at hand. When people really feel that you listened and heard them, they tend to respect adverse decisions much more than people who feel they were never given a fair chance to be heard. When possible, if you can explain the data and rationale behind your decision, that also can go a long way to help both parties comprehend the decision and move forward.

If you were Police Chief for the day, give one example of what you would change about the department.

I believe one of the biggest challenges facing FCPS today is recruitment and retention. I would focus on gaining a deeper understanding of how FCPS can better recruit and retain officers that come from different backgrounds and demographics as diverse as the residents they serve.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Joshua Paiva

12/7/2024 7:00 AM Item 24.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Newspaper

VOLUNTEER APPLICATION

Mike O'Malley

12/4/2024 4:44 PM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Retired
Current Employer:	Retired
Prior work experience (please include dates):	Owner of O'Keeffe & O'Malley-A Merger & Acquisition firm helping people sell their business. Also did business valuations, acquisition searches and exit planning-1991 to 2023 Regional Controller of MultiVision Cable TV in Excelsior Springs, MO-1990 to 1991 Controller of Lodgistix in Wichita, KS-A worldwide provider of software for hotels-1989 to 1990 Controller of Big Cheese Pizza Corp in Wichita, KS-A franchisor of pizza restaurants-1982 to 1989 Accountant with Nord & Kotler CPA in Wichita, KS-A CPA firm-1981 to 1982
Volunteer experience (please include dates):	Citizens Review Board-Fort Collins, CO Dec 2022 to present

Woodridge HOA-Fort Collins, CO Ja
to present

Helzberg Entrepreneurial Mentoring Program-Kansas City, MO-Mentor in a business mentoring program, served on the board for 3 years and on the finance and mentor committees for over 10 years -2001 to present

Civil Service Commissioner for the City of Overland Park, KS Police Department-We interviewed prospective police officers prior to hiring and acted as a review board for serious issues with officers-1993 to 1999 Ascension Job Ministry-Overland Park, KS-Assisted and coached unemployed people on preparing a resume and how to find a job through networking-2008 to 2012 Knights of Columbus-Church of Ascension-Volunteered for numerous fund-raising activities each year to raise money for various charities. Also served as treasurer for 3 years-Overland Park, KS-1998e to 2021

Church of Ascension-Parish Council in Overland Park, KS-Acted as a sounding board for the leader of the church on different issues as well as bringing new ideas to the group-2019 to 2021 Overland Park South Rotary in Overland Park, KS-Volunteered for fund raising activities and served as treasurer and board member for several years, became a Paul Harris Fellow-1992-2002

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Citizens Review Board

Have you applied for this board before? If yes, please explain.

Yes in 2022

Why do you want to become a member of this particular board or commission?

I've enjoyed serving on this board for the last 2 years. I believe in giving back by volunteering and paying it forward. I respect police officers and appreciate what they do to make our cities safe. I had experience with a similar type of commission in the 1990's which I enjoyed a lot.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I've served on this board for the last 2 years.

Specify any activities which might create a serious conflict of interest if you are appointed:

I have a brother, Brien, that is an officer with the City of Fort Collins which I realize I would need to withdraw from an event which specifically involved him.

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

One example would be when I've had to fire someone. No one likes to fire a person but when the person begins to destroy what you've built it was time. My decision making process was very slow. But putting things in writing for me to see the issues to read over many times, then having discussions or warnings with the employee several times and not seeing improvement

helped me through the process. Eventually hearing multiply lies and specific things being done when the person was told not to do them made the decision easy in the end.

If you were Police Chief for the day, give one example of what you would change about the department.

It wouldn't be right to change things being on the job for just one day. But if I had to, perhaps hand out 100 dollar bills to officers/employees that smiled at me or did something good or not. I'm not sure if this would be allowed at the city but in the private sector it would be welcomed.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No, not that I recall.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Mark Mills

1/10/2025 9:53 AM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: College degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	As needed
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Construction Manager
Current Employer:	USI
Prior work experience (please include dates):	Universal Stone, Inc. 4/17 - Current Denovo 10/14 - 4/17 Factual Data 10/11 - 10/14
Volunteer experience (please include dates):	Boys and Girls Clubs Be the Gift
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	It is interesting to me the interactions between government and citizens and I would like to be more involved in that and add insight to the process.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No

Specify any activities which might create a serious conflict of interest if you are appointed:

None that I know of.

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

There are too many! Most times, it has involved a situation, such as employees where positions need to be changed or groups revamped. Most people like the status quo or being comfortable. When I stood the NOC up, it was to make the organization more proactive vs reactive. Once I laid everything out and showed the logic, people were more accepting.

If you were Police Chief for the day, give one example of what you would change about the department.

I'd say the biggest change I would make would be to emphasize more compatibility with the public and officer accountability with their actions. Although, this is totally case by case and how does one understand each officer's needs and concerns in a single day?

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Shamera Loose

12/12/2024 9:27 AM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	NA
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Occupation:	Research Coordinator at CSU Energy Institute
Current Employer:	Colorado State University
Prior work experience (please include dates):	I've been with CSU for over 22 years and spent three years in the industry with Semester at Sea.
Volunteer experience (please include dates):	I've been with the Larimer County Dive Rescue team for almost 4 years. I spent 12 years volunteering with PSD and am currently serving on the CiRB.
Are you currently serving on a City board or Commission? If so, which one?	Yes; Citizens Review Board
Have you applied for this board before? If yes, please explain.	Yes
Why do you want to become a member of this particular board or commission?	I enjoy the training provided by the FCPD and understand the importance of reviewing cases. My son is African American, and I like to keep up to date with

FPCPD's policies and procedures, specifically around DEIJ efforts

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; I'm ending my 1st 4 year term and have served as a member, Vice Chair and now Chair for two years.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

While serving as the Vice President of the Larimer County Dive Rescue team, a team member asked to remain a team member even though they were moving out of Larimer County. Other board members denied his request, and I asked that he remain an exofcio member for one year. I believe it's important to give everyone a chance to voice their opinion and let them know you appreciate their decision, and when voting as a board, the majority makes the ruling.

If you were Police Chief for the day, give one example of what you would change about the department.

I think the department is doing very well. I would like to see more coffee with a cop opportunities for public engagement.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Current member

VOLUNTEER APPLICATION

Valerie Krier

1/10/2025 12:15 PM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Parks and Rec and Disability Advisory

I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Director, Platte Valley Youth Services Center

Current Employer: Division of Youth Services, Colorado Department of Human Services, State of Colorado

Prior work experience (please include dates): I have worked at Platte Valley Youth Services Center for 20 years. Starting in 2004 I was hired as Correctional Officer I. Over the course of my career at Platte Valley I promoted to a Correctional Officer II, Correctional Officer III, Youth Services Counselor, Training Coordinator, Assistant Director and I have been the Director since 2020. I have extensive experience working with at-risk, incarcerated youth.

Volunteer experience (please include dates): As a younger adult I volunteered a softball coach for around 6 years which was a passion of mine growing up. I have always enjoyed working with youth.

Are you currently serving on a City board or Commission? If so, which one?

No

Have you applied for this board before? If yes, please explain.

No

Why do you want to become a member of this particular board or commission?

I am interested in the Citizen Review Board because I have a passion for occupations that serve others to include police services. I have lived in fort collins most of my life and I work in the field within juvenile corrections. I have extensive experience with internal investigations with corrections officers, child abuse allegations and criminal conduct. I think I can bring experience and a wealth of knowledge to the group and would like to be part of this team.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

I do not believe there could be.

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

Recently, I was faced with a personnel issue involving a well-respected, long-term employee who had utilized excessive force on a youth, resulting in a Finding of Moderate Child Abuse. Prior to making a decision, it was crucial to conduct a thorough investigation, gathering testimonies, reviewing documentation, and seeking legal advice from the Attorney General.

My process was guided by a commitment to integrity and fairness, ensuring all actions were based on facts and evidence, the employee's history, the severity of the incident, and the impact on our organization. Ultimately, I took disciplinary action, even though it may not have been popular among some peer groups, it was a reflection of the importance of upholding integrity and fairness, ensuring the decision was based on facts, policies, ethics, and laws, not personal feelings.

This incident served as a learning opportunity for the organization, reinforcing the importance of adhering to policies, laws, and ethical standards in our work.

If you were Police Chief for the day, give one example of what you would change about the department.

If I were the police chief for a day, it would be my responsibility to fully understand my position within the department and the city. It would be crucial for me to grasp the strengths and areas for improvement within the department and to use data to guide decision-making before implementing significant changes.

I recognize that police work is complex, often involving people during the most difficult moments of their lives. To better support officers and the community, I would allocate resources to help officers

would allocate resources to help officers and other professionals address their self-care and mental health needs. Police work can be highly stressful and traumatizing, and without proper ongoing self-care, it can take a significant toll on the mental health and stress levels of professionals, which directly impacts the department and the work we do for the community.

To address this, I would:
Provide access to mental health resources and therapy for officers.
Encourage regular exercise and healthy lifestyle practices.
Ensure appropriate amounts of time off to prevent burnout.
Offer trauma-responsive training for both officers and social workers who come into contact with individuals suffering from mental health or addiction issues, which can complicate and create complex challenges for officers.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Jessica Kanson

12/6/2024 10:26 AM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Some College
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10 or can be flexible
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Customer Support Specialist- Marketing
Current Employer:	Constant Contact
Prior work experience (please include dates):	Independent Process Server for Colorado (worked with PSWI and A1)
Volunteer experience (please include dates):	General volunteering at my childrens' school events
Are you currently serving on a City board or Commission? If so, which one?	No; N/A
Have you applied for this board before? If yes, please explain.	No
Why do you want to become a member of this particular board or commission?	I want to be more involved in my community, and I can explain my passion for this specific volunteering position in person.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No; N/A
Specify any activities which might create a serious conflict of interest if	N/A



you are appointed:

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

I had to make a decision to move in with my friends to raise our children together unlike popular opinion to live with a partner and raise children. My decision making process was to put my goal into list format to see how we could accomplish doing this. We lived in separate homes and eventually worked enough to find a home together in Greeley and we lost that home due to a sale, so we came to Fort Collins to continue raising our children as a village.

If you were Police Chief for the day, give one example of what you would change about the department.

If I were Police Chief for a day, I would like to view were all of the MOST issues arise when dealing with the public/crime/etc.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Melissa DaLuz

1/10/2025 11:30 AM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	1. Citizen Review Board 2. Art in Public Places
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Retired
Current Employer:	n/a
Prior work experience (please include dates):	UNC: student teacher supervisor (2021-2024) Jefferson County Public Schools: teacher (1995-2019)
Volunteer experience (please include dates):	Food Bank for Larimer County: walk-up window services A Little Help: rides and home assistance for senior citizens Planned Parenthood: patient escort FoCo MX: emcee at the annual music festival Downtown FoCo Creative District: painting murals
Are you currently serving on a City board or Commission? If so, which one?	No
Have you applied for this board before? If yes, please explain.	no

Why do you want to become a member of this particular board or commission?

I learned about the Citizen Review Board while participating in the Fort Collins Police Citizen Academy. I was impressed to learn about all the work that our police department does, and the priority they place on training and best practices. We are in a time of transition when it comes to community policing in this country, and I would like to be a part of that.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

No conflict of interest, but I do want to mention that I am out of town for the meeting on February 12th. This is the only meeting I foresee missing in person, and I would be able to attend via Zoom .

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

I was once on a committee to hire a new teacher. I felt strongly about one candidate and the majority of the committee wanted to go with someone else. I stated facts and reasoning about my opinion, and listened to the facts and reasoning stated by the others. They did not sway me, and I did not sway them. In the end, the majority decided to go with the other candidate and I accepted that decision.

When making any decision, I try very hard to listen to both sides of the argument. I try to understand where people are coming from. I believe respect in discourse is important.

If you were Police Chief for the day, give one example of what you would change about the department.

If I was Police Chief, I would get people in administrative positions back in the streets for one week every six months. During my career in education, I saw people move from the classroom to an admin job and they VERY quickly forgot what the workload was. I think it's important for people in positions of decision making and management to be reminded about the work that the people in the public facing positions do every day. I feel this benefits everyone and creates an environment with mutual respect and appreciation.

Also this is an awesome question.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Citizen Academy

VOLUNTEER APPLICATION

Kimberly Conner

1/8/2025 11:57 PM

Application: **CiRB - Citizen Review Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Citizen Review Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Citizen Review Board (possible conflict), Human Services and Housing Funding Board, Affordable Housing Board
I acknowledge I am available when the Citizen Review Board meets: The 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	2 or more
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Records Technician
Current Employer:	Larimer County Sheriff's Office
Prior work experience (please include dates):	Records Technician October 2018 – Present Larimer County Sheriff's Office, Fort Collins, CO <ul style="list-style-type: none"> • Transcribed dictated police reports and proofread officer reports before final approval. • Reviewed reports to ensure correct data for submission to local/state/national databases. • Organized reports for release to the District Attorney's Office, Department of Revenue, etc. • Reviewed files to meet state and local retention requirements. • Assisted as needed during local emergencies as part of the Joint Information Center

Substitute Teacher, August 2016 – May 2018

Thompson School District R2-J, Loveland, CO

- Substitute taught at elementary, middle, and high schools throughout Loveland.

AmeriCorps Reading Corps Tutor, August 2015 – June 2016

AmeriCorps, United Way of Larimer County, Fort Collins, CO

- Created and analyzed student data for progress monitoring.
- Co-led five separate after-school clubs throughout the year.

Assistant Language Teacher, July 2011 – July 2014

JET Programme, Nagahama West Junior High School, Nagahama, Shiga, Japan

- Created and taught lessons and activities for all students within the school (grades 7-9).
- Presented annually at professional development seminars.

Food Not Bombs (mutual aid group), 2024 – Present

Fort Collins, CO

- Provided food/clothing/hygiene resources to local community members

Global Ambassadors Student Program Community Member / Advisor, 2017 – 2019

Colorado State University, Fort Collins, CO

- Connected community organizations with international presenters for events and classes.
- Transported students to and from presentation sites.
- Helped maintain online social media presence.

No;
N/A

No

I have experience related to this board, working as a Records Technician for the Investigations Unit at the Larimer County Sheriff's Office, where I regularly process reports regarding police conduct, including cases from the Critical Incident Response Team. I consider myself to have a more critical view of police officers and institutions.

No;
N/A

Volunteer experience (please include dates):

Are you currently serving on a City board or Commission? If so, which one?

Have you applied for this board before? If yes, please explain.

Why do you want to become a member of this particular board or commission?

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Specify any activities which might create a serious conflict of interest if you are appointed:

I have processed reports for CIRT cases from the Sheriff's Office. Although I do not investigate cases, it could be considered a conflict since I technically process reports before they are finalized or released, and have the physical capability to alter data and narratives.

Provide an example of when you've had to make a decision contrary to a popular opinion, and what was your decision-making process.

I am not in a decision making position, but I do speak out on social justice issues that others in my personal community are silent on or opposed to. My decision to do so is based on prioritizing humanity over my own comfort.

If you were Police Chief for the day, give one example of what you would change about the department.

I would focus on issues regarding the policing of homelessness.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Political involvement

VOLUNTEER APPLICATION

Eleanor VanDeusen

1/8/2025 5:33 PM

Application: **CuRB - Cultural Resources Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Cultural Resources Board

Skills & Interests

Additional Skills / Interests: Eleanor VanDeusen

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Cultural Resources Board meets: 4th Thursday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 12-20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Director of Family Ministry

Current Employer: Foothills Unitarian Church 1999 - Present

Prior work experience (please include dates):
 Dance Director - Mountain Kids 1989 - 1997
 Artistic Director - The Dance Connection 1982 - 1995
 Uptown Rubber Stamps - Marketing & Product Development Associate 1995 -1999

Volunteer experience (please include dates): Board of Directors - Fort Collins Children's Theater

2009 - 2018
Board of Directors - National Liberal Religious Educators Association - portfolio of conference and event planning 2018 - 2023

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None at this time

How have you been active in the arts, culture or creative sector in our community or other communities and how would your experience benefit the Cultural Resources Board?

I have been involved in numerous arts organizations in the Fort Collins Community as a director, choreographer and performer including; The Dance Connection, Fort Collins Children's Theater, Openstage Theater, Bas Bleu Theater and Opera Fort Collins for over 30 years. I have written and received several grants from the City of Fort Collins Fort Fund for organizations that I served in the past so I am familiar with the application and reporting processes.

The City of Fort Collins has a strong history of supporting arts and culture in our community, through our own facilities and programs and the Fort Fund Grant Program, what opportunities do you see in strengthening that commitment?

I see opportunities to develop future audiences for arts and culture in the Fort Collins community by supporting programs that bring in young families and younger generations. I am interested in supporting efforts to make the arts and culture more broadly accessible to members of our community and region. I believe that arts and culture are a vital part of Fort Collins and I am passionate about seeing them continue and thrive for future generations.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Facebook, Dean Klingner told me about it

VOLUNTEER APPLICATION

Cori Hixon

12/21/2024 9:47 AM

Application: **CuRB - Cultural Resources Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Cultural Resources Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Cultural Resources Board, Art in Public Places
I acknowledge I am available when the Cultural Resources Board meets: 4th Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	25-30
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	GMA
Current Occupation:	Retired educator & administrator
Current Employer:	BigDeal Company WriteWay, LLC
Prior work experience (please include dates):	PSD Teacher and Administrator 1996-2024
Volunteer experience (please include dates):	I have volunteered in various capacities over the past 25 years. Some of the experiences include: Lincoln Center Support League (1995-2005), Museum of Art board (2003-2005), Global Villages Board, Art in Public Places, Canyon Concert Ballet, ArtWear
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Specify any activities which might create a serious conflict of interest if you are appointed:	None

Cori Hixon

How have you been active in the arts, culture or creative sector in our community or other communities and how would your experience benefit the Cultural Resources Board?

I have been involved in the arts and culture of Ft Collins since age 3 when I began dancing. At age 8 I joined Canyon Concert Ballet and became highly involved with the arts scene and the Lincoln Center specifically. My family has always emphasized the importance of the arts and as such, I grew up volunteering and participating in events promoting arts and culture in the city. I was active on the Lincoln Center Support League from 1996-2004 and have been a part of ArtWear Fashion Show (proceeds supports the LC visual arts program) for all 30 years. Before retiring, I taught high school humanities and was an administrator. In those roles I promoted the importance of arts and culture in a community and created opportunities for my students to experience art in the museum or a show at the LC. These experiences as a volunteer and teacher gave me an unique perspective into what and how young people view the arts and how to encourage them to get involved and become active citizens who contribute to their community.

The City of Fort Collins has a strong history of supporting arts and culture in our community, through our own facilities and programs and the Fort Fund Grant Program, what opportunities do you see in strengthening that commitment?

I believe there are opportunities to strengthen the commitment through working with the Community Foundation and the schools, specifically. Both provide incredible opportunities for outreach and exposure.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Bill Walton

12/5/2024 6:06 PM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Land Conservation and Stewardship Board
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Current Occupation:	Retired Family Physician
Current Employer:	None
Prior work experience (please include dates):	1972-1976: Canadian Armed Forces, medical intern, general medical officer and surgical resident. 1976-2009: Family Medicine Solo Private Practice. 2009-2015: Clinical Professor of Medicine (Texas A&M), Medical Director Scott & White Family Medicine Clinic, Temple Texas. 2016-2019: Volunteer Family Physician at North Dallas Shared Ministries, Thursdays.
Volunteer experience (please include dates):	1998-2009: Dallas County Medical Society various positions including President and many service projects including caring for Hurricane Katrina refugees. 1986-2001: Boy Scout Leader. 1999-2004: Texas Master Naturalist.

2022-Present: Volunteer Naturalist Fort Collins, holder of Golden Eagle Award 2023.

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

What experiences do you have interacting with those with disabilities?

I practiced clinical medicine for over 43 years. Most of that time I was in solo practice and in that era, family physicians managed everyone's total care. I have had hundreds of long term close patients with a wide variety of Abilities. I got to know and understand as best one can, what persons of different abilities face. I have advocated many times for my patients.

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

We are a young, vibrant and healthy community and those with lesser abilities get lost in the Fort Collins conversation. 26% of Americans self identify as having a disability. 1.4% of the employees of Fort Collins self identify as having a disability. There are estimated to be over 6000 persons with lesser abilities in Fort Collins. They are seldom seen or heard. I would try to be a voice for all.

Why do you want to become a member of this particular board or commission?

I recently became aware that our Lincoln Center is not accessible in several ways. After researching it, reading about and discussing Access, I decided to advocate to improve access. I testified before our Disability Advisory Board. The meeting I testified before was on Zoom and not well attended. We need a whole new view and need to start talking about "Ability " and not disability. In addition, I have a significant hearing disability so can bring that perspective to the table.

Specify any activities which might create a serious conflict of interest if you are appointed:

I have clashed with the City on this Lincoln Center issue. I also spoke to our city Council about this,

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Through my work with our excellent Diversity Equity and Inclusion program.

VOLUNTEER APPLICATION

Daisy Montgomery

12/9/2024 10:55 AM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Current Occupation:	CEO
Current Employer:	Autistics Anonymous
Prior work experience (please include dates):	Please refer to my resume
Volunteer experience (please include dates):	I often partner with the Social Learning Project, as well as the Autism Society of Colorado to provide free education for the autistic communities around life and business skills, as well as to parents and caregivers of autistic children who need support in their journey. I am also on the Board of Directors for the Autism Society of Colorado.
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
What experiences do you have interacting with those with disabilities?	Not only am I disabled, but so are my nuclear family members. In addition, I work

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

with the disabled population every day through my work with Autistics Anonymous. I care about speaking to our disabled community directly and addressing TODAY's needs while also planning for the future.

Why do you want to become a member of this particular board or commission?

I'm really interested in discussing policy and suggestions that would give the disabled and autistic communities more opportunities at gaining economic power, as many disabled and autistic individuals live in poverty, are underemployed or unemployed.

To help the disabled and autistic population within our City, as they are often overlooked

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Referred

VOLUNTEER APPLICATION

Valerie Krier

1/10/2025 12:38 PM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	I also applied for the Citizen Review Board. That is my first choice. Second choice would be the disability advisory board.
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Current Occupation:	Director, Platte Valley Youth Services Center
Current Employer:	Division of Youth Services, Colorado Department of Human Services, State of Colorado
Prior work experience (please include dates):	I have worked for Platte Valley Youth Services Center for 20 years. I started a Correctional Officer I, promoted to Correctional Officer II, III, Youth Services Counselor, Training Coordinator, Assistant Director and for the past 5 years I have been the Director
Volunteer experience (please include dates):	As a younger adult I coached softball for youth - around 5 years.
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No

What experiences do you have interacting with those with disabilities?

In my role as the Director of Platte Valley Youth Services, I work closely with many youth who have disabilities, requiring assistance with activities such as mobility, communication, self-care, and accessing services in their environment. I run a large state-run agency with numerous internal and external stakeholders who come into the agency to work with our youth. It is crucial that both my staff and visitors have access to all necessary resources and services to support our youth effectively. I focus on several key areas to include providing a wide range of services to support youth with disabilities, including mobility assistance, communication aids, self-care resources, and access to community services. I also ensure my agency is fully accessible, including physical spaces, digital platforms, and communication channels, to meet the needs of all our youth and visitors.

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

Over the years i have seen challenge for people with disabilities within our community to include public spaces and building not being fully accessible. I have seen this with narrow doorways, ramps that are not wide enough. I have also seen door transitions that are large and difficult for people with mobility concerns to enter. I would like to advocate for people when I see these challenges and I hope to have a greater influence as a part of the board.

Why do you want to become a member of this particular board or commission?

I have a deep passion for working with people, especially those who are at-risk and need a stronger voice within our community. I believe I can help support change to make Fort Collins a place where everyone can be an active and valued part of the community, ensuring compliance with ADA standards and increasing accessibility.

Specify any activities which might create a serious conflict of interest if you are appointed:

I do not believe there would be

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Rachel Knox-Stutsman

1/7/2025 2:47 PM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Current Occupation:	recently graduated MSW
Current Employer:	N/A
Prior work experience (please include dates):	Neurofeedback Clinic of Northern Colorado Sept 2015-Aug 2022
Volunteer experience (please include dates):	DAB Jan 2021- Present
Have you applied for this board before? If yes, please explain.	yes, currently a member of DAB
Are you currently serving on a City board or Commission? If so, which one?	Yes; DAB
What experiences do you have interacting with those with disabilities?	lived experience, worked at CSU's SDC twice, Volunteer Advocate with Colorado Cross-Disability Coalition, Camp Counselor at Colorado Junior Wheelchair Sports Camp.
What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?	Accessibility of public places, affordable housing, transportation, employment. As a member of the DAB, I will continually advocate for individuals with disabilities by



making sure that issues in these areas are addressed and solutions are found.

Why do you want to become a member of this particular board or commission?

I am a member of this board because of my lived experience and I feel called to advocate to make Fort Collins a better place for our disability community.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Jan Reece

VOLUNTEER APPLICATION

Linda Drees

1/8/2025 9:56 AM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 12

Current Occupation: Retired

Current Employer: Retired

Prior work experience (please include dates): please see uploaded resume.

Volunteer experience (please include dates): Please see uploaded resume. i also volunteer at Larimer County Food Bank in Loveland with my special needs daughter 3 hours a week. 2022 to present i am also on the Board of the Northern Colorado L'Arche community. 2022 - present I volunteered as an usher at Lincoln Center for a year prior to Covid

Have you applied for this board before? If yes, please explain. Yes and am currently on Board

Are you currently serving on a City board or Commission? If so, which one? Yes; Disability Advisory Board

What experiences do you have interacting with those with disabilities? I am the mother and guardian of an adult with profound special needs that require 24/7 care. She lives with me. I served on

Foothills Gateway Board including as vice president and president for close to 15 years. My experience with the FC Disability Board has also exposed me to the issues and lived experience of all types of disabilities.

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

1. FC needs affordable housing and adaptive housing for people with disabilities
2. FC needs more accessible transportation (expand dial a ride) for people with disabilities
3. Builders need incentives to build accessible and affordable units
4. More social programming to integrate people with disabilities into community
5. Jobs, jobs, jobs for all people with disabilities (help employers hire these great people)

Why do you want to become a member of this particular board or commission?

I am passionate about importance of improving the quality of life for people with disabilities. My lived experience with my daughter has opened me to a world of amazing people that need our assistance in so many ways. It is possible to build and integrated community where we all can benefit from the gifts of each member.

Specify any activities which might create a serious conflict of interest if you are appointed:

None that I am aware of

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Board itself. My term expires March 2025

VOLUNTEER APPLICATION

Cassidy Dellemonache

1/8/2025 6:06 PM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. n/a

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 15

Current Occupation: Business Owner

Current Employer: Tandem Squared Rolled Ice Cream and Coffee Cafe

Prior work experience (please include dates): Business owner, Tandem Employment Services
Consultant, Dandelion Consulting
Director of New Programs, PASCO
Associate Director, The Arc of Colorado
Executive Director, Arc of Larimer County

Volunteer experience (please include dates): Currently:
Ambassador at Hope Lives
Board Member of Parent to Parent of Colorado
Member of School Advisory Committee - Riffenburgh Elementary
Member of School Advisory Committee - Poudre High School

Have you applied for this board before? If yes, please explain. Yes, and served on for a month before moving to Denver to work at The Arc of

Colorado

Are you currently serving on a City board or Commission? If so, which one?

No

What experiences do you have interacting with those with disabilities?

I am a person with a disability, mom of 2 neuro-diverse children and the business owner of two businesses supporting people with disability through employment access within our community.

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

Full inclusion of people with disabilities within our community - accessibility, equity and diversity within our community.

Family knowledge and access to services.

Employment of people with disabilities.

Affordable housing options.

I am a big picture thinker - able to take personal and professional experiences and apply them to our community at large. Advocating to create universal design rather than program specific advocacy - things that would better the disability community, but also the community at large.

Why do you want to become a member of this particular board or commission?

Advocating for people with disabilities is my life - as a person with a disability I have been advocating for myself all of my life. Creating opportunities for myself and others with disabilities to not only exist within our community but to be seen and heard - to be valued within our community. I would like to continue these efforts through this board to continue to grow as a person, to serve my community and to help our community be a community in which all people are valued.

Specify any activities which might create a serious conflict of interest if you are appointed:

n/a

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Commissioner John Kefalas

VOLUNTEER APPLICATION

Matthew Cicanese

12/13/2024 4:39 PM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Current Occupation:	Accessibility Consultant, Speaker, and Trainer.
Current Employer:	Self-employed. Co-founder of The Litmus Collective.
Prior work experience (please include dates):	N/A - Self-employed for the past 7 years. Entrepreneur.
Volunteer experience (please include dates):	Volunteering 2019 NANPA College Program // Mentor 2017 NANPA College Program // Mentor Leadership & Board Positions 2014-15 Co-founder & co-director (1 of 5) for Duke SNAP (Stories for Nature and People) 2011-12 Founder & President of the FSC Photography Club 2011-12 Vice President of FSC's Tri-Data Biological

President of FSC's Tri-Beta Biological
Honor Society
2010-11 Secretary
& Historian of FSC's Tri-Beta Biological
Honor Society
2010-11 President
of FSC's Habitat for Humanity chapter
2010-11 Public
Relations Chair of FSC's Theta Chi
Fraternity chapter
2009-10 Public
Relations Chair of FSC's Habitat for
Humanity chapter
2009-10 Public
Relations Chair of FSC's Tri-Beta
Biological Honor Society
2009-10
Environmental Chair of FSC's Tzedek
group

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

What experiences do you have interacting with those with disabilities?

My deep understanding of disability advocacy and accessibility stems from both personal experience and a proven track record of professional success:

Personal Experience:

As a Deaf-blind meningitis survivor navigating daily life with multiple disabilities (including hearing loss, vision impairment, ADHD, and anxiety), I possess firsthand insight into the complexities of both visible and invisible disabilities. This lived experience fuels my passion for creating truly inclusive communities.

Professional Impact:

I have a demonstrated history of driving meaningful change in disability inclusion. At CareFirst BlueCross BlueShield, my keynote on neurodiversity and accessibility for over 1,000 employees directly led to the formation of a new Employee Resource Group, fostering a more inclusive workplace culture.

Through my work as a DEIA speaker, workshop facilitator, and accessibility consultant, I have empowered organizations across the corporate, government, and educational sectors to identify and remediate accessibility barriers, creating more inclusive environments.

As co-founder of The Litmus Collective, I led comprehensive accessibility audits for organizations, including the City of Fort Collins. This work directly addressed both physical and digital barriers, resulting in more accessible services for Fort Collins

residents. This experience provides with a unique understanding of the city's specific accessibility needs.

Advocacy and Approach:

I believe in a person-centered approach, recognizing that accessibility needs are diverse and unique to each individual. I champion accessibility as a fundamental right, not an afterthought, and advocate for proactive inclusion. I am committed to empowering individuals with disabilities through self-advocacy and fostering inclusive environments that benefit everyone.

This combination of personal insight and professional impact makes me a strong candidate to contribute meaningfully to the Disability Advisory Board and further enhance accessibility and inclusion within Fort Collins.

My concerns about accessibility in Fort Collins are grounded in both my lived experience navigating the world with multiple disabilities and my professional work conducting accessibility audits and engaging with the community.

Specific Concerns:

1. Digital Accessibility Barriers: As demonstrated by our audit with The Litmus Collective of the City of Fort Collins' website, persistent digital accessibility issues remain, including poor color contrast, missing alternative text for images, inconsistent keyboard navigation, and a lack of screen reader compatibility. These barriers impede access to essential city services and information for many residents with disabilities.

2. Physical Accessibility Challenges within City Hall: Our audit of City Hall revealed key physical accessibility challenges. Specifically, we found low-contrast signage throughout the building, making it difficult for individuals with low vision to navigate. Additionally, egresses lacked proper flagging, posing a safety hazard, particularly during emergencies.

3. Accessibility Gaps in City-Sponsored Events: Even at events designed to promote disability awareness, accessibility can be overlooked. During Fort Collins' Disability Awareness Month in October, I participated in a panel discussion where numerous accessibility issues arose. Following the first session, I provided an insight report outlining these challenges, which included low-contrast room lighting

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

and lack of real-time captioning (and other issues). This experience highlights the need for greater attention to accessibility at all city-sponsored events.

4. Lack of Awareness and Training: A persistent challenge is the need for increased awareness and training among city staff and the broader community regarding disability etiquette, diverse needs, and the proper use of assistive technologies. This lack of understanding can create significant social and practical barriers, even when physical and digital infrastructure is technically compliant.

My Advocacy Approach:

1. Targeted Education and Training: I would advocate for ongoing, targeted training programs for city staff on disability awareness, etiquette, and the effective use of assistive technologies. I would also support public awareness campaigns that promote understanding of diverse disabilities and challenge common misconceptions.

2. Data-Driven Improvement: Building on my work with The Litmus Collective, I would advocate for regular, comprehensive accessibility audits of both physical and digital spaces in Fort Collins. These audits should be followed by concrete action plans with measurable outcomes and clear timelines for implementation. I would also propose establishing a system for tracking and publicly reporting on the progress of these improvements.

3. Collaboration and Community Engagement: I would actively collaborate with local disability organizations, businesses, and residents to identify accessibility priorities and develop collaborative solutions. This includes creating accessible platforms for ongoing dialogue and ensuring that the voices of people with disabilities are central to decision-making processes. I would ensure that any feedback mechanisms implemented are fully accessible.

4. Policy Advocacy: I would advocate for the adoption and consistent enforcement of robust accessibility policies at the municipal level, ensuring that accessibility is integrated into all city planning and development initiatives. This includes advocating for the adoption of universal design principles in new construction and renovations.

I firmly believe that accessibility is a

fundamental right, not a privilege. By addressing these specific concerns and implementing these targeted advocacy strategies, we can create a truly inclusive and accessible Fort Collins for all residents.

Why do you want to become a member of this particular board or commission?

I am eager to serve on the Disability Advisory Board because I am deeply committed to fostering a more inclusive and accessible Fort Collins for all. My motivation is driven by a unique combination of lived experience, professional expertise, and a desire to contribute directly to my community:

Lived Experience and Professional Expertise Combined:

As a Deaf-blind meningitis survivor navigating daily life with multiple disabilities, I possess firsthand knowledge of the challenges and opportunities related to accessibility. This lived experience is complemented by my professional work as an accessibility consultant and advocate. Through The Litmus Collective, I have conducted accessibility audits for organizations, including the City of Fort Collins, providing me with a direct understanding of the city's current accessibility landscape. This combined perspective allows me to translate lived experience into practical, actionable solutions.

Direct Contribution to the Board's Mandate:

I am particularly drawn to the Board's role in advising the City Council on compliance with the ADA, Section 504, and other relevant legislation. My expertise in accessibility auditing, combined with my experience training over 3,000 professionals on best practices, positions me to effectively contribute to this crucial aspect of the Board's work. I am also eager to contribute to the Board's efforts in developing educational programs and advocating for design requirements that ensure accessibility, aligning perfectly with my passion for education and inclusive design.

Focus on Fort Collins' Specific Needs:

My work with the City of Fort Collins on their accessibility audit has given me specific insights into areas where improvements can be made, such as digital accessibility and wayfinding in public spaces. I am eager to leverage this knowledge, along with my experience addressing accessibility issues at events like the City's Disability Awareness Month panel, to help Fort Collins become a leader in disability inclusion.

I am confident that my unique perspective and skillset would be a valuable asset to the Disability Advisory Board, enabling me to make a significant contribution to creating a truly inclusive community for all Fort Collins residents.

Specify any activities which might create a serious conflict of interest if you are appointed:

As a professional accessibility consultant and co-founder of The Litmus Collective, which has previously conducted accessibility audits for the City of Fort Collins, I recognize the potential for conflicts of interest. These primarily relate to:

Professional Services:

The Litmus Collective will continue to bid on or provide accessibility-related services to the City.

Speaking and Training:

I provide professional speaking and training services related to disability awareness and inclusion, which could potentially lead to opportunities within the City.

Advocacy Work:

My advocacy work may occasionally intersect with matters before the Board.

To ensure transparency and maintain ethical boundaries, I will adhere to the following practices:

Recusal:

I will recuse myself from any Board discussions, recommendations, or votes concerning potential contracts or business relationships involving The Litmus Collective.

Clear Distinction:

I will maintain a clear distinction between my professional consulting work, speaking engagements, advocacy efforts, and my volunteer service on the Board. I will ensure that my role on the Board does not influence or appear to influence any business decisions or opportunities.

Transparency:

I will proactively disclose any potential conflicts of interest to the Board Chair and staff liaison as they arise.

I am confident that these measures will effectively manage any potential conflicts and allow me to contribute my expertise to the Disability Advisory Board while upholding the highest ethical standards.

Have you ever been the subject of a code of conduct or ethics complaint? No
If yes, please explain.

Matthew Cicanese

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Direct referral from Ms. Jan Reece. Lead
EO Compliance Specialist for the City of
Fort Collins

VOLUNTEER APPLICATION

Anais Campbell

1/7/2025 11:46 AM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	up to 10
Current Occupation:	Advocacy Manager
Current Employer:	Arc of Larimer County
Prior work experience (please include dates):	Arc of Larimer County, Fort Collins CO Advocacy Manager (July 2024-Present) Youth and Adult Advocate (October 2022-July 2024) UHealth Children's Therapy Services, Fort Collins, CO Occupational Therapists (February 2020-August 2022) The Family Center/La Familia, Fort Collins, CO Program Manager (June 2018-July 2019) Special Needs/Support Teacher (December 2017-June 2018) University of Florida English Language Institute

Institute
Language Assistant (April 2013-August
2013)

City of Fort Collins Adaptive Recreation
Opportunities, Fort Collins, CO
Fieldwork Internship (May 2018-August
2018)

Volunteer experience (please include dates):

No

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

What experiences do you have interacting with those with disabilities?

As an occupational therapist, I have experience working with individuals with disabilities across the lifespan in a variety of settings (home, inpatient, and outpatient settings). Additionally, through my years at the Arc both as a youth and adult advocate and now the advocacy manager, I interact with a number of community members with disabilities and their families, supporting them in getting their voices heard across a variety of systems. In this current role, I also provide training to staff and advocates on how to interact appropriately and with dignity with those with disabilities.

What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?

Although we are lucky to live in the community we live in, there is always room for growth in understanding the undue burdens that those with intellectual and developmental disabilities face. A lot of local organizations and community spaces can be unaware of the unintentional discrimination present when interacting with individuals with disabilities. More specifically, a lot of local benefits programs and community resources can often be inaccessible for those community members that we at Arc serve due to inaccessible language, inaccessible physical spaces, and inaccessible social interactions. I would continue to advocate as a member of this board by engaging with a variety of organizations so there is more understanding on the above. Additionally, I would aim to amplify the voices and experiences to the city governance as a whole so they have a part in improving these conditions.

Why do you want to become a member of this particular board or commission?

I would like to become a member of this board to continue to spread awareness and understanding of the needs of those with intellectual and developmental disabilities. I believe this board has an important role in ensuring that the city is reflecting and growing their understanding of disability issues. As a member of this board, I would also ensure that we are creating a collaborative environment where others can learn, be heard, and contribute to a more inclusive community.

Specify any activities which might create a serious conflict of interest if

none that I can find.

Anais Campbell

[REDACTED]

you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? No
If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify);
Jan Reece reached out

VOLUNTEER APPLICATION

Robert Brown

12/20/2024 7:58 AM

Application: **DAB - Disability Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Disability Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Human Relations Commission, Disability Advisory Board, Affordable Housing Board
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
I acknowledge I am available when the Disability Advisory Board meets: 3rd Thursday of each month at 5:30 P.M.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Current Occupation:	Human Resources
Current Employer:	Naropa University
Prior work experience (please include dates):	Listed on my resume that is attached.
Volunteer experience (please include dates):	Listed on my resume.
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
What experiences do you have interacting with those with disabilities?	Yes, son was diagnosed with Autism, I volunteered at the Arc of Larimer County, and in human resources experience with ADA and reasonable accommodations.
What concerns do you have or have seen in our community that needs to be addressed impacting those with disabilities? And, how would you advocate for those with disabilities?	Employment, and compensation.
Why do you want to become a member of this particular board or commission?	Very passionate about this topic, and looking to help.

Robert Brown

Specify any activities which might create a serious conflict of interest if you are appointed: No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Phillip Callahan

12/31/2024 2:32 PM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Active modes, economic advisory board
I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	15
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Retired corporate development/finance director, and engineer
Current Employer:	Self-employed investor
Prior work experience (please include dates):	I worked for a total of 35+ years, almost exclusively in the semiconductor industry as a corporate development director, and engineer. 1985 through 2020. Companies I work for included Hewlett Packard and the former NCR, microelectronics as well as at a startup and merchant semi connector company in Austin, Texas named Silicon Laboratories.
Volunteer experience (please include dates):	2003 through 2008, I served as a volunteer in home building projects for Mexican families in need. From 2004 through 2009, I was a volunteer soccer coach for girls and boys teams in the Austin Texas area

Have you applied for this board before? If yes, please explain.	Yes
Are you currently serving on a City board or Commission? If so, which one?	No
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	Yes; I was made aware of how the different boards in Fort Collins work with the city management through the city Works 101 course I took last spring
Please tell us why you believe it is important for the community to understand and invest in its economic health?	Investing in a diversified economy, is critical to create opportunities for all citizens. I believe a healthy economy is the product of careful investments in recruiting and cultivating an environment where both corporate and small family owned businesses can thrive.
How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?	Economic health is a critical factor in each of these areas, as a diversified and vibrant economy enables long-term and careful investments and policies to address the unique needs of climate action, zero waste, homelessness, and housing
Specify any activities which might create a serious conflict of interest if you are appointed:	None
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	No
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	No
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Website

VOLUNTEER APPLICATION

Andrew Golnar

12/10/2024 9:42 AM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: PhD
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	EAB, APP, LCSB
I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	12
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Research Analyst in Science Philanthropy
Current Employer:	Science Philanthropy Alliance - Rockefeller Philanthropy Advisors (2021-2024)
Prior work experience (please include dates):	Research Fellow - United States Department of Agriculture (2019-2021)
Volunteer experience (please include dates):	Poudre Library ESL Mentoring Service (2020-2021); Intercambio ESL (2008-2009); Sierra Club - Inner City Outings (2010)
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No
Please tell us why you believe it is important for the community to understand and invest in its economic health?	As a systems scientist and philanthropy professional, I believe investing in economic health fosters resilience and

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

sustainability. Strong economies empower communities to address environmental challenges, fund innovative solutions, and build a future where people and ecosystems thrive together.

Economic health is foundational to achieving community objectives like climate action, zero waste, homelessness, and housing. A strong economy provides resources to invest in sustainable practices, affordable housing, and social programs, creating a cycle where economic stability supports environmental and social progress, and vice versa. Even more, Economic health needs to be measured by accounting for these types of community objectives, which empower citizens from diverse backgrounds.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't envision any serious conflicts of interest.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Brannon Hughes

12/3/2024 2:56 PM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. NRAB, LCSB, EAB

I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 5

Current Occupation: Labor and Employment Specialist, but I am currently transitioning to Auditor I (Sept 2022-Present, Auditor I position is projected to start Jan 13 2025)

Current Employer: Colorado Department of Labor and Employment, Unemployment Insurance Division

Prior work experience (please include dates): Program and Outreach Assistant, Colorado Water Center, CSU (June 2021- Sept 2022)
Health Coverage Specialist, Larimer Health Connect (October-January 2020-2021 & 2021-2022)
Dean's Office Assistant - CSU's College of Liberal Arts (2018-2020)
Instructor and Desk Attendant - Karate West (2016-2020)

Volunteer experience (please include dates): Formal: Larimer County Board of Adjustment-Alternate Member (August

2024-2027)

Informal: I have informally volunteered for Lincoln Middle School, Canyon Concert Ballet, and other local arts organizations on and off since 2014.

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I have looked at the minutes for this board to try to stay informed, no exposure beyond that.

Please tell us why you believe it is important for the community to understand and invest in its economic health?

I think that it is crucially important for communities to understand the causal relationship between economic policies so that community members feel engaged and empowered that their choices will have the effects they want. Community investment is crucial to ensure that there is a healthy economy and not a situation where labor and capital is draining out of the community in a sort of death spiral due to compounding lack of opportunity.

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

I think they are inextricably linked. Housing and Homelessness are maybe the most obvious, in the sense that housing supply and the ability of residents to access housing are very dependent on labor and capital opportunities within the city's economic area. However I have also heard from developers that one of the biggest issues with housing affordability is water availability, which ties directly into Climate Action and Zero waste. Excess waste and poor climate planning will lead to increased crises with housing and homelessness, so economic investment into those areas both in terms of physical technology and public and private economic institutions is crucial towards the healthy economic development of the city in all areas.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't really know if it counts as a plus or a minus but my current employer is the CDLE. My job does not focus on economic policy and purely on making sure that the accounts assigned to me are in compliance with CESA and taking enforcement action when necessary.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Brad Kreikemeier

12/21/2024 8:35 PM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. NA

I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 6 hours

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Community Banking

Current Employer: Bank of Colorado

Prior work experience (please include dates): WORK EXPERIENCE

Jan 2013 – Present Executive Vice President: Bank of Colorado, Fort Collins, CO.
Direct and administer the credit function of \$7.7B bank. Responsible for all areas of performance for 17 bank branches across Colorado, including supervision of market presidents and the Bank's Mortgage Division, with a total of over 200 employees under my supervision.

Dec 2007 – Dec 2012 Market President: Bank of Colorado, Colorado Springs, CO.
Perform all duties of managing, marketing and growing three bank branches in

and growing three bank branches in Colorado Springs area including serving a \$33 million loan portfolio.

Feb 2007 – Nov 2007 CFO – Business Manager: Nebraska Veterinary Services, West Point, NE. Perform duties of staff management, inventory management, accounts receivable management and converted accounting system to Microsoft Dynamics GP along with management of large customer relationships.

2001 – 2007 Vice President: Bank of Colorado, Durango, CO. Worked my way from Management Trainee to VP and performed duties of commercial and consumer lending. Managed a loan portfolio of \$25 million with over 300 loans along with over 400 deposit accounts. Other duties included loan compliance, business development, management of credit analysts, management trainees and new accounts department head. I review bank financials on a daily basis and had branch president authority when acting president was absent. Also helped configure and implement new loan management software and train bank staff throughout Colorado.

Volunteer experience (please include dates):

Hidden Pond Estates Homeowners Association – Treasurer 2021 – Present, Design Review Committee Chair 2017 - Present

Liberty Common School – Board Member and Finance Committee Chair 2018-2022

Pikes Peak or Bust PRCA rodeo - General Manager/Production Manager 2009 – 2012

Colorado Springs Conservatory Board Member 2012

Colorado Springs Housing and Building Authority Board Member and Finance Committee Chair 2008 - 2012

Leadership La Plata 2005 - County educational leadership program, La Plata County, Durango, CO.

Durango Diplomats, 2001 – 2007 Vice President involved in educating the business community about the Chamber of Commerce and recruiting new members.

Valley Meadows HOA –President 2006

Colorado High School Activities Association wrestling official.

Agricultural Vocational Advisory Board
Durango High School – member 2002

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I attended the December working session and intend to attend the January 2025 meeting as well to get a better understanding of the functionality of the Board.

Please tell us why you believe it is important for the community to understand and invest in its economic health?

Understanding and investing in the economic health of our community is crucial for several reasons. Firstly, a strong economy provides the foundation for a high quality of life. It creates jobs, supports local businesses, and generates the revenue needed for public services such as education, healthcare, and infrastructure. When the community is economically healthy, everyone benefits from improved services and opportunities. Secondly, investing in economic health fosters resilience. In times of economic downturn or crisis, a well-invested community can better withstand shocks and recover more quickly. This resilience is essential for maintaining stability and ensuring that the community can continue to thrive even in challenging times. Moreover, understanding the economic landscape helps in making informed decisions. It allows community leaders and residents to identify strengths, weaknesses, opportunities, and threats. This knowledge is vital for strategic planning and for making investments that will yield the greatest benefits for the community. Lastly, a focus on economic health promotes inclusivity and equity. By investing in diverse sectors and supporting various community members, we can ensure that the benefits of economic growth are shared widely. This inclusivity helps to build a more cohesive and supportive community where everyone has the chance to succeed.

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

It's important for Economic Health to understand the missions of the other community objectives because they are all interconnected to make Fort Collins a great place to live and conduct business. Economic Health provides the foundation for a high quality of life by creating jobs, supporting local businesses, and generating revenue for public services such as education, healthcare, and infrastructure. This strong economic base is essential to be able to effectively

address community objectives such as Climate Action, Zero Waste, Homelessness, and Housing.

Specify any activities which might create a serious conflict of interest if you are appointed:

I periodically travel for work; however, I expect limited, if any, conflicts.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Joshua Leshan

1/9/2025 4:30 PM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Energy, Economic, Transportation
I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6-10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
Current Occupation:	Software Engineer
Current Employer:	Not Employed
Prior work experience (please include dates):	I have been a professional software engineer since 1997.
Volunteer experience (please include dates):	N/A
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No
Please tell us why you believe it is important for the community to understand and invest in its economic health?	The health and welfare of the individuals in our community is directly tied to its economic health. Understanding the multiple factors at play is important in making decisions that offer the greatest good for the community.

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

I've also applied to the Energy Board and the Transportation board. All these areas overlap and all deal with our general well-being. Also, the key to success in all of these areas is citizen participation.

Specify any activities which might create a serious conflict of interest if you are appointed:

No.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Matthew Liberati

1/5/2025 7:26 PM

[Redacted]

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [Redacted] Gender: Male Education Level: Masters degree

Address: [Redacted] Phone: [Redacted] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 2-4

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Procurement and Business Analyst

Current Employer: Fiberlok Technologies

Prior work experience (please include dates): TEK Systems 2023
Fiberlok Technologies 2018-2022
Government Contractor (Project Management, Budget and Financial Analysis) 2012-2018 (Washington DC)

Volunteer experience (please include dates): Transportation Board 2020-2021
Poudre School District Foundation 2020-2022
Poudre School District Long Range Planning Committee 2024

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Have you had any exposure to the board or commission you are applying for? If yes, please explain: Yes; I attended one session via zoom and I

Please tell us why you believe it is important for the community to understand and invest in its economic health?

have read the meeting minutes for the past several meetings

Economic Health is the driver of growth and innovation in the community. Additionally, a healthy and vibrant economy is necessary to provide the employment opportunities for people to be able to continue to move to and/or afford to stay within Fort Collins.

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

Economic health and businesses in general consume energy and generate waste and partnering with Climate Action and Zero Waste goals can reduce both of these metrics providing positive community benefits and saving businesses money. A vibrant healthy economy with good high paying jobs can help alleviate homelessness by providing a steady paycheck for more individuals and allow more people to afford the ever increasing housing costs in the area.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Brian McIntosh

12/12/2024 12:30 PM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Economic Advisory Board, Land Conservation and Stewardship Board, Natural Resources Advisory Boardx
I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Occupation:	Management Consulting, Chief Consulting & Growth Officer
Current Employer:	BlastX Consulting
Prior work experience (please include dates):	Multiple Consulting firms from 2006-2024, Hitachi, Slalom, and Avanade
Volunteer experience (please include dates):	Colorado State University Business School MBA Board 2008-2017
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	Yes; Just in business dealings
Please tell us why you believe it is important for the community to understand and invest in its economic health?	Colorado has seen tremendous growth in the last twenty years, which is likely to continue. Investing in the community's economic health is essential because it fosters sustainable growth, creates job

opportunities, and enhances the overall quality of life. A strong local economy attracts businesses, supports public services, and empowers individuals to thrive.

Economic health is deeply interconnected with other community objectives. A thriving economy provides the resources and innovation needed to support climate action through sustainable infrastructure and green jobs. Addressing homelessness and housing relies on economic stability to create affordable housing, improve access to services, and generate opportunities that reduce systemic inequities.

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Kim Palmer

1/8/2025 10:10 AM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/a
- I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1
- Current Occupation: Municipal manager -republic services
- Current Employer: Republic services
- Prior work experience (please include dates): N/a
- Volunteer experience (please include dates): N/a
- Have you applied for this board before? If yes, please explain. No
- Are you currently serving on a City board or Commission? If so, which one? No
- Have you had any exposure to the board or commission you are applying for? If yes, please explain: No
- Please tell us why you believe it is important for the community to understand and invest in its economic health? N/a
- How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing? N/a
- Specify any activities which might create a serious conflict of interest if N/a

Kim Palmer

[REDACTED]

you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? No
If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Braulio Rojas

1/9/2025 7:17 PM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8 Hrs
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Analyst, Continuous Improvement • Financial Business Services. And, Founder and Manager, Hedge Fund Incubator
Current Employer:	Nutrien Ag Solution. And, WealthBridge Investments LLC
Prior work experience (please include dates):	Founder and Manager, Hedge Fund Incubator WealthBridge Investments LLC-Fort Collins, CO January 2024 to Present • Established and managed a hedge fund incubator, from concept through execution. • Implemented risk management frameworks that reduced volatility and maximized returns. AnnualizedReturn +15% . Analyst, Continuous Improvement • Financial Business Services Nutrien Ag Solutions-Loveland, CO June 2019 to Present

June 2019 to Present
 • Accounts Payable (AP) system analysis. Identifying ERP system improvement opportunities. • Interacting with internal customers and product developers. • Reviewing and developing SOPs.
 Accounts Payable Contractor, System Tester
 Nutrien Ag Solutions-Loveland, CO
 June 2019 to November 2022
 • Accounts Payable (AP) system analysis and testing. AP system defects documentation. • AP System enhancement testing. AP software interface testing and evaluation. Interaction with internal customers and product developers. • SOPs document producer.
 Staff Accountant
 Robert Half-Fort Collins, CO
 December 2017 to May 2018
 • Year-end accounting support, inter-company accounts reconciliation. Inventory reconciliation and adjustments. • Budget execution review. • Creating documents and reports for external auditors.
 Analytical Linguist
 Conduit Language Specialists-Denver, CO
 November 2015 to March 2018
 Providing linguistic service to the Drug Enforcement Administration (DEA).
 Accounting Technician III
 Colorado State University-Fort Collins, CO
 January 2017 to October 2017
 • Processing payroll (PR) for 5k+ employees, and benefit journal's entries. • Providing PR support/advice to Faculties and Departments' HR Liaisons.
 More in the resume attached.

Volunteer experience (please include dates):

Judicial Performance Commission, Colorado 8th Judicial District.
 January 2024-Present

Economic Advisory Board member. City of Fort Collins.
 January 2019-Present

Baseball Coach, Fort Collins Baseball Club.
 April 2010 - July 2013

Have you applied for this board before? If yes, please explain.

Yes, I'm a current member.

Are you currently serving on a City board or Commission? If so, which one?

Yes;
 EAB - Economic Advisory Board, this one

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
 I'm a current member

Please tell us why you believe it is important for the community to understand and invest in its economic health?

I believe it is crucial for the community to understand and invest in its economic health because a thriving economy creates opportunities for everyone, supports essential services, and enhances the overall quality of life. By fostering economic growth through strategic



How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

investments and informed decisions, communities can build resilience, attract businesses, create jobs, and ensure long-term stability. Economic health is the foundation for addressing social challenges and achieving sustainable progress.

Economic health is deeply connected to other community objectives like Climate Action, Zero Waste, Homelessness, and Housing because a strong economy provides the resources and infrastructure needed to address these challenges effectively. By aligning economic growth with sustainability and social equity, communities can invest in green initiatives, reduce waste, create affordable housing, and support programs that address homelessness, fostering a balanced and inclusive approach to progress.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); I'm currently a member of this board. I was informed by the city staff that my term is expiring this year. So, I'm applying for a 2-year extension.

VOLUNTEER APPLICATION

Michael Trotter

1/8/2025 7:15 AM

Application: **EAB - Economic Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Economic Advisory Board

Skills & Interests

Additional Skills / Interests: Marginally functional in Spanish

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Economic Advisory Board, Land Use Review Commission, Land Conservation & Stewardship Board
- I acknowledge I am available when the Economic Advisory Board meets: 3rd Wednesday of each month at 4:00 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5-10
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1
- Current Occupation: Retired
- Current Employer: Food Bank of Larimer County
- Prior work experience (please include dates): Please see resume
- Volunteer experience (please include dates): Food Bank of Larimer County, August 2023 - current
Immigration and Refugee Center - January 2023 - May 2023
- Have you applied for this board before? If yes, please explain. No
- Are you currently serving on a City board or Commission? If so, which one? No

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No

Please tell us why you believe it is important for the community to understand and invest in its economic health?

Economic health is vital for growth and prosperity of the city and its citizens. Without a solid economic plan and strategy, programs, maintenance, and other functions are difficult to deliver.

How do you see Economic Health connecting with other community objectives, such as Climate Action, Zero Waste, Homelessness, and Housing?

Economic Health enables other objectives to be accomplished. Well grounded and thoroughly planned economic development leads to revenue generation, which leads to the ability to fulfill the many objectives the City wants to.

Specify any activities which might create a serious conflict of interest if you are appointed: None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Scott Engles

1/10/2025 12:16 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 4

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Engineer

Current Employer: Not currently employed

Prior work experience (please include dates): please see my resume

Volunteer experience (please include dates):
Christ Episcopal Church, Denver, CO
1979 - 1984. Various, including SS teacher, youth group leader, lay reader, chalice minister, choir

Episcopal Diocese of Colorado
1979 -1983 Wilderness program coordinator
1980 -1984 Pastoral center volunteer (downtown ministry to poor and homeless).

1991 - 1995 Beginning Experience of Fort Collins (volunteer staff and president for 1 year,

Ministry to Divorced and

Ministry to Divorced and Widowed)

St Lukes Episcopal Church, Fort Collins:
1986 - 1995 Lay reader and Chalice Minister
1994-1999 Vestry member (board)

St Joseph Church, Fort Collins
2008-2012, 2014-2018, 2021-2023. Lay reader, Sacristan (altar serving), and eucharistic minister

Have you applied for this board before? If yes, please explain.

NO

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

Because energy is very important in so many aspects of our individual lives, and to our society. That inherently makes energy policy important.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

Noting that 2030 is only 5 years away, I think the biggest obstacles are likely to be large-scale technological (the ability to produce that much energy *entirely* from renewables), and the natural length of time that it will take to switch out the installed base of automobiles and other vehicles, natural gas heating systems, and all the other systems and units that use fossil fuels.

E.G. Does switching to an electrical vehicle count if the electricity for charging it comes from coal or gas-fired generators?

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Sharel Erickson

1/9/2025 9:27 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Air Quality Board, Natural Resources Board

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 15-20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Store Manager

Current Employer: Downtown Ace Hardware

Prior work experience (please include dates):
Downtown Ace Hardware- 9/2023- Present
Jax Farm & Ranch- 1/2023-9/2023
The Cupboard- 7/2022-1/2023
Sustainability Partners- 10/2020-6/2022
Speedway Harley Davidson- 8/2018-10/2020
The Container Store- 6/2008-8/2018

Volunteer experience (please include dates):
Sustain Charlotte- 2016-2022
Tree's Charlotte- 2014-2022
Catawba River Keepers- 2017-2022

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Sharel Erickson

Why do you want to become a member of this particular board or commission?

I'd like to be a part of protecting the environment, conserving natural resources and mitigating climate change locally to improve the health and wellbeing of my community.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

While the goals of 100% renewable electricity and 80% carbon reduction by 2030 are ambitious, they are achievable with the right combination of infrastructure investment, policy reforms, community engagement, and equity-focused strategies. Addressing these barriers head-on will be key to Fort Collins' success in meeting its climate objectives.

Specify any activities which might create a serious conflict of interest if you are appointed:

I have no conflicts of interest.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Jason Hevelone

1/8/2025 3:15 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 6-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4

Current Occupation: Business owner

Current Employer: CopperMuse Distillery (2012 - present)

Prior work experience (please include dates): Abound Solar (2008 -2012), Certification & Reliability Manager

LSI Corporation (1997 - 2008), Reliability Operations Manager, Product Engineering Project Leader, Product Engineer

Volunteer experience (please include dates): Cub Scouts / Boy Scouts (2003 - 2011)

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? As an electrical engineer, I have long been interested in all aspects of energy production, distribution and usage, and

how energy policy at local, state and federal levels affect this evolving industry. I worked four years in the renewable energy field (Abound Solar) and ran a business (CopperMuse Distillery) that worked hard to be a responsible and energy conscience user (Colorado Green Business Network). I am concerned about climate change and how this will impact all lives in northern Colorado. I see Energy Policy as one of many tools to address climate change challenges ahead. I am eager to learn and contribute what I can to this discussion and possible policy consideration.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

Much of our individual energy needs are currently being fulfilled by non-renewable and carbon-based energy sources. Whether it be gas engine vehicles or natural gas fired furnaces and cooking equipment, these eventually will need to be replaced by renewable generated electricity. This will require considerable investments in new vehicles, heating systems, and other assorted equipment. Businesses will also be hit particularly hard since many are leasing their facilities and thus do not have direct ownership in replacing gas-based HVAC infrastructure. Restaurants & breweries have considerable investments in natural gas based cooking and hot water equipment. Individuals and business owners will need to see a viable path to this new energy future that doesn't break their bank accounts. The sooner the better on outreach and development of programs to financially assist this transition. I image energy rates will need to include a component to help fund this transition to Our Climate Future.

Specify any activities which might create a serious conflict of interest if you are appointed:

None that I can think of currently.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Philip Edward Jensen

1/8/2025 8:50 AM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? As Needed

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4

Current Occupation: Retired

Current Employer: Retired

Prior work experience (please include dates): Raytheon Sept 9, 2019 to June 15, 2020 - Retired
Nutrien Aug 1 2018 to October 10, 2018
iTradeNetwork May 1, 2017 to Feb 1, 2018
Got tired of commuting to San Francisco every week.
Hewlett Packard Enterprise - HPE Labs Senior Devops Engineer. 2014 - 2017

Volunteer experience (please include dates): Firefighter to Fire Chief and Medical officer - Rist Canyon Volunteer Fire Department
Left i 2012 at the end of the High Park fire and moved into town.

Have you applied for this board before? If yes, please explain. No

Philip Edward Jensen

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Connexion Citizen advisory commitee.
Been on this commitee since the beginning. Not much of a time sync these days other than union activities (which I'm not involved in any way).

Why do you want to become a member of this particular board or commission?

Strong interest in Clean Energy. Taught a class at Front Range Community College on Same.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

As with all Solar based systems the fun begins when the sun goes down. Need some type of battery which in this case is the Coal powered power plant that's getting long in the tooth.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Joshua Leshan

1/9/2025 4:23 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Energy, Economic, Transportation

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 6-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 5

Current Occupation: Software Engineer

Current Employer: Not currently employed

Prior work experience (please include dates): I have been a professional software engineer since 1997. I do not have work experience in the energy industry but I am very interested in the 2030 goal.

Volunteer experience (please include dates): N/A

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? I just moved to Fort Collins and love it. I'm excited about renewable energy and would like to help the city achieve the 2030 goal.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

The greatest challenge is enlisting the entire population in the effort. We need to make behavior changes from reducing energy use to sorting trash. We all must be on the same page.

Specify any activities which might create a serious conflict of interest if you are appointed:

No.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Ellis Lusi

1/9/2025 4:40 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Other Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Women and Gender Equity; Natural Resources; Energy Board

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 8-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Patent Examiner

Current Employer: US Patent and Trademark Office

Prior work experience (please include dates):
 Patent Examiner, USPTO, May 2023-Present
 Research Technologist, UMass Medical School, March 2021-Feb 2023
 Freelance Research Analyst and Strategist, Wonder, Dec 2019-Aug 2020
 Conservation Corps/Trail Crew Member: RMYC, Summer 2016 and 2017; CFI, Summer 2018; City of Boulder OSMP, Summer 2019
 MountainWatch Associate, Steamboat SnowSports School, Winter 2018-2019
 Ski Instructor, Steamboat SnowSports School, Winter 2017-2018
 Geochemistry Research Assistant, Brown University, Summer 2015

University, Summer 2015
Supervisor, Brown University Dining
Services, 2014-2017

Volunteer experience (please include dates):

DSA Fort Collins, Nov 2024-Present
Animal Friends Alliance, Cat Care,
September 2023-December 2023
Brown Engineering After School Team,
2015-2017

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I have a strong interest and passion for the environment and want to contribute to building a sustainable and climate-resilient community. I believe that working on the energy board would give me an opportunity to contribute to and make positive impact towards that goal.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

I think we need to focus on policies which will impact the greatest sources of emissions in our community (i.e. large and corporate users) and will thereby have the greatest effect. Policies such as the Large Methane User Fee proposed by the Fort Collins Sustainability Group which require fees for Large Methane Users while simultaneously providing funding and incentives for sustainable upgrades to the same businesses would be both environmentally effective and economically feasible.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Alireza Masoumipour

1/10/2025 5:25 PM

Application: **EB - Energy Board**

Applicant Information

Birthdate: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Skills & Interests

Additional Skills / Interests: Persian

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.)	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	4-6 Hours/month
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	PhD student at Colorado State University (2023 - Present)
Current Employer:	Colorado State University
Prior work experience (please include dates):	2021 - 2022 Thermo-Fluid Systems Analyst Pratt & Whitney Canada
	2016 Design & CFD-CHT Analysis of Turbopan

Jet Engine High-Pressure Turbine Blading
Cooling Scheme
Pratt & Whitney Canada

Item 24.

2013 - 2014
Technical Support at Metallographic
Laboratory and Thermal Spray
Pratt & Whitney Canada

Note: Details in CV

2024 - Present
Member of The University Technology Fee
Advisory Board (UTFAB)
Colorado State University

2023
Volunteer to evaluate student abstracts
and presentations
Multicultural Undergraduate Research Art
and Leadership Symposium (MURALS)
Colorado State University

Note: Details in CV

NO

No

As a member of the city of Fort Collins community, I am interested in becoming involved in the Energy Board to contribute my expertise in building our community's energy future as it relates to the Plan Fort Collins goals for a sustainable community, the Fort Collins Climate Action Plan, Energy Policy, and Green Building Program.

With a background in conducting research on additive manufacturing of next generation of composite material for wind energy industries as well as on thermal management for Hybrid-Electric jet engine in aerospace industries, I am eager to assist in developing strategies that address local energy challenges.

I believe community service is a fundamental value in any society. I deeply value it, and I view this opportunity as a meaningful way to contribute to our community.

I feel some of the biggest barriers that need to be addressed in order to reach the Fort Collins Climate Future plan are:

Economic and Financial Constraints
The transition to renewable electricity from local sources presents significant economic challenges, particularly due to the high initial investment required for infrastructure development. These costs can be especially challenging for low-

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

income families. To ensure equitable access, policies and funding mechanisms must be implemented to ease financial barriers and promote inclusive adoption of renewable energy solutions.

Infrastructure Modernization
 Infrastructure modernization is required since transition to 100% renewable electricity requires significant upgrade in existing energy infrastructure. This includes expanding grid capacity, integrating renewable energy sources like solar and wind, and enhancing energy storage systems.

Technological Advancement
 Technological advancement is required in terms of research and development to improve the efficiency and scalability of renewable energy technologies, particularly in energy storage and grid management. In this matter, the Colorado State University's Energy Institute can be a partner to provide solutions in terms of technological advancement.

Public Awareness and Engagement
 Public education and engagement are crucial to ensuring widespread understanding of the benefits of renewable energy among residents and business owners. Efforts must also focus on addressing resistance from stakeholders invested in traditional energy systems. Building consensus and fostering community involvement will be key to overcoming these challenges.

Specify any activities which might create a serious conflict of interest if you are appointed:	N/A
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	NO
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	NO
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Other (please specify); Facebook

VOLUNTEER APPLICATION

Natalie Montecino

1/10/2025 3:36 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Skills & Interests

Additional Skills / Interests: Japanese

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Natural Resources Advisory Board, Energy Board
- I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 15 hours
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3
- Current Occupation: Executive Director of a 501(c)(3)
- Current Employer: Climate Democracy Initiative
- Prior work experience (please include dates): Instructor, Stanford University (July 2024 - Present)
Deputy Executive Director, Climate Democracy Initiative (March 2024 - December 2024)
Programs Director, Climate Democracy Initiative (November 2023 - March 2024)

Project Impact & Storytelling Assistant
Environmental Protection Agency
(September 2022 - November 2023)
Japan Research Fellow, Fulbright Program
(September 2022 - July 2023)
Please see attached resume for more details

Volunteer experience (please include dates):

Denver Hub Curator, Global Shapers & World Economic Forum: Responsible for organizing volunteer activities and community engagement in Denver with a cohort of young leaders (18-30 years old). Longevity Economy Taskforce Member, World Economic Forum: Providing recommendations to the World Economic Forum on research and programmatic priorities to support a global economy where people have what they need to live healthy and financially resilient, longer lives.

Have you applied for this board before? If yes, please explain.

N/A

Are you currently serving on a City board or Commission? If so, which one?

No;
N/A

Why do you want to become a member of this particular board or commission?

I want to become a member of the Energy Board because I am deeply passionate about advancing energy and climate action, particularly in the context of Fort Collins' ambitious goals for sustainability and emissions reduction. With climate change posing an existential threat to communities worldwide—manifesting in extreme weather, natural disasters, and resource scarcity—Fort Collins has the unique opportunity to lead by example in implementing innovative, sustainable energy solutions. I am especially inspired by the city's Climate Action Plan and its focus on renewable energy integration, energy efficiency, and community engagement.

As the Executive Director of the Climate Democracy Initiative, I have seen firsthand the importance of aligning energy policies with the values, priorities, and needs of the community. By fostering equitable and inclusive approaches to energy solutions, we can build a resilient energy future that benefits all residents. I am dedicated to bringing my expertise in deep community engagement, collaborative learning, and energy policy to support the board's mission of promoting sustainability, reducing carbon emissions, and ensuring that Fort Collins remains a leader in the transition to a clean energy future.

Joining the Energy Board would be a meaningful way to contribute to the well-being of my home city and help shape policies and programs that align with our community's vision for a sustainable,

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

vibrant future.

One of the biggest barriers to achieving the ambitious goals outlined in Fort Collins' Our Climate Future plan is building broad community awareness and fostering meaningful engagement. While technical solutions such as renewable energy integration and energy efficiency programs are essential, their success ultimately depends on the community's understanding of, investment in, and support for these initiatives.

Through my work with the Climate Democracy Initiative, I have designed participatory governance models to facilitate community learning and engagement for counties in Colorado, Georgia, and Arizona. Whether focusing on siting renewable energy projects or addressing industrial waste management, I have seen that effective solutions always begin with community buy-in and priority setting. These experiences have taught me how to build trust, facilitate productive dialogue, and create accessible forums where residents can engage meaningfully with complex energy issues.

Fort Collins faces a similar challenge: ensuring that all residents, businesses, and institutions are informed, empowered, and motivated to participate in the city's transition to renewable energy. Achieving this requires addressing barriers to participation—such as gaps in awareness, accessibility, and equity—and creating opportunities for meaningful engagement where diverse voices can help shape energy policies and programs. Transparent communication about the benefits, trade-offs, and progress of these efforts will be critical to building trust and fostering a sense of shared responsibility.

As a member of the Energy Board, I would bring my expertise in designing engagement processes and participatory models to help Fort Collins deepen its connection with the community. By ensuring that residents have a voice in shaping energy solutions, we can transform potential resistance into collaboration and accelerate the city's progress toward its renewable energy and carbon reduction goals.

N/A -- My organization does not operate any programs in Fort Collins or Larimer County.

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Natalie Montecino

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. N/A

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. N/A

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Virtual newsletter

VOLUNTEER APPLICATION

Margaret L. Moore

1/9/2025 7:08 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10 to 12 hours

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: Commercial Real Estate Appraiser

Current Employer: Self-employed

Prior work experience (please include dates):
2001 - Present: Twenty-three years performing real estate appraisals, specializing in complex commercial projects including high performance sustainable properties (attained LEED AP in 2009), commercial and residential subdivision land, water issues, eminent domain and litigation support/expert witness testimony for all types of commercial properties. (See resume for more details)

2013 and 2023: Larimer County: Referee for CBOE (Larimer County Board of Equalization)

1970- 2001: Over 30 years of high level, leadership, sales, client relationship management and project management experience with a detailed knowledge of IT and its application to business processes.

Sold and performed many successful IT consulting engagements. Excelled as a project leader and a manager of business relationships. Able to interface with the technical and business communities and apply detailed expertise to multiple ongoing projects. Developed and provided several educational sessions for colleagues and clients.

Skilled in the development of strategic plans, best practices, organizational behavior, management practices and workflow. Very strong written, verbal, platform presentation and interpersonal communication skills.

The recipient of numerous achievement awards for sales; consistently increased business revenues 50% to 100%. Opened new markets and accounts for new and existing technology products; developed and managed several national and global accounts in various industries.

Volunteer experience (please include dates):

City of Fort Collins: Energy Board 2012-17; 2020-2021 and 2022 - 2024/2025
Building Energy Score Work Group 2017-18,
Climate Action Advisory Committee 2014-15,
Green Building Program Advisory Committee 2010-11;
Appraisal Institute: CO Chapter Board of Directors 2013-15;
Region II Representative 2009-13 and 2016-18;
CO Chapter Education Chair 2010-11;
The Appraisal Foundation-Subject Matter Expert-Appraisal of High Performance Properties;
Harmony Crossing HOA: President 2009-17, Treasurer 2018, Board Member 2007-08 and 2019-2025.
See attached Resume for more details

Have you applied for this board before? If yes, please explain.

Yes, I was a member for 2 terms when it was formed in 2012, filled in during Covid temporarily for 1.5 years July 2020 - 2021), and appointed to a three year term 2022 - 2024 (now ending March 2025)

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Energy Board

Why do you want to become a member of this particular board or commission?

To continue the important work of this board by furthering the analyses and implementations of the Big Moves identified in Our Climate Future using the

available technologies as they are developed. To support and challenge our City Council and City staff as we all strive towards Our Climate Future goals. I have been delighted to learn so much about the technologies, challenges and progress being made in the field of renewable energy, the demands of future energy needs (especially considering AI and data centers' needs) and how we can save some of the need for additional infrastructure as our population grows by encouraging distributed energy resources (DERs).

Because I am a current board member I will not need time to get up to speed. My experience, and other new members I've spoken to, indicates that it can take at least a year to feel comfortable with all the issues this board addresses.

Barriers: (1) How to deal with evolving technologies that could cause us to need to wait until they catch up with what we are trying to do and miss some goal dates.

For example, related to DERs, the interoperability needed in order to be able to use homeowner battery storage power (with homeowners who have chosen to participate) when needed by the system during peak usage times.

(2) How to address consumer resistance to electrification of home and commercial heating and cooling systems and purchase of EVs.

(3) Addressing the need to have fossil fuel back-up power generation for dark/calm periods. The battery storage technology needs to improve substantially over the next 10 years to reduce the size of fossil fuel back-up systems.

(4) Recognizing and understanding some of the uncertainties of how the energy market we are joining will work for the usage of renewable energy versus the gas turbines.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; I've been an Energy Board member: 2012 - 2017; filled in during Covid temporarily for 1.5 years July 2020 - 2021), and appointed to a three year term 2022 - 2024 (now ending March 2025).

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Current Board member with term expiring

VOLUNTEER APPLICATION

Brian P Smith

12/24/2024 1:50 PM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. NA

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: retired

Current Employer: retired

Prior work experience (please include dates):
Managing Director, Clean Energy Catalyst - 2015 - 2023
Vice President, Marketing & BD, CLEAResult - 2012 - 2015
Founder & CEO, Energy Efficiency Consulting, Geavista Group - 2008 - 2012
Principal & Practice Lead, Utility Residential Energy Efficiency, ICF International - 2001 - 2008

Volunteer experience (please include dates):
Fort Collins Energy Board - 2023 - 2024
Kids Luv Trees - 2021 - 2022
Dallas Entrepreneur Center - 2014 - 2023

Have you applied for this board before? If yes, please explain. Yes. Applied in 2022. Currently serving on the Board.

Are you currently serving on a City board or Commission? If so, which one?

Yes; the Fort Collins Energy Board

Why do you want to become a member of this particular board or commission?

Want to help provide guidance to the City Council and utility staff on energy related matters that impact our community.

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

Identifying the best available technologies to achieve goals while balancing with cost and benefits to the community.

Specify any activities which might create a serious conflict of interest if you are appointed:

none

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; Currently on board

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Newspaper

VOLUNTEER APPLICATION

Aleksander Thorstensen

12/9/2024 2:22 AM

Application: **EB - Energy Board**

Applicant Information

Birthdate: [REDACTED] Gender: Male Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Skills & Interests

Additional Skills / Interests: Norwegian

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.) YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10-15

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Energy Analyst

Current Employer: Resource Energy

Prior work experience (please include dates): Energy Analyst (Resource Energy) May 2024-Current

Senior Business Systems Analyst (City of Clearwater - Utility Customer Service) October 2022-October 2023

Senior Utility Dispatcher (City of Clearwater - Clearwater Gas Systems), March 2021-October 2022

Open Streets Volunteer (September 15th, 2024)

United Way Suncoast (February 2022-June 2023)

No

No

Energy is something that I have a passion for. It's the mostly hidden infrastructure that helps run so much of daily life. It's what I did my schooling in and it's what I have worked in since graduating college. I spend my free-time listening to podcasts and watching Youtube videos about utility infrastructure. I believe I can provide a unique perspective to the board with my combination of educational, work, and personal experiences. I want to see Fort Collins build a sustainable & greener, yet realistic & achievable energy future, and would like to take an active role in shaping that future.

The barriers to achieving this plan can largely be lumped into two buckets those are, the technical limitations such as reliability and resilience and stakeholder buy-in. The grid needs to be able with the peaks and troughs of the day - there needs to be sufficient storage or a sufficient back-up do deal with times of low renewable energy loads - reliability is key. As much as people care about sustainability and climate goals, they first care about reliable service being provided to their homes and businesses. This is why it is vital to get stakeholder buy-in in achieving ambitious climate goals. To make sure changes are made in an equitable way. To make sure the community is engaged, understands why changes have to be made, and how it is beneficial to them.

N/A - While I work in utility billing, none of the properties I work on are in Fort Collins or even in Colorado or Wyoming for that matter.

Yes; I was able to attend the open house for the Board & Commissions and on that occasion was able to speak to the staff liaison for the board. Following that I was able to attend the boards November meeting in person. I have also had the opportunity to look through a number old meetings, agendas, and the annual report since attending the open house.

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Aleksander Thorstensen

Have you ever been the subject of a code of conduct or ethics complaint? N/A
If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. N/A

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

George Weston

12/4/2024 10:59 AM

Application: **EB - Energy Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Energy Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Energy Board meets: Regular Board meetings meet the second Thursday of each month at 5:30 p.m. - Work Sessions meet the fourth Thursday of even numbered months (i.e.; February, April, etc.)	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	25
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Electrical Engineer
Current Employer:	Retired
Prior work experience (please include dates):	1964 to 2000 Public Service Indiana/ Cinergy. Started as a Communications Technician. Held several Senior Management positions responsible for functions including System Engineering, Power Plant Engineering, Power Plant Operations, and Information Systems. 2004 to 2019 Northern New Mexico Radio Foundation (NNMRF) (operates Public Radio Station KSFR on behalf of the Santa Fe Community College). Started as a volunteer then hired as "Chief Technical Officer". (Big title, small staff)
Volunteer experience (please include dates):	Dates approximate:

From 2005 through 2020 I served on Board of Trustees of the Unitarian Universalist Congregation of Santa Fe. Two terms as Financial VP, Two terms as President, also VP totaling eight years. In addition, I was responsible for audio and network support averaging nine hours a week. This ended with my move to Fort Collins
 Upon arriving in Fort Collins my wife and I joined Foothills Unitarian Church. I now volunteer as part of the A/V Team and the Facilities Team and am a part of its "Climate Justice Ministry".

N/A

No

I believe that when you are a part of a community you do what you can. I also believe that "Climate Change" is the greatest existential threat of my lifetime and the very existence of humans on this planet is at stake. I'm very impressed with Fort Collins' work in this area and particularly the "Fort Collins' Our Climate Future" plan and the process that led to its creation. I want to help in any way I can and believe my professional experience and enthusiasm might assist the Energy Board in its mission.

Perhaps, the biggest barriers involve communications and governmental policy. Society must come to believe that there is a real and significant "Social Cost of Carbon". The National Bureau of Economic Research estimates in its Working Paper "The Macroeconomic Impact of Climate Change", that each ton of carbon dioxide released into the atmosphere results in a long-term cost to society of \$1,056. The necessary decarbonization of society will be extremely disruptive. Governments, at all levels, must find ways to mitigate its impact. Energy cost, as most cost to society, is very regressive. To achieve any degree of equity, Governments may need to subsidize the transition costs, particularly for those that are least able to afford it and unlikely to directly benefit.

None

Yes;
 I have attended three meetings (Two in person and one via Zoom)

No

No

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Fort Collins' Our Climate Future plan presents a framework for achieving the community goals of 100% renewable electricity and 80% carbon reduction by 2030. What do you feel are the biggest barriers that need to be addressed to reach these outcomes?

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

George Weston



Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Website

VOLUNTEER APPLICATION

Tamara Lindenstien

12/26/2024 9:42 AM

Application: **GERC - General Employees Retirement Committee**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Associate degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

General Employee's Retirement Committee

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the General Employee's Retirement Committee meets: 2nd Thursday of each month at 11 a.m.	YES
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	GMA
Current Occupation:	Business Support II - Parks, Forestry and Golf
Current Employer:	City of Fort Collins Parks Department
Prior work experience (please include dates):	I have worked at the City of Fort Collins for 27 plus
Do you have any experience working with a defined benefit plan? Please explain.	No
Do you understand the role of a fiduciary related to defined benefit plans? Please explain.	A fiduciary manages money or property for someone else. Defined benefit plans provide a fixed, pre-established benefit for employees at retirement. The employer is responsible for funding the plan and paying the monthly benefits.
Volunteer experience (please include dates):	Volunteer for Wellington Legion local events from 6/01/2022 to current
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	I would like to learn about the issues the board addresses and contribute to any

future policy decisions.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Ralph Zentz

VOLUNTEER APPLICATION

James Rose

1/8/2025 8:44 PM

Application: **HPC - Historic Preservation Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Historic Preservation Commission

Job Description

I have read the job description

Questions

I acknowledge I am available when the Historic Preservation Commission meets: YES

Regular meetings are held on the 3rd Wednesday of each month.
Work Sessions are conducted on the 2nd Wednesday of each month.
All meetings are held at 5:30 p.m.

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 20

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. NA

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Retired

Current Employer: NA

Prior work experience (please include dates): Register architect, professor and director of architectural engineering program, director of graduate program in historic preservation, consultant on numerous cultural resource projects for federal and state agencies.

Volunteer experience (please include dates): Member and chair of HPC

Have you applied for this commission before? If yes, please explain. Previously appointed

Are you currently serving on a City board or Commission? If so, which one? Yes; HPC

What is your personal interest and/or professional background in local history and historic preservation? Over 40 years of academic and professional experience in historic

preservation.

What individual perspectives and community interests would you bring to the HPC that might be missing or underrepresented on the existing Commission?

Expertise in architectural history, which I taught at the college level. Registered architect for over 40 years.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Current member of HPC

VOLUNTEER APPLICATION

Rich Ricketts

12/2/2024 7:12 PM

Application: **HPC - Historic Preservation Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Some College
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Historic Preservation Commission

Job Description

I have read the job description

Questions

I acknowledge I am available when the Historic Preservation Commission meets: Regular meetings are held on the 3rd Wednesday of each month. Work Sessions are conducted on the 2nd Wednesday of each month. All meetings are held at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	As many as needed
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Retired
Current Employer:	Part time AvisBudget
Prior work experience (please include dates):	25 years Real estate appraiser
Volunteer experience (please include dates):	Pourde HS 2011-present
Have you applied for this commission before? If yes, please explain.	8 or so years ago
Are you currently serving on a City board or Commission? If so, which one?	No
What is your personal interest and/or professional background in local history and historic preservation?	Real Estate Appraiser, live in Historic Home, family has been in Fort Collins since 1879, interested in Fort Collins history
What individual perspectives and community interests would you bring to the HPC that might be missing or underrepresented on the existing	Long time family member and Fort Collins native

Rich Ricketts



Commission?

Specify any activities which might create a serious conflict of interest if you are appointed: None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website; Yani Jones

VOLUNTEER APPLICATION

Paula J Glaser

1/8/2025 8:30 AM

Application: **HPC - Historic Preservation Commission**

Applicant Information

Birthday: [REDACTED] Gender: Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Historic Preservation Commission

Job Description

I have read the job description

Questions

I acknowledge I am available when the Historic Preservation Commission meets: YES

Regular meetings are held on the 3rd Wednesday of each month.
Work Sessions are conducted on the 2nd Wednesday of each month.
All meetings are held at 5:30 p.m.

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 15-20

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: Litigation paralegal

Current Employer: Metier Law Firm

Prior work experience (please include dates):
Paralegal for 27 years
Tour leader for women's travel company 2013-2024 - Women Traveling Together Communications 1990-1997 for Boulder School of Massage - produced school catalog, represented school at events, recruited students)
Order Processing supervisor - 1986-1988 - CareerTrack supervised 15 data entry employees
In-house training 1988-1990 - CareerTrack various subjects

Volunteer experience (please include dates): Molly Brown House - 1990s I think - gave presentations about history of era

Colorado Youth Outdoors - 2010-2023 - annual Maverick fundraiser, various events

Have you applied for this commission before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

What is your personal interest and/or professional background in local history and historic preservation?

I have always had a strong interest in history, have lived in Colorado since 1971, grew up in Loveland, have lived in Fort Collins since 2014. I have seen a lot of changes in the area over the years, want to help preserve what is unique about Fort Collins.

What individual perspectives and community interests would you bring to the HPC that might be missing or underrepresented on the existing Commission?

Hard to say as I do not know what the existing commission has going for it. I have great communication skills — public speaking, writing and editing. After 27 years as a litigation paralegal, I am very experienced at trouble-shooting, working with sometime difficult people, persistent in getting what I need to do my job.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Social Media - Facebook

VOLUNTEER APPLICATION

Kori Wilford

1/8/2025 1:12 PM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Job Description

I have read the job description

Questions

Current Occupation: Communications and Technology Manager for the Larimer County Department of Health and Environment

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Human Relations, Art in Public Places

I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 6-8 hours per month

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Employer: Larimer County Department of Health and Environment

Prior work experience (please include dates): I've attached my resume which lists work experience dating back 25 years. I have worked with the Larimer County Department of Health and Environment since 2000 when I moved to Fort Collins. I've worked in various roles including as a health educator and along the way earned my graduate degree in public health. Between 2009 and 2015 I worked on a statewide public health initiative with the Colorado Department of Public Health to prevent unintended pregnancy in Colorado by providing free long-acting contraception to low income persons. I'm deeply committed to social justice, the core value

committed to social justice, the core of public health, and believe it intersects with all other aspects of life. I was heavily involved in the pandemic response between 2020 and 2022 and have a strong desire to do community-based volunteer work now that I have more time.

Volunteer experience (please include dates):

I've attached resume which lists volunteer experience. I spent two summers in remote northern India working in a dental clinic and training local women to provide health education to young women in their communities, served a board member for Openstage Theatre in Fort Collins for 6 years, served on the Fort Collins Women's Commission for several years, and was heavily involved in a volunteer committee to bring a large conference to girls in the Poudre School District (2000-2015). I am a past member of the local American Association of University Women, and a current member of Toastmasters International, a group that helps grow public speaking and leadership skills. I had to take a break from volunteer work during the pandemic because my job at the health department became so demanding, but I'm ready to jump back in!

Have you applied for this commission before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I am eager to serve on this board because I deeply value diversity and inclusion. I believe that a community is strengthened by its differences, and I am committed to fostering an environment where everyone feels welcomed, respected, and valued. I am particularly interested in developing and supporting educational programs and activities that promote understanding and appreciation of our diverse identities and experiences. I believe that through education and engagement, we can build a more inclusive and equitable community for all. In a climate where equity and diversity initiatives are being challenged, I want to be a part of helping such initiatives flourish and grow and the citywide level. In addition, I was very involved in civic life before the pandemic, when my job at the health department pulled me away from much of that. I very much value contributing to the community and making deep connections with like-minded people and believe boards and commissions are very important avenues for that. I am currently a fellow in a year-long leadership training institute (Regional Institute for Health and Environmental Leadership) and want to contribute to my community as I gain leadership skills.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I've been present during Human Relations award ceremonies and receptions and there was some crossover with the work when I served on the Fort Collins Women's Commission previously.

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary.

Bridging the Gap Between Awareness and Action: While many in Fort Collins support diversity in principle, translating that into tangible change can be challenging. This board should prioritize initiatives that move beyond dialogue and into concrete actions, such as promoting inclusive hiring practices in local businesses, supporting diverse representation in leadership positions, and advocating for policies that address systemic inequities.

Addressing the Needs of Underserved Communities: Fort Collins, like many cities, has communities facing disproportionate challenges. This board should focus on identifying and addressing the specific needs of these groups, which may include affordable housing access, culturally relevant mental health services, and support for minority-owned businesses. Collaborations with community organizations serving these populations will be crucial.

Ensuring Inclusive Community Engagement: It's vital that all residents, regardless of background, feel their voices are heard in city decision-making. The board should promote accessible and inclusive engagement processes, utilizing diverse communication channels and actively seeking input from underrepresented groups. This could involve community forums, translated materials, and partnerships with cultural organizations.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Claire Taagen

12/29/2024 8:58 PM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Skills & Interests

Additional Skills / Interests: American Sign Language

Job Description

I have read the job description

Questions

Current Occupation:	Server/bartender
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Land Conservation & Stewardship Board, Women & Gender Equity Advisory Board, Parks & Recreation Board, Cultural Resources Board
I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	6-10 hours
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Employer:	Another Broken Egg Cafe
Prior work experience (please include dates):	Techtronic Industries (Feb.-Oct. 2024) Vail Resorts Ski Instructor/ Small Champions (Nov. 2023- Apr. 2024) SummitStone Health Partners (Sept. 2022- May 2023) Different jobs within landscaping, parks & recreation, and nursery's from 2019-2023
Volunteer experience (please include dates):	In June 2016, I traveled to Bhaktapur, Nepal with Children's Global Alliance

(CGA) for two weeks to teach children at a primary and secondary school subjects such as science, geography, computer skills, life skills, English and grammar. Prior to this trip, we spent about 9 months learning how to teach, create lesson plans, learn the language and cultural customs. We were responsible for raising \$2,500 on our own (we could not use GoFund me or other websites) and earn 25 hours volunteering in our community which I completed through Habitat for Humanity in Eagle County.

Have you applied for this commission before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I moved back to Fort Collins recently, and have been working on trying to use my bachelors degree (Anthropology) and I think volunteering and networking with my community with help me shape my career goals and spend time helping others is something I aspire to do

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

No

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Fatima Prieto

1/9/2025 11:56 PM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Job Description

I have read the job description

Questions

Current Occupation:	Project Support Coordinator
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	6-8
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Employer:	Bohemian Foundation
Prior work experience (please include dates):	Volunteer and Development Coordinator April 2024 – Nov 2024 Homeward Alliance – Fort Collins, CO <ul style="list-style-type: none"> • Assisted in organizing Homeward Alliance’s Un-Gala through media design, volunteer management, and Spanish translation services, resulting in over \$145,000 raised to support our programs/initiatives • Managed recruitment, training, and databases (Galaxy and Bloomerang) for 600+ volunteers who operate Homeward Alliance’s programs every day • Translated Spanish event guides for Project Homeless Connect, leading to increased participation and feedback from Spanish speaking

Bilingual Resource Navigator for Individuals and Families
August 2023 – April 2024 Homeward Alliance – Fort Collins, CO

- Addressed the needs of 100+ unhoused individuals by guiding them through available resources/support services
- Provided notary services to aid in birth certificate acquisition
- Provided rental assistance for vulnerable families to avoid eviction
- Managed sensitive information and messages in HMIS (Homeless Management Information Systems)

Congressional Intern

Jan 2023 - May 2023
U.S. Senator Michael Bennet – Denver, CO

- Researched and organized immigration resources to complete a monthly listserv sent to the entire team
- Managed sensitive information and messages in Intranet Quorum (IQ) and office logs
- Communicated in written and verbally with constituent advocates (CAs) and office staff to provide resources and aid to CO constituents in areas such as taxes and immigration
- Researched Tribal Water Rights for the Arizona v. Navajo Nation supreme court case, focusing on Indigenous perspectives

Inclusive Community Assistant (ICA)
Jul 2022 – May 2023
Colorado State University - Fort Collins, CO

- Developed strategies for maintaining inclusive communities, promoting diversity, equity, and inclusion, and facilitating intentional conversations
- Supported programming and collaborative efforts with Student Diversity Programs and Services (SDPS), including leading community discussions on various social topics
- Led monthly “ICA Corners” to educate staff in my building and encourage reflection on relevant social topics, such as cultural appropriation, identity, and privilege

Co-Founder
Do Better CSU - Fort Collins, CO

Sept 2020 – May 2023

- Built and successfully led a new initiative to give a voice back to survivors of interpersonal violence
- Encouraged changes to the ways that the university handles cases of SA
- Collaborated with other organizations to bring awareness to the

Larimer County Equity, Diversity, Inclusion Advisory Board
August 2024 - Present

Volunteer experience (please include dates):

Have you applied for this commission before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I initially heard about the program through Hillel Katzir, who recommended that I serve as a liaison between the Larimer County EDI Advisory Board and the Human Relations Commission. Acting as a liaison allowed me to engage with the board's work and witness its impact. That experience inspired me to deepen my involvement and contribute more directly as a board member. I am passionate about DEI work, and I am looking for new ways to get involved.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I am the current liaison between the Larimer County EDI Advisory Board and the Human Relations Commission. I've been to one meeting.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary.

The first issue this board might run into is the change in presidential administration on January 20th. This board has an emphasis on diversity, equity, and inclusion, which is a topic that has become highly politicized. I anticipate that this will be intensified after the 20th. The board can address this issue by being intentional with the language that is used when creating solutions and events for the community. The board may need to shift the language that is used to ensure that DEI work continues without the fear of being penalized in funding or support.

Another issue this board might run into is that there are multiple boards and organizations with similar goals, which could lead to a duplication of efforts. A way to address this issue is for the board to stay informed on events in the community and to work collaboratively with these organizations/boards to avoid a repetition of efforts.

The last issue this board might run into is

The fact that the search might have been not being aware of all the amazing DEI work that happens in Fort Collins. It is impossible to know about everything that is happening in the community, which leads to a lot of DEI work going unnoticed. For example, I learned that there weren't any youth nominees for the Human Relations Youth Award in 2024. There are untapped organizations and individuals in the community that would be great candidates, but we are simply not aware of their work. One program that would've been good to reach out to is Upward Bound at CSU. Their staff works closely with youth, and they have the potential to send some great nominees to the board. The board can address this issue and widen its visibility by creating more connections in the community and intentionally including new organizations and networks.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. N/A

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. N/A

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); I initially heard about the program through Hillel Katzir, who recommended that I serve as a liaison between the Larimer County EDI Advisory Board and the Human Relations Commission.

VOLUNTEER APPLICATION

Diana Prieto

1/3/2025 5:31 PM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Job Description

I have read the job description

Questions

Current Occupation:	Director of Human Resources
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	Approximately 10 hours
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Employer:	Colorado State University Research Foundation d/b/a CSU STRATA
Prior work experience (please include dates):	Please see resume. The bulk of my experience is in equity offices at universities and human resources departments.
Volunteer experience (please include dates):	Smith College Alumnae Interviewer of applicants to Smith College, Member of WomenGive
Have you applied for this commission before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	The work of the Human Relations Commission ensuring inclusion, belonging, and equity in the City of Fort Collins for all aligns well with my work and my values. I

now have time to volunteer and wish to do so in an area of passion. Equity and equal access are deep passions that have defined my career. My background and past work would contribute to the efforts of the Human Relations Commission.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary.

A critical issue facing all communities is the current environment where individuals behave poorly toward each other in uncivil and sometimes prejudicial ways. Another issue is the tension that comes with political and economic stressors currently being felt by many people. The third is the growth of Fort Collins and what growth brings in terms of interactions between members of the City's communities. All three of these issues can lead to behaviors that the work of the Commission can impact through education and exposing our community to inclusive and equitable approaches which is invaluable and necessary work. Also Important is ensuring the civil rights of the members of the City of Fort Collins are protected. The Commission plays a role here as well. I would like to be part of the work the Commission undertakes and contribute to the city I live in.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Vice Chair Barb Kistler

VOLUNTEER APPLICATION

Leah Hager

1/8/2025 2:53 PM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Skills & Interests

Additional Skills / Interests: Basic Navajo

Job Description

I have read the job description

Questions

Current Occupation:	Educator
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	I am applying for only one.
I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	12-14
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Employer:	Poudre School District
Prior work experience (please include dates):	See attached CV
Volunteer experience (please include dates):	Arsenal Soccer (2008-2011)
Have you applied for this commission before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	I believe in the mission and goals of service included in the work. It is also

necessary for a healthy community that members of the community dedicate their time and energy to the work of equity, inclusion, and justice.

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No

Specify any activities which might create a serious conflict of interest if you are appointed: None

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary. Key issues before this board are education/outreach, community healing, and transformative justice. The board would make progress in these areas by holding community inclusive events, seeking broad representation of voices and lived experience to identify and address targeted areas to eliminate barriers to community belonging, and partnering with existing entities to grow trust and civic involvement.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Robert Brown

12/20/2024 7:51 AM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Job Description

I have read the job description

Questions

Current Occupation:	Human Resources
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Human Relations Commission, Disability Advisory Board, Affordable Housing Board
I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	6-8
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Employer:	Naropa University
Prior work experience (please include dates):	Resume attached.
Volunteer experience (please include dates):	On Resume that was attached.
Have you applied for this commission before? If yes, please explain.	NO
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	No big reason, looking for a way to contribute.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	No
Specify any activities which might create a serious conflict of interest if you are appointed:	No

Robert Brown

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary.

Simply communication, dealing with complex issues, and not being able to please everyone.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Everton Brossus

1/2/2025 3:03 PM

Application: **HRC - Human Relations Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Relations Commission

Job Description

I have read the job description

Questions

Current Occupation:	Freelance Marketing and Communications Specialist
I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Human Relations Commission meets: Second Thursday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
Current Employer:	Self Employed
Prior work experience (please include dates):	New Belgium Brewing Co, Fort Collins, CO Social Media Specialist, The Liquid Center April 2021– Feb 2024 Colorado State University, Fort Collins, CO Administrative Assistant for Selection, Staffing, & Training February - October 2020 WestRock, Burbank, CA Project Management Intern May – August 2018
Volunteer experience (please include dates):	NBB DEI Coworker Council Dec 2021- Feb 2024
Have you applied for this commission before? If yes, please explain.	No this is my first time

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I want to become a member of the Human Relations Commission because its mission of enhancing acceptance and respect for diversity through educational programs and activities aligns deeply with my professional and personal values. My experiences in fostering diversity, equity, and inclusion within organizations like New Belgium Brewing and Colorado State University have prepared me to contribute effectively to the Commission's work. Additionally, I have been inspired by the work of Barb Kistler since my days at CSU, where her dedication to advancing equity and inclusion left a lasting impression on me.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

I am particularly inspired by the Commission's focus on collaboration with community groups and its recognition of local advocates through the Human Relations Award. These efforts resonate with my belief in the power of collective action to drive meaningful change, and I am eager to bring my skills and dedication to support the Commission's initiatives.

Yes; I have had exposure to the Human Relations Commission through my partner, who has served on the HRC, as well as through my personal engagement with its initiatives. Over the past year, I have become familiar with the impactful work of Barb Kistler and have attended a couple of events organized by the Commission. These experiences have given me insight into the Commission's mission and the meaningful role it plays in promoting diversity, equity, and inclusion within our community. This exposure has deepened my appreciation for the HRC's work and inspired me to contribute to its efforts.

Specify any activities which might create a serious conflict of interest if you are appointed:

I do not foresee any activities or responsibilities that would create a serious conflict of interest if I am appointed to the Human Relations Commission. I am committed to upholding the ethical standards and impartiality required for this role.

Briefly explain what you believe are the three most important issues facing this board or commission, and how do you believe this board or commission should address each issue? Feel free to upload a separate sheet of paper if necessary.

1. Promoting Community-Wide Equity and Inclusion:
One of the most critical issues is ensuring that Fort Collins fosters an environment where all individuals feel welcomed, valued, and respected, regardless of their background or identity. The Commission should address this by expanding educational programs that raise awareness about systemic inequities. For example,

initiatives could include highlighting the contributions of Black individuals and other underrepresented groups through public art projects, storytelling events, or a community recognition program. Celebrating these contributions not only enriches the city's culture but also promotes a deeper understanding and appreciation of its diverse community.

2. Addressing Barriers to Access and Representation:

Another key challenge is addressing the barriers that prevent underrepresented groups from participating fully in civic and community life. For instance, creating mentorship programs that connect young Black leaders with city officials or local business owners could empower future community advocates. The Commission can also partner with schools to integrate DEI-focused education and highlight the historical and contemporary achievements of marginalized groups, ensuring that these stories are part of the city's narrative.

3. Strengthening Collaboration with Community Stakeholders:

Building stronger partnerships with other city boards, commissions, and local advocacy groups is vital to amplifying the Commission's impact. For example, working with local organizations to co-sponsor events such as Black History Month celebrations or Juneteenth festivals can create shared ownership of these initiatives. The Commission can also organize forums or town halls to directly engage with residents, ensuring that the voices of Black community members and other underrepresented groups are heard and acted upon.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No, I have never been the subject of a code of conduct or ethics complaint. I strive to uphold the highest standards of professionalism, integrity, and respect in all my personal and professional inte

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

I have never been found in violation of a code of conduct or ethics rule. I am committed to conducting myself with honesty, integrity, and respect in both my professional and personal endeavors, ensur

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); I learned about the vacancy on the Human Relations Commission through my partner, who has served on the board. Their experiences and insights into the Commission's work inspired me to pursue this opportunity to contribute to its impactful mission.



VOLUNTEER APPLICATION

Erma Woodfin

1/7/2025 7:03 PM

Application: **HSHFB - Human Services and Housing Funding Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Some College
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Services and Housing Funding Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Human Services and Housing Funding Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	I am willing to put in whatever time is needed.
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Occupation:	Retired
Current Employer:	N/A
Prior work experience (please include dates):	City of Ft. Collins Community Guide for the Home2Health program. 2020 Community Consultant for City of Ft. Collins Active Modes/Open Streets program. July to Dec. 2023
Volunteer experience (please include dates):	Human Services Housing Funding Board January 2023 to present Congressman Joe Neguse's Congressional Black Caucus Advisory Panel (Student Scholarships) June 2020 to present Northern Colorado Intertribal Powwow Association 2020 to present United Way Women's Give Table Host February 2020 to present Women's Commission - Approximately 2017 to April 21, 2021

Erma Woodfin

Have you applied for this board before? If yes, please explain.

Yes, I presently serve as chair of the Human Services Housing Funding Board

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Human Services Housing Funding Board

Please describe your personal perspectives, motivations or other factors that may influence how you evaluate grant funding proposals.

I am a 67-year-old low-income Black Woman living in an Affordable Senior Housing Complex. I believe that I bring a unique, and valuable perspective to the board since I am the only member that fits that description. Which covers several of the Recommended Qualifications. As a member for the last two years, Beth Rosen, city of Ft. Collins Grants Compliance and Policy Manager says that I ask questions that they have never thought of.

How do you believe the City of Fort Collins should address the social issues of poverty and housing insecurity in our community?

The mere thought of the question seems daunting.
1. One idea would be to expand and encourage self-sustainability.
2. Attempt to identify and offer treatment to people earlier with their mental health and substance use issues.
3. Expand the purpose and use of Community Consultants.
4. Consider and invest more into alternatives to traditional housing.
I realize that these are not novel ideas.

Why do you want to become a member of this particular board or commission?

I want to serve on this board because I believe that my unique perspective has been an asset not just to the board but also to the community. Due to my own impoverished upbringing, I was taught to always help in any way possible to make life better for those around me and those to come behind me.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
Yes, I am completing a two-year term. I would like to be reappointed to build on my contributions, and to have the opportunity to serve as Chair. I was just elected in October of 2024.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
I presently serve on the HSHF Board.

VOLUNTEER APPLICATION

Elizabeth Lok

1/10/2025 5:05 PM

Application: HSHFB - Human Services and Housing Funding Board

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Services and Housing Funding Board

Skills & Interests

Additional Skills / Interests: Vietnamese

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Human Services and Housing Funding Board meets: 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10-12

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 5

Current Occupation: Cost Engineer/Estimator

Current Employer: NES Fircroft contracted to ExxonMobil

Prior work experience (please include dates): NES Fircroft - Cost Schedule Controls Engineer III for ExxonMobil - Sept 2023 to Present
Enlitic - Product Coordinator - Aug 2022 to Sep 2023
Aspen Technology - Solution Management Director - 2020 to 2022
ExxonMobil - Various engineering and project management roles - 2005 to 2020

Volunteer experience (please include dates):

Imperial Oaks Seals Swim Team - Board Secretary - Summer 2022
Montgomery County Voter Registrar - 2020
Montgomery County Agrilife Extension - Houston - Master Wellness Volunteer - 2019-2022
Urban Harvest - Houston - Fruit Tree Sale Volunteer - 2018-2020

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Please describe your personal perspectives, motivations or other factors that may influence how you evaluate grant funding proposals.

I firmly believe that a community is only strong if everyone in the community can fully engage and participate. Communities also benefit from the rich diversity that comes with a variety of life experiences and backgrounds. A sustainable social environment will be a place where everyone in the community can thrive, grow, feel included, and engage.

In that regard, I believe that my background in engineering, project costs, and project management will be helpful in evaluating priorities and risks for the variety of programs that will be funded through grants to support our thriving community. I have extensive background in evaluating complex interactions between different aspects of a project and helping to advise and determine next steps and focus areas. Also, my organizational skills can support the thorough and quick evaluation of grant proposals.

How do you believe the City of Fort Collins should address the social issues of poverty and housing insecurity in our community?

Fort Collins is rapidly expanding and thriving and is a town that has so many wonderful opportunities for so many people - families, youth, working professionals, students, and retired people. However, all these positives can quickly out-pace the ability for some people to be able to live and thrive in the community. Key areas that Fort Collins can focus on to support everyone in the community include affordable housing, quality education and childcare, community nutrition and family support, as well as affordable healthcare and mental health. These are many of the building blocks of a strong community for which I see Fort Collins does already try to address and I would be honored to be a part of making these social benefits stronger and more sustainable.

Why do you want to become a member of this particular board or commission?

I would like to volunteer my skills and knowledge to supporting programs that will help those in need in our community.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? No
If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Network

VOLUNTEER APPLICATION

Kimberly Conner

1/10/2025 11:42 PM

Application: **HSHFB - Human Services and Housing Funding Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Human Services and Housing Funding Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Citizen Review Board (possible conflict), Human Services and Housing Funding Board

I acknowledge I am available when the Human Services and Housing Funding Board meets: 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 3+

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Records Technician

Current Employer: Larimer County Sheriff's Office

Prior work experience (please include dates):
Records Technician, October 2018 – Present
Larimer County Sheriff's Office, Fort Collins, CO
• Transcribed dictated police reports and proofread officer reports before final approval.
• Reviewed reports to ensure correct data for submission to local/state/national databases.
• Organized reports for release to the District Attorney's Office, Department of Revenue, etc.
• Reviewed files to meet state and local retention requirements.
• Assisted as needed during local emergencies as part of the Joint Information Center

Substitute Teacher, August 2016 – May 2018

Thompson School District R2-J, Loveland, CO

- Substitute taught at elementary, middle, and high schools throughout Loveland.

AmeriCorps Reading Corps Tutor, August 2015 – June 2016

AmeriCorps, United Way of Larimer County, Fort Collins, CO

- Created and analyzed student data for progress monitoring.
- Co-led five separate after-school clubs throughout the year.

Assistant Language Teacher, July 2011 – July 2014

JET Programme, Nagahama West Junior High School, Nagahama, Shiga, Japan

- Created and taught lessons and activities for all students within the school (grades 7-9).
- Presented annually at professional development seminars.

Food Not Bombs (mutual aid group), 2024 – Present

Fort Collins, CO

- Provided food/clothing/hygiene resources to community members

Global Ambassadors Student Program Community Member / Advisor, 2017 – 2019

Colorado State University, Fort Collins, CO

- Connected community organizations with international presenters for events and classes.
- Transported students to and from presentation sites.
- Helped maintain online social media presence.

No

No;
N/A

I believe that housing is a human right, and as such community leaders should prioritize housing people over profit.

Research zoning reforms and incentives that have shown success in other communities and how we could apply them here.

I regularly interact with the homeless community, and have also taken courses on grant funding.

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Please describe your personal perspectives, motivations or other factors that may influence how you evaluate grant funding proposals.

How do you believe the City of Fort Collins should address the social issues of poverty and housing insecurity in our community?

Why do you want to become a member of this particular board or commission?

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No;
N/A

Specify any activities which might create a serious conflict of interest if you are appointed: None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify);
The Democratic Socialist of America

VOLUNTEER APPLICATION

Michael Trotter

1/8/2025 7:23 AM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Economic Advisory Board, Land Use Review Commission, Land Conservation & Stewardship Board

I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Retired

Current Employer: Food Bank of Larimer County

Prior work experience (please include dates): Please see resume

Volunteer experience (please include dates): Food Bank of Larimer County, August 2023 - current
Immigration and Refugee Center, January 2023 - May 2023

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? Land Conservation and management is an area of interest to me, and, while not something I have experience in, it is something I believe I can contribute to greatly.

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No

Specify any activities which might create a serious conflict of interest if you are appointed: None

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions. None

Why are Natural Areas in Fort Collins important to you? The Natural Areas in Fort Collins enhance the value of the land in the City and maintain the quality of life for many of the citizens of the City. Natural Areas keep us in touch with nature and provide a break from continuous urban development and sprawl. It helps maintain wildlife and beautifies the area.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Bill Walton

12/5/2024 4:49 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Land Conservation and Stewardship Board, Disability Advisory Board
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Occupation:	Retired Physician
Current Employer:	None
Prior work experience (please include dates):	1972-76: Canadian Armed Forces medical intern, general medical officer, surgical resident. 1976-2009: Family Physician solo practice. 2009-2015: Clinical Professor of Medicine (Texas A&M), Medical Director Scott and White Family Medicine Clinic Temple, Texas. 2016-2019: Volunteer Family Physician, North Dallas Shared Ministries, Thursdays.
Volunteer experience (please include dates):	Dallas County Medical Society: 1998-2009, many positions including President with many service projects including refugees of Hurricane Katrina. Boy Scout Leader 1986-2001. Texas Master Naturalist 1998-2003. Volunteer Naturalist Fort Collins 2022-

present. Holder of the Golden Eagle Award 2023.

Yes, last year.

No

I am very involved in our Natural Areas and have a deep understanding of many aspects of nature.

No

None.

Volunteer Naturalist very active with education.

We need to preserve them for our children.

No

No

YES

Other (please specify);
Natural Areas Dept.

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

Why are Natural Areas in Fort Collins important to you?

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

Are you willing to complete the required training if appointed?

How did you learn of a vacancy on this board or commission?

VOLUNTEER APPLICATION

Andrew Golnar

12/10/2024 10:11 AM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: PhD
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	EAB, LCSB
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	12
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Research Analyst - Philanthropy
Current Employer:	Science Philanthropy Alliance
Prior work experience (please include dates):	APHIS Fellow - United States Department of Agriculture (2019-2021)
Volunteer experience (please include dates):	Poudre Library ESL Mentor (2020-2021); Sierra Club, Inner City Outings (2010).
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	I want to join the Natural Areas Advisory Board to bring my expertise and passion for land conservation to the local level in Fort Collins. With a PhD in Entomology and a background integrating wildlife ecology into disease research, I've spent my career advancing biodiversity science and supporting land stewardship globally. I

am currently working with philanthropic foundations to develop strategy, complete due diligence on opportunities, and manage ongoing projects related to natural climate solutions, biodiversity research, and land conservation with the critical understanding that all conservation is dependent on local communities. From managing and evaluating conservation grants to promoting natural climate solutions and establishing land trusts, I've cultivated a broad perspective on preserving natural spaces. My career kicked off in Fort Collins in 2011, when I studied West Nile Virus ecology in wetland areas with the CDC, and has grown to include guiding as a naturalist and engaging in outdoor recreation like hiking, climbing, and photography. I am eager to apply this rich experience to help Fort Collins lead in land conservation and sustainability.

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No

Specify any activities which might create a serious conflict of interest if you are appointed: None

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions. Environmental Protection - I spent 2.5 years modeling how synthetic genetic technology can be safely deployed to manage environmental goals (i.e. disease, pest populations, agriculture, species conservation). This work focused on linking scales across individuals - populations - biological communities and ecosystems. This work had me working with experts across the coordinated framework of the USDA, FDA, and EPA identifying gaps in our capacity to manage this new technology. I was stationed locally at the National Wildlife Research Center at the end of West Laporte (USDA). I have strong academic background in ecosystems and community ecology and am now working to build public and private partnerships that can help advance natural climate solutions with the end goal of promoting green house gas mitigation, biodiversity, and human well being.

Why are Natural Areas in Fort Collins important to you? I utilize Natural Areas in Fort Collins to hike, bike, swim, fish, climb, take photos, and observe nature throughout the year. I'm a huge fan of public land and believe it is critical to human well being and managing our relationship with nature.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

Andrew Golnar

12/10/2024 10:00 AM

Item 24.

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Brannon Hughes

12/3/2024 2:12 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. NRAB, LCSB, EAB

I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 5

Current Occupation: Labor and Employment Specialist, but I am in the process of transitioning to Auditor I

Current Employer: Colorado Department of Labor and Employment, Unemployment Insurance Division

Prior work experience (please include dates): Program and Outreach Assistant, Colorado Water Center, CSU (June 2021- Sept 2022)
Health Coverage Specialist, Larimer Health Connect (October-January 2020-2021 & 2021-2022)
Dean's Office Assistant - CSU's College of Liberal Arts (2018-2020)
Instructor and Desk Attendant - Karate West (2016-2020)

Volunteer experience (please include dates): Formal Volunteer Experience: Larimer County Board of Adjustment, Alternate Member, August 2024-2027
Informal

Brannon Hughes

Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	I really enjoy working with land use and conservation, but unfortunately I was not able to stay employed with the Colorado Water Center. My current career is fulfilling but does not lead in that direction either. I want to be engaged with local land use questions.
Have you had any exposure to the board or commission you are applying for? If yes, please explain:	Yes; Just through reviewing the publicly posted agendas
Specify any activities which might create a serious conflict of interest if you are appointed:	I don't think my Larimer County Board of Adjustment alternate membership constitutes a conflict of interest since it deals very specifically only with unincorporated Larimer County land but I wanted to have it out there just in case, to be sure because we have dealt with questions in the City's GMA.
Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.	I worked with the Colorado Water Center on planning the Water Literate Leaders program which had focus on land and more specifically forest conservation in the context of maintaining a healthy watershed. My work on the Larimer County BOA has touched on many of these questions as well due to the requirement that we consider the recommendations of other land use agencies before granting a setback variance request.
Why are Natural Areas in Fort Collins important to you?	I think that the natural areas and natural area management in the City are and should be a point of pride for us. I think we have some incredible integration between our natural areas and other infrastructure and I would to preserve and expand on that tradition.
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	No
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	No
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Website

VOLUNTEER APPLICATION

Steve Joyce

12/9/2024 3:06 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: College degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10-20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Retired. Started a company, sold it and have spent most of the last 2 decades doing volunteer work.

Current Employer: None, retired

Prior work experience (please include dates): IBM, Research Triangle Park, NC 1983-1995
Ganymede Software, Research Triangle Park, NC 1995-2003 Started this company. Grew it to 100 employees in five years. Sold it to NetIQ out of California. Worked for them for 3 years before quitting to take a year of much needed rest. Started volunteering significant amounts of time and never went back to a real paying job again.
Did on and off work like being a Mountain Host at Park City Mountain Resort, but that was just for free skiing.

Volunteer experience (please include dates): Mid 2000s, teaching photography and

nature at the Swaner Nature Preserve
(Park City, UT)

Mid 2000s, teaching photography at the
Kimbal Arts Center (Park City, UT)

2015?-2018 Summit Land Conservancy
Board (Utah)

2013-2018 Planning Commission, Park
City Utah

2018-2022 City Council, Park City Utah

2022-2024 Fort Collins Newcomers Board

2023-2024 Raptor care at Rocky Mountain
Raptor Program

Have you applied for this board before? If yes, please explain.

Yes, last year. Obviously didn't get it. They
said "good fit, try again" so here I am.

Are you currently serving on a City board or Commission? If so, which
one?

No;

I have looked through all the boards and
commissions and decided that this is the
only one that really fits my skills,
experience and interests.

Why do you want to become a member of this particular board or
commission?

As you can see in the questions above, I
do a good bit of volunteer work. Almost
100% of it is directly relatable to this board
(nature conservancies, raptors, planning
commission, city council). It started
decades ago when I became an eagle
scout. I have always been very focused on
nature, land use, preservation, ...

Have you had any exposure to the board or commission you are applying
for? If yes, please explain:

Yes;

I have had a lot of experience in similar
roles but other places. For this particular
FoCo commission, I mostly go through the
archived meeting minutes every month or
three just to keep up with whats
happening.

Specify any activities which might create a serious conflict of interest if
you are appointed:

None

Please describe your experience in one of the following areas – land
conservation, ecosystem restoration, environmental protection, outdoor
recreation, or real property transactions.

On the board of the Summit Land
Conservancy (Park City, UT) I reviewed
numerous possible easements and
purchases. Walked properties. Reviewed
government financial applications, ...

The Park City Planning Commission
cooperated with the two local land
conservancies (Summit Land and Utah
Open Lands) to evaluate appropriate use/
preservation of city lands. Because of my
work with the land conservancies, I was
able to play a lead role in this work.

On the City Council, I was directly involved
in two 8 digit land acquisitions that both
involved huge amounts of complex land
use, easements, open space deeds, etc.
One was a partnership between several
counties, cities, towns, and Utah Open
Lands. Park City was the lead and ended
up the land owner. That also involved
things like a state highway easement
(never fun).

The second acquisition was preventing a large hotel and condo development to be built on the hill directly above Park City's Main St. Again, a partnership working around multiple owners, numerous historic easements, mining claims, ...

Why are Natural Areas in Fort Collins important to you?

I bird watch, do nature photography, hike, road and gravel bike,, cross country ski and used to rock climb (but those days are behind me). We had no family or business ties to Fort Collins but we moved here in 2022 BECAUSE of the natural areas. We intentionally picked a house two blocks from the Poudre River.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Natural Areas E-News email for Dec 24

VOLUNTEER APPLICATION

Jonathan Lok

1/10/2025 1:04 AM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Active Modes, Land Conservation and Stewardship
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
Current Occupation:	Professional Engineer (Chemical Engineer/ Materials Scientist)
Current Employer:	Fluor Corporation
Prior work experience (please include dates):	<p>FLUOR CORPORATION (2023 - Present) Senior Design Engineer / Engineer of Record - Remote</p> <p>EXXONMOBIL (Contracted by G.R. Stucker & Associates) (2021 - 2023) Senior Materials Engineer - Remote</p> <p>EXXONMOBIL RESEARCH AND ENGINEERING (2006 - 2018) Senior Materials Engineer - Spring, TX (2013-2018) Materials and Mechanical Engineering Supervisor - Antwerp, Belgium (2011-2013) Process and Materials Engineer - Fairfax, VA (2006 - 2011)</p>

MARATHON OIL CORPORATION /
KINDER MORGAN (2001 - 2004)
Facilities and Process Engineer - Midland,
TX

FORT COLLINS BIKE COOPERATIVE -
Fort Collins, CO 2023 -Present
Board Member / Mechanic (2023-Present)

BAYOU LAND CONSERVANCY - Houston,
TX 2016 - 2022
Chair, Board of Directors (2021-2022)
Board Member (2016-2023)

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

My background as a dedicated volunteer in land conservation has fueled my passion for preserving natural spaces and promoting sustainable stewardship practices. Over the years, I have had the privilege of working on various conservation projects that have not only protected vital ecosystems but also educated the community about the importance of environmental stewardship. These experiences have deepened my understanding of the challenges and opportunities in land conservation, and I am eager to bring this knowledge to the Land Conservation and Stewardship Community Advisory Board.

As a former board chair for a land trust, I enjoyed working with dedicated conservation professionals and community stakeholders to promote the conservation of land and enhance the connection between communities and nature. Furthermore, I am passionate about advocating for policies and practices that promote sustainable land use and conservation. As a board member, I would work to ensure that our natural areas are protected and managed in ways that balance ecological integrity with community needs.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I served on the board for a land trust for six years, two of which as the Board Chair.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

As a board member at Bayou Land Conservancy (Houston, TX), I worked on a number of conservation projects in one of the largest, fastest growing urban corridors in the country. I had the opportunity to work on a number of community projects, adult education programming, and served as a public-facing role for the organization.

I also chartered the development and launch of a volunteer committee focused DEI and access for all residents to natural spaces.

While on the board for Bayou Land Conservancy during the COVID-19 pandemic, I saw first-hand how protected, natural areas were essential to the wellbeing of residents. In addition to the data that showed record use of local trails we stewarded and maintained, it was the personal stories from the community that told of how those places were essential to their mental health and their families.

Why are Natural Areas in Fort Collins important to you?

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Community Advisory Board Open House

VOLUNTEER APPLICATION

Elena Lopez

1/7/2025 7:11 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Skills & Interests

Additional Skills / Interests: Some Nahuatl

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? As many hours as needed
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 5
- Current Occupation: Environmental Scientist-Data Scientist
- Current Employer: AECOM
- Prior work experience (please include dates): See an easier-to-read version here: <https://www.linkedin.com/in/elenamlopez/>

Scientist V-Environmental Data Scientist (Toxicology/Remediation)
Jan 2015 – Present
- Provide data management and ...

quantitative analysis of environmental chemical pollutants in groundwater, soil, sediment, and soil vapor for environmental investigations and remediation operations

- Conduct advanced statistical analysis of left-censored chemistry data using NADA R package
- Perform verification and validation of organic and inorganic analytical chemistry data against established criteria set by federal, state, and local environmental regulatory agencies
- Projects include Superfund remediation, NEPA/EIS, oil and gas, mining, U.S. DoD military operations, power transmission, and transportation for both private and public sectors
- Manage, access, and mine enterprise-level databases (e.g., EQUIS, ERPIMs, SQL Server)
- Provide data deliverables, technical reports, and report-writing support by generating appropriate graphs, charts, and tables

Member of Information Management Solutions Group

Software and Languages: Earthsoft EQUIS, MS Access, SQL Server, R, Python, MS Excel

Founder and Research Analyst
Twin Fish Enterprises, LLC

2014 – Present (7 yrs)

Information Science and Data Management Services
Specializing in regulatory policy, health & environmental science, and open data governance

- Meticulous researcher and analyst with strong computing, technology, and writing skills
- Scientist by training with a focus on environmental and public health data management and analysis, and IT project management
- Select Languages: R, Bash/Shell, SQL, Python
- Data Management and Analysis
- Query-building (SQL) and Database Management (Access and Excel)
- Integration of Open Source Technologies (Linux)
- Production of Graphs, Charts, and Tables for Reports

- Document Management and Version Control (Git, Hg)
- Technical and Scientific Report Writing
- HTML-based Presentation Creation
- Website Authoring and Management (HTML, CSS, WordPress)
- Training and Instructional Design Support
- Dependable self-starter with exceptional technical, analytical, and organizational skills
- Based in Fort Collins, Colorado. Remote/telecommute preferred.

Project Information Coordinator Specialist,
Nitrate in Groundwater Project, SBX2 1
University of California, Davis

Sep 2010 – May 2012 (1 yr 9 mos)

- SBX2 1, CA Nitrate in Groundwater Project, Report to Legislature for SWRCB, Principal Investigator Dr. Thomas Harter
Coordinated communications and information flow among principal investigators and researchers at UC Davis, the CA State and Regional Water Boards, the CA Dept of Public Health, and public stakeholders; performed a variety of project management tasks, including scientific writing, editing and formatting, meeting organization, software and hardware maintenance and troubleshooting, and data and information management.

- PISCES Project, Principal Investigator Dr. Joshua Viers (for United States Forest Service)
Supervised student web designer and student programmer in developing backend framework for project website using Drupal CMS

- Center for Watershed Sciences Social Media and Blog Management (beginning August 2011)
Managed content publication on social media sites, including Facebook, Twitter, and WordPress blog (CA WaterBlog)

Educational Consultant and Tutor
EML Tutoring and Educational Services

2008 – 2010 (2 yrs)

Provided tutoring and educational services in biological and physiological sciences to undergraduate students in Boulder/Denver area, and to remote students via Skype.

Online Faculty
Colorado State University Global

Mar 2009 – Jun 2009 (4 mos)

Served as instructor for online course geared toward working professionals entitled "Data and Decisions: Numbers in Everyday Life (Quantitative Reasoning)."

Doctoral-level Graduate Student/
Researcher, Environmental Endocrinology,
CU Boulder, 2002-2008
University of Colorado Boulder

1998 – 2008 (10 yrs)

Project: "Reproductive Disruption in Colorado Fishes", CU Boulder/EPA Region 8

Lab Work:

- Fish husbandry, in vitro tissue culture (testis, liver), immunohistochemistry, ELISA's, vertebrate histology

Field Work:

- Electroshocking and processing (i.e., blood collection and dissection) of White Suckers and Brown Trout from Boulder Creek to investigate reproductive disruption in response to estrogenic chemicals present in wastewater effluent discharge

Contributions to Ancillary Projects

Field Work:

- Assisted with collecting and processing Kokanee Salmon at the Roaring Judy and Glenwood Springs hatcheries for analysis of reproductive (i.e., spawning/non-spawning), neurobiological, and endocrine profiles
- Assisted with electroshocking and processing of Brown Trout in various Colorado streams for analysis of stress profiles in response to metal contamination (e.g., cadmium and zinc)
- Histology Technician, 2003
Project: "Reproductive Disruption in Colorado Fishes, Preliminary Survey", CU Boulder, CO Watershed Network

Graduate Student Instructor (M.A. and Ph.D.)
University of Colorado Boulder

1998 – 2007 (9 yrs)

Laboratory Courses Taught

- Human Anatomy (10 semesters)
- Human Physiology (3 semesters)
- Comparative Vertebrate Anatomy (1 semester)
- Evolutionary Biology (1 semester)
- General Biology (2 semesters)

Master's-level Graduate Student/
Researcher, Environmental Endocrinology
University of Colorado at Boulder

1998 – 2002 (4 yrs)

Project: "The actions of methoprene acid on a developing urodele, *Ambystoma mexicanum*"

Lab Work:
Axolotl husbandry (embryos, juveniles),
anatomical clearing and staining,
morphometrics, vertebrate histology

Environmental Engineering Technician
MD Environmental, Inc.

Jun 1997 – Jul 1998 (1 yr 2 mos)

Monitored and analyzed regulatory compliance of air and water pollution discharges from commercial entities in Southern California for compliance with state and federal regulations

Soccer Coach
Soccer Coaching and Private Training

1993 – 1997 (4 yrs)

Assistant Coach, Women's Varsity Soccer,
Mt. San Antonio College, 1993 to 1996
Assistant Coach, Girls' Varsity Soccer,
Bishop Amat High School, 1993
Goalkeeper Coach, Boys' Junior Varsity,
Chino High School, 1993
Private Goalkeeper Coach, 1993 to 1997

Assistant Manager/Cashier
Video World

1989 – 1993 (4 yrs)

During high school and early college, served as a Cashier, later promoted to Assistant Manager, at a local, independent video rental store in Chino, CA.

Volunteer experience (please include dates):

I am engaged in local issues, particularly those that advance environmental and social justice, ecological conservation, and science-based decision making. Currently, I serve as a Board member for the LCSB (2021 to present); I serve on the Sierra Club Poudre Canyon Group Executive Committee (2022-present); I serve on the Larimer Alliance for Health, Safety, and the Environment Executive Committee (2018 to present); and I previously served on the Board of the Physicians for Social Responsibility (2019-2023). I have been active in other local efforts such as collecting signatures for the Hughes Public Open Lands initiative, advising local citizens groups on the highly technical aspects of Oil & Gas operations, and assisting in the grassroots effort to get RCV voting passed for Fort Collins Council elections.

Have you applied for this board before? If yes, please explain.

Yes, I am currently serving my first term on this board.

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Yes, I am currently serving my first term on this board.

Why do you want to become a member of this particular board or commission?

I would be honored to continue to serve the Fort Collins community by applying my knowledge and experience as an Environmental Scientist to advise City Council and the Natural Areas staff in their role as the principal stewards of our City's Natural areas.

As an Environmental Scientist and voting resident of Fort Collins, I am passionate about the stewardship of our City's designated Natural Areas and public open lands. Moreover, I believe it is critically important to honor the intention and will of the voters whose foresight and legislative efforts have generated the funding for our beloved Natural Areas and open spaces. I would be honored to continue to serve on the Land Conservation and Stewardship Board, and to apply my knowledge and skills in Environmental Conservation and Ecological Physiology to address the current and impending challenges and

current and impending challenges and opportunities that our City Council and Natural Areas Department will face with the vast projected growth in Fort Collins and Larimer County.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
Yes, I am currently serving my first term on this board. Previous to my first term, I sat in on meetings of the LCSB as a community member.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

I am an ecological physiologist by training, and an environmental data scientist focusing on the intersection of environmental and vertebrate health. I earned a Ph.D. in Environmental Endocrine Disruption and a Master's degree in Environmental Biology from CU Boulder, and a Bachelor's degree in Environmental Studies from the University of Southern California.

My professional background is interdisciplinary and includes academic research and consulting in the areas of ecology, environmental endocrine disruption, toxicology, and human and wildlife physiology. I have researched the effects of persistent environmental contaminants in air, water and soil on development and reproduction in humans, wildlife, and other vertebrates, and broader ecosystems. My current role focuses on Data Science and Informatics for human health and ecological risk assessments in the environmental pollution remediation industry.

Why are Natural Areas in Fort Collins important to you?

The conservation of land and habitat for wildlife, including Natural Areas in Fort Collins and Northern Colorado, is an issue of primary importance to me as an indigenous Xicana. The conservation of land and wildlife habitat will continue to be critically important as rampant growth pressures increase in our region.

One of the most important issues facing the LCSB and Natural Areas Department relates to current and projected increases in Natural Areas visitation and recreational usage. To address this issue, I would like to see the LCSB continue to work closely with the Natural Areas Department staff to develop scientifically, culturally, and economically sound visitor management strategies, while first and foremost prioritizing the protection of ecosystems and wildlife communities that constitute the essential fabric of our Natural Areas system. When making vital decisions about visitor management and recreation, the LCSB should always do so through the

LCSB should always be seen through the lens of sensitive ecosystem and cultural resource conservation.

Importantly, despite the visitation and overuse issues faced by our Natural Areas, the 2019 Foothills Natural Areas Management Plan clearly states that our City's top priority for the Foothills Natural Areas is to "conserve, maintain, enhance, and restore native plant and wildlife communities". Simply stated, land and wildlife conservation are the transcendent priority for the Natural Areas Department and the LCSB, and the LCSB will likely continue to be faced with taking a strong stance in defense of this conservation priority when necessary, by making appropriate recommendations to City Council.

Yet another challenge facing the LCSB includes making recommendations on additional acquisitions of real property for the Natural Areas Department . The acquisition of NEW lands for Natural Areas will further conserve wildlife habitat and preserve western landscapes, and provide trail connectivity for recreational use and education, hopefully easing the burden of increased visitation and overuse of our current Natural Areas. New acquisitions should also be made to honor the will of the voters who have funded and supported open space tax initiatives time and again, and will be asked to do so again in the future.

Adelante.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Several sources: City staff, friends and colleagues, local news, website, social media

VOLUNTEER APPLICATION

Scott Mason

1/10/2025 8:57 AM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8 to 10 hours
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Retired
Current Employer:	Retired
Prior work experience (please include dates):	CACI - November 2009 to April 2022 Agilent Technologies - January 1998 to February 2009 Hewlett-Packard - November 1984 to January 1998
Volunteer experience (please include dates):	Catholic Charities Community Kitchen - 1987 to March 2020 Vindeket Foods - December 2024 to Present
Have you applied for this board before? If yes, please explain.	I am currently a board member of this board.
Are you currently serving on a City board or Commission? If so, which one?	Yes; I am currently a board member of the Land Conservation and Stewardship Board.

Scott Mason

Why do you want to become a member of this particular board or commission?

I am currently a board member of the Land Conservation and Stewardship Board.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
I am currently a board member of the Land Conservation and Stewardship Board.

Specify any activities which might create a serious conflict of interest if you are appointed:

No

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

I am currently a board member of the Land Conservation and Stewardship Board. I have been involved in all of the previous city and county Natural Areas and Open Space initiatives.

Why are Natural Areas in Fort Collins important to you?

I hike and bike through the Natural Areas on a regular basis. I have been involved in all of the previous city and county Natural Areas and Open Space initiatives.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
I am currently a board member of the Land Conservation and Stewardship Board.

VOLUNTEER APPLICATION

Luke Peterson

12/2/2024 4:08 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	1. Land Conservation and Stewardship 2. Natural Resources
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8-10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Demand Generation Marketing Manager
Current Employer:	NewtonX - B2B Market Research Company
Prior work experience (please include dates):	DemandOS - Feb. '23 - Feb. '24 Core Strengths Oct. '22 - Jan. '23 Brainlabs Oct. '21 - Sep. '22
Volunteer experience (please include dates):	N/A
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	While I am somewhat new to Fort Collins, my family and I plan to be here for a long time. A big reason why we want to stay and raise our kid(s) here is because of the access to the various natural areas. Growing up in small town central Illinois, I didn't have the opportunity to explore the

outdoors. Because of the natural areas, my daughter has limitless outdoor opportunities in her backyard. Pair this with a strong desire to contribute to my community after recent political events, I believe this board gives me an opportunity to advocate for and improve something I care deeply about.

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No

Specify any activities which might create a serious conflict of interest if you are appointed: N/A

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions. Outdoor recreation: Over the past year, I have used the natural areas for many different purposes. I have used them to train. To run and to bike. I have used them to create through photography. I have also used them to think as I have experienced job loss and job transitions. The natural areas have become a staple in creating memories in this past year and I know they will create many more in years to come.

Why are Natural Areas in Fort Collins important to you? Like from previous answers, I think the natural areas can be utilized by the communities in a variety of ways and be used in a way to grow and foster community. While something like downtown has so much to offer, the natural areas providing an equally wonderful contrasting experience. They allow everyone in the community to get all the benefits of the outdoors without having to spend the time to plan and travel to other locations.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. N/A

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. N/A

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

John Ramstead

1/8/2025 11:49 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Natural Resources Advisory Board, Land Conservation & Stewardship Board
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6-8
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Occupation:	Staff Scientist
Current Employer:	Worthington Miller Environmental
Prior work experience (please include dates):	Operations Sales Manager, Beyond Influence; May 2019 – May 2024 Field Technician, Habitat Management Inc.; May 2023 – August 2023
Volunteer experience (please include dates):	General Officer, Society for Ecological Restoration (SER) Student Organization; January 2023 – May 2024 Secretary, Fort Collins DSA; January 2025 – Present
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No; X
Why do you want to become a member of this particular board or commission?	I got both of my bachelors from CSU Warner College because I am passionate about the natural world and want to protect

it. This board seems like a great opportunity to help protect and preserve the natural areas of the city I love.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No;
X

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

Both of my degrees (Restoration Ecology, and Ecosystem Science and Sustainability) were focused on ecosystem restoration and environmental protection. I also worked as a field technician for an environmental restoration company last summer (2023) and currently work as a staff scientist at a company that restores former mine sites in collaboration with state agencies and the EPA.

Why are Natural Areas in Fort Collins important to you?

I think every acre of nature we can protect is a win for the health of the planet. I also think it is a valuable service the city provides to its citizens by giving them beautiful natural areas they can enjoy with their family and friends.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
City council meetings and city website

VOLUNTEER APPLICATION

Tom Shoemaker

1/9/2025 12:50 PM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 16

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4

Current Occupation: Retired from Poudre School District in 2011 where I taught 4th grade for 11 years. Prior to teaching, I worked in environmental planning and policy for 24 years. This included positions with environmental consulting firms, nonprofit organizations, and local government, including the City of Fort Collins.

Current Employer: Retired in 2011. I am an active volunteer with: Larimer County Open Lands Advisory Board (term limited as of June 2025), Rocky Mountain National Park Environmental Education Program, Spellbinders Oral Story Tellers, and my local Homeowner's Association.

Prior work experience (please include dates): 1977 —1988. Wildlife Ecologist and Project Manager for private consulting firms (AECOM and Dames and Moore) where I managed complex environmental assessments and endangered species

studies.

1989 — 1990. National Audubon Society
— Washington State Director

1990 — 2001. City of Fort Collins —
Natural Resources Director. Managed
multiple environmental policy and planning
programs including Air Quality, Recycling
and Waste Management, Environmental
Compliance, and Natural Areas. Project
Managr for initial development of Natural
Areas Policy Plan (1992) and
implementation of new program, now the
Natural Areas Department.

2001 — 2011. Classroom teacher at
McGraw Elementary School, Poudre
School District.

Volunteer experience (please include dates):

I have volunteered for various
organizations throughout my adult life,
ranging from environmental organizations
such as Fort Collins Audubon Society and
National Audubon Society, youth
organizations such as Youth Soccer and
Poudre School District, and advisory
groups such as Larimer County's Climate
Smart plan.

Currently my volunteer efforts are focused
on two organizations:

Larimer County Open Lands Advisory
Board. This board advises Larimer County
Natural Resources and the County
Commission on implementation of the
County's open lands programs — from
strategic planning, to land acquisition, to
management, future funding, and
educational programs. I served on the
board when it formed (1996 to 2001) as
the City's representative and am now
serving again, since 2019, until my term
expires in June 2025.

Rocky Mountain National Park —
Education and Outreach. Since 2011, I
have volunteered (approx 3 days per
month) with Education and Outreach
teams. I lead field trips for elementary
students, staff Junior Ranger
Headquarters, develop curriculum,
research natural resource and history
topics, and lead school programs.

Have you applied for this board before? If yes, please explain.

No, I was the staff liaison to the Natural
Resources Advisory Board when I worked
for the City from 1990 to 2001.

Are you currently serving on a City board or Commission? If so, which
one?

No;
As noted, I serve on the Larimer County
Open Lands Advisory Board. My term ends
in June 2025.

Why do you want to become a member of this particular board or commission?

I have a long history of involvement open land conservation and other environmental quality issues in northern Colorado. I have been fortunate to have been actively involved in natural area planning and protection efforts at a small scale with the McGraw Elementary outdoor classroom, a single- site scale with the first area in Fort Collins to be titled "natural area" (Gustav Swanson Natural Area), and a regional scale (City and County natural areas and open spaces). I am still passionate about protecting our environment and providing natural spaces for health and enjoyment. My interests, expertise, and experience match the goals of the board and the department, and I am enthusiastic about serving on the LCSB.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
As noted above, I helped establish the Natural Areas Program (now Department) between 1990 and 2001. I was staff liaison to the Natural Resources Advisory Board, which advised Council on natural areas issues before the LCSB was formed. I have friends who have served, or currently serve on the LCSB.

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

I have broad experience in all of these areas in that I have helped guide the development of comprehensive programs that integrate natural areas and environmental protection within the community. On the regional scale, I was the project manager for the planning and policy work that resulted in the 1992 Natural Areas Policy Plan for the City of Fort Collins. This plan, and initial implementation work through 2001, laid the foundation for the comprehensive, award-winning Natural Areas Department. I am eager to learn about, and contribute to its continued evolution.

I have also contributed to the planning and implementation of public natural area projects on much smaller scales. In the late 80s, I was co-leader of the public/private partnership to create the Gustav Swanson Nature Area on unused utility property along the Poudre River in downtown Fort Collins. In recent years, I also was also co-leader of the project to design and implement the McGraw Nature Center, an outdoor classroom at a local elementary school.

Why are Natural Areas in Fort Collins important to you?

Fort Collins Natural Areas are the natural fabric of our community. They are critical to the physical and mental health of our population. For me, they are part of my

daily life as I walk or bike in them daily. They are places I go to find peace, to look for birds, to watch families exploring, or to simply sit and listen. They are places where I've built community by joining with others to set lands aside for wildlife and plants, to plant trees, seed native grasses, and dig weeds to restore their health. And, I've been very proud to have helped shape the community's vision regarding natural areas. I'd like to continue to help, as I can, to assure that natural areas remain a vital part of our city and region in perpetuity.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Mike Sportiello

1/10/2025 11:10 AM

Application: **LCSB - Land Conservation and Stewardship Board**

Applicant Information

Birthday: [REDACTED] Gender: [REDACTED] Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Conservation & Stewardship Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Land Conservation & Stewardship Board meets: 2nd Wednesday of each month at 5:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	12-15
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Occupation:	Retired
Current Employer:	none
Prior work experience (please include dates):	Relevant Work Experience: Butterfly Researcher (Independent Contractor), Boulder County, CO (2006-08) • Surveyed butterfly populations and related flora; produced reports and paper on research Paleontology Researcher, Uinta Paleontological Associates (2005-08) • Recovered small vertebrate and plant fossils; assisted with preliminary field surveys Senior Professional Research Assistant, Dept. of Chem. Eng., Univ. of Colorado-Boulder (1991-2000) • Biotechnology

Biotechnology experiments on 17 NASA space missions, wrote successful grant proposal

Technical Writer, Dharmacon RNA Technologies; Healing Warriors Program (2004; 2017-18)

- Prepared organization documents and numerous grant proposals; lead writer on book chapter

Elections Clerk, Elections Judge, Boulder and Larimer Counties, CO; Humboldt County, CA (2000-01; 2018; 2002-03)

- Assisted public and office with elections preparations; data entry; assisted voters as judge

Relevant Volunteer Experience:

Bird Banding: Rocky Mountain Bird Observatory, CO; BLM, AZ (2001; 2010)

- Assisted with recovering birds from mist nets, and entering data in spreadsheet

Wildlife Rehabilitation: Greenwood Wildlife Rehabilitation Center (2000-01)

- Cared for small birds; transported injured animals to hospital; wrote grant proposal

State Legislative Liaison, Foothills Unitarian Church (2024-25)

- Followed environmental legislation, alerted church members to contact legislators

no

No

I am passionate about our natural world - its beauty and its importance for the health and well-being of all the planet's inhabitants. I spend quite a bit of time hiking, biking, and wildlife-watching in our city Natural Areas, and I'm pleased and proud to live in a city that values its Natural Areas so highly, and manages them well. I strongly believe in citizens playing an active and responsible role in their city and its government, and I would like to contribute my thoughts and voice to the continued stewardship of our Natural Areas. As a biologist with experience in a variety of areas involving environmental conservation, I feel that I can provide useful input into the management of the Natural Areas program.

Yes; I attended a Land Conservation and Stewardship Board meeting in April 2024; it was interesting to see how the advisory

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

board functioned at meetings, and I wanted to introduce an issue regarding one of our Natural Areas.

no activities that would create a serious conflict of interest

My background and interest in biology and the environment led to my involvement in research from 2006-2008 on butterfly populations and associated flora in public lands in Boulder County. The database our group compiled over the years contributed to a better understanding of the management needs of public natural areas in the county, including a newly purchased parcel. We were funded by small grants from the county and from the Boulder County Nature Association, and a paper on our work was published by CSU's C. P. Gillette entomology museum. Reports of our work are also posted online; one such report, chiefly authored by me, is included with this application as an attachment. My volunteer work with bird banding projects and a wildlife rehabilitation center also reflects my interest in environmental protection and conservation. The paleontology research with which I was involved for three years is another aspect of my experience helping to conserve an important feature of life on our planet. My work on environmental matters currently includes acting as liaison between the Climate Justice Ministry group at Foothills Unitarian Church here in town and local state legislators regarding environmental legislation from our Colorado General Assembly.

Experiencing the wonder and beauty of our planet is one of the main sources of joy and passion in my life, and I believe it's imperative that we preserve and protect natural areas for the benefit of wildlife and people. Our planet and its ecosystems are vastly complex and interrelated systems, and keeping them vibrant is essential for us all, providing places for the non-human inhabitants to thrive, and where people can recreate, relax, and learn to understand and respect the natural world. As I mentioned above, I spend quite a bit of time in our city's Natural Areas, hiking, biking, and wildlife-watching. Having lived in several different areas of the country, I've been impressed with how our Natural Areas are managed since I moved to Fort Collins in 2011, and I would be honored to have input into that management as a board member moving forward.

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your experience in one of the following areas – land conservation, ecosystem restoration, environmental protection, outdoor recreation, or real property transactions.

Why are Natural Areas in Fort Collins important to you?

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. no

Have you ever been found in violation of the code of conduct or ethics no

Mike Sportiello

[REDACTED]
rule? If yes, please explain.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
a friend notified me of the upcoming
application deadline, and I learned online
of the vacancies coming up for this board

VOLUNTEER APPLICATION

Michael Trotter

1/8/2025 7:19 AM

Application: **LURC - Land Use Review Commission**

Applicant Information

Birthdate: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Use Review Commission

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Economic Advisory Board, Land Use Review Commission, Land Conservation & Stewardship Board
- I acknowledge I am available when the Land Use Review Commission meets: 2nd Thursday of the month at 8:30 a.m YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 5-10
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1
- Current Occupation: Retired
- Current Employer: Food Bank of Larimer County
- Prior work experience (please include dates): Please see resume
- Volunteer experience (please include dates): Food Bank of Larimer County, August 2023 - current
Immigration and Refugee Center - January 2023 - May 2023
- Have you applied for this commission before? If yes, please explain. No
- Are you currently serving on a City board or Commission? If so, which one? No
- Why do you want to become a member of this particular board or commission? I am interested in how Land Use processes work and the vision of the City in these matters. It is very important to plan out land use pragmatically and sensibly, and I'm interested in being a part of the process.

Have you had any exposure to the board or commission you are applying for? If yes, please explain: No

Do you have any experience in development review or applying code to a construction project? No

Have you ever helped mitigate a solution to a complex problem? Please explain. I was a VP-level executive for a medical device company for over 12 years, a job for which solving complex problems was a regular responsibility, whether it was resolving employee conflicts, customer conflicts, product development requirements and needs, internal departmental struggles, etc.

Specify any activities which might create a serious conflict of interest if you are appointed: None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Ryan Lewandowski

1/7/2025 1:22 PM

Application: **LURC - Land Use Review Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Use Review Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Land Use Review Commission, Planning and Zoning.

I acknowledge I am available when the Land Use Review Commission meets: 2nd Thursday of the month at 8:30 a.m YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 20 hours. Whatever is necessary, really. I'm retired, so I have time and schedule flexibility

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: I retired in 2021. I was a chip design engineer at Broadcom previously.

Current Employer: None. Formerly Broadcom.

Prior work experience (please include dates): I have a degree in computer engineering and I spent my career working on the HP campus at Harmony and Ziegler. Between 2001-2021 I worked at Agilent, HP, Avago, and Broadcom.

Volunteer experience (please include dates): I am currently the vice president of the local homebrewers club (The Liquid Poets), and I have been volunteering occasionally at climbing nights with Adaptive Adventures since around 2018.

Have you applied for this commission before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission?

My first exposure to the city's commission was last year when I went through a historic review. I learned some interesting things by sitting in on those meetings, so I started to pay attention to what other commissions were doing in town and started to attend some of those meetings. I'm embarrassed to say I was pretty unaware of these city processes prior to that.

Since then, I've attended some of the zoning reviews (one because I needed to for my house, and others "recreationally"). I think the commission does such a thoughtful job (both within the hearing and researching prior to it) to consider the full scope of the requests in front of them and it made me think that serving on the land use review commission would be an interesting and fun way to be engaged with the city and contribute my time.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; I have attended some of the hearings, and I have also requested for a variance last year.

Do you have any experience in development review or applying code to a construction project?

Not yet, but I will very soon. (We are finishing the design of our new house.)

Have you ever helped mitigate a solution to a complex problem? Please explain.

I recently sailed across the Pacific Ocean. It's a long trip and there a lot of opportunities to solve problems and mitigate their associated risks. For example, partway through our journey we broke some of the hardware that held our headsail in place at the bow. This was a very useful sail to have on our journey, and if we were no longer able to use it we would have extended an already long journey putting us at the increased risks that come along with spending more time at sea.

Our solution was to jerry-rig a new attachment with some spare hardware on board and lash it in place with some high strength Dyneema line. That would allow us to continue using the sail in most conditions, but it came with additional breakage risk due to the non-ideal setup and additional stress to other parts of the boat. To mitigate the effects of our solution, we took extra time daily to examine the hardware and lines to look for evidence of chafing or other failure signs. We also decided not to use that sail at night, when it would be more difficult and dangerous to remedy any unanticipated failures.

Specify any activities which might create a serious conflict of interest if you are appointed:

Since I am going to be building a house, there could be potential conflicts and I'd have to recuse myself if we needed to bring anything to the commission. (I don't know if it makes any difference, but I will be moving from District 1 to District 6 when

our house is complete.)

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Attending city functions, and reading city newsletters

VOLUNTEER APPLICATION

Rocky Gupta

1/9/2025 12:07 PM

Application: **LURC - Land Use Review Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Use Review Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Land Use Review Commission meets: 2nd Thursday of the month at 8:30 a.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 15

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: Director of Design & Construction

Current Employer: Cheba Hut Toasted Subs

Prior work experience (please include dates): Please see attached resume. Experience includes Preconstruction Manager at Brinkman Construction and Construction Project Manager with Various employers

Volunteer experience (please include dates): Habitat For Humanity - various dates
Vindeket Market - 2024 - current
Volunteer Youth Athletics Coach - various dates

Have you applied for this commission before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? We moved to Fort Collins from Chicago in 2021 and have seen growth and changes already in our short time here. I am very interested in land planning/use and love

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

how this City has prioritized open spaces and parks. I think that my experience in the construction and development industry will bring a lot of value to the board.

Do you have any experience in development review or applying code to a construction project?

No; While I have not worked with the Fort Collins board, I do have experience with other land and planning boards.

Have you ever helped mitigate a solution to a complex problem? Please explain.

Yes, it is not atypical for my work to include code and development review when planning projects. We deal with a lot of minor amendment requests and other variances.

Lots of them over my career. When I started at Cheba Hut, we were under construction on a shop in Arizona, about halfway through the project. Unbeknownst to me, and everyone else in the company, the general contractor was funneling payments away from the project and was not paying subcontractors. Being my first remotely managed project added to the complexity of the issue. I started with amending my travel schedule to be on site weekly in order to better assess the situation and be able to control the message being delivered to the other partners, as the GC was not willing to be honest. We made a decision to see the project through completion with the GC (while engaging with a construction claims attorney) while supplementing their subcontractors with our own that we paid directly. We got through it by communicating clearly and honestly with all parties involved.

Specify any activities which might create a serious conflict of interest if you are appointed:

It is possible, though unlikely, that my work with Cheba Hut will require a Land Use review.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Gary Floyd

12/20/2024 11:42 AM

Application: **LURC - Land Use Review Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Use Review Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Active Modes, Land Use Code

I acknowledge I am available when the Land Use Review Commission meets: 2nd Thursday of the month at 8:30 a.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 6+

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Senior Project Manager (Civil Engineer)

Current Employer: Lamp Rynearson

Prior work experience (please include dates): Larimer County Engineering Intern Summer 2012 & 2013
Civil Design Engineer - Quality Engineering - 3/2014-2/2017
Civil Engineering Technician - Coffey Engineering - 2/2017-8/2017

Volunteer experience (please include dates): Land Use Code Task Force - 2022-2023
Development Review Advisory Group - City of Fort Collins - 2024 Ongoing
Habitat for Humanity Build Days (A number of times over the past decade)
Mustaches for Houses - Habitat for Humanity Fund Raiser - May 2024
Neighbor to Neighbor Bike Drive and Mural - May 2024

Have you applied for this commission before? If yes, please explain. Yes, I applied last year and am still very interested in giving back to my community!

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

Having the opportunity to view city land use policy through my time as a consulting engineer for the City of Greeley Development Review team allowed me to see just how impactful the Land Use Code can be. It truly is the foundation that any city is built upon. Additionally, I was able to volunteer my time to help guide the current city of Fort Collins Land Use revisions through the Fort Collins Chamber Land Use Code Change Task Force. We were tasked with making suggestions to city staff on what works and what doesn't with affordable housing in mind. I'd very much like to be able to apply my unique experiences on a higher level by making a direct impact to my community.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Do you have any experience in development review or applying code to a construction project?

I do, on a daily basis as a civil engineering project manager. To successfully navigate the entitlement process, I need to have a strong understanding of any municipal code I perform work in. I also have had the experience of being a consulting development review engineer for the City of Greeley for a couple years. I was able to perform reviews during one of the busiest periods in the history of Greeley Development review. This provided me invaluable experience that I have been able to apply on many development projects throughout my career.

Have you ever helped mitigate a solution to a complex problem? Please explain.

As a civil engineer navigating the development world on a daily basis, I am constantly creating solutions to complex problems. One of the more recent ones involved working closely with the City of Greeley to collaboratively come up with a solution to provide utility services to 40' wide lots. The land use code had recently been updated to allow narrow frontage lots and narrow ROW but the city's utility code had not followed in these progressive footsteps. This created a scenario where the Land Use Code and the Engineering codes were at odds. We had a number of meetings and came up with multiple solutions until the city agreed to allow closer spaced utilities. It took a truly collaborative approach to achieve this, but in understanding the code through and through and understanding where development is heading, we were able to achieve success.

Specify any activities which might create a serious conflict of interest if you are appointed:

There is a small potential that one of my projects could need a variance from the Land Use Code, but to this point in my

career that has yet to occur.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No.

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); Leadership Fort Collins & City's monthly newsletter.

VOLUNTEER APPLICATION

Lauren Davis

1/7/2025 2:26 PM

Application: **LURC - Land Use Review Commission**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Land Use Review Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. 1. Land Use Review Commission 2. Planning and Zoning Commission 3. Parks and Recreation Board

I acknowledge I am available when the Land Use Review Commission meets: 2nd Thursday of the month at 8:30 a.m YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 10-15

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Student

Current Employer: Colorado State University

Prior work experience (please include dates): Food Service Employee: April 2023-Present
City of Fort Collins Specialized Youth Instructor: May 2023-Present
Colorado State University Employee: September 2023-Present

Volunteer experience (please include dates): Associated Students of Colorado State University: August 2023-Present
Colorado State University Housing Caucus Chair: May 2024-Present
Colorado State University Student Fee Review Board: September 2023-May 2024

Have you applied for this commission before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission?

Throughout my time at CSU I have been working with different community members on affordable housing projects, and it has become an area of passion for me. I would like to make more of an impact on the community when it comes to housing, and the Land Use Code is a great place to start. I think I bring a unique perspective because of my role as a student, so I can provide the voice that is necessary for that demographic. I am also interested in making specific decisions and deliberating with other members of the board, so a quasi-judicial board such as the Land Use Review Commission is more fitting.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes; I have had some exposure as I have looked at the Land Use Code for Fort Collins before. I do not have a super in-depth knowledge of all the rules and regulations yet, but I am aware of the types of homes that can be built and what the code allows.

Do you have any experience in development review or applying code to a construction project?

No

Have you ever helped mitigate a solution to a complex problem? Please explain.

I have helped mitigate solutions with my work in the Associated Students of Colorado State University. As a member of a complex student government I have seen many conflicts arise that need to be navigated. As a representative of a specific set of students, I have had to advocate for them while also keeping the interests of other students in mind. Because of this, I have been able to compromise with other representatives so we can all ensure that the interests of our constituents are being met. Typically, when I must navigate these complex problems, I try to sit down with everyone involved and get all sides of the story. This helps lay everything out on the table so we can come from a place of mutual understanding. From there, I propose a number of solutions that focus on the most pressing details, so we can work together to pick the best one. This helps ensure that the most important needs of each group are being met, so that we can all have the best possible outcome.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify); Information meeting hosted by City of Fort Collins

VOLUNTEER APPLICATION

Rebekah Stein

12/27/2024 10:31 AM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Transportation, Active Modes, Natural Resources
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	CPAESS Program Specialist II
Current Employer:	University Corporation for Atmospheric Research
Prior work experience (please include dates):	January 2023-May 2024 Assistant Professor, Chemistry & Physical Sciences, Quinnipiac University 2021-2022 Postdoctoral Scholar, Earth & Planetary Sciences, University of California, Berkeley 2016-2020 Graduate Student Researcher and Instructor, Earth & Environmental Sciences, University of Michigan 2015-2016 High School Science Teacher, Beth Chana Academy

2014-2015
Laboratory Manager, Science & Technology, Bryant University

Volunteer experience (please include dates):

Animal Friends Alliance Dog Walker (July 2024-Present)
Voices for Science Policy Member (May 2024-Present)
Hamden Mobile Food Pantry Volunteer (January 2023-June 2024)
The Big Event Volunteer Clean Up (April 2023, April 2024)

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

Energy and climate action are imperative during our dynamic climate and increased frequency of extreme weather events and hazards. This is an area I am extremely passionate about and have focused my career on (environmental and climate sciences, geological sciences) and is an area I feel particularly excited to work on. I am also interested in multi-modal transportation and the organization and efficiency of cars, bikes, pedestrians, and more.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

I have a PhD in environmental geochemistry, which has given me the scientific expertise to serve on the Natural Resources Advisory Board as I have a very interdisciplinary perspective on Natural Resources. I likewise was a professor in Environmental Sciences, which helped me to gain the ability to articulate and communicate about environmental issues, a further asset for a board such as the NRAB.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't have a conflict of interest, per say, but I do work in conjunction with the federal government and will need to be thoughtful about the ways I engage with the federal government if that comes up in a role of the City of Fort Collins (still can, but need to emphasize as a citizen).

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Cassidy White

1/4/2025 8:16 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	NA
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Associate
Current Employer:	WestWater Research, LLC
Prior work experience (please include dates):	Water Foundry (Consultant); August 2018-October 2021 Graduate School; August 2020-May 2022
Volunteer experience (please include dates):	Annual Poudre River Cleanup with Coalition for the Poudre River Watershed and Odell's; April 2023 and April 2024 Rocky Mountain Flycasters stream data retrieval; August 2024 and October 2024 Student Council, Duke University, January 2021-December 2021
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?	I am most passionate about ensuring the City of Fort Collins' water resources are

clean, managed sustainably, and accessible for public recreation. My background is in water resources management and I currently work in water resources consulting. I think that protecting the City's water resources is imperative not only to protect the City's drinking water supply but also to protect the environment and a public good. Clean water resources are critical for public health both from a drinking water perspective and from a recreation perspective. Access to water resources is a huge part of what makes Fort Collins a desirable place to live. It gives the City's residents a sense of place and countless opportunities for recreating, as well as ensures a healthy environment.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

A professional experience that has most prepared me to serve on the Natural Resources Advisory Board was speaking to the Water Resources and Agricultural Review Committee (a joint committee of the Colorado State Senate and House) at Water Congress in August 2024. I was asked to share a presentation on the value of water to the Committee which gave me experience sharing my expertise with public officials in a clear, concise, and beneficial way.

Specify any activities which might create a serious conflict of interest if you are appointed:

Not applicable

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
LinkedIn post by Kelen Dowdy

VOLUNTEER APPLICATION

Alexandria Widdowson

12/18/2024 11:18 AM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Some College
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Natural Resource Analyst/Project Manager
Current Employer:	State of Wyoming Department of Environmental Quality - Solid and Hazardous Waste Division
Prior work experience (please include dates):	Natural Resource Analyst/Project Manager, DEQ. September 2023-Present Biological Science Technician, USDA Agricultural Research Service. May 2023-September 2023. Geology/Paleontology Intern, Denver Museum of Nature and Science. June-July 2022, January-June 2023. Precalculus Tutor, CSU. August 2021-December 2022.
Volunteer experience (please include dates):	Roller Derby Game Production, Foco Roller Derby, August 2024-Present Rangeland Raptor Research, CSU/EDM, January-October 2023. Butterfly House Education, Gardens on

Spring Creek, January 2022-May 2023.
CSU Biology Collections, CSU, January-
March 2023.

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

I'm most impassioned to work on Nature in the City, the 15-Minute City Concept, and Equity/EJ. While most natural resources issues are inherently linked, I believe that these ones require the most coordination and planning. Any time development, reuse, or redevelopment occurs, there are decisions that need to be made about the use of that space, especially on property owned by the. There is a judgement call on if nature is to be integrated, if local needs can be fulfilled, and if environmental health risk can be reduced. All of this can be done with thoughtful decision-making, community input, and data. I care the most about these issues because I currently work with communities that are in underserved areas, and the effects that it has on the people and the environment is tangible. I would love to work with the City of Fort Collins as the amount of resources dedicated to these tasks would enable me to assist in efforts for improving the lives of people and the environment within my community.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

I have professional experience working with brownfields throughout the state of Wyoming, with over 100 projects in our Brownfields Assistance Program. The most important part is communication in order to provide communities the assistance that would best serve their needs. This ranges from area-wide planning, site visioning, feasibility studies, economic development reports, Phase I and Phase II ESAs, ABCAs, and site remediation. I have also learned a fair bit about policy, funding sources, and funding strategies (grants, 6th penny taxation, housing authorities, land trusts). In addition to these duties, I manage contracts for the brownfields work that is to be done, which includes reviewing reports and environmental data.

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Alexandria Widdowson

12/18/2024 11:00 AM

Item 24.



Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Website

VOLUNTEER APPLICATION

Leslie Coleman

1/10/2025 2:31 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Doctoral degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	12
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Attorney
Current Employer:	U.S. Environmental Protection Agency Region 8
Prior work experience (please include dates):	Please see attached resume.
Volunteer experience (please include dates):	Please see attached resume.
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?	I am passionate about helping the City of Fort Collins advance its Our Climate Future plan. My career as an environmental attorney has focused on federal environmental law and policy, and I am eager to expand my impact and deepen my connection to the Fort Collins community by applying my knowledge and skills to local sustainability initiatives. Now

more than ever, municipalities play a critical role in achieving climate resilience, mitigation, and equity. I am motivated by the breadth and ambition of the Our Climate Future plan and hope to contribute to its success by serving on the Natural Resources Advisory Board.

Since making Fort Collins my home in 2023, I have worked to improve sustainability and climate resilience in my own life. I have completed insulation and window replacement projects, swapped my gas furnace for a heat pump, and replaced my front yard with native, low-water plants. The City has supported me in each of these efforts by imparting knowledge through home energy audits and classes on waterwise landscaping, providing financial support through Efficiency Works rebates, and upgrading my electrical service line to further my home electrification goals. I hope to pay it forward by assisting the City in its efforts to help all residents live more sustainably through the Our Climate Future plan.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

My professional experience as a government attorney has equipped me with the skills necessary to advise the City Council on sustainability and natural resources issues. In my role, I develop options and make recommendations to resolve complex legal and policy challenges. To do so, I often consult scientific and technical analyses and consider input from diverse stakeholders with competing interests. I am adept at navigating conflict, marshalling evidence, and building support among constituencies to help decision-makers reach sound and effective resolutions to difficult problems.

Specify any activities which might create a serious conflict of interest if you are appointed:

I am not aware of any activities that would create a serious conflict of interest.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Environmental Services Department
newsletter

VOLUNTEER APPLICATION

Sharel Erickson

1/9/2025 10:21 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Air Quality and Energy Board

I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 15-20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Store Manager

Current Employer: Downtown Ace Hardware

Prior work experience (please include dates):
Downtown Ace Hardware- 9/2023- Present
Jax Farm & Ranch- 1/2023-9/2023
The Cupboard- 7/2022-1/2023
Sustainability Partners- 10/2020-6/2022
Speedway Harley Davidson- 8/2018-10/2020
The Container Store- 6/2008-8/2018

Volunteer experience (please include dates):
Sustain Charlotte- 2016-2022
Tree's Charlotte- 2014-2022
Catawba River Keepers- 2017-2022

Have you applied for this board before? If yes, please explain. Yes, I applied for this board last year but was not selected.

Are you currently serving on a City board or Commission? If so, which one? No

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

I am particularly passionate about addressing the growing issue of waste management and promoting a circular economy in Fort Collins. With the increase in population and consumer goods, the amount of waste being produced is a major concern. I believe that by shifting toward a model that prioritizes waste reduction, reusing materials, and recycling, we can drastically reduce the environmental impact of our city. I'd love to help Fort Collins move toward zero waste by advocating for stronger recycling programs, reducing single-use plastics, and encouraging businesses to adopt sustainable practices. This shift not only benefits the environment but also strengthens the local economy by creating jobs in green industries.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

Earning an MBA in Sustainable Leadership has given me the theoretical and strategic framework to approach environmental challenges from a systemic, solution-oriented perspective. The program emphasized integrating sustainability practices into organizational decision-making and understanding the broader socio-economic and environmental factors that affect natural resource management. The leadership and project management skills I gained throughout my MBA program are directly transferable to the role of a board member, where I'll need to work collaboratively with stakeholders, provide guidance on policy development, and help drive sustainable initiatives for the city.

Specify any activities which might create a serious conflict of interest if you are appointed:

I have no conflicts of interest.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Brannon Hughes

12/3/2024 2:28 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. NRAB, LCSB, EAB

I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 5

Current Occupation: Labor and Employment Specialist but I am transitioning to Auditor I (Sept 2022-present, Auditor I is projected to start Jan 13 2025)

Current Employer: Colorado Department of Labor and Employment, Unemployment Insurance Division

Prior work experience (please include dates): Program and Outreach Assistant, Colorado Water Center, CSU (June 2021- Sept 2022)
Health Coverage Specialist, Larimer Health Connect (October-January 2020-2021 & 2021-2022)
Dean's Office Assistant - CSU's College of Liberal Arts (2018-2020)
Instructor and Desk Attendant - Karate West (2016-2020)

Volunteer experience (please include dates): Formal: Larimer County Board of Adjustment-Alternate (August 2024-2027)

Informally I have worked on and off with Lincoln Middle school, Canyon Concert Ballet, and various other arts organizations on and off since 2014

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

Water resources. Partially because this is a critical issue facing not just our community but also because I have the most personal & professional experience with this issue. I also think that since Ft Collins has such an interesting role in the development of Western water law and policy, it behooves us to set a good example. i chose this board over the Water Commission because I prefer the more interdisciplinary and comprehensive approach to natural resource issues.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

Helping design and implement the Water Literate Leaders of Northern Colorado program as well as working with the Poudre Runs Through It Study/Action work group taught me a lot of the technical questions surrounding water (and other natural resource) management.

Specify any activities which might create a serious conflict of interest if you are appointed:

Possibly the Larimer County Board of adjustment, I am not sure but I wanted to have this on here just to make absolutely sure there are no ethics issues since the Board does occasionally deal with setback variance requests in the Ft Collins GMA.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Ellis Lusi

1/9/2025 4:28 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Other Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Women and Gender Equity; Natural Resources; Energy Board

I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 8-10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Patent Examiner

Current Employer: US Patent and Trademark Office

Prior work experience (please include dates):
Patent Examiner, USPTO, May 2023-Present
Research Technologist, UMass Medical School, March 2021-Feb 2023
Freelance Research Analyst and Strategist, Wonder, Dec 2019-Aug 2020
Conservation Corps/Trail Crew Member: RMYC, Summer 2016 and 2017; CFI, Summer 2018; City of Boulder OSMP, Summer 2019
MountainWatch Associate, Steamboat SnowSports School, Winter 2018-2019
Ski Instructor, Steamboat SnowSports School, Winter 2017-2018
Geochemistry Research Assistant, Brown University, Summer 2015
Supervisor, Brown University Dining Services, 2014-2017

Volunteer experience (please include dates):

DSA Fort Collins, Nov 2024-Present
Animal Friends Alliance, Cat Care,
September 2023-December 2023
Brown Engineering After School Team,
2015-2017

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

Water resources and conservation. Water is critical for supporting all life, and climate change and management of water resources has a huge impact on the sustainability of life in our community. I am interested in working on programs and policies that help secure access to clean water and livable environmental conditions for all community members.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

I spent four seasons working on trail crews building sustainable hiking trails all around Colorado. As a trail crew member I got to live and work in the backcountry and help build trails which provided the public with sustainable and accessible ways to recreate in the outdoors. This job fostered my longstanding passion for conservation and sustainability, and my ability to live and work with a team in a variety of challenging circumstances.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Dawson Metcalf

12/9/2024 10:53 AM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	8
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Director of Enterprise and Manager for Conservation Leadership Department of Human Dimensions of Natural Resources
Current Employer:	Colorado State University
Prior work experience (please include dates):	Director of Enterprise / Manager for Conservation Leadership, Department of Human Dimensions of Natural Resources October 2018-Present
Volunteer experience (please include dates):	Chair, Natural Resources Advisory Board, City of Fort Collins January 2021-Present Working Group, Diversity Joint Venture for Conservation Careers, US Fish & Wildlife Service August 2021-Present Volunteer Ranger Assistant, Department of

Natural Areas, FoCo
Feb 2019-Present

President, Board of Directors, Friends of
Lory State Park
Jan 2021-June 2024

Have you applied for this board before? If yes, please explain.

Yes, and I am currently serving on my 1st term.

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Natural Resources Advisory Board

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

Our Climate Future initiatives. I believe we need to take a holistic approach to developing solutions for our community, and I see the work under OCF as an approach for us to collectively strive for those solutions and make measurable impact.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

I have served on the Natural Resources Advisory Board since 2021. I have served as chair for NRAB since 2022.

Specify any activities which might create a serious conflict of interest if you are appointed:

Not applicable.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Currently serve on the board, and my first term is coming to an end.

VOLUNTEER APPLICATION

Natalie Montecino

1/10/2025 3:37 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Skills & Interests

Additional Skills / Interests: Japanese

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Natural Resources Advisory Board, Energy Board
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	15 hours
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Occupation:	Executive Director of a 501(c)(3)
Current Employer:	Climate Democracy Initiative
Prior work experience (please include dates):	Instructor, Stanford University (July 2024 - Present) Deputy Executive Director, Climate Democracy Initiative (March 2024 - December 2024) Programs Director, Climate Democracy Initiative (November 2023 - March 2024) Project Impact & Storytelling Assistant, Environmental Protection Agency

(September 2022 - November 2023)
Japan Research Fellow, Fulbright Program
(September 2022 - July 2023)
Please see attached resume for more details

Volunteer experience (please include dates):

Denver Hub Curator, Global Shapers & World Economic Forum: Responsible for organizing volunteer activities and community engagement in Denver with a cohort of young leaders (18-30 years old). Longevity Economy Taskforce Member, World Economic Forum: Providing recommendations to the World Economic Forum on research and programmatic priorities to support a global economy where people have what they need to live healthy and financially resilient, longer lives.

Have you applied for this board before? If yes, please explain.

N/A

Are you currently serving on a City board or Commission? If so, which one?

No;
N/A

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?

The Fort Collins natural resource issue I am most impassioned to work on is energy and climate action. With climate change posing an existential threat to communities worldwide, threatening livelihoods with extreme weather, natural disasters, and resource scarcity, Fort Collins has an incredible opportunity to lead by example in implementing innovative, sustainable solutions. I am particularly inspired by the city's Climate Action Plan and its ambitious goals for reducing greenhouse gas emissions through community engagement.

My interest in climate/energy is deeply connected to my professional work as the Executive Director of the Climate Democracy Initiative. It is only by understanding the priorities, values, and needs of our community that we can create equitable solutions to these issues. I am dedicated to bringing my commitment to deep community engagement and collaborative learning to my home city to address critical natural resource issues in my own backyard. I would be honored to work alongside the board to advance these priorities for the benefit of current and future residents of Fort Collins.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

As part of my work with the Climate Democracy Initiative, I have designed participatory governance models to facilitate community leaning and engagement for counties in Colorado, Georgia, and Arizona. Focusing on a narrow environmental issue, whether it is the siting of a renewable energy project or managing industrial waste/sanitation, solutions always start with community buy

in and priority setting. My experience and knowledge of engagement processes and participatory models in my current role and previous experiences will help me serve effectively on the Natural Resources Advisory Board for the betterment of the City of Fort Collins' environmental stewardship.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A -- My organization does not operate any programs in Fort Collins or Larimer County.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

N/A

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

N/A

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Virtual newsletter

VOLUNTEER APPLICATION

Xavier Pereira

1/9/2025 7:05 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 8

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Mechanical Engineer

Current Employer: Dalkia

Prior work experience (please include dates): None relevant; More than 10 years ago.

Volunteer experience (please include dates): Green Energy Consumers Alliance: 2020-Present
4Ocean: 2018-2018

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why? I believe they are all interconnected at some level, but reducing our carbon footprint is one I'm very passionate about. Getting more renewables online, improving power transmission, decarbonization are all in my wheelhouse with respect to my career. And I believe zero waste is an energy issue. For example, nationally we



waste at least 1/3 of the food we produce and with it goes all the energy it took to produce that food. We lose more volume of topsoil per year than every crop we export combined. Replenishing soil year after year takes energy and adopting regen ag practices reduces energy wasted. Etc. I'd like to bring a more holistic approach to thinking about these issues and focus on those interconnections.

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

I'm from New England, and my parents are actually very conservative and don't believe in climate change. Growing up in New England we lived in a bubble from a climate change perspective- we didn't have to worry much about any natural disasters like fires, hurricanes, flooding, drought, etc. To my parents it all seemed abstract, far away, and very easy to dismiss as a hyper-sensationalist topic focused around fear-mongering. My educational background in engineering has been focused all around climate change and growing up in that household where it wasn't taken as a serious issue really enforced the idea of starting local to me. Focusing on change right in people's backyard allows them to be more invested, to see the change that is possible, and empower them to get involved. So getting involved in NRAB and being community-oriented around climate change is what excites me the most.

Specify any activities which might create a serious conflict of interest if you are appointed:

I have founded a business in town focused around taking local waste streams (ie working on a farmers property and taking their manure, spent mushroom blocks, leaves), and converting them into compost and other living soil solutions.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

John Ramstead

1/8/2025 11:41 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Natural Resources Advisory Board, Land Conservation & Stewardship Board
- I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 6-8
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2
- Current Occupation: Staff Scientist
- Current Employer: Worthington Miller Environmental
- Prior work experience (please include dates): Operations Sales Manager, Beyond Influence; May 2019 – May 2024
Field Technician, Habitat Management Inc.; May 2023 – August 2023
- Volunteer experience (please include dates): General Officer, Society for Ecological Restoration (SER) Student Organization; January 2023 – May 2024
Secretary, Fort Collins DSA; January 2025 – Present
- Have you applied for this board before? If yes, please explain. No
- Are you currently serving on a City board or Commission? If so, which one? No;
X
- Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why? I think now more than ever we need to focus on making Fort Collins a green and renewable energy focused city for the



Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

health of our citizens and to fight climate change.

As my Ecosystem Science and Sustainability capstone at CSU, I was part of a team that led a biodiversity study of the Environmental Learning Center for the Colorado Natural Heritage Project. After completing the survey, we provided recommendations on future management of the site.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
City Council Meeting and the city website

VOLUNTEER APPLICATION

Julian Scott

12/27/2024 6:13 PM

Application: **NRAB - Natural Resources Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Natural Resources Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Natural Resources Advisory Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6-8 hours
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Hydrologist
Current Employer:	US Bureau of Land Management
Prior work experience (please include dates):	(see attached resume) BLM - 2021 to present US Forest Service - 2012 - 2021 US Geological Survey - 2009 - 2012
Volunteer experience (please include dates):	none
Have you applied for this board before? If yes, please explain.	no
Are you currently serving on a City board or Commission? If so, which one?	No
Which natural resource issue facing the City of Fort Collins community are you most impassioned to work on, and why?	I would like to work on water resources issues, as that is my educational and professional background. Also climate change adaptation, since this is my current professional focus. Also the intersection of geographical information systems with natural resources (GIS; cartography,

surveys, etc)

Please describe a personal, professional, or community experience that has most prepared you to serve on the Natural Resources Advisory Board.

While I have worked in natural resources at a national scale for various federal agencies, I have also spent time as the Forest Hydrologist for the local Arapaho and Roosevelt National Forest and Pawnee National Grassland. This time on the ARP National Forest/Grassland exposed me to numerous natural resource issues that I would like to see from the City's perspective. This includes wildfire and flood response and impacts, which, as a resident, I'm especially concerned with.

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Friend.

VOLUNTEER APPLICATION

Meghan Willis

1/6/2025 7:46 PM

Application: **PRB - Parks and Recreation Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Parks & Recreation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. n/a

I acknowledge I am available when the Parks & Recreation Board meets: 4th Wednesday of each month January - October at 5:30 p.m. and 1st Wednesday of December YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Healthy Hearts and Minds Supervisor

Current Employer: UCHealth

Prior work experience (please include dates): UCHealth Cardiac Rehab, Healthy Hearts and Minds August 2001-Present (see attachment for details)
Genesis, Group Exercise Instructor 2002 - Present

Volunteer experience (please include dates):

- Poudre School District Volunteer, 2011-present
- Huntington Hills Swim Team Volunteer, 2013-present
- Partnership for Healthy Youth Larimer County, Member since 2013
- Wellness Advisory Council for Schools Poudre School District, Appointed member since 2018
- Leadership Fort Collins, Class of 2016-17

- Leadership Fort Collins Steering Committee, 2017-present
- Leadership PSD, Class of 2023-24
- City of Fort Collins Parks and Recreation Board, 2021-present

Yes, current member

Yes;
Parks and Rec

I have served on this board since 2021. I am consistently inspired by the Parks and Rec staff as well as my fellow board members and committed to supporting their efforts in ensuring the legacy of excellence in the offerings of Parks and Rec carries on for generations.

There is plenty of research documenting the benefits of a highly functioning Parks and Rec department including a healthy community (both mentally and physically), support in driving the "experience economy", and benefiting the environment by bringing high quality opportunities to residents, close to home. These benefits span the socioeconomic spectrum.

My family and I engage with a park, trail or recreation facility on a near daily basis. My family has taken numerous classes and participate rec sports teams through the Recreator; Benefited from incredible facilities for swimming, skating meeting spaces and more; we walk or ride along the trails and play, sled, and fish in the parks.

N/A

No

No

YES

Other (please specify);
Current member

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Please describe the community benefits of highly functioning Parks & Recreation Departments.

How have you engaged in the benefits of the current Parks and Recreation systems?

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

Are you willing to complete the required training if appointed?

How did you learn of a vacancy on this board or commission?

VOLUNTEER APPLICATION

Jaime Pimsler

1/3/2025 9:31 PM

Application: **PRB - Parks and Recreation Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Parks & Recreation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	PRB, APP
I acknowledge I am available when the Parks & Recreation Board meets: 4th Wednesday of each month January - October at 5:30 p.m. and 1st Wednesday of December	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10-15
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Training and Development, Instructional Design
Current Employer:	Ensign Services
Prior work experience (please include dates):	Peraton (2018-2024), Learning and Development Overstock (2016-2017), Learning and Development Playworks (2011-2015), HR Generalist and Programming
Volunteer experience (please include dates):	KRFC 88.9, 2020-current, voice over recording for underwriting and camera production with Live and Lunch Special Olympics Utah, 2016, Bocce ball coach JCC SLC, 2016, Rock climbing instructor 3-6 year olds
Have you applied for this board before? If yes, please explain.	Yes, applied 2023 and was interviewed in February 2024. (If you remember, we had

our zoom while I was traveling in Japan

No

Parks and Recreation is deeply central to life in Fort Collins. The urban forestry, careful maintenance and incorporation of green spaces, and the existence of our incredible parks and other areas for play are a testament to the values of Fort Collins. I love it here and these things are a major reason why! Being able to contribute to the community through this lens, and add my perspective also as the parent of young children, would be incredible. Parks and Rec oversees the aspects of this community that are so special to me and I want to be involved.

A Parks and Recreation Department functioning at a high level can answer the needs of the community while allowing for innovation in the approach. There is so much managed by Parks and Rec that contributes to the beauty and health of the community in ways large and small. Having well maintained trails makes the outdoors accessible, offering excellent quality parks gives safe places for people to gather, community amenities like golf courses and Horsetooth Reservoir encourage people to be play and explore, class offerings through The Recreator encourage learning and curiosity at all ages. Without people in the background focusing on budgets, priorities, regulations and all the other necessities it wouldn't be possible to enjoy or have the amenities Fort Collins holds dear.

Having two young children, I am a huge advocate for The Recreator and use it every season! My child have benefited greatly from the learning classroom programs, learned to swim, learned all about animals at The Farm, taken dance classes and sports camps... Really, The Recreator is an unbelievable resource and I am so thankful for it! My family frequently uses the bike trails to get around town, and are always finding and enjoying some incredible local park or playground. I am also a huge gardener and flower admirer, so I especially love the downtown flower projects and seasonal displays. Its always such a phenomenal job!

None!

No

No

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Please describe the community benefits of highly functioning Parks & Recreation Departments.

How have you engaged in the benefits of the current Parks and Recreation systems?

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

Jaime Pimsler

1/3/2025 9:00 AM

Item 24.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Marcia Patton-Mallory

1/7/2025 9:27 AM

Application: **PRB - Parks and Recreation Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Parks & Recreation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Parks & Recreation Board meets: 4th Wednesday of each month January - October at 5:30 p.m. and 1st Wednesday of December	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Occupation:	Retired
Current Employer:	none
Prior work experience (please include dates):	Please see my attached bio. During my 30 years with the USDA Forest Service I held a variety of positions from Research Engineer, Research Program Manager, Senior Executive and Director of the Rocky Mountain Research Station.
Volunteer experience (please include dates):	Please see my attache biography for dates and specifics. After completing the FC 101 course I was on the Land Conservation and Stewardship Board, Bicycle Advisory Committee with the City of Fort Collins. I have also Volunteered for the Poudre Heritage Area. I am currently a facilitator for programs at the Senior Center through the Front Range Forum. I also have held various board position in the Collindale

Women's Golf Association. I recently completed Larimer County's 101 class (2002) and am looking for either a Fort Collins or County volunteer board position.

Have you applied for this board before? If yes, please explain.

Land Conservation and Stewardship Board, Bicycle Advisory Committee

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

Most of my free time and hobbies have been exploring nature, hiking, camping, boating, golfing and exploring with my family. I regularly enjoy biking and hiking on the trails around Fort Collins, and am nearly a daily traveler on the trails within the city, now that I have retired. I am sincerely interested in finding a way to give back to this community in a way that is enduring, and the Parks, Natural Areas and Bicycle Infrastructure are very significant ways to give a gift to the future generations of this city, and provide places to re-create ourselves on a daily basis.

Please describe the community benefits of highly functioning Parks & Recreation Departments.

Our community benefits by having nearby places to enjoy the outdoors, exercise and gather with friends and family. Ever since I first lived in Ft Collins during my college years I was impressed with the high quality and distribution of the parks and recreation facilities. The high quality of recreation in Ft Collins was a factor in my most recent move back to Ft Collins in 1991. These facilities and programs give us a way to connect with others in our community, grow and learn, and maintain our mental and physical health.

How have you engaged in the benefits of the current Parks and Recreation systems?

I daily walk or ride my bike on the trails, golf at the golf courses, and participate in activities at the Senior Center and other facilities. I explore new parks with my grandchildren when they visit, and have used city facilities for family gatherings. When my children were younger we played organized sports in many of the local parks.

Specify any activities which might create a serious conflict of interest if you are appointed:

none

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Newsletter/email to FC 101 graduates.

VOLUNTEER APPLICATION

Lauren Davis

1/7/2025 3:27 PM

Application: **PRB - Parks and Recreation Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Parks & Recreation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. 1. Land Use Review Commission 2. Planning and Zoning Commission 3. Parks and Recreation Board

I acknowledge I am available when the Parks & Recreation Board meets: 4th Wednesday of each month January - October at 5:30 p.m. and 1st Wednesday of December YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10-15

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Student

Current Employer: Colorado State University

Prior work experience (please include dates): Food Service Employee: April 2023-Present
City of Fort Collins Specialized Youth Instructor: May 2023-Present
Colorado State University Employee: September 2023-Present

Volunteer experience (please include dates): Associated Students of Colorado State University: August 2023-Present

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? As someone who has worked for the City of Fort Collins Summer/Winter camps, I have had special experience with parks

and recreation around Fort Collins. I have been to almost every park in the city, and I have seen firsthand which ones are popular and which are not. This gives me the relevant experience to see what is unique about each park and what can be improved on. I believe this is an important perspective to bring to this board and that I can provide the relevant knowledge and experience.

A well run Parks and Recreation system can benefit the community in a number of ways, such as increased time outdoors for families, more interaction between community members, and a sense of belonging for each person. When people feel engaged and interested in what the city is doing for recreation, they are more engaged with the city overall. It also makes the town more open and exciting for families, because there are more spaces and opportunities for kids to play.

I have engaged in the benefits because I used to play in the parks as a kid, and I now work for the city camps where other children are able to use them. It makes their experience more fun because they get to try out different parks each week, so there is always something new. Each park also has its own unique aspects, so they never get bored. I also engage in other aspects of recreation such as community events. I have seen multiple plays at the Lincoln Center and been to other events in my neighborhood.

N/A

No

No

YES

Other (please specify);
Community information session held by Fort Collins.

Please describe the community benefits of highly functioning Parks & Recreation Departments.

How have you engaged in the benefits of the current Parks and Recreation systems?

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

Are you willing to complete the required training if appointed?

How did you learn of a vacancy on this board or commission?

VOLUNTEER APPLICATION

Paul Baker

1/9/2025 7:17 PM

Application: **PRB - Parks and Recreation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Parks & Recreation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Parks & Recreation Board meets: 4th Wednesday of each month January - October at 5:30 p.m. and 1st Wednesday of December YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Project Manager

Current Employer: GreenTop Roofing

Prior work experience (please include dates): GreenTop - 2019 - Present
OrangeTheory - 2017 - 2019
Social - 2014 - 2019

Volunteer experience (please include dates): Leadership Fort Collins Steering Committee - 2022 - Present
City of Fort Collins JAA Coach 2010 - 2014

Have you applied for this board before? If yes, please explain. Yes, Current Member

Are you currently serving on a City board or Commission? If so, which one? Yes;
Parks & Rec Board

Why do you want to become a member of this particular board or commission? I feel like I have more to contribute to the board, so I would like to extend my term

Please describe the community benefits of highly functioning Parks & Recreation Departments.

Quality facilities and parks, with a great staff that shares the vision and direction to achieve the P&Rs goals.

How have you engaged in the benefits of the current Parks and Recreation systems?

I use the parks to play sports (soccer, softball) thru the city.
I play golf at all the city courses and belong to 3 leagues.
I run a lot and frequently use the trail system in town.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Current Board Member, applying to extend my term

VOLUNTEER APPLICATION

Nick Armstrong

1/6/2025 4:54 PM

Application: **PRB - Parks and Recreation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Parks & Recreation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Parks & Recreation Board meets: 4th Wednesday of each month January - October at 5:30 p.m. and 1st Wednesday of December YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Self-Employed, Geek-in-Chief, Executive Director

Current Employer: WTF Marketing, Howdy Neighbor Events

Prior work experience (please include dates): Owner/Geek-in-Chief, WTF Marketing (2009-Current)
Executive Director, Howdy Neighbor Events (2020 to Current)
Lead Organizer, FoCo Comic Con (2014 to Current)
Lead Organizer, Founded in FoCo (2019 to Current)

Volunteer experience (please include dates): Steering Committee volunteer for Urban Forest Strategic Plan and Strategic Trails Plan 2024 to current
Parks and Recreation Board (including Chair + Vice Chair positions), July 2022 to Current
Boxelder Sanitation District Board -

Director, May 2020 - Present
2A For Parks - Campaign Manager,
September 2023 - November 2023
Maple Hill HOA - President, Board
Member, December 2015 - December
2023

Have you applied for this board before? If yes, please explain.

Yes, I currently serve on the Parks and Recreation Advisory Board

Are you currently serving on a City board or Commission? If so, which one?

Yes;
Parks and Recreation Advisory Board, currently serving as Chair

Why do you want to become a member of this particular board or commission?

I have enjoyed my time on the Board so far because it's incredibly well-supported, highly functional, and very engaged. Advocating for the Parks and Recreation departments and staff, sharing as much knowledge about these wonderful amenities with the community as possible, has been very rewarding and I would like to continue in that capacity. I always enjoy advocating for neighbors who speak in front of the Board to share their concerns, comments, and needs. The Parks and Recreation staff has shown itself to be incredibly creative, capable, and caring and is a joy to work with and advocate for. I also represent the viewpoint of someone who has hosted events at the facilities and parks in addition to being a relatively "typical" user (registering for classes for the kids through Recreator, visiting The Farm, etc).

Please describe the community benefits of highly functioning Parks & Recreation Departments.

A highly functioning and well-funded Parks + Recreation Department is able to maintain and improve its facilities, parks, trails, and actively works to include the entire community in those efforts. Whether that means more diverse and inclusive programming or accessible playgrounds or simply generating a sense of place for a neighborhood with a pocket park, the entire community has a stake in how these places function and what they should do. The business and economic benefits to a highly functional Parks + Rec department are huge: the more connected the trails, the more likely you're able to commute easily to the things important to you. Parks and Park-maintained facilities (such as Old Town's alleys and flowers) are major economic drivers and help make our community an affordable place to live. Parks, trails, and our tress are all free to use, but represent incredible return on investment for our entire community.

How have you engaged in the benefits of the current Parks and Recreation systems?

Howdy Neighbor Events regularly hosts events at the Fort Collins Senior Center (and previously the Northside Aztlan Community Center), including FoCo Comic Con and Founded in FoCo. My family visited each of the parks in Fort Collins

after being appointed to the Board so that I'd have a clear understanding of each park. Our kiddos regularly register for the Recreator programs (from cooking to gymnastics) and we also will probably soon try ice skating. Our favorite parks are Crescent, Greenbriar, Twin Silo, Dovetail, Rolland Moore, and Fossil Creek.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Have served on this Board

VOLUNTEER APPLICATION

Zachary Springborn

1/6/2025 3:02 PM

Application: **PZC - Planning and Zoning Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Planning & Zoning Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Planning & Zoning Commission meets: Hearings are held on the third Thursday of Each Month at 6:00 p.m. and work sessions are held the Friday prior to 3rd Thursday Hearing at 12 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Real Estate Broker - Realtor

Current Employer: Springborn Property Ltd.
JPAR Modern Real Estate

Prior work experience (please include dates): See resume

Volunteer experience (please include dates): See resume

Have you applied for this commission before? If yes, please explain. Yes, 2024

Are you currently serving on a City board or Commission? If so, which one? No

What is your level of familiarity with the City's adopted plans, policies and land use regulations? Relatively familiar, would need up front work to develop expertise

Please describe your understanding of how the City's adopted plans, policies and land use regulations impact the built environment. The impact on the built environment is enormous. It affects all new construction, remodel and expansion projects. It impacts fully the current and future growth of the City. It sets the tone for what Fort

Collins will become in the foreseeable future.

Real estate career

Specify any activities which might create a serious conflict of interest if you are appointed:

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); General knowledge of City governance including boards and commissions through real estate experience.

VOLUNTEER APPLICATION

Ryan Lewandowski

1/7/2025 2:01 PM

Application: **PZC - Planning and Zoning Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Planning & Zoning Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Land Use Review Commission, Planning and Zoning Commission
I acknowledge I am available when the Planning & Zoning Commission meets: Hearings are held on the third Thursday of Each Month at 6:00 p.m. and work sessions are held the Friday prior to 3rd Thursday Hearing at 12 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	20 hours. Whatever is necessary, really. I'm retired, so I have time and schedule flexibility
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	I retired in 2021. I was a chip design engineer at Broadcom previously.
Current Employer:	None. Formerly Broadcom.
Prior work experience (please include dates):	I have a degree in computer engineering and I spent my career working on the HP campus at Harmony and Ziegler. Between 2001-2021 I worked at Agilent, HP, Avago, and Broadcom. Now I spend my time enjoying the Colorado outdoors, traveling, sailing, and more.
Volunteer experience (please include dates):	I am the vice president of the local homebrewers club (The Liquid Poets), and I have been volunteering occasionally at climbing nights with Adaptive Adventures since around 2018.

Ryan Lewandowski

Have you applied for this commission before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
What is your level of familiarity with the City's adopted plans, policies and land use regulations?	I have become pretty familiar with the land use code over the past year as I learned about the limits of what we could do with our property in Old Town. I've read through much of the other plans (like the City Plan and Old Town Neighborhoods plan), but I'm not as familiar with them.
Please describe your understanding of how the City's adopted plans, policies and land use regulations impact the built environment.	My understanding is that they are frameworks to help guide the way Fort Collins continues to grow and evolve in a way that meets the community's vision of the place we love to call home.
Specify any activities which might create a serious conflict of interest if you are appointed:	I am finishing the design of a new house in Old Town. Some of the P&Z decisions could affect my build, so I'd have to recuse myself from those discussions.
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	No
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	No
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Other (please specify); Attending city functions, and reading city newsletters

VOLUNTEER APPLICATION

Jerry Gavaldon

12/11/2024 5:19 PM

Application: **PZC - Planning and Zoning Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Planning & Zoning Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Transportation/Planning and Zoning
I acknowledge I am available when the Planning & Zoning Commission meets: Hearings are held on the third Thursday of Each Month at 6:00 p.m. and work sessions are held the Friday prior to 3rd Thursday Hearing at 12 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	30
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Real Estate/PSD teacher substitute
Current Employer:	Real Estate/PSD teacher substitute
Prior work experience (please include dates):	Real Estate 2000 to current Former P & Z Board Member 1996 to 2005
Volunteer experience (please include dates):	P&Z Board 1996-2005 Transportation 2019 to Current Museo de las Tres Colonias 2016 to Current
Have you applied for this commission before? If yes, please explain.	Yes, Over 6 times.
Are you currently serving on a City board or Commission? If so, which one?	Yes; Transportation Board
What is your level of familiarity with the City's adopted plans, policies and land use regulations?	Yes, I am very familiar and use the plans, policies and regulations for my day to day real estate business

Please describe your understanding of how the City's adopted plans, policies and land use regulations impact the built environment.	I am most knowledgeable of the plans, processes and regulations. I advise my clients, realtors and others of the processes etc.
Specify any activities which might create a serious conflict of interest if you are appointed:	None
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	No
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	No
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Other (please specify); city website

VOLUNTEER APPLICATION

Kent Bruxvoort

1/7/2025 5:39 PM

Application: **PZC - Planning and Zoning Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Planning & Zoning Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Planning & Zoning Commission meets: Hearings are held on the third Thursday of Each Month at 6:00 p.m. and work sessions are held the Friday prior to 3rd Thursday Hearing at 12 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 20 hours

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 3

Current Occupation: Civil Engineer

Current Employer: Professional Engineering Consultants

Prior work experience (please include dates):
Simons, Li and Associates, 1985-1991
Shepherd Miller, Inc, 1991-2000
JR Engineering, 2000
Jim Sell Design, 2001-2005
QED Associates, 2005-2009
Telesto Solutions, 2009-2019
Professional Engineering Consultants, 2019-present

Volunteer experience (please include dates):
Larimer County Board of Adjustment, 2002-2006
City of Fort Collins Water Board/Commission, 2015-2024

Have you applied for this commission before? If yes, please explain. Yes, applied for 2024 opening. Rejected.

Are you currently serving on a City board or Commission? If so, which No

Kent Bruxvoort

[REDACTED]

one?

What is your level of familiarity with the City's adopted plans, policies and land use regulations?

Solid understanding throughout Colorado municipalities of land use regulations, master plans, design criteria, standards and specifications, and policies. I am the Town Engineer for Keenesburg, CO, and use all of the above in my job.

Please describe your understanding of how the City's adopted plans, policies and land use regulations impact the built environment.

They govern the process by which plans are developed, designed, and approved and how specific site and building plans may be permitted and ultimately constructed. The process includes both the public and City elements that weigh in on or confirm that the applicant's ideas meet code, plans and standards.

Specify any activities which might create a serious conflict of interest if you are appointed:

There may be occasional design projects that I could be working on that would require recusal. But these would be few and rare.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Personal and professional knowledge of the Commission.

VOLUNTEER APPLICATION

David Kovach

1/8/2025 3:36 PM

Application: **SAB - Senior Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Doctoral degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Senior Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Senior Advisory Board meets: 2nd Wednesday of each month at 11:30 a.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	5
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	4
Current Occupation:	Nonprofit attorney
Current Employer:	Foco Legal Services
Prior work experience (please include dates):	Colorado State University, Larimer County Treasurer's Office, Ernst & Young
Volunteer experience (please include dates):	I've run a nonprofit for 6 years now (Since January 30, 2018) and we volunteer regularly, including teaching a create your will class at the Senior Center. I've also served on the board of directors for Foco Cafe.
Have you applied for this board before? If yes, please explain.	Yes, I'm currently the Chair of the Senior Advisory Board.
Are you currently serving on a City board or Commission? If so, which one?	Yes; Senior Advisory Board
Why do you want to become a member of this particular board or commission?	There is work to do and I like being a part of this group.
Have you had any exposure to the board or commission you are applying	Yes

David Kovach

for? If yes, please explain:

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

What ideas do you have regarding how the Senior Advisory Board might reach out to underserved older populations including older residents who do not have access to the internet or who have access but do not wish to communicate online?

attendance at Intergenerational conversations, City meetings, tabling at the Fair, etc.

Think about various neighborhood livability challenges that can face older adult residents in Fort Collins (for example - issues concerning: health and wellness, affordable housing, mobility and access to transportation as well as age, cultural, workplace or other discrimination).

Aside from housing and transportation issues, I believe technology training is important, e.g., provide a safe place for seniors to learn how to use their phone.

Which older adult challenges are highest priority for you and how might you engage with the Senior Advisory Board to address them in the interest of helping City Council ensure that Fort Collins continues to be a great place to grow up as well as grow old?

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Received the email reminder from Sarah Olear

VOLUNTEER APPLICATION

Thomas Hillbert

1/8/2025 8:51 AM

Application: **SAB - Senior Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Senior Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Senior Advisory Board meets: 2nd Wednesday of each month at 11:30 a.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10-15

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6

Current Occupation: Retired coach and consultant

Current Employer: Myself

Prior work experience (please include dates): Coached the Colorado State Volleyball Team for 26 years. Coached 39 years professionally. Was involved with Numerous boards, committees, events, fund raising activities, camps, clinics and seminars.

Volunteer experience (please include dates): Numerous appointments with United way including WomenGive. Student move in day at CSU. Trail cleanup. Voluntarily coordinated Colorado State Volleyballs NIL collective, There are more but I need more time to think about this.

Have you applied for this board before? If yes, please explain. no

Are you currently serving on a City board or Commission? If so, which one? No

Thomas Hilbert

Why do you want to become a member of this particular board or commission?

I am a retired senior who is a member of our community and plan to live here. As our senior population % grows I'd like to see resources for seniors flourish. especially the resources that provide recreational activities.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

No

Specify any activities which might create a serious conflict of interest if you are appointed:

None that I can think of

What ideas do you have regarding how the Senior Advisory Board might reach out to underserved older populations including older residents who do not have access to the internet or who have access but do not wish to communicate online?

Meet them where they are. Senior center, health clinics (Salud) Atzlan Rec center. CSU athletic events

Think about various neighborhood livability challenges that can face older adult residents in Fort Collins (for example - issues concerning: health and wellness, affordable housing, mobility and access to transportation as well as age, cultural, workplace or other discrimination).

Health and wellness. This includes recreational activities that not only help people with activity and fitness but also bring people together socially. My mother suffered from dementia and died with very few friends. Ever since I have read that one of the biggest contributors to dementia is loneliness and inactivity.

Which older adult challenges are highest priority for you and how might you engage with the Senior Advisory Board to address them in the interest of helping City Council ensure that Fort Collins continues to be a great place to grow up as well as grow old?

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

no

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

no

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Alicia Durand

12/4/2024 10:48 AM

Application: **SAB - Senior Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Senior Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	NA
I acknowledge I am available when the Senior Advisory Board meets: 2nd Wednesday of each month at 11:30 a.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	15 hours
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	GMA
Current Occupation:	Retired Poudre School District Principal, current substitute Principal
Current Employer:	none
Prior work experience (please include dates):	Middle School Principal, teacher, coach, Student Advisor-1986-present Ranch wrangler-1981-1988
Volunteer experience (please include dates):	Hospital volunteer, late 1970's Foothills Gateway Rehabilitation Center, 1981-1985 Kappa Alpha Theta Scholarship Chair-1980's Thousands of hours in Poudre School District, 1984-present
Have you applied for this board before? If yes, please explain.	Yes. I have been serving this last term.
Are you currently serving on a City board or Commission? If so, which one?	Yes; Senior Advisory Board

Alicia Durand

Why do you want to become a member of this particular board or commission?

I want to continue doing the work we have been doing as well as continue to learn about the needs of seniors in our community. I believe in the work we are doing to communicate and act on the vision of our Board. It's an amazing group of individuals focused on seniors.

Have you had any exposure to the board or commission you are applying for? If yes, please explain:

Yes;
Currently on the SAB board.

Specify any activities which might create a serious conflict of interest if you are appointed:

None.

What ideas do you have regarding how the Senior Advisory Board might reach out to underserved older populations including older residents who do not have access to the internet or who have access but do not wish to communicate online?

What we are doing now! We are constantly visible at the Fort Collins Senior Center, we are working to have a presence at senior facilities throughout Fort Collins and we represent at volunteer conferences, meetings, etc. constantly. We could better identify ourselves at activities, to make sure that folks see that we are there but we are doing a good job, I think. There is room for more volunteers, for sure, AND we have to always monitor what we are doing in order to get the most for our time spent.

Think about various neighborhood livability challenges that can face older adult residents in Fort Collins (for example - issues concerning: health and wellness, affordable housing, mobility and access to transportation as well as age, cultural, workplace or other discrimination).

Which older adult challenges are highest priority for you and how might you engage with the Senior Advisory Board to address them in the interest of helping City Council ensure that Fort Collins continues to be a great place to grow up as well as grow old?

I think the focus the Board currently has on housing, transportation and communication are critical. We have A LOT of work still to do to make sure that seniors "have a seat at the table" in so many areas of Fort Collins. It is amazing to me how we have to continuously remind parts of Fort Collins that seniors are here! We need to continue to partner with organizations that have similar issues, such as Foothills Gateway, to assure that we are working for all. We are adamant about representing well AND making changes where changes are needed.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
I am currently a proud member of the SAB!

Senior Advisory Board Application

Name: Myles Crane

Phone Number Mobile: [REDACTED]

Email: [REDACTED]

Date of Birth: [REDACTED]

Address: [REDACTED]

RECOMMENDED QUALIFICATIONS:

Follow this link to view the duties and requirements for each board:

<https://www.fcgov.com/cityclerk/boards/senior-advisory>

Meetings are held the 2nd Wednesday of each month at 11:30 a.m.

Please note: You must reside within the Fort Collins Growth Management Area during your board service.

1. I acknowledge I am available when the Senior Advisory Board meets (the 2nd Wednesday of each month at 11:30 a.m.).

a. Yes

b. No

2. How many hours per month are you willing to put in (including research, work, and meeting time) as a board member.

Est. 10 hours or whatever is needed by the Board

3. Which Council District do you live in? Please refer to the map at:

<https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts>

Council District 4

4. If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.

N/A

5. Current Occupation:

Retired Community volunteer

6. Current Employer:

Retired

7. Prior work experience (please include dates):

See resume attached

8. Volunteer experience (please include dates):

CSU Center for Public Deliberation (CPD) 2010 – present

Partnership for Age Friendly Communities in Larimer County 2011- present

FC Human Relations Commission 2011-2016

Larimer County Office on Aging 2016-2022

FC Senior Advisory Board 2019-2025

Governor-appointed Colorado Commission on Aging (CCOA) 2020-2022

Various special assignments from three Mayors, City Councilmembers and City Manager

Recipient of Colorado State University CPD Community Outreach Award (jointly with my wife)
(2016)

Recipient of CCOA Alan Buckingham Award for Colorado Volunteer of the Year (June 6, 2024)

9. Have you applied for this board before? If yes, please explain.

Yes, I serve as a current member.

10. Are you currently serving on a City board or commission? If so, which one?

Yes, the Senior Advisory Board

11. Why do you want to become a member of this particular board and what do you hope to gain from this experience?

Continue to assist Board and city staff in new management transition and in any capacity I can. As a retiree, I receive deep satisfaction from “giving back”.

12. Think about various neighborhood livability challenges that can face older adult residents in Fort Collins (for example - issues concerning: health and wellness, affordable housing, mobility and access to transportation as well as age, cultural, workplace or other discrimination). Which older adult challenges are highest priority for you and how might you engage with the Senior Advisory

Board to address them in the interest of helping City Council ensure that Fort Collins continues to be a great place to grow up as well as grow old?

I would suggest that there are multiple “high priorities” – all of which the SAB addresses through educational services and community outreach. These include navigating life’s changes for older adults, maintaining independence and dignity, access to both affordable housing and healthcare, neighborhood safety and livability, mobility issues and transportation, being relevant in today’s society, reframing aging to address ageism, workforce participation, social isolation, and more issues related to health and wellness.

13. What ideas do you have regarding how the Senior Advisory Board might reach out to underserved older populations including older residents who do not have access to the internet or who have access but do not wish to communicate online?

I would suggest continued further collaboration with various city and county organizations to reach out to activity managers at 55+ and other independent and assisted living facilities. These activity managers in turn typically will coordinate with residents through local bulletin board postings and internal communications to residents about SAB and other city sponsored events.

14. I acknowledge that, as a board member, I must check my email communications regularly and respond to staff members in a timely manner.

- a. Yes
- b. No

15. Are you willing to complete the required training if appointed?

Yes

16. Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

17. Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

18. Specify any activities which might create a serious conflict of interest if you are appointed:

None

19. Are you willing to complete the required training if appointed?

Yes

20. How did you learn of a vacancy on this board or commission?

Sarah Olear, Staff Liaison to the SAB.

January 9, 2025 date submitted by return email to Davina Lau and copy to Sarah Olear.

VOLUNTEER APPLICATION

Rebekah Stein

12/27/2024 10:19 AM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: PhD
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Transportation, Active Modes, Natural Resources
I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	CPAESS Program Specialist II
Current Employer:	University Corporation for Atmospheric Research
Prior work experience (please include dates):	January 2023-May 2024 Assistant Professor, Chemistry & Physical Sciences, Quinnipiac University 2021-2022 Postdoctoral Scholar, Earth & Planetary Sciences, University of California, Berkeley 2016-2020 Graduate Student Researcher and Instructor, Earth & Environmental Sciences, University of Michigan 2015-2016 High School Science Teacher, Beth Chana Academy

2014-2015
Laboratory Manager, Science & Technology, Bryant University

Volunteer experience (please include dates):

Animal Friends Alliance Dog Walker (July 2024-Present)
Voices for Science Policy Member (May 2024-Present)
Hamden Mobile Food Pantry Volunteer (January 2023-June 2024)
The Big Event Volunteer Clean Up (April 2023, April 2024)

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I am a climate scientist with an expertise in the carbon cycle who loves the outdoors and wants to make them accessible and safe to any and everyone. I am passionate about thinking about efficiency of car transportation, alternative transportations to cars and ways that people can utilize all of these safely, in conjunction.

Specify any activities which might create a serious conflict of interest if you are appointed:

I don't have a conflict of interest, per say, but I do work in conjunction with the federal government and will need to be thoughtful about the ways I engage with the federal government if that comes up in a role of the City of Fort Collins (still can, but need to emphasize as a citizen).

Please describe your interest regarding transportation and transportation related issues.

In addition to my career expertise in the carbon cycle, I am an avid runner, hiker, and biker, and really love being able to do these in a safe environment. I am passionate about data and thinking about efficiency and accessibility, and I think that coordinating between pedestrian and transportation is incredibly important, as is finding places for parking.

How do you think the City can improve the way people move around in Fort Collins?

There is some lack of clarity in how to move and interact with car traffic as a pedestrian and/or biker, user of skateboard scooter, etc. Education programs could be very helpful, as could signage and clear communication on social media and web platforms.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Ryan Noles

1/9/2025 11:44 AM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 20

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Bus Rapid Transit Program Manager (Transportation Planning and Engineering)

Current Employer: Colorado Department of Transportation (Region 1 - Denver Metro): 2023 - Present

Prior work experience (please include dates):
Conсор Engineers (formerly Apex Design): Senior Transportation Planner, Denver, CO (2022 - 2023)
City of Boulder: Transportation Planner II/ Senior Transportation Planner, Boulder, CO (2017 - 2022)
Northeast Ohio Areawide Coordinating Agency: Transportation Planner/Senior Transportation Planner, Cleveland, OH (2012 - 2017)
Detroit Shoreway Community Development Organization: Housing Specialist, Cleveland, OH (2011 - 2012)
Cuyahoga County Board of Elections: Election Official/Temporary GIS Technician, Cleveland, OH (2009 - 2011)

Volunteer experience (please include dates):

Bryan Mountain Nordic Ski Patrol (2024 - Present)
City Year Cleveland (2006)

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No;
N/A

Why do you want to become a member of this particular board or commission?

I wish to serve the community in which I live, and I believe that my experience and knowledge of transportation issues, policy, planning, and engineering would be of value to city staff, the Board and City Council.

Specify any activities which might create a serious conflict of interest if you are appointed:

I may need to abstain from voting on any agenda items related to issues with or projects led by CDOT, though I will ask for guidance on this from the State of Colorado.

Please describe your interest regarding transportation and transportation related issues.

I am a strong proponent of multimodal transportation, and believe that communities thrive with well-balanced, human-centered transportation systems. For me, this means providing reliable and efficient travel options for everyone, and ensuring that residents/those traveling on city streets are not burdened by an imbalance in transportation modes. I also believe in building trust with community members, whether or not they agree with decisions ultimately made through the planning process.

How do you think the City can improve the way people move around in Fort Collins?

I believe the City has built and continues to build a robust multimodal transportation system. I think first and foremost the City can maintain a state of good repair with the facilities it has already developed. Further, I think the City can refine these facilities by enhancing things like separation between bike and travel lanes, pedestrian phases at traffic signals, traffic calming devices/elements at intersections and in neighborhoods, etc. Finally, I think there is room to add capacity for transit and active transportation in existing rights-of-way, which is where discussions with about rebalancing the system will need to take place with the community.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Jared McGlothlin

1/9/2025 7:32 PM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Active Modes, Transportation
I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	5-8
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	6
Current Occupation:	Graduate Research Assistant
Current Employer:	Colorado State University
Prior work experience (please include dates):	<ul style="list-style-type: none"> -Intern Scientist at the NOAA Pacific Marine Environmental Laboratory, Seattle WA, Summer 2022 -Wildfire and Smoke Meteorology Assistant at the Washington Department of Natural Resources, Olympia WA, Summer 2023 -Undergraduate Research Assistant at the University of Washington, Seattle WA, 2023-2024 -Graduate Research Assistant at Colorado State University, Fort Collins CO, 2024-
Volunteer experience (please include dates):	<ul style="list-style-type: none"> -Volunteer at the University Food Bank, Seattle WA, 2023-2024 -Student Advisory Council Member at the UW College of the Environment, Seattle WA, 2023-2024 -Senator at the Associated Students of

Colorado State University, Fort Collins
2024-
-ASCSU Legislative Strategy Board, Fort
Collins CO, 2024-
-CSU Food Security Advisory Board, Fort
Collins CO, 2024-

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I want to advocate for better non-car transportation infrastructure in Fort Collins, especially when it comes to the interests of students and young people who are often underrepresented in local government. While I do own a car, for my personal safety and the well-being of the planet and our air quality, I try to use it as little as possible within the city (which is a goal I am frequently able to achieve!) As a frequent user of public and non-motorized transportation, I am also impassioned to work to make them better to improve my life and encourage my peers and fellow residents to switch to more body and environmentally friendly transportation methods. As an official of the Associated Students of Colorado State University, I can build connections between this board/ the City of Fort Collins and the CSU community, which will allow better representation of one of the largest groups of public transportation users in the city.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding transportation and transportation related issues.

I bike, walk, or take transit for all my daily trips, ranging from walking/biking to grocery store to biking/taking transit to CSU and Old Town. As such, I utilize Fort Collins transportation infrastructure daily (primarily in district 6), so I am aware of the strengths and shortcomings of the current system. I also recently moved to Fort Collins from another city with an excellent, frequent, and widespread public transit network (Seattle), so I am excited to look at what works there and in other cities that Fort Collins could implement in our neighborhoods.

How do you think the City can improve the way people move around in Fort Collins?

Better connections between transit and active modes, better entrances for pedestrians and active mode users into commercial centers, increased bus frequency on routes with a high proportion of transit dependent users and potential users, and better enforcement of traffic laws to increase comfort on arterial bike lanes. Better maintenance/more frequent cleaning of bike lanes will also help increase the comfort of riders throughout the city. While I am aware of the current

expansion of the bus rapid transit system in progress, the West Elizabeth Corridor seems like the prime location within the city to create transit-oriented living.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Joshua Leshan

1/9/2025 4:40 PM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Energy, Economic, Transportation
I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	6-10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	5
Current Occupation:	Software Engineer
Current Employer:	Not employed
Prior work experience (please include dates):	I have been a software engineer since 1997.
Volunteer experience (please include dates):	N/A
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
Why do you want to become a member of this particular board or commission?	I'm applying to the Energy, Economic and Transportation Boards. Transportation is vital to the health of the individuals in the city. It ties us together and enables all our activities. It is a critical piece of our daily lives and impacts the economic and environmental health of the city and its citizens.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding transportation and transportation related issues.

I just moved to Fort Collins and am impressed and amazed by the transportation options. From the free TransFort, to the rental scooters and bikes, to the multi-modal friendliness of the city. I would like to help the city continue doing a good job and improve where it can.

How do you think the City can improve the way people move around in Fort Collins?

Increase the routes and frequency of the busses.
Investigate and implement traffic flow improvements (we spend a lot of time sitting at traffic lights. This adds extra emissions to the air, wastes energy and time.)
Continue to put pedestrian and bike safety in the spotlight.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Michael Hooker

1/10/2025 4:21 PM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 5-10
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2
- Current Occupation: Community Affairs, Partnerships and Strategic Communication
- Current Employer: Colorado State University and self employed: Hooker Strategy Partners, LLC
- Prior work experience (please include dates): See submitted resume for details
2012 - present Colorado State University (Three job titles: Director of Public Affairs and Engagement, Director of Denver Outreach and Partnerships, Director of Community Affairs and Engagement)
- Volunteer experience (please include dates): Visit Fort Collins
2022 - present, Board of Directors (Current Board President)

United Way of Larimer County
2012 - 2021 Board of Directors
2019 - present Public Policy Committee (previous chair)

Have you applied for this board before? If yes, please explain.

no

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

Transportation is a critical community issue that affects other key topics such as livability, workforce, air quality, economic development, and intersects with housing affordability and child care. These are all issues that I'm interested in, particularly the ways they intersect. The Transportation Board is a group that has a chance to thoughtfully offer advice and insights on a topic that has many impact areas. In addition, I personally appreciate having transportation options, and I am a user of various modes of transportation in my daily life, so this is a subject area that impacts me every day.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding transportation and transportation related issues.

(See above)
In 2025 and the coming years, Fort Collins has an opportunity to be a leader in supporting evolving modes of transportation and continuing to lead as a Bicycle Friendly Community, while also supporting traditional roads, paths, connectors, etc., that make Fort Collins a thriving city for the people who live, work and visit here.

Also, as I mentioned in a previous response, transportation is a critical community issue that affects other key topics such as livability, workforce, air quality, economic development, and intersects with housing affordability and child care. These are all issues that I'm interested in, particularly the ways they intersect. The Transportation Board is a group that has a chance to thoughtfully offer advice and insights on a topic that has many impact areas.

How do you think the City can improve the way people move around in Fort Collins?

Improving the way people get around Fort Collins is a balancing act: supporting existing infrastructure and recognizing that for many people traditional modes of transportation are THE ways they get around, while many of us also are open to new transportation modes and are active users of bicycles, ride sharing, services like Uber, and public transportation in town and in the region.

A few first steps:
-Improving public transportation so that it is an attractive option for more people
-Partnering in the Front Range Passenger Rail initiative
-Collaborating with community stakeholders (housing, business/Chamber)

stakeholders (housing, business/Chamber, etc.) to help the higher density corridor along Mason Street succeed, and encourage other strategic planning that includes transportation as one of the drivers of successful innovation

- Continuing to improve infrastructure for bicycles and pedestrians (and other similar modes) in a way that plays well with roads, intersections, and other infrastructure, so that all modes of transportation have improved experiences and efficiency.
- Encouraging the 15-minute city concept will help people move around their immediate part of town so they don't have to spend as much time driving across town day-to-day.

Also, remember there are lots of different people in Fort Collunity with different transportation needs. We can lead and innovate best by also remembering the daily practical needs of ALL members of the community, and keeping in mind that some modes are better during certain times of the year, and for certain kinds of trips, and for people of different mobility situations. We are a big diverse community and our transportation options need to serve everyone.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Patrick Hinterberger

12/4/2024 3:54 PM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. n/a

I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 4-5

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4

Current Occupation: Contracts supervisor for the City of Thornton.

Current Employer: City of Thornton

Prior work experience (please include dates): City of Thornton 2017 to present
WE O'Neil Construction 2015-2017
The Walsh Group 2006-2015

Volunteer experience (please include dates): Board member - Longmont Transportation Advisory Board 2022-2023.

Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one? No

Why do you want to become a member of this particular board or commission? I want to be able to participate in my local government, learn more about what's happening in my city and use my experience and knowledge to help the city.

Specify any activities which might create a serious conflict of interest if you are appointed: None.

Please describe your interest regarding transportation and transportation related issues.

My professional history has always included transportation projects: road, highway, rail, etc. I'm interested in continuing to find new and novel ways to increase safe mobility around my community and ensure carless transportation is a viable option for residents.

How do you think the City can improve the way people move around in Fort Collins?

Increase visibility and encouragement of carless transportation.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Jerry Gavaldon

12/11/2024 1:51 PM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	Transportation/Planning and Zoning
I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Real Estate and Sub Teacher for PSD
Current Employer:	PSD and Real Estate
Prior work experience (please include dates):	Current Transportation Board Member 6 years and Planning and Zoning 9 years
Volunteer experience (please include dates):	Transportation Board 6 years Planning and Zoning 9 years. HOA Board 25 years, Museo Board President 8 years
Have you applied for this board before? If yes, please explain.	Yes,
Are you currently serving on a City board or Commission? If so, which one?	Yes; Transportation Board
Why do you want to become a member of this particular board or commission?	My education and high interests with education
Specify any activities which might create a serious conflict of interest if you are appointed:	None

Please describe your interest regarding transportation and transportation related issues.	Openness, Transparency, making improvements for all modes of transportation
How do you think the City can improve the way people move around in Fort Collins?	A balance approach for all modes of Transportation. equity for all for access.
Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.	NO
Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.	NO
Are you willing to complete the required training if appointed?	YES
How did you learn of a vacancy on this board or commission?	Other (please specify); current board member

VOLUNTEER APPLICATION

Bill Boltze

12/3/2024 1:59 PM

Application: **TB - Transportation Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Transportation Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Transportation Board meets: 3rd Wednesday of each month at 6 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10-15
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Occupation:	Manager - Transportation Services - Western Region
Current Employer:	Ayres Associates Inc.
Prior work experience (please include dates):	Atkins N.A. - Sr. Engineer I, 4/2019-8/2021 Parsons - Transportation Engineer 1, 5/2015-4/2019
Volunteer experience (please include dates):	I was the VP/co-founder of a 501(c)(3) organization that some of my classmates and I setup in college that funded scholarships for engineering students called COLearns. It was back in 2013-2015, but we couldn't find anyone to take over once we entered the workforce and it faded out.
Have you applied for this board before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No

Bill Boltze

Why do you want to become a member of this particular board or commission?

Becoming a member of the Transportation Board offers a unique experience to make an impact on the community I live in. Because my career is transportation engineering, I believe this position would allow me to advocate for sustainable and innovative transportation solutions to issues within the city and bring an engineering perspective to it. I feel that my contributions could help create a more connected and accessible Fort Collins for the ever-growing population while also allowing me to give back to the community.

Specify any activities which might create a serious conflict of interest if you are appointed:

Although I lead the transportation team for my firm, we are not currently pursuing work for the City of Fort Collins and should have no conflicts of interest.

Please describe your interest regarding transportation and transportation related issues.

I have been in the transportation industry for the last 10 years and have a passion for improving the infrastructure throughout the United States. I have worked on large projects in Colorado, Utah, Florida, and Hawaii in various disciplines and positions, as well as local projects in Fort Collins. I am always looking to use my background and expertise to help improve pedestrian and vehicular traffic throughout the community to make it a safer place to commute.

How do you think the City can improve the way people move around in Fort Collins?

Fort Collins should prioritize multimodal transportation to create a more connected and efficient city. The ongoing improvements with bike lanes and pathways are a great step, and further developing these networks will encourage biking as a primary mode of transport. Additionally, improving public transit is essential. Ensuring that buses are safe and accessible for everyone will increase ridership and make public transit a more viable option for all residents. Lastly, addressing the parking challenges in Old Town is crucial. While it may be a contentious issue, introducing paid parking could alleviate the difficulty of finding a spot downtown, making the area more accessible and enjoyable for everyone.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Fort Collins website and current board members.

VOLUNTEER APPLICATION

Carson Madryga

1/10/2025 10:51 AM

Application: **WC - Water Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Bachelors degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Water Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If you have applied to or plan to apply to more than one board/ commission please list in order of interest your choices for volunteering. Enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Water Commission meets: Regular Meetings - Third Thursday of each month. Work sessions - 1st Thursday every other month (even-numbered months) from 5:30-7:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	2
Current Occupation:	Civil Engineer
Current Employer:	Kimley Horn
Prior work experience (please include dates):	Please refer to resume attached. Kimley Horn - January 2022 to Present Arcadis - September 2020 to December 2021 Skender - May 2017 to June 2020 Westinghouse Electric Company - August 2015 to April 2017 Ingenium Enterprises - May 2015 to August 2015 Dewberry - January 2014 to May 2014
Volunteer experience (please include dates):	make annual donations to local charities and organizations in Fort Collins and Northern Colorado since moving here in January of 2022. I am actively looking to become more hands on and give back to

my community in other ways.

No

No

Professional engineer with 10 years of civil engineering experience serving clients in the public and private sector. Proven experience supporting the planning, design, and construction of projects in a variety of markets including: water/wastewater planning and modeling, pipeline design, lift station design, water quality, and stormwater management. This includes due diligence and feasibility analysis, asset management, site design, permitting services, entitlement services, and construction defects. I have managed the day-to-day operations of projects, interfaced regularly with clients and stakeholders, maintained project schedules and budgets and coordinated with subconsultants.

Passionate about stormwater management practices, technologies, and policy's. Certified in Permanent Water Quality Stormwater Control Measures Design and Design Review through the Colorado Stormwater Center housed in the Department of Environmental Engineering at Colorado State University. Skilled in hydrology and hydraulic calculations and design in Colorado.

Moved to Colorado in January of 2022 and currently work as a consultant for a civil engineering and planning firm serving public clients (Water/sewer districts and municipal water/sewer utilities) throughout Northern Colorado. I primarily practice in the water/wastewater discipline with a focus on conveyance projects.

Advise city council by providing data driven findings on issues ranging from water access for the community (supply and conservation), policy changes, future challenges, infrastructure needs, and budget allocations. Help the City make informed decisions in order to provide safe, reliable, and affordable water access for residents in the community.

Water is a tangible resource that is essential to everyday life and something everyone interacts with daily. My favorite part about my job is the positive impact it has on the region and local communities here in Northern Colorado. Being able to work with people of numerous backgrounds (Public works, field staff, operators, etc.) to understand their needs and ultimately continue to provide safe,

Have you applied for this commission before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

What is your experience (technical/legal/research/regulatory/volunteer/political, etc) in matters related to water as it pertains to our region, other regions, municipal water utilities, water resources?

What priorities do you feel the water commission should highlight in advising/directing city staff and council?

Please describe your motivation/passion to be on the water commission and what (expertise/viewpoints/background/differing perspective) you may bring to the table.

reliable, water and sewer services has been very rewarding. To that note, I want to leverage my technical background and skills in the engineering space and apply that to make a positive impact in my local community through the water commission. My wife and I moved to Fort Collins in January 2022 and have recently expanded our family to welcome a little girl as of November 2024. Being able to influence and help push forward positive changes to maintain this precious resource for my daughter's generation and residents here today in Fort Collins would be rewarding and very fulfilling to me.

Specify any activities which might create a serious conflict of interest if you are appointed:

I do not foresee any potential conflicts with my professional career and desire to become involved with the Water Commission. My firm does not perform on-call civil engineering services for the City of Fort Collins in the stormwater/water/wastewater field.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
Peers in the civil engineering field

VOLUNTEER APPLICATION

Kyle Johnson

12/15/2024 1:59 PM

Application: **WC - Water Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Some College
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Water Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If you have applied to or plan to apply to more than one board/ commission please list in order of interest your choices for volunteering. Enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Water Commission meets: Regular Meetings - Third Thursday of each month. Work sessions - 1st Thursday every other month (even-numbered months) from 5:30-7:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	20
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	GMA
Current Occupation:	Field Manager for Agricultural Irrigation Companies
Current Employer:	Larimer & Weld Irrigation Company, Larimer & Weld Reservoir Company, Windsor Reservoir & Canal Company
Prior work experience (please include dates):	Working for agricultural ditch companies 2012 to present
Volunteer experience (please include dates):	measuring snow for USDA-NRCS in the Poudre River Basin and North Platte Basin 2014-present
Have you applied for this commission before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
What is your experience (technical/legal/research/regulatory/volunteer/ political, etc) in matters related to water as it pertains to our region, other regions, municipal water utilities, water resources?	I have lots of technical experience in agricultural as well as non-pot water resources in this region. I have volunteer

What priorities do you feel the water commission should highlight in advising/directing city staff and council?

experience in measuring snow in the Poudre River and North Platte Basins for forecasting of runoff. I also have experience at the University of Wyoming studying water and waste water treatment facilities.

I feel the water commission should prioritize:
water conservation through education and incentivizing landscaping that uses native and drought tolerant practices, curtailing misuses and losses and shoring up supplies to ensure future growth and insulate against climate change, and properly fund for future maintenance of aging infrastructure.

Please describe your motivation/passion to be on the water commission and what (expertise/viewpoints/background/differing perspective) you may bring to the table.

I have a great passion for water and water efficiency in my line of work. I can bring a differing expertise come from agriculture and how to use traditional agriculture systems to supply more water for outdoor landscaping through non-potable water systems.

Specify any activities which might create a serious conflict of interest if you are appointed:

The companies I work for do lease water from Fort Collins at times.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Other (please specify);
From a friend who suggested I apply



APPLICATION FOR BOARD OR COMMISSION MEMBERSHIP

Item 24.

PLEASE TYPE OR USE BLACK INK. ATTACHMENTS TO APPLICATION MUST BE LIMITED TO TWO PAGES. INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR APPOINTMENT.

Return completed applications to:
City Clerk's Office, 300 LaPorte Avenue or mail to P.O. Box 580, Fort Collins, CO 80522
If you have questions or need more information, contact the City Clerk's Office at 970.416.2525

- Eligibility Requirements:**
- 1 year residency within the Fort Collins Growth Management Area (map attached)
 - Registered Voter (applies to 18 years and older)

Board or Commission: Water Commission

(Please complete one application for each board or commission membership. You may apply for 2 boards at a time)

Name: Paul Herman

Mailing Address: [REDACTED] Zip: [REDACTED]

Residence: [REDACTED] Zip: [REDACTED]

(If different than Mailing Address)

Home Phone: [REDACTED] Work Phone: [REDACTED] Cell Phone: [REDACTED]

E-mail: [REDACTED]

Have you resided within the Fort Collins Growth Management Area for one year? (map attached) Yes No

Which Council District do you live in? (map attached) _____ Are you a registered voter? Yes No

Current Occupation: _____ Employer: _____

Recent and/or relevant work experience (please include dates):

10/1/2023 - Present; Owner/Managing Broker - NextHome NoCo Realty

6/2018 - 12/2022; Thrive Home Builders - Homebuilding/Residential Development; Land Acquisition, Entitlements, Development Approvals, Water Rights

Recent and/or relevant volunteer experience (please include dates):

3/2021 - Present; City of Fort Collins Water Commission

Are you currently serving on a City board or commission? Yes No

If so, which one? Water Commission

Why do you want to become a member of this particular board or commission?

I would like to continue on with a second term on the Water Commission. As I am now "seasoned", I'd like to further contribute to the mission of the Water Commission.

Have you attended a meeting of the board or commission you are applying to or talked to anyone currently on the board?

Yes No

If Yes, please share your experience:

List any abilities, skills, licenses, certifications, specialized training, or interests you have which are applicable to this board or commission:

Relevant experience in the residential development industry including land acquisition, entitlements, community development, and water rights.

University of Florida - Bachelor of Science in Construction Management 99', Master of Arts in Real Estate 02'.

Briefly explain what you believe are the three most important issues face this board or commission, and how do you believe board or commission should address each issue?

(1)

Expansion project on the Halligan Dam - continued advisory role by the commission via general feedback & providing recommendations as the project progresses out of the approval stage and into the construction phase.

(2)

Water conservation via changes to the land use/building codes.

(3)

A continued emphasis on asset management & maintenance, specifically the replacement and updating of outdated infrastructure throughout the City.

Please specify any activities which might create a serious conflict of interest if you should be appointed to this board or commission:

None

Have you ever been convicted of a crime (except for minor traffic offenses that resulted only in a fine)?

Yes No

If yes, please explain in detail. State the nature and approximate date of the conviction, the sentence imposed, whether the sentence has been completed, and any other information you consider to be relevant.

N/A

Upon application for and acceptance of appointment, board and commission members demonstrate their intention and ability to attend meetings. If appointed, frequent nonattendance may result in termination of the appointment.

By signing and submitting my application to the City of Fort Collins, I swear or affirm under penalty of perjury pursuant to the laws of the State of Colorado:

- that I meet the eligibility requirements of the position sought and
- that the information provided in this application is true and correct to the best of my knowledge.

Signature: Paul Herman 

Date: 1/13/2025

Optional: How did you learn of a vacancy on this board or commission?

- Newspaper Cable 14 City News (Utility Bill Insert) Website

Other (please specify) _____

VOLUNTEER APPLICATION

Mark Driscoll

12/6/2024 7:57 AM

Application: **WC - Water Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Water Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If you have applied to or plan to apply to more than one board/ commission please list in order of interest your choices for volunteering. Enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Water Commission meets: Regular Meetings - Third Thursday of each month. Work sessions - 1st Thursday every other month (even-numbered months) from 5:30-7:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	As many as it takes - 12+ hours/month
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	3
Current Occupation:	Retired
Current Employer:	None - Retired
Prior work experience (please include dates):	See Attached Resume 1976 -1980 Colorado State University - assistant football coach 1980 -1982 First National Bank/First Interstate Bank - Business development officer 1982-1983 Greeley National Bank - Marketing Director 1983-1984 First Interstate Bank - Commercial lending officer 1984-1994 First Interstate Bank - Senior VP - Commercial Banking 1994 -2003 First National Bank (same bank) - President 2003-2006 Colorado State University, Director of Athletics 2006-2020 First National Bank

Volunteer experience (please include dates):

Multiple Boards over the years
2008 - 2011 Fort Collins Chamber of
Commerce Board of Directors - Chair 2011
2006 - 2010 NCEDC - Board of Directors
and Chair
Employers Council - Board of Directors
2008 -2017 and Chair - 2016-2017
United Way of Larimer County - Board of
Directors 1998-2000. Campaign Chair
2000
Food Bank for Larimer County - Board of
Directors 2020 to present. Current Chair
Community Foundation of Northern
Colorado - Board of Directors 2019 to
2022. Chair 2020-2022
Salvation Army - Board of Directors
1985-1989
Colorado Bankers Association Board of
Directors. Two separate terms - 2010
2018 including Chair in 2018.
Over the years, many advisory boards
including private foundations.
Served numerous non-profits and
Churches as capital campaign committee
member or chair

Have you applied for this commission before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

What is your experience (technical/legal/research/regulatory/volunteer/
political, etc) in matters related to water as it pertains to our region, other
regions, municipal water utilities, water resources?

My banking business experience over
more than 40 years gave me many
opportunities to learn about City
government, agriculture, manufacturing
and the local economy. In the last year, I
completed the CSU/Community
Foundation's Water Literate Leaders class
that improved my basic understanding of
water resources in our region and also
increased my interest in serving the City of
Fort Collins on the water commission. I
have developed strong analytical and
decision-making skills over the years of
successful business experience.

What priorities do you feel the water commission should highlight in
advising/directing city staff and council?

The commission should focus on
maintaining, improving and protecting the
water supply and water quality of Fort
Collins water. This community is blessed
to have the very highest in water quality.
The commission should focus on long-term
storage needs including the completion of
the Halligan Reservoir project and support
of the NISP project and the potential to join
that project in some way. The commission
should advise and direct the staff to
continue to emphasize conservation of
water including landscaping changes and
domestic/consumer water use. The
commission should direct staff to work
cooperatively with other communities and
the various water providers (ditch

the various water providers (utility companies, other authorities) to most efficiently develop water supplies. Fort Collins should protect its water resources, but we should also work with other water providers on a regional basis to provide clean, water in the most efficient manner possible. Fort Collins should also work regionally to protect northern Colorado water resources from being poached or acquired by metro Denver providers.

I have been active in numerous community and civic activities and leadership roles for many years. I have not served on a City commission or board to date. My contacts in the community remain strong even in my retirement. I believe I can add an historical perspective as well as an analytical business approach to the work of the water commission. My perspective would be a pro -business approach with a strong interest in conservation - Other than our people, water is our most valuable resource. My years of experience in business, my involvement with many social welfare and non-profit organizations have given me what I believe is a balanced approach to governance and the management of city resources.

Please describe your motivation/passion to be on the water commission and what (expertise/viewpoints/background/differing perspective) you may bring to the table.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Newspaper

VOLUNTEER APPLICATION

Laura Chartrand

1/8/2025 10:30 AM

Application: **WC - Water Commission**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Water Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If you have applied to or plan to apply to more than one board/ commission please list in order of interest your choices for volunteering. Enter N/A if you have not applied to more than one board/commission. 1) Water Commission; 2) Air Quality Board

I acknowledge I am available when the Water Commission meets: Regular Meetings - Third Thursday of each month. Work sessions - 1st Thursday every other month (even-numbered months) from 5:30-7:30 p.m. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member? 10-12

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2

Current Occupation: Special Counsel

Current Employer: Buchalter, PC (law firm)

Prior work experience (please include dates): I've served as an attorney and policy advisor in the water/natural resources/ energy areas for approximately 17 years. During this time, I've worked for the State of Colorado, U.S. Department of Interior, Western Governors Association, cooperative utility, and private practice. Prior to my career in law and policy, I worked in higher education administration. Resume attached.

Volunteer experience (please include dates):

- Colorado River Water Users Association, Resolutions Committee Member, 2024 - Present
- Wish for Wheels Bike Build, 2024 - Present
- Volunteer scholarship

applicant reviewer, The Denver Foundation, March 2019 – Present
• Volunteer, University of Denver Law, Professional Mentoring Program, August 2016 – Present
• Non-Affiliated Member, Institutional Review Board, Colorado Technical University, September 2019 – December 2020

Have you applied for this commission before? If yes, please explain.

No.

Are you currently serving on a City board or Commission? If so, which one?

No

What is your experience (technical/legal/research/regulatory/volunteer/political, etc) in matters related to water as it pertains to our region, other regions, municipal water utilities, water resources?

I've practiced water law (water rights and water quality) for 17 years. Through this experience, I have represented state and federal agencies who regulate water users, including the Colorado State Engineer's Office, CDPHE, and the Bureau of Reclamation. My work has included all water divisions in the State of Colorado, and legal and policy work in most of the Western States, including Wyoming, Utah, California, New Mexico and Arizona. I have represented quasi -governmental agencies and advised county governments including Chatfield Watershed Authority and Moffat County.

What priorities do you feel the water commission should highlight in advising/directing city staff and council?

Protecting/Creating a diverse water portfolio to provide redundancies in the system; coordination with land use planning to ensure sustainable growth; budgeting to ensure regular infrastructure upgrades are planned and timely.

Please describe your motivation/passion to be on the water commission and what (expertise/viewpoints/background/differing perspective) you may bring to the table.

Over the past 17 years, I zealously represented water users in agriculture, governmental entities, developers, and industry. A career in water law has provided many rewarding experiences. I would like to give back by volunteering and sharing my expertise in water.

Specify any activities which might create a serious conflict of interest if you are appointed:

It is possible that decisions made by the Board could benefit my law clients. Should this occur, I would work with staff and other members of the Board to recuse myself when appropriate from any decisions which have the perception of a conflict or an actual conflict.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website;
I first researched on the website but the

deadlines to apply were via social media.

VOLUNTEER APPLICATION

Joey Blumberg

1/2/2025 2:43 PM

Application: **WC - Water Commission**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: PhD
Address: [REDACTED] Phone: [REDACTED] <<

Volunteer Groups Applied For

Water Commission

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If you have applied to or plan to apply to more than one board/ commission please list in order of interest your choices for volunteering. Enter N/A if you have not applied to more than one board/commission.	N/A
I acknowledge I am available when the Water Commission meets: Regular Meetings - Third Thursday of each month. Work sessions - 1st Thursday every other month (even-numbered months) from 5:30-7:30 p.m.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a commission member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Natural Resource Economist
Current Employer:	US Forest Service
Prior work experience (please include dates):	Research economist 2017-present
Volunteer experience (please include dates):	Rams against hunger 2024, election judge 2024
Have you applied for this commission before? If yes, please explain.	No
Are you currently serving on a City board or Commission? If so, which one?	No
What is your experience (technical/legal/research/regulatory/volunteer/ political, etc) in matters related to water as it pertains to our region, other regions, municipal water utilities, water resources?	I wrote my dissertation on the subject
What priorities do you feel the water commission should highlight in advising/directing city staff and council?	I don't know, I am here to learn first
Please describe your motivation/passion to be on the water commission and what (expertise/viewpoints/background/differing perspective) you	I would like to learn more

Joey Blumberg

[REDACTED]

may bring to the table.

Specify any activities which might create a serious conflict of interest if you are appointed: N/A

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Website

VOLUNTEER APPLICATION

Kayla Riley

12/17/2024 8:50 AM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree
 Address: [REDACTED] Phone: [REDACTED] <<

Availability

	S	M	T	W	T	F	S
Morning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Evening	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Women and Gender Equity Advisory Board meets. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 4-6
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 2
- Current Occupation: Mental Health Therapist, Affiliate Faculty at Colorado State University
- Current Employer: Colorado State University and Self-employed.
- Prior work experience (please include dates): Mental Health Therapist at the Sexual Assault Victim Advocate Center 2021-2023
- Volunteer experience (please include dates): None in the last 5 years.
2019 - Hotline Volunteer for Safe Project Laramie Wyoming.
- Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

To continue to be involved in the community impacting positive change in an area I am passionate about.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding gender equity and gender equity related issues.

Gender based differences in our community lead to a variety of health, safety and equity concerns that I feel very strongly about. My work as an interpersonal violence counselor I see the direct impact of this in equality and often face these issues myself. My goal would be to increase equity and safety for all. I feel strongly about taking action to protect and improve our community for folks in this population.

How do you think the City can improve gender equity in Fort Collins?

Increasing resources and awareness to current resources available to people in these groups. Continue to explore protective policy changes to ensure the rights of women, transgender and non-binary folks are protected. I hope to continue to push the needle further from acceptance into protective legal policy.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Jamie Ridgeway

1/10/2025 7:50 AM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] 53 <<

Availability

	S	M	T	W	T	F	S
Morning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Afternoon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evening	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES

If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A

I acknowledge I am available when the Women and Gender Equity Advisory Board meets. YES

How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 16

Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 1

Current Occupation: Computer Engineer

Current Employer: Paradigm Works
[REDACTED]

Prior work experience (please include dates):
Jan 2022 - PRESENT - Paradigm Works, North Andover, MA
Paradigm is a consulting engineering firm. During my tenure I have worked at the following companies:

Jun 2024 - present - Cisco, Boston, MA

Jan 2022 - Feb 2024 - Jet Propulsion Laboratory (JPL), Pasadena, CA
Consulting Computer Verification Lead Engineer
Lead a small team of computer verification engineers for a communication chip in the, now postponed, Mars Sample Return Lander.

Jun 2011 - Jan 2022 - Broadcom, Fort Collins, CO
Master Computer Verification Lead Engineer
(Previously known as Avago Technologies and LSI Corporation). Lead computer verification teams numerous projects.

Jan 2010 - Jun 2011 - University of Trento, Trento, Italy
PhD Candidate and Researcher

Oct 2005 - Dec 2009 - Emulex Corporation, Roseville, CA
Principal Computer Verification Engineer

Jun 2004 - Oct 2005 - Sierra Logic, Inc, Roseville, CA
Staff Computer Verification Engineer

Dec 1998 - Dec 2003 - LSI Logic, Inc, Milpitas, CA
Senior Computer Verification Engineer

Technical Committee Member for Design Verification Conference (DVCon), San Jose, CA
2022 - PRESENT
DVCon is the premier conference for computer verification engineering in the industry.

Technical Committee Member for Synopsys Users Group (SNUG), Austin, TX
Aug 2012-2022
Synopsys, Inc. is a primary vendor of computer design tools in the computer engineer verification industry and holds private conferences throughout the world.

Leadership Board Member - Emmaus Road Church, Fort Collins, CO
May 2016 - Apr 2019
The leadership board was responsible for the business of running the church and working with its community. I joined the board when the leadership needed to make critical restructuring decisions.

Finance Committee Member - Emmaus Road Church, Fort Collins, CO
Aug 2016 - Mar 2021

Volunteer experience (please include dates):

The committee was responsible for tracking the expenditures and income for the church as well as making financial recommendations to the leadership board.

No

No

I wish to make an impact on the lives of other women and transgender and non-binary people in Fort Collins by helping to ensure proposed or existing legislation does not hinder but expands equity. For this effort, I do not bring policy or law experience. I can only bring my lived experience as a transgender woman who transitioned later in life. I am eager to learn, have open discussion, and, together with the committee, advise City Council. I live here in Fort Collins, and with my partner of 20+ years and my two children, we feel safe here. I want to participate in ensuring that I and other transgender, non-binary, or gender-expansive people, especially, are considered in our city legislation and publicly represented.

None

I had always presented myself an ally with women. Truth was, I didn't wish to be seen as merely as an ally. I wished beyond all measure to be accepted as a woman. For my whole life I knew this could never happen. I understood what was taught to me: that we are given certain lots in life to which we must abide. For me, that meant adhering to my own "masculine" role, regardless of how I understood myself. Those around me didn't know the authentic "me" because I knew sharing would result in some sort retaliation. I credit author Austen Hartke for explaining, at a conference, just what the transgender existence means, Mike McHargue ("Science Mike"), at a retreat, for actually seeing me when I needed it most and leading me to seek help, and the work of author and cartoonist Maia Kobabe for opening my mind and accepting that my self may be more important than the constructs I'd built around me. I transitioned as a transgender woman later in life. If I had had an inclusive and affirming community earlier (and the language of "transgender") I would have transitioned earlier. I want to take part in ensuring that inclusivity and affirmation is available in our city.

I joined a transgender and non-binary choir last year and had the opportunity to sing at CSU's Transgender Day of Remembrance

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your interest regarding gender equity and gender equity related issues.

event Nov 20, 2024. During our final song, "This is Me" from the film The Greatest Showman, I saw firsthand how powerful those lyrics are. I saw some people in the room totally empowered, raising their fists in triumph, while others could only hold their heads as the tears flooded. This is me, too. I've learned a lot from books and now I want to participate in doing the good, actively ensuring the equity of women and transgender and non-binary people (and their allies) in our city.

How do you think the City can improve gender equity in Fort Collins?

One one hand, as a transgender woman, I feel quite comfortable in Fort Collins. In fact, I believe this is the general notion amongst the transgender and gender-expansive community in Fort Collins (as I have experienced with others). Furthermore, I know families have emigrated to our city from trans-unfriendly states specifically to find a more inclusive and affirming community and access the necessary health care (a handful of families indicated as such at a PFLAG event I attended last summer). What I found difficult, during my own transition, was finding the resources to necessary to support my transition as well as navigating the potentially complex path to legal acceptance.

I believe the city can work on this via gender-inclusive legislation (and removing antiquated language from existing legislation) to protect women and transgender and non-binary people. For example, the term "sex" is often argued on whether it includes or excludes "gender identity." As such, legislation should be clear and pronounce protections regardless of "sex or gender identity." Additionally, the city could reach out to the transgender community, via PFLAG Fort Collins, The Rainbow Circles, and Justice, Equity, Diversity, and Inclusion (J.E.D.I.) committees at CSU and Front Range Community College, and communicate resources, publish how-to guides, and host educational events.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Social Media

VOLUNTEER APPLICATION

Kaysey Ramstead

12/18/2024 9:55 AM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Availability

	S	M	T	W	T	F	S
Morning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Afternoon	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Evening	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Women and Gender Equity Advisory Board meets. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 40
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4
- Current Occupation: Director of operations
- Current Employer: Virtually Yours Agency
- Prior work experience (please include dates): Director Of Operations- Virtually Yours Agency 2022-Present
Receptionist- Franklin D. Azar & Associates, Sep 2022-Sept 2024
Account Manager-NGNG Enterprises 2020-2021
- Volunteer experience (please include dates): Bannock Youth Center Denver- 2013
- Have you applied for this board before? If yes, please explain. No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I'm passionate about creating spaces where equity and inclusion are more than just ideals—they're actionable realities. Serving on the Women and Gender Equity Advisory Board aligns with my commitment to fostering fairness, amplifying underrepresented voices, and creating meaningful change. My background in communication studies and leadership has given me tools to advocate for others. I want to contribute my skills, perspective, and energy to this board to advance its mission and ensure we're building a community where everyone can thrive.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding gender equity and gender equity related issues.

My interest in gender equity stems from a deep belief in the importance of creating opportunities for all individuals, regardless of gender identity. Women hold just 32% of senior leadership roles globally, highlighting the ongoing need to increase representation in decision-making positions.

I'm particularly passionate about advocating for policies and initiatives that address these issues, such as closing the gender pay gap, increasing representation in leadership roles, and addressing the unique challenges faced by gender-diverse individuals.

How do you think the City can improve gender equity in Fort Collins?

The City of Fort Collins can improve gender equity by taking a multifaceted approach that addresses systemic barriers, promotes inclusivity, and creates opportunities for all residents.

1) Expand Access to Affordable Childcare:

The lack of affordable childcare disproportionately affects women, particularly those in low-income households. The City can partner with local organizations to increase childcare options and provide subsidies, enabling more parents to participate fully in the workforce.

2) Promote Equitable Hiring Practices:

Implementing programs that encourage diverse hiring and pay equity within city departments and local businesses can help close gender disparities in employment and wages. Transparency in salary data and opportunities for leadership training are key steps toward this goal.

3) Invest in Gender-Specific Services:
Fort Collins can strengthen support for

programs addressing gender-based violence, health disparities, and mental health services that disproportionately impact women and gender-diverse individuals.

4) Foster Inclusive Community Engagement:

Ensuring that women and gender-diverse individuals have a seat at the table in city planning and decision-making processes is essential. Establishing mentorship opportunities and public forums to amplify underrepresented voices can help achieve this.

5) Educational Campaigns and Workshops:

Hosting workshops and public education campaigns around gender equity can foster a broader understanding and commitment within the community. Topics might include unconscious bias, the importance of inclusive language, and the benefits of equitable workplaces.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES

How did you learn of a vacancy on this board or commission? Other (please specify); City Council Meeting

VOLUNTEER APPLICATION

Ellis Lusi

1/9/2025 1:28 PM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Other Education Level: Bachelors degree
Address: [REDACTED] Phone: [REDACTED] <<

Availability

	S	M	T	W	T	F	S
Morning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. Women and Gender Equity; Natural Resources; Energy Board
- I acknowledge I am available when the Women and Gender Equity Advisory Board meets. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 8-10
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6
- Current Occupation: Patent Examiner
- Current Employer: US Patent and Trademark Office
- Prior work experience (please include dates): Patent Examiner, USPTO, May 2023-Present
Research Technologist, UMass Medical School, March 2021-Feb 2023
Freelance Research Analyst and Strategist, Wonder, Dec 2019-Aug 2020
Conservation Corps/Trail Crew Member: RMYC, Summer 2016 and 2017; CFI, Summer 2018; City of Boulder OSMP, Summer 2019

Mountainwatch Associate, Steamboat
SnowSports School, Winter 2018-2019
Ski Instructor, Steamboat SnowSports
School, Winter 2017-2018
Geochemistry Research Assistant, Brown
University, Summer 2015
Supervisor, Brown University Dining
Services, 2014-2017

Volunteer experience (please include dates):

DSA Fort Collins, Nov 2024-Present
Animal Friends Alliance, Cat Care,
September 2023-December 2023
Brown Engineering After School Team,
2015-2017

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

Broadly, I think that participation in local government is fundamental to creating a representative system that is sensitive and responsive to the needs of all community members. As a trans person in Fort Collins I feel privileged to live in a place that has made me feel welcome, safe, and included, and want to contribute to making sure that people of all genders and marginalized identities can have that same experience in this city.

Specify any activities which might create a serious conflict of interest if you are appointed:

None

Please describe your interest regarding gender equity and gender equity related issues.

As a trans person I am increasingly concerned by the escalation of misogynist and anti-LGBTQ+ rhetoric and legislation in our country. I think the best defense against this erosion of equity starts by doing the work and raising our voices within our own communities to affirm respect and support for people of all gender identities, and I want to contribute to that effort. I believe that gender equity and liberation is a pursuit which can improve the quality of life and opportunity to thrive for people of all genders and experiences in our community.

How do you think the City can improve gender equity in Fort Collins?

As national politics have become increasingly hostile towards issues like reproductive rights, women's rights and LGBTQ/trans rights, it is more important than ever to provide support for these issues and communities on a local level. The City should implement and support policies that further access to healthcare, economic opportunity, and social support for all members of our community, with specific consideration of how marginalized identities and genders may be impacted.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Ellis Lusi

1/9/2025 10:00 AM

Item 24.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Shyla Kallhoff

1/9/2025 4:41 PM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthdate: [REDACTED] Gender: Other Education Level: Masters degree
Address: [REDACTED] Phone: [REDACTED] <<

Availability

	S	M	T	W	T	F	S
Morning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Afternoon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Evening	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. WGEAB, Cultural Resources Board, Human Relations Commission
- I acknowledge I am available when the Women and Gender Equity Advisory Board meets. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 15
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 4
- Current Occupation: Coordinator for Victim Advocacy
- Current Employer: Colorado State University
- Prior work experience (please include dates): See resume
- Volunteer experience (please include dates): See resume
- Have you applied for this board before? If yes, please explain. No
- Are you currently serving on a City board or Commission? If so, which one? No
- Why do you want to become a member of this particular board or commission? I would love to become a member of this board so that I can positively impact

change that our community is wanting to see accomplished. I have committed myself to social justice issues and equity throughout my career, and would love to spend more time giving back to the Fort Collins community. Women and gender equity are what I am most passionate about, and would be thrilled to be given a chance to serve the community in this way.

Work 9-5 daily

I have worked for years to advance LGBTQA+ rights in Nebraska, in small rural towns with little to no resources, as I know how marginalized I felt growing up in Nebraska. I have based my entire professional career off of caring for others and elevating others' voices to be able to advocate for themselves. Now being in Colorado, I see even more opportunity to create direct impact in the Fort Collins community around not only women's issues, trans and LGBTQA+ issues, but also in how we can bring together the entire community to care about these issues.

Improving gender equity in Fort Collins requires a multifaceted approach, combining policy changes, community engagement, and resource allocation. Here are some suggestions:
Implementing Inclusive Policies and Practices:

Equal Pay Initiatives: The City can adopt stricter policies to ensure equal pay for equal work. This could include audits of city employment and contracting practices to identify and address any wage disparities between men and women.

Gender Equity in Local Government: Ensuring that women, non-binary, and transgender individuals are well-represented in local government positions, from city council to boards and commissions, is critical for decision-making processes that reflect the diverse needs of the community.

Flexible Work Policies: Encouraging local businesses and government offices to offer flexible working hours and remote work options can help ensure women have equal opportunities in the workplace, particularly in balancing family and career responsibilities.

Community Education and Awareness:

Public Campaigns: Launching citywide campaigns to raise awareness about gender-based violence, harassment, and stereotypes can change attitudes toward gender norms. These campaigns could

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your interest regarding gender equity and gender equity related issues.

How do you think the City can improve gender equity in Fort Collins?

focus on schools, businesses, and public spaces.

Gender Sensitivity Training: Offering mandatory gender sensitivity training for city employees, law enforcement, and business owners would help build understanding and ensure that interactions with the public are equitable and respectful.

Support for Women Entrepreneurs:

The city can offer grants, mentorship, and business incubators specifically aimed at women and gender minorities to encourage entrepreneurship and break down barriers in traditionally male-dominated industries.

Addressing Gender-Based Violence:

More Shelters and Resources: Expanding access to shelters for women and non-binary individuals experiencing domestic violence and offering supportive services such as counseling, job training, and legal assistance can empower those affected.

Prevention Programs: Collaborating with local schools, businesses, and nonprofits to offer programs focused on preventing gender-based violence, teaching consent, and promoting healthy relationships is vital for long-term change.

Improving Access to Healthcare and Reproductive Services:

Ensuring that gender-specific health services, including reproductive health, are accessible and affordable, and that there are educational programs around health equity, will support women and gender-diverse individuals in the community.

Safe Public Spaces:

Creating and maintaining public spaces that are safe for all genders is crucial. This can include well-lit areas, accessible public transportation options, and ensuring that public restrooms are gender-inclusive.

Collaborations with Advocacy Groups:

Collaborating with local gender equity organizations, such as women's shelters, LGBTQ+ groups, and advocacy organizations, can help the city stay informed on best practices and ongoing issues affecting gender equity in Fort Collins.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain. No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain. No

Are you willing to complete the required training if appointed? YES



How did you learn of a vacancy on this board or commission?

Website

VOLUNTEER APPLICATION

Ryan Hayden-Young

1/8/2025 10:25 AM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Male Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Availability

	S	M	T	W	T	F	S
Morning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle.	YES
If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission.	WGEAB, Citizen Review
I acknowledge I am available when the Women and Gender Equity Advisory Board meets.	YES
How many hours per month are you willing to put in (including research, work, and meeting time) as a board member?	10
Which Council District do you live in? Please refer to the map at: https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts	1
Current Occupation:	Public Relations Account Manager to national law firms
Current Employer:	Furia Rubel
Prior work experience (please include dates):	Program and Strategy Manager for Oklahoma TSET 11/22-07/24, National Marketing Manager for Campaign X Co 08/21-08/22, Firm Administrator for MD Law 12/20-01/22
Volunteer experience (please include dates):	ACLU of Oklahoma board member, Strategist for Oklahoma District 99 Representative Ajay Pittman, Strategist for Pittman Reelction Campaign (Anastasia

Pittman)

Have you applied for this board before? If yes, please explain.

No

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of this particular board or commission?

I want to give back to a community that has already given my family so much. I would love to become more involved with Fort Collins and the state of Colorado.

Specify any activities which might create a serious conflict of interest if you are appointed:

N/A

Please describe your interest regarding gender equity and gender equity related issues.

As a married gay man raising a daughter, who also experienced multiple instances of bias and retaliation, I would love to continue giving back to a community that I am not only a part of, but one that continues to protect and fight for rights of others.

How do you think the City can improve gender equity in Fort Collins?

I have a distinct and focused world view with a very concise way of articulating issues. I feel that I would make a strong addition to the board and I would be able to channel much of my professional and personal backgrounds into the work.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Social Media

VOLUNTEER APPLICATION

Anne Avonlee

1/8/2025 12:31 PM

Application: **WGEAB - Women and Gender Equity Advisory Board**

Applicant Information

Birthday: [REDACTED] Gender: Female Education Level: Masters degree

Address: [REDACTED] Phone: [REDACTED] <<

Availability

	S	M	T	W	T	F	S
Morning	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evening	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Volunteer Groups Applied For

Women and Gender Equity Advisory Board

Job Description

I have read the job description

Questions

- I acknowledge and understand it is recommended to apply for no more than (3) Board/Commission volunteer positions in any one recruitment cycle. YES
- If applying for more than (1) board/commission please list all boards in order of preference (the most important board to you should be listed first). Please enter N/A if you have not applied to more than one board/commission. N/A
- I acknowledge I am available when the Women and Gender Equity Advisory Board meets. YES
- How many hours per month are you willing to put in (including research, work, and meeting time) as a board member? 10 hours or more
- Which Council District do you live in? Please refer to the map at: <https://gisweb.fcgov.com/HTML5Viewer/Index.html?Viewer=FCMaps&layerTheme=Council%20Districts> 6
- Current Occupation: Licensed Behavioral Health Therapist specializing in relationships, addiction, whole body care, and gender and sexual equity.
- Current Employer: Colorado Women's Center and Avonlee Ventures
- Prior work experience (please include dates): Women's Shelter Advocate at Project: Safe (2014). Behavioral Health Clinician at BHG (2016-2017), UCHHealth (2017-2018), SummitStone Health Partners (2018-2019). Behavioral Health Team Lead and Larimer County Recovery Court

Liaison at SummitStone Health Partners (2019-2021). Behavioral Health Clinical Supervisor at SummitStone Health Partners (2021-2023). Behavioral Health Forensic Program Manager for Larimer County Behavioral Health Diversion, Larimer County Alternatives to Incarceration for Individuals with Mental Illness, and Larimer County Wellness Court at SummitStone Health Partners (2023-2024). Relational Advisor at Avonlee Ventures (2024-Present). Behavioral Health Clinician at Colorado Women's Center (2024-Present).

Sexual Assault Advocate at YWCA OKC (2013-2014)

I have not.

Not currently serving.

I grew up in Northern Colorado. I attended High School in Fort Collins. I left the state for my Bachelors and Masters degree. I intentionally returned to Fort Collins to be part of this vibrant community. I care deeply about folks of all genders. I specifically care about their access to all relationship structures. I want to be a voice for those in our community and be sure Fort Collins can be a representation of all genders. We must balance the systems to give space for the full spectrum of gender expression in all aspects of community life. I have spent the last 9 years doing this work in Medical, Judicial, and Community Mental Health. I want to learn and bring my perspective to community government.

I am not aware of any. I live and function in this community just like most.

A government and its programs should represent the community. My hope is for Fort Collins to lead the path for inclusion and expression. My key personal values are authenticity and belonging. I believe each person should express their gender authentically and find belonging that is centered on respect and dignity for all. I know that the world is changing and believe we can be inclusive and united.

I appreciate the presence of this board and the adjustment of the name. I believe it is a privilege to live in a city where we strive to innovate and grow. I believe in exploring innovation with curiosity and non-judgment. I have observed through conversations with others and my own experiences, we can continue to improve equity in our city. I see this the most in historically repressed or limited genders as we navigate government institutions designed to protect and serve. The

Volunteer experience (please include dates):

Have you applied for this board before? If yes, please explain.

Are you currently serving on a City board or Commission? If so, which one?

Why do you want to become a member of this particular board or commission?

Specify any activities which might create a serious conflict of interest if you are appointed:

Please describe your interest regarding gender equity and gender equity related issues.

How do you think the City can improve gender equity in Fort Collins?

government should work and be accessible to all, not only the most privileged. I hope to join in on this vibrant board to assess these dark corners with curiosity, welcome in these stakeholders, and collaborate advocacy improvements. I believe this can be done effectively by calling into action and communicating with the larger community. I would be honored to use my skills in this context.

Have you ever been the subject of a code of conduct or ethics complaint? If yes, please explain.

No, I have not.

Have you ever been found in violation of the code of conduct or ethics rule? If yes, please explain.

No, I have not.

Are you willing to complete the required training if appointed?

YES

How did you learn of a vacancy on this board or commission?

Social Media;
My neighbor is on another board and has spoken highly of the impact and benefits of these boards.

File Attachments for Item:

Federal Funding Update.

The purpose of this item is to share information regarding both direct and indirect impacts of federal funding shifts and executive orders on the City of Fort Collins and the community.

AGENDA ITEM SUMMARY

City Council



PRESENTER

Ginny Sawyer, Policy and Project Manager
Kerri Ishmael, Sr. Analyst, Grants Administrator

SUBJECT FOR DISCUSSION

Federal Funding Update.

EXECUTIVE SUMMARY

The purpose of this item is to share information regarding both direct and indirect impacts of federal funding shifts and executive orders on the City of Fort Collins and the community.

BACKGROUND / DISCUSSION

As the first executive orders were being issued, the City stood up a small team to meet regularly to better understand the financial and social impacts of the orders. Initial work identified 16 grants, totaling approximately \$41M, that are likely at-risk due to not having an executed contract, the federal program being established under the Biden administration, or the result of a change in focus at the federal level

The City has completed a review of contract language and federal regulations, which provide no concerns over City being reimbursed by federal agencies. There are programs at risk of either ending or not starting. The bulk of these programs are climate related and include EV roadmap work, energy efficient code updates and incentives, energy improvements, and transportation projects.

Following this initial work, a comprehensive listing of federal funding by service area has been created to better demonstrate the use/impact of federal dollars across the organization and community. The County and CSU have also compiled comprehensive lists to their respective organizations. When seen as a whole across the community the dollar amounts are immense and the areas of impact are varied and include research funding, federal land management, wildfire mitigation and response, disaster relief and mitigation, and public health efforts.

Federal layoffs will also have an impact both socially and financially in our community. Estimates have shown that Fort Collins has approximately 1650 to 1800 federal employees with more in the larger region. The number of layoffs locally are still undetermined. It is also possible that building leases will be non-renewed or broken. It is estimated that federal programs lease approximately 900k square feet of lab and office space locally. Utility Services key account staff are working with primary contacts to stay informed and help navigate through potential changes.

It is expected that these actions will trickle down economically to local businesses and ultimately sales tax revenue.

The City has been cognizant of the stress to both our employees and our community members, especially those in marginalized communities, and we continue to message that the City mission and values have not changed. Leadership is working closely with community partners, including the school district, to stay aligned around and aware of community impacts.

Staff will continue to track the continued executive orders and flux in federal funding.

ATTACHMENTS

1. Federal Funding Table
2. Presentation



Grant/Program

Federal Funding

Project Description

UTILITIES- Light & Power, Energy Services and Connexion

FY22 - Strengthening Mobility and Revolutionizing Transportation (SMART) Program through Dept. of Transportation's Office of Secretary - STAGE 1 Planning	\$	371,697	Planning and design of a smart grid electric vehicle (EV) charge management solution for City's fleet, including transit buses. Objective is to minimize current and future energy costs for EV charging.
FY24 - Strengthening Mobility and Revolutionizing Transportation (SMART) Program through Dept. of Transportation's Office of Secretary - STAGE 2 Implementation	\$	11,700,284	Awarded, pending executed agreement. Implementation of electric vehicle (EV) charging infrastructure (29 proposed locations) that will be integrated into a smart grid EV charge management solution, enabling the City to rapidly expand its fleet of EVs in alignment with its 2030 emissions reduction targets while simultaneously providing benefits to the electric grid and the entire community of Fort Collins.
FY22 - Energy Efficiency and Conservation Block Grant program through Department of Energy's Energy Efficiency & Renewable Energy	\$	206,680	Partial Award, with ~50% subject to agreement. Energy efficient projects to replace fluorescent lighting systems, with energy efficient systems at City facilities.
FY22 - Resilient and Efficient Codes Implementation program through Department of Energy's Energy Efficiency & Renewable Energy	\$	693,595	To support, in collaboration from industry experts, development, adoption and implementation of a guide to serve as a model for other jurisdictions and a proposed zero-carbon code structured for inclusion as an appendix to a future version of the International Energy Conservation Code (IECC).
Assistance for the Adoption of the Latest and Zero Building Energy Codes program through Department of Energy's Energy Efficiency & Renewable Energy	\$	4,554,326	Awarded, pending executed agreement. Collaborative RFFs among City, Colorado Energy Office, Boulder and Aspen in support of a multi-year program to provide implementation support for commercial building owners in adopting updated building energy codes. Proposed offerings include providing building owners advanced financial education over available funding sources to implement needed building measures/upgraded, as well as technical audits to identify needed implementation measures.
Broadband Equity, Access and Deployment (BEAD) Grant Program	\$	2,998,275	Preliminary Award - Supports broadband access in North College Community and Growth Management Area through partnership with Larimer County.

UTILITIES - Water Quality

Bureau of Reclamation's WaterSMART (Sustain and Manage America's Resources for Tomorrow) program	\$	73,977	To support City's Xeriscape Incentive Program (XIP) for commercial property owners. These funds, combined with State Colorado Water Conservation Board funds, account for over 50% of costs in support of City's XIP. Both federal and state funds have been in existence and supporting XIP since 2019.
Colorado Watershed Restoration Program through Colorado Water Conservation Board. Funding is from State's allocation of federal ARPA funds	\$	209,688	To develop a Wildfire Ready Action Plan to address the susceptibility of critical water supplies and infrastructure in the Upper Cache la Poudre and North Platte watersheds to post-wildfire impacts and hazards. This is a collaborative project with City of Greeley and Water Supply and Storage Company.
FY25 Congressionally Directed Spending funds	\$	1,054,000	Incorporated in FY25 Interior Senate CDS projects list that is part of the continuing resolution that expires end of March. Funds support the Michigan Ditch Pre-Fire Mitigation project, a collaborative effort with Colorado State Forest Service in completing forest treatments to protect the Michigan Ditch, which is critical city-owned water supply infrastructure.

UTILITIES TOTAL \$ 21,862,522

SUSTAINABILITY SERVICES - Environmental Services (Discretionary Funds) and Social Sustainability (Formula Funds)

Enhanced Air Quality Monitoring for Communities program through Environmental Protection Agency	\$	310,958	Three year project, with year two commencing. Funding to conduct ambient air monitoring of pollutants of greatest concern in communities with environmental and health outcome disparities stemming from pollution and the COVID-19 pandemic. Outcomes include identifying Environmental Justice (EJ) priority monitoring areas; empower underserved communities to investigate potential concerns; identify acute and chronic air quality issues; increase community engagement in air quality monitoring planning, increase awareness of abundance and impact of air toxics; increase access to air toxics data for a wider range of communities; pursue community action to mitigate air pollution, increase investment in local policy to reduce air toxics; increase connections and trust with government agencies; create workshops focused on 1) storytelling related to environmental injustices 2) discuss civic engagement on air issues 3) complete general outreach and education on air quality fundamentals in northern Colorado (public art events and installations).
Community Development Block Grant Program (formula) funds through Housing and Urban Development to provide decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons	\$	1,004,000	Per executed agreements with HUD that support: Construction and renovation of living units at Village on Impala Completion of single family group homes at Heartside Hill for persons with Intellectual and Development Disabilities Construction of units at Village on Eastbrook Local nonprofit support over homeless prevention and homeless sheltering City staff salaries (2 FTE)
HOME Investment Partnerships Program (formula) funds through Housing and Urban Development in support of building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people	\$	1,009,000	Per executed agreements with HUD that support: Habitat for Humanity homes Construction of new units at Village on Impala Construction of new development - Village on Eastbrook City staff salaries (2 FTE)
HOME Investment Partnerships Program - American Rescue Plan (formula) funds	\$	610,000	In support of development of CARE housing and supportive services provided by not for profits - Neighbor to Neighbor and Homeward Alliance

SUSTAINABILITY SERVICES TOTAL \$ 2,933,958

Grant/Program	Federal Funding	Project Description
POLICE (Discretionary and Formula Funds)		
Victims of Crime Act (VOCA) program through the Department of Justice. Funds are passed through Colorado's Dept of Public Safety	\$ 17,505	Supports compensation for a full-time Victim Advocate in supporting Police Services' Victim Services Unit
Internet Crimes Against Children Program through the Department of Justice's Office of Juvenile Justice and Delinquency Program. Funds are passed through City of Colorado Springs	\$ 6,110	Supports Police Services' Cyber Crimes Unit, providing funds for training
Edward Byrne Memorial Justice Assistance Grant (JAG) program through DOJ's Office of Justice Programs. These are formula funds awarded to Larimer County's Sheriff Department in capacity as lead agency for Northern Colorado Drug Task Force	\$ 32,120	Supports Police Services with overtime costs for the Northern Colorado Drug Task Program
POLICE SERVICES TOTAL \$		55,735
PDT - Engineering, Traffic, FC Moves and Community Development and Neighborhood Services		
FY23 - Safe Streets and Roads for All program implemented under the Bipartisan Infrastructure Law (BIL) through DOT's Federal Highway Administration	\$ 964,480	To support supplemental planning and demonstration activities. Each is focused on providing safe routes for vulnerable users on arterial streets and implementing proven countermeasures and strategies identified in the City's Active Modes Plan and Vision Zero Action Plan . Supplemental Planning – Northwest Fort Collins Arterial Bikeway Study Demonstration Activity – Centre Avenue Bike Lane Barriers Pilot Project
FY24 - Safe Streets and Roads for All program implemented under the Bipartisan Infrastructure Law (BIL) through DOT's Federal Highway Administration	\$ 1,739,944	Awarded, pending executed agreement. Planning and design, with demonstration project that align with City's Active Modes Plan and Vision Zero Plan. (1) An audit to identify standards and policies in several Larimer County and City plans, codes, and manuals that guide development, infrastructure, and traffic operations to identify those not aligning with City's Action Plan and related plans and studies. (2) Harmony Road Study will develop concepts to mitigate speed related risks and reduce severe crashes involving vulnerable road users on ~4-mile section of Harmony Rd from John F. Kennedy Pkwy to the West I-25 Frontage Rd. Community engagement will inform the study. Developed concepts will be prioritized based on community feedback and those providing greatest outcome for Vision Zero and increased active modes, informing future implementation activities. (3) Lake Street demonstration project will evaluate modifications to reduce the motor vehicle use of Lake Street with safer and more predictable travel for those who require access. The project will involve stakeholder engagement and evaluation of design alternatives through demonstrations with paint, post, signs, and other temporary materials for their ability to provide safe travel at key intersections, safer pedestrian crossing opportunities, and predictable travel options by other users such as bicyclists, scooter riders and skateboarders.
FY23-24 - Railroad Crossing Elimination Program implemented under the Bipartisan Infrastructure Law (BIL) through DOT's Federal Railroad Administration	\$ 765,616	Awarded, pending executed agreement. Funding for planning and preliminary design to eliminate the Timberline Road and Vine Drive rail crossing entirely by creating an overpass along Timberline Road across the tracks and Vine Drive. Timberline Road will tie into its existing footprint to the north and south, while maintaining all existing access to residents and local businesses. Eastbound/westbound traffic will be encouraged to use a new arterial being built just a half mile north of Vine Drive (Suniga Drive). The proposed solution will increase mobility and safety for the new planned residential units developing just north of the project.
Colorado Energy Office - Local Government EV Readiness Program - federal pass-through funds from Department of Energy's Energy Efficiency & Renewable Energy Program	\$ 40,000	Funding to support updating City's 2017 EV Readiness Roadmap to support EV adoptions throughout the City, the Fort Collins' community and surrounding area.
Building Resilient Infrastructure and Communities (BRIC) program through FEMA. Funding is being passed-through the Colorado Division of Homeland Security & Emergency Management	\$ 398,431	Awarded, pending executed agreement. Funding will support the development of an Environmental Master Plan (EMP) that provides a framework for integrating nature-based solutions and natural habitat design standards into City's development review process while also identifying nexus between stormwater management design criteria and natural habitat protections on private properties. The EMP will be incorporated into County's Hazard Mitigation Plan that will inform changes to both the City's' Land Use Code and Utilities stormwater design criteria.
Federal Highway Administration's Surface Transportation Block Grant program, with all funding passed through Colorado Department of Transportation	\$ 3,500,000	Funding in support of final design and construction in roadway widening, bicycle and pedestrian improvements, storm sewer and intersection improvements along Taft Hill Road. The project supports addressing congestion and safety issues, while also addressing stormwater issues that contribute to erosion issues of private properties and deteriorating roadway.
Federal Highway Administration's Surface Transportation Block Grant program, with all funding passed through Colorado Department of Transportation	\$ 380,000	Funding in support of widening Timberline Road from Stetson Creek Drive to Zephyr Road in support of improving roadway safety, reducing congestion and increasing multimodal travel options.
Combination of funding from Federal Highway Administration's Surface Transportation Block Grant Program, Congestion Mitigation and Air Quality Improvement Program and Highway Safety Improvement Program, with all funding passed through Colorado Department of Transportation	\$ 5,800,000	Funding in support of the College Ave and Trilby Road Intersection Improvements project that includes dual northbound and southbound turn lanes, raised medians and replacement of the traffic signal. The reconstructed intersection will improve safety for current and future traffic levels as growth continues in the region and will create a safer intersection for all users.
Combination of funding from Federal Highway Administration's Transportation Alternatives program and Congestion Mitigation and Air Quality Improvement Program, with all funding being passed through Colorado Department of Transportation	\$ 6,740,000	Funding in support of the Power Trail and Harmony Road Grade-Separated Crossing Project . In addition to closing the gap between Golden Meadows Park and Keenland Drive, the project supports improved safety for active modes through a new underpass. Project funds is a combination of federal funds and City generated tax revenue through the Community Capital Improvement Program.

Grant/Program

Federal Funding

Project Description

PDT - Engineering, Traffic, FC Moves and Community Development and Neighborhood Services

Federal Highway Administration's Highway Safety Improvement Program, with all funding passed through Colorado Department of Transportation	\$	887,000	Funding in support of the Lemay and Drake Intersection Improvements Project to address safety concerns and eliminate conflicts at the intersection that result in crashes. The proposed project includes infrastructure improvements, including the addition of a turn lane, as well as rebuilding the signal system.
Federal Highway Administration's Highway Safety Improvement Program, with all funding passed through Colorado Department of Transportation	\$	1,360,000	Funding in support of the Timberline Mulberry Lincoln Intersection Project. The project proposes reconfiguration of medians at these intersections in support of eliminating conflicts that result in traffic accidents and addressing safety concerns.
Federal Highway Administration's Surface Transportation Block Grant program, with all funding passed through Colorado Department of Transportation	\$	1,138,000	Funding in support of upgrading traffic signals at three separate intersections along College Ave - Columbia Road, Pitkin Street and Harvard Street. In addition to federal funds in support of traffic signal upgrades, the Colorado Department of Transportation is contributing funds in support of addressing American with Disabilities Act deficiencies at both the Columbia Road and Pitkin Street intersection.
Federal Highway Administration's Transportation Alternatives program, with all funding passed through Colorado Department of Transportation	\$	2,641,000	Funding in support of the Laporte Multimodal project between Fishback Avenue and Sunset Street. The project serves to address gaps in multimodal transportation infrastructure, including pedestrian and bicycle side paths to support the heavy bicycle and pedestrian traffic with Poudre High School, residential neighborhoods and businesses located along the project corridor. Project funding, which commenced in 2020 also includes a substantial amount of state funds and City funds.
Federal Highway Administration's Surface Transportation Block Grant program and Transportation Alternatives program , with all funding passed through Colorado Department of Transportation's Safe Routes to School Program	\$	626,193	Funding in support of the Zach Elementary School Crossings project to address safety concerns and to eliminate conflicts that result in crashes at the Jupiter/Kechter and Cinquefoil/Kechter intersections. Improvements include signalized intersection, bike-pedestrian crossing and a median refuge island.
Federal Highway Administration's Highway Safety Improvement Program, with all funding passed through Colorado Department of Transportation	\$	542,000	Funding in support of the Timberline and Carpenter Improvement project to address safety concerns and to support eliminating conflicts presented by the intersection, including congestion and related rear end crashes. Improvements include lengthening the westbound turn lane on Carpenter.
Federal Highway Administration's Transportation Alternatives program, with all funding passed through Colorado Department of Transportation	\$	603,624	Funding supports an at-grade bicycle and pedestrian crossing at the intersection of William Neal Parkway and Zeigler Road in support of a safe crossing point between Rendezvous Trail and the Poudre River Trail.
Federal Highway Administration's Congestion Mitigation and Air Quality Improvement Program	\$	440,000	Funding in support of the Mulberry Street Traffic Signal Synchronization Project to gather and evaluate data for existing conditions with goal of installing adaptive signal timing equipment at appropriate intersections on East Mulberry Street between College Ave and Greenfields Court.
Federal Highway Administration's Highway Safety Improvement Program, with all funding passed through Colorado Department of Transportation	\$	1,250,326	Funding in support of the Pedestrian Intersection Improvements Project at five separate locations that includes a mix of improvements, including pedestrian hybrid beacons, infrastructure to address Americans with Disabilities Act (ADA) requirements and full signal upgrades. The goal is to improve pedestrian and bicycle safety by reducing crashes.
Federal Highway Administration's Highway Safety Improvement Program, with all funding passed through Colorado Department of Transportation	\$	606,410	Funding in support of the Signal Upgrades Project that serves to upgrade and improve traffic signals at thirty-one locations throughout the City to increase safety and reduce crashes.
Federal Highway Administration's Surface Transportation Block Grant program and Transportation Alternatives program , with all funding passed through Colorado Department of Transportation's Safe Routes to School Program	\$	102,667	Funding in support of a crossing for students connecting Blevins Middle School and Olander Elementary

PDT - TRANSFORT (Discretionary and Formula Funds)

American Rescue Plan FY21 5307 Urbanized Area Formula Program Funds	\$	4,860,613	Funds for upgrading Transfort Maintenance Facility (TMF)
FY22 5307 Urbanized Area Formula Program Funds through Federal Transit Administration	\$	343,537	Funds in support of Battery Electric Bus Purchases and dash cameras
FY23 5307 Urbanized Area Formula Program Funds through Federal Transit Administration	\$	85,387	Funds in support of needs assessment
FY24 5307 Urbanized Area Formula Program Funds through Federal Transit Administration	\$	4,863,991	Funds in support of 2025 transit operations (salaries and operations), as well as Dial-A-Ride operations, vehicle purchases and Transfort Optimization Study
FY23/24 5339 Buses & Bus Facilities Program (formula-based) through Federal Transit Administration	\$	688,807	Funds support replacement, rehabilitation and purchase of buses, related equipment and bus-related facilities
FY21 5339 Buses & Bus Facilities Program (competitive funds) through Federal Transit Administration	\$	1,895,205	Funds in support of Battery Electric Bus Purchases
FY22 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program Fund through Federal Transit Administration	\$	343,067	Funds to acquire paratransit vehicles and equipment
FY23/24 5310 Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program Fund through Federal Transit Administration	\$	752,616	In support of Transfort's Dial-A-Ride 2025 operations and program management, and ADA bus stops



Grant/Program	Federal Funding	Project Description
PDT - TRANSFORT (Discretionary and Formula Funds)		
FY23 5337 State of Good Repairs Formula Program through Federal Transit Administration - provides capital assistance for maintenance, replacement, and rehabilitation projects of high-intensity fixed guideway and motorbus systems to help transit agencies maintain assets in a state of good repair in urbanized areas	\$ 613,739	Funds to support capital infrastructure of MAX
FY23 5337 State of Good Repairs Formula Program through Federal Transit Administration - provides capital assistance for maintenance, replacement, and rehabilitation projects of high-intensity fixed guideway and motorbus systems to help transit agencies maintain assets in a state of good repair in urbanized areas	\$ 788,353	Funds to support capital infrastructure of MAX
FY23 Congestion Mitigation and Air Quality Improvement (CMAQ) grant program through Federal Highway Administration in support of meeting requirements of Clean Air Act	\$ 3,047,943	Funds in support of Battery Electric Bus Purchases and chargers
FY24 Congestion Mitigation and Air Quality Improvement (CMAQ) grant program through Federal Highway Administration in support of meeting requirements of Clean Air Act	\$ 1,598,675	Funds in support of on-route charges for Battery Electric Buses
FY22 5309 Capital Investment Grant program (discretionary) through Federal Transit Administration that supports bus rapid transit, among other	\$ 8,134,600	Funds in support of final design of bus rapid transit (BRT) system for West Elizabeth Corridor
FY23 Congressionally Directed Spending	\$ 1,500,000	Awarded, pending executed agreement. Funds for upgrading Transfort Maintenance Facility (TMF)
FY23 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) discretionary program. RAISE has been renamed to prior Better Utilizing Investments to Leverage Development (BUILD) grant program in support of surface transportation infrastructure projects with significant local or regional impact	\$ 10,713,570	Awarded, pending executed agreement. Funds for Foothills Transit Station and roundabout in support of West Elizabeth BRT system
FY25 Carbon Reduction Program through Federal Highway Administration established under Bipartisan Infrastructure Law (BIL) in support of reducing transportation-related carbon dioxide	\$ 538,447	Awarded, pending executed agreement. Funds in support of updating City's bus stops, ensuring compliance with ADA upgrades
FY24 5339 Buses & Bus Facilities Program (competitive funds) through Federal Transit Administration	\$ 2,411,550	Funds in support of bus stop upgrades, including ADA upgrades
PDT TOTAL	\$ 73,705,791	
City of Fort Collins TOTAL		
	\$ 98,558,006	
At Risk TOTAL		
	\$ 41,412,954	

Council Staff Report

Federal Funding Update

Ginny Sawyer
Kerri Ishmael



- 13 grants “at-risk” due to change in federal focus and/or not having an executed contract.
- Considering “what-ifs” if formula funding changes.
- Tracking CDBG/HOME. Sufficient through 2027.
- Revenue shortfalls.
- Anticipating project delays due to lack of permitting staff and project cost increases due to tariffs.



- CSU and County both heavily impacted.
- 1650-1800 federal employees with up to 2600 in the larger region.
- The City/County also have over 900,000 square feet of federally leased space (office and labs.)
- Higher unemployment numbers and fewer key accounts will result in less revenue for City operations.
- Higher tariffs will impact everything from consumer spending to food costs, to construction costs.



Safety and Perceptions

- The City remains committed to our mission and values and are sharing that message.
- To date, we are not hearing reports of ICE activity, deportation, or residents avoiding church, school, hospitals, etc.
- City will be asked to take action regarding protections through local ordinances and a call for small business support is anticipated.

