

# Fort Collins City Council Agenda

Regular Meeting

6:00 p.m., Tuesday, June 18, 2024

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

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

## NOTICE:

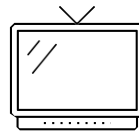
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

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

## How to view this Meeting:



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



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



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



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

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

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



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

### Comment in real time:

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



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



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

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

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

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

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

Call in number: 720 928 9299

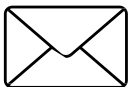
Meeting ID: 982 4141 6497

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

### Submit written comments:



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



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

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

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



# City Council Regular Meeting Agenda

June 18, 2024 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

Heather Walls  
Interim City Clerk

## PROCLAMATIONS & PRESENTATIONS 5:00 PM

### A) PROCLAMATIONS AND PRESENTATIONS

[PP 1.](#) Declaring June 17 through 23, 2024, as National Pollinator Week.

## REGULAR MEETING 6:00 PM

### B) CALL MEETING TO ORDER

### C) PLEDGE OF ALLEGIANCE

### D) ROLL CALL

### E) CITY MANAGER'S AGENDA REVIEW

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

### F) COMMUNITY REPORTS - None.

### G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS (Including requests for removal of items from Consent Calendar for individual discussion.)

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

- *Those who wish to speak are required to sign up using the online sign-up system available at [www.fcgov.com/council-meeting-participation-signup/](http://www.fcgov.com/council-meeting-participation-signup/)*

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

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

## **H) PUBLIC COMMENT FOLLOW-UP**

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

### **CONSENT CALENDAR**

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

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

#### **1. Consideration and Approval of the Minutes of the May 21, 2024 and June 4, 2024 Regular Meetings.**

The purpose of this item is to approve the minutes of the May 21, 2024 and June 4, 2024 regular meetings.

#### **2. Items Relating to the Appropriation of Federal Funds in the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds.**

A. Second Reading of Ordinance No. 074, 2024, Making Supplemental Appropriations in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 075, 2024, Making Supplemental Appropriations in the HOME Investments Partnerships Grant Fund.

These Ordinances, unanimously adopted on First Reading on June 4, 2024, appropriate the City's FY2024 Community Development Block Grant (CDBG) Entitlement Grant and FY2024 Home Investment Partnerships Program (HOME) Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and CDBG program income from FY2022 and FY2023 and HOME Program Income from FY2022 and FY2023.

**3. Second Reading of Ordinance No. 076, 2024, Making Supplemental Appropriation for the Charter Review Council Priority from General Fund Reserves.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, appropriates funds to allow work to begin on the City Charter review process included in the Council-adopted Council priorities. The amount appropriated, \$25,000, will be used to fund special legal counsel with municipal charter expertise to take the lead on the review and drafting of Charter provisions to update and modernize the City Charter.

**4. Second Reading of Ordinance No. 077, 2024, Appropriating Philanthropic Revenue Received Through City Give for the Cultural Community Program Through Cultural Services.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, requests an appropriation of \$30,000 in philanthropic revenue received through City Give for Cultural Community Program, a department within the City's Cultural Services area, for live music as designated by the grant award.

In 2019, the City of Fort Collins launched City Give, a formalized enterprise-wide initiative to create a transparent, non-partisan governance structure for accepting and appropriating charitable gifts.

**5. Second Reading of Ordinance No. 078, 2024, Appropriating Prior Year Philanthropic Revenue Reserves Received by City Give for the 9/11 Memorial at Spring Park.**

This Ordinance, unanimously adopted on First Reading on June 4, 2024, requests an appropriation of \$12,500 in philanthropic revenue received by City Give for the construction of the 9/11 Memorial at Spring Park, 2100 Mathews Steet, Fort Collins, CO.

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

**6. Second Reading of Ordinance No. 079, 2024, 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 June 4, 2024, supports The Gardens on Spring Creek internship program by:

- Appropriating \$4,200 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and
- Utilizing matching funds in the amount of \$4,200 from existing 2024 appropriations into to this new grant project.

In May 2024 the Colorado Department of Agriculture (CDA) awarded the City of Fort Collins (City) \$4,200 under the CDA's Agricultural Workforce Development Grant Program (Attachment 2). The City will be providing an additional \$4,200 in required matching funds. The award funds and City's matching funds will support hiring an intern for The Gardens' summer 2024 internship program.

The \$4,200 in funds through the CDA's Agricultural Workforce Development Grant Program are federal pass-through funds.

As presented per Attachment 2, the \$4,200 is provided pursuant to a State of Colorado Purchase Order, with corresponding terms and conditions. There is no requirement that the City sign an agreement. Rather upon the City submitting the first request for reimbursement to CDA, the City agrees to all terms and conditions of the award.

**7. First Reading of Ordinance No. 080, 2024, Amending Ordinance No. 107, 2023, and Appropriating Prior Year Reserves Designated for Fire Services in the Fire Protection Capital Expansion Fund for Payment to the Poudre Fire Authority to be Used to Pay for a New Headquarters Building.**

The purpose of this item is to appropriate and reappropriate funds from the Fire Protection Capital Expansion Fund and transfer funds to Poudre Fire Authority (PFA) for purchase of a new Headquarters Building.

**8. Public Hearing and Resolution 2024-077 Approving the Programs and Projects that will Receive Funds from the Federal Community Development Block Grant Program, the HOME Investment Partnerships Program, the City's Affordable Housing Fund, and the City's Human Services Program.**

The purpose of this item is to approve funding recommendations of the 2024 Spring Cycle of the Competitive Process. This Resolution will complete the 2024 Spring Cycle of the Competitive Process for allocating \$3,772,510 in City financial resources to affordable housing and public facility projects, human service programs, and administration of the programs.

**9. Resolution 2024-078 Approving the Appointment of Delynn Coldiron as City Clerk Effective June 24, 2024.**

The purpose of this item is to approve the appointment of Delynn Coldiron as City Clerk.

**10. Resolution 2024-079 Adopting Findings of Fact in Support of the City Council's Decision to Overturn on Appeal the Historic Preservation Commission Determination that 2601 South College Avenue is Eligible for Fort Collins Landmark Designation.**

The purpose of this item is to make findings of fact and conclusions regarding Council's decision at the June 4, 2024, appeal hearing about the historic landmark eligibility of 2601 South College Avenue (the "Property") that the Historic Preservation Commission (HPC "Commission") failed to properly interpret and apply City Code Section 14-22 and thereby overturned the HPC's April 17, 2024, determination that the Property was eligible for designation as a Fort Collins Landmark.

**11. Resolution 2024-080 Making Appointments to the Downtown Development Authority Board.**

The purpose of this item is to fill vacancies that will exist as of June 30, 2024.

**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** - None.

**M) COUNCILMEMBER REPORTS**

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

**O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION**

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

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

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

**12. Items Relating to Residential Occupancy Ordinance.**

A. First Reading of Ordinance No. 081, 2024, Amending the Land Use Code of the City of Fort Collins to Remove Residential Occupancy Limitations.

B. First Reading of Ordinance No. 082, 2024, Amending the Code of the City of Fort Collins to Conform with the Removal of Residential Occupancy Limitations from the Land Use Code.

The purpose of this item is to consider adoption of changes to the City's Land Used Code and Municipal Code to comply with House Bill 24-1007, which prohibits residential occupancy limits based on familial relationship.

**P) OTHER BUSINESS**

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

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

## Q) ADJOURNMENT

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

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## PROCLAMATION

**WHEREAS**, pollinator species such as birds, insects, and bats are the first step in plant reproduction and more than 70% of flowering plants are dependent on pollination to create seeds and fruit; and

**WHEREAS**, pollinator habitats are shrinking or at risk due to environmental pollution and climate change; and

**WHEREAS**, Colorado has over 900 species of bees that pollinate 80% of the crops in the state along with approximately 250 butterfly species and 11 types of hummingbirds that migrate through; and

**WHEREAS**, pollinator species provide significant environmental benefits that are necessary for maintaining healthy, biodiverse ecosystems; and

**WHEREAS**, the City of Fort Collins has managed wildlife habitats and public lands for decades and values and encourages the maintenance and creation of pollinator habitat through stewardship practices, education, and resident incentive programs, including the creation of the City of Fort Collins Design Guide; and

**NOW, THEREFORE**, I, Emily Francis, Mayor Pro Tem of the City of Fort Collins, do hereby proclaim June 17 through 23, 2024, as

### NATIONAL POLLINATOR WEEK

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Fort Collins this 18th day of June, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk



# AGENDA ITEM SUMMARY

City Council

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## STAFF

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Heather Walls, Interim City Clerk

## SUBJECT

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**Consideration and Approval of the Minutes of the May 21, 2024 and June 4, 2024 Regular Meetings.**

## EXECUTIVE SUMMARY

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The purpose of this item is to approve the minutes of the May 21, 2024 and June 4, 2024 regular meetings.

## STAFF RECOMMENDATION

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Staff recommends approval of the minutes.

## ATTACHMENTS

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1. Draft Minutes, May 21, 2024
2. Draft Minutes, June 4, 2024

May 21, 2024

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Regular Meeting – 6:00 PM**

**PROCLAMATIONS AND PRESENTATIONS  
5:00 PM**

**A) PROCLAMATIONS AND PRESENTATIONS**

PP 1. **Declaring May 19 through 25, 2024 as Emergency Medical Services Week.**

PP 2. **Declaring May 19 through 25, 2024 as Flood Awareness Week.**

PP 3. **Declaring June 2024 as Bike 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 Jeni Arndt led the Pledge of Allegiance to the American Flag.

**D) ROLL CALL**

**PRESENT**

- Mayor Jeni Arndt
- Mayor Pro Tem Emily Francis
- Councilmember Susan Gutowsky
- Councilmember Melanie Potyondy
- Councilmember Kelly Ohlson

**ABSENT**

- Councilmember Tricia Canonico (Excused)
- Councilmember Julie Pignataro (Excused)

**STAFF PRESENT**

- City Manager Kelly DiMartino
- City Attorney Carrie Daggett
- Interim City Clerk Heather Walls

**CITY MANAGER'S AGENDA REVIEW**

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

- All items on the consent agenda were recommended for approval with no changes.
- The items on the discussion agenda were reviewed.
- Councilmember Canonico is at the Environmental Protection Agency's (EPA) Local Government Advisory Committee meeting.
- Councilmember Pignataro's flight was rerouted due to weather conditions.

**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.)*

Roxanne Griffin requested Council enact an ordinance to ban single-use plastic bottles in City buildings or at events that require a City permit.

Maureen McCarthy, FOCO Trash Mob, discussed the organization's work to reduce single-use plastics (SUPs).

Psyche Spangler discussed the benefits of reducing single-use plastic water bottles.

Nicole Sizemore spoke as a parent and community member in Laporte and thanked Council for its participation in the Poudre School District school consolidation conversation which resulted in the end of consolidation plans. Sizemore thanked Erica Daniel for engaging John Kefalas in the conversation.

August-Carter Nelson spoke in support of a ceasefire resolution and peaceful protests.

Renga Subramanyam, FOCO Trash Mob, commented on the negative health impacts of SUPS and supported the adoption of an ordinance to ban single-use plastic water bottles.

Shirley White spoke in support of the reduction of single-use plastic bottles and stated the City should take the lead.

Alex Scott spoke in support of a Gaza ceasefire resolution.

Bill King questioned when Council will address development review public engagement concerns.

Madeleine Grigg spoke in support of a Gaza ceasefire resolution.

Paul Herman opposed Council adoption of a Gaza ceasefire resolution.

Kim Miller, FOCO Trash Mob, spoke in support of banning SUPs.

Margit Hentschel discussed the failure of the community solar field and questioned why the repairs are taking so long.

Charlie Meserlian discussed the Mason Street ODP appeal and urged Council to consider equity and inclusion.

Julie Rowan Zoch requested the natural gas user fee not be imposed and opposed appropriating funds to Police Services from the Click it or Ticket program. Zoch also spoke in support of a Gaza ceasefire resolution.

## H) PUBLIC COMMENT FOLLOW-UP

Mayor Pro Tem Francis requested a follow up memo on single-use plastic bans in other Colorado cities. City Manager DiMartino replied in the affirmative.

Mayor Pro Tem Francis noted the appeal mentioned related to whether the Planning and Zoning Commission conducted a fair hearing and correctly applied the Land Use Code.

Councilmember Potyondy concurred with the request for a follow up memo on single-use plastics and requested clarification regarding the development review process as related to affordable housing per Bill King's comments. Deputy City Manager Tyler Marr replied the recently adopted Land Use Code did not include most of the streamlined development review process for housing; however, affordable housing projects are eligible for the proposition 123 funds.

Councilmember Ohlson expressed support for the City banning single-use water bottles and requested a follow up memo on the status of the community solar field and questioned why Utilities reserve funds are not available to cover repair costs. City Manager DiMartino suggested a staff report could be prepared to answer questions on the issue.

Councilmember Potyondy acknowledged those who spoke to issues in the Middle East and commended the investment of community members in advocating for topics of concern.

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

Councilmember Ohlson withdrew item Nos. 1, *Second Reading of Ordinance No. 058, 2024, Making Supplemental Appropriation of the 2050 Tax for Various Programs and Services Related to Parks, Recreation, Transit and Our Climate Future*, and 17, *Resolution 2024-070 Authorizing the Execution of an Amendment to the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements*, from the Consent Calendar stating he would be voting against both items.

## J) CONSENT CALENDAR

1. **Second Reading of Ordinance No. 058, 2024, Making Supplemental Appropriation of the 2050 Tax for Various Programs and Services Related to Parks, Recreation, Transit and Our Climate Future.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates the 2024 funding of the new 2050 Tax. In November 2023, Fort Collins voters approved this 0.5% Sales and Use Tax increase, which is dedicated to the areas of Parks, Recreation, Transit and Climate. This tax begins in 2024 and expires at the end of 2050.*

***Pulled from consent for discussion.***

2. **Second Reading of Ordinance No. 059, 2024, Making a Supplemental Appropriation from the Local Planning Capacity Grant for the Affordable Housing and Planning Development Process Improvement Project and Approving a Related Grant Agreement.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates awarded funds from the Proposition 123 Local Planning Capacity (LPC) Grant, administered by the State*

Department of Local Affairs (DOLA). This \$200,000 grant to the City will support a 12- to 18-month process improvement project intended to reduce development review timelines for affordable housing developments to meet Proposition 123's 90-day "fast track" approval requirements.

**Adopted on Second Reading.**

**3. Second Reading of Ordinance No. 060, 2024, Appropriating Philanthropic Revenue Received Through City Give for Environmental Services Curbside Recycling.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates an award of approximately \$664,000 to defray the cost of new recycling carts being purchased for the City's Residential Contracted Trash and Recycling Program and to support recycling outreach and education for the community.*

**Adopted on Second Reading.**

**4. Second Reading of Ordinance No. 061, 2024, Appropriating Prior Year Reserves and Unanticipated Philanthropic Revenue Received Through City Give for Various Programs and Services as Designated by the Donors.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, requests appropriation of \$58,235 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.**

**5. Second Reading of Ordinance No. 062, 2024, Appropriating Philanthropic Revenue Received Through City Give for the Art in Public Places Program, Pianos About Town Project.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, considers an appropriation of \$47,115 in philanthropic revenue received through City Give for the Art in Public Places program for the designated purpose of Pianos About Town, a collaborative effort among the City of Fort Collins Art in Public Places program, the Fort Collins Downtown Development Authority, and the donor, Bohemian Foundation.*

**Adopted on Second Reading.**

**6. Second Reading of Ordinance No. 063, 2024, Making a Supplemental Appropriation from the Colorado Department of Local Affairs Gray and Black-Market Marijuana Enforcement Grant Program for the Fort Collins Police Services Marijuana Enforcement Program.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, supports Fort Collins Police Services' Marijuana Enforcement Program in investigating gray and black-market marijuana cases by appropriating \$39,641 of unanticipated grant revenue from the Colorado Department of Local Affairs (DOLA), Gray and Black-Market Marijuana Enforcement.*

**Adopted on Second Reading.**

7. **Second Reading of Ordinance No. 064, 2024, Making Supplemental Appropriations of Prior Year Reserves and Grant Revenue from the Colorado Department of Transportation and Authorizing Transfers for the College Avenue-Trilby Road Intersection Improvements Project.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, enables the City to receive and expend Colorado Department of Transportation (CDOT) funds 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 \$361,361 of Congestion Mitigation and Air Quality (CMAQ) Improvement Program grant funds for the Project; 2) appropriate \$1,870,000 of Highway Improvement Program (HIP) grant funds; 3) appropriate \$5,272,260 of Surface Transportation Block Grant (STBG) Program funds; 4) appropriate \$2,000,000 of Funding Advancements for Surface Transportation and Economic Recovery (FASTER) Act grant funds; 5) use \$14,800 from development contributions to construction as part of the local match; 6) appropriate as part of the local match contribution \$1,300 from the Transportation Capital Expansion Fee (TCEF) Reserves; 7) appropriate \$113 (0.7% of the local match amount) from TCEF Reserves to the Art in Public Places Program; and 8) appropriate \$48 (0.3% of the local match amount) for maintenance of art from Transportation Fund Reserves to the Art in Public Places Program.*

**Adopted on Second Reading.**

8. **Second Reading of Ordinance No. 065, 2024, Authorizing the Conveyance of a Permanent Non-Exclusive Sewer Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, authorizes a conveyance of an easement to the Sanitation District to allow for a sewer service line for the terminal. The easement is over a portion of the Northern Colorado Regional Airport property, which is owned jointly by the City of Fort Collins and the City of Loveland.*

**Adopted on Second Reading.**

9. **First Reading of Ordinance No. 066, 2024, Making a Supplemental Appropriation and Appropriating Prior Year Reserves to Develop a Digital Accessibility Roadmap.**

*The purpose of this item is to request an appropriation of \$150,000 in General Funds in order to work with a consultant to develop a comprehensive and actionable Digital Accessibility Roadmap. The purpose of this roadmap is to provide a strategy for compliance with both Colorado and federal laws and regulations pertaining to digital accessibility requirements, including both the Americans with Disabilities Act and Colorado House Bill 21-1110.*

**Adopted on First Reading.**

10. **First Reading of Ordinance No. 067, 2024, Making a Supplemental Appropriation from the Colorado Department of Transportation Colorado Highway Safety Office Click It or Ticket Grant for the Fort Collins Police Services Traffic Enforcement Unit.**

*The purpose of this item is to appropriate \$16,529 of unanticipated federal grant revenue from the Colorado Department of Transportation, Colorado Highway Safety Office (HSO), to support Fort Collins Police Services' Traffic Enforcement Unit work toward traffic safety and reducing serious injuries and fatal crashes through the enforcement of traffic laws and specifically those related to driver and passenger restraint system use.*

**Adopted on First Reading.**

11. **First Reading of Ordinance No. 068, 2024, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Waters Edge Second Filing Developer for Construction of Turnberry Road, Brightwater Drive, and Morningstar Way Improvements.**

*The purpose of this item is to appropriate \$612,027 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Waters Edge Second Filing developer, Waters Edge Development Inc. (Developer), for its oversizing construction of Turnberry Road, Brightwater Drive, and Morningstar Way. As part of the development plans and development agreement for Waters Edge Second Filing and permitted for construction under the Waters Edge Third Filing Development Construction Permit, the Developer has constructed to City standards Turnberry Road as a two-lane arterial, and Brightwater Drive and Morningstar Way as collectors as part of its development requirements. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Turnberry Road, Brightwater Drive, and Morningstar Way not attributed to the local portion obligation.*

**Adopted on First Reading.**

12. **First Reading of Ordinance No. 069, 2024, Making a Supplemental Appropriation from the Colorado Department of Early Childhood in Support of Licensed City Childcare Programs.**

*The purpose of this item is to support licensed City childcare programs by appropriating \$21,069 of unanticipated grant revenue awarded by the Colorado Department of Early Childhood (CDEC).*

*Through the CDEC's Childcare Stabilization Grants program the City was awarded \$21,069 in federal pass-through funds to provide enhancements in licensed City Childcare programs.*

**Adopted on First Reading.**

13. **First Reading of Ordinance No. 070, 2024, Correcting Ordinance No. 003, 2024, Authorizing Transfers and Reappropriating Funds Previously Approved for the Utilities' Grid Flexibility Programs.**

*The purpose of this item is to appropriate \$200,000 of prior year reserves in the Light and Power Fund to support Ordinance No. 003, 2024, which authorized transfers and reappropriation of funds previously appropriated for the Utilities' Grid Flexibility Programs. The ordinance, as adopted, omitted the need for \$200,000 of prior year reserves to fully fund the requested appropriation, since those funds had technically lapsed at the end of fiscal year 2023.*

**Adopted on First Reading.**

14. **First Reading of Ordinance No. 071, 2024, Approving the First Amendment to the Hangar Ground Lease Agreement with IC Loveland, LLC, for the Aero FNL Hangar Development at the Northern Colorado Regional Airport.**

*The purpose of this item is to request City Council approval of an amendment to an existing hangar ground lease between the City of Fort Collins, the City of Loveland, and IC Loveland, LLC, to allow for subleasing and fractional ownership of multi-unit aircraft hangar buildings.*

**Adopted on First Reading.**



**15. Items Relating to the I-25 & Mulberry Annexation.**

*A. Resolution 2024-069 Setting Forth Findings of Fact and Determinations Regarding the I-25 & Mulberry Annexation.*

*B. Public Hearing and First Reading of Ordinance No. 072, 2024, Annexing the Property Known as the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado.*

*The purpose of this item is to annex a 46.92-acre property located at the NE Corner of the I-25 and East Mulberry interchange. A specific project development plan proposal is not included with the annexation application. The Initiating Resolution was adopted on April 16, 2024. 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 annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement regarding Growth Management.*

**Resolution 2024-069 Adopted.**

**Ordinance No. 072, 2024, Adopted on First Reading.**

**16. Public Hearing and First Reading of Ordinance No. 073, 2024, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.**

*The purpose of this item is to zone the property included in the I-25 & Mulberry Annexation into the Industrial (I), and General Commercial (CG) zone districts and place the property into the LC2 Lighting Context Area and Non-residential Sign District.*

*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 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.*

**Hearing held. Adopted on First Reading.**

**17. Resolution 2024-070 Authorizing the Execution of an Amendment to the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements.**

*The purpose of this item is to make an amendment to the 2019 Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements (the "IGA") to place the agreement into abeyance until the parties agree on further amendments to address the changed circumstances and updated timelines. The new amended agreement will supersede the existing one.*

**Pulled from consent for discussion.**

**18. Resolution 2024-071 Adopting Findings of Fact in Support of the City Council's Decision on Appeal to Uphold the Planning and Zoning Commission Approval of the Mason Street Infrastructure Overall Development Plan ODP230001.**

*The purpose of this item is to make findings of fact and conclusions regarding Council's decision at the May 7, 2024, Mason Street Infrastructure Overall Development Plan appeal hearing that the Planning and Zoning Commission held a fair hearing and dismissing the failure to properly*

*interpret and apply allegations and thereby upholding the Planning and Zoning Commissions' approval of the Mason Street Infrastructure Overall Development Plan.*

**Adopted.**

**END OF CONSENT CALENDAR**

**Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-18, minus items 1 and 17, on the consent calendar.**

**The motion carried 5-0.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, and Ohlson**

**Nays: None.**

**Absent: Councilmembers Canonico and Pignataro**

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

None.

**L) STAFF REPORTS**

None.

**M) COUNCILMEMBER REPORTS**

Mayor Arndt reported on presenting at the CoMotion conference about the future of transportation.

Councilmember Potyondy reported on attending the Beattie Elementary School annual bike parade, a dedication of a LEED gold certified parks facility, and the City Works 101 graduation.

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

**1. Second Reading of Ordinance No. 058, 2024, Making Supplemental Appropriation of the 2050 Tax for Various Programs and Services Related to Parks, Recreation, Transit and Our Climate Future.**

*This Ordinance, unanimously adopted on First Reading on May 7, 2024, appropriates the 2024 funding of the new 2050 Tax. In November 2023, Fort Collins voters approved this 0.5% Sales and Use Tax increase, which is dedicated to the areas of Parks, Recreation, Transit and Climate. This tax begins in 2024 and expires at the end of 2050.*

**PUBLIC COMMENT**

None.

**COUNCIL COMMENT**

Councilmember Ohlson expressed frustration about the City's commitment to climate action. He questioned why 2024 dollars were left unspent and suggested those funds could have been used to expand the energy assistance program or for additional solar installations on City buildings. He questioned why community experts were not involved and why Denver and Los Angeles Water

and Power were not consulted. He questioned the use of the tax funds for converting lights in recreation and parks facilities to night sky friendly fixtures. He stated it is unlikely the 2026 and 2030 climate goals will be reached.

Travis Storin, Chief Financial Officer, stated the 2024 proposals are largely based on shovel readiness and empirically tested programming that can be activated. He stated the forthcoming funding will be able to utilize more criteria-driven recommendations, engagement, and learning from other communities.

Jacob Castillo, Chief Sustainability Director, stated all projects surfaced through staff and were informed by community engagement on multiple fronts and focused on human centeredness and equity focus of Our Climate Future. He noted staff are looking at projects that could be implemented over the next six months for the 2024 dollars. Additionally, he stated staff is looking at other communities for best practices and more long-term investments and proposals will be forthcoming in the 2025-2026 budgeting for outcomes process.

Mayor Pro Tem Francis stated she is comfortable with the current situation and noted the Council Finance Committee was supportive. She supported using Our Climate Future as a base point and acknowledged the complexity of getting a grant program off the ground.

Councilmember Ohlson asked if these tax dollars are adding staff members to increase the capacity for quickly managing more projects. Castillo replied there are budget offers for 2025-2026 for additional personnel and stated there are several staff members across the organization working on the climate crisis.

Councilmember Gutowsky stated the tax dollar expenditures can benefit each other and she urged the use of funds to not be in silos.

Mayor Arndt expressed support for the item.

***Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 058, 2024, on Second Reading.***

***The motion carried 4-1.***

***Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, and Potyondy***

***Nays: Councilmember Ohlson.***

***Absent: Councilmembers Pignataro and Canonico.***

**17. Resolution 2024-070 Authorizing the Execution of an Amendment to the Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements.**

*The purpose of this item is to make an amendment to the 2019 Intergovernmental Agreement for Solid Waste Programming and Infrastructure Improvements (the "IGA") to place the agreement into abeyance until the parties agree on further amendments to address the changed circumstances and updated timelines. The new amended agreement will supersede the existing one.*

PUBLIC COMMENT

None.

COUNCIL COMMENT

Councilmember Ohlson asked about flow control and whether this agreement lays the groundwork to act on flow control.

Jacob Castillo, Chief Sustainability Director, replied flow control dictates specific waste streams going to certain facilities and stated the current agreement does not allow the City to enable flow control.

Councilmember Ohlson expressed support for the public landfill being controlled by the County but opposed the proposed solutions.

Castillo commented on the top priority projects that were identified in the Solid Waste Infrastructure Master Plan and noted the City is moving forward with exploring construction and demolition and food scraps composting infrastructure. Additionally, he noted the County has pursued a grant for construction and demolition infrastructure and is open to a food scrap composting pilot program.

Councilmember Potyondy supported additional exploration of waste to energy.

Mayor Pro Tem Francis expressed support for the resolution.

Mayor Arndt concurred and stated it would be valuable to have an agreement in place that better aligns with the City's goals.

Councilmember Ohlson stated he understands why Council would support both of these items.

**Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Resolution 2024-070.**

**The motion carried 4-1.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, and Potyondy**

**Nays: Councilmember Ohlson.**

**Absent: Councilmembers Pignataro and Canonico.**

**O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION**

None.

**P) OTHER BUSINESS**

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

None.

**OB 2. Consideration of a motion to adjourn this meeting until after the completion of the Electric Utility Enterprise Board business:**

"I move that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business."

**Mayor Pro Tem Francis moved, seconded by Councilmember Ohlson, that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business.**

**The motion carried 5-0.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, and Ohlson.**

**Nays: None.**

**Absent: Councilmembers Pignataro, and Canonico.**

**(\*\*Clerks Note: The regular Council meeting adjourned at 7:26 p.m. to conduct the business of the Electric Utility Enterprise board. The regular Council meeting reconvened at 7:30 p.m.)**

**OB 3. Consideration of a motion to go into Executive Session for Mid-Year Reviews of Chief Judge, City Manager, and City Attorney:**

- Chief Judge 60 minutes
- City Manager 60 minutes
- City Attorney 60 minutes

Note: Times are approximate with breaks, as necessary.

“I move that the City Council go into executive session, as permitted under Article Two, Section Eleven of the City Charter, Section 2-31(a)(1) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(f)(roman numeral one), for the purpose of conducting mid-year performance reviews of the Chief Judge, City Attorney and City Manager.”

**Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, that the City Council go into executive session, as permitted under Article Two, Section Eleven of the City Charter, Section 2-31(a)(1) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(f)(roman numeral one), for the purpose of conducting mid-year performance reviews of the Chief Judge, City Manager and City Attorney.**

**COUNCILMEMBER COMMENT**

Councilmember Potyondy recused herself from the discussion involving the City Attorney because her husband is an employee of the City Attorney’s Office.

**The motion carried 4-0.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, and Ohlson.**

**Nays: None.**

**Absent: Councilmembers Pignataro, and Canonico.**

**(\*\*Clerk’s Note: Councilmember Potyondy did not vote however her recusal was not required for the vote on the motion for executive session.)**

The meeting recessed at 7:32 p.m. and reconvened at 7:45 p.m. in the Council Conference Room.

Present at this executive session were:

- Mayor Jeni Arndt
- Mayor Pro Tem Emily Francis

Item 1.

Councilmember Susan Gutowsky  
Councilmember Kelly Ohlson  
Councilmember Melanie Potyondy

Chief Judge Jill Hueser entered the executive session at 7:45 p.m. and left at 8:13 p.m. City Manager Kelly DiMartino entered at 8:15 p.m. At 8:20 p.m., City Attorney Carrie Daggett entered. Councilmember Potyondy left due to her recusal from the City Attorney's evaluation because her spouse is employed by the City Attorney's office.

The executive session concluded at 9:20 p.m. and Council returned to the open meeting in Council Chambers.

**Q) ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 9:24 p.m.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

DRAFT

June 4, 2024

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Regular Meeting – 6:00 PM**

**PROCLAMATIONS AND PRESENTATIONS  
5:00 PM**

**A) PROCLAMATIONS AND PRESENTATIONS**

PP 1. **Declaring June 2024 as LGBTQ+ Pride 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 Jeni Arndt led the Pledge of Allegiance to the American Flag.

**D) ROLL CALL**

**PRESENT**

- Mayor Jeni Arndt
- Mayor Pro Tem Emily Francis
- Councilmember Susan Gutowsky
- Councilmember Tricia Canonico
- Councilmember Melanie Potyondy
- Councilmember Kelly Ohlson

**ABSENT**

- Councilmember Julie Pignataro (Excused/Remote)

**STAFF PRESENT**

- City Manager Kelly DiMartino
- City Attorney Carrie Daggett
- Interim City Clerk Heather Walls

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

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

- Item #9, *Second Reading of Ordinance No. 073, 2024, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map*, now includes the Planning and Zoning Commission's recommendation of approval.
- All items on the consent agenda were recommended for approval with no changes.
- The items on the discussion agenda were reviewed.

**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.)*

August-Carter Nelson, speaking on his own behalf, urged Council to adopt a ceasefire resolution.

Adam Hirschhorn commented on propaganda and ensuring the safety of those living north of the Poudre River.

Will Risheill stated the Hughes Stadium site should be returned to indigenous people.

Alex Scott urged Council to adopt a ceasefire resolution.

Kimberly Connor urged Council to adopt a ceasefire resolution.

JP Hurst commented on being involved in a minor bus accident and stated there was no choice but to file legal action which was refused to be received by the City Attorney's Office. Hurst also urged Council to require City staff to register under DOLA.

Paul Herman opposed the adoption of a ceasefire resolution.

**H) PUBLIC COMMENT FOLLOW-UP**

Councilmember Potyondy thanked the speakers.

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

Councilmember Ohlson withdrew Item #8, *Second Reading of Ordinance No. 072, 2024, Annexing the Property Known as the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado*, and Item #9, *Second Reading of Ordinance No. 073, 2024, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map*, from the Consent Calendar due to concerns with metro district policies and concerns that the items should not have been on the Consent Calendar.



**CONSENT CALENDAR**

1. **Consideration and Approval of the Minutes of the April 16, 2024, and May 7, 2024, Regular Meetings.**

*The purpose of this item is to approve the minutes of the April 16, 2024, and May 7, 2024, regular meetings.*

***Approved.***

2. **Second Reading of Ordinance No. 066, 2024, Making a Supplemental Appropriation and Appropriating Prior Year Reserves to Develop a Digital Accessibility Roadmap.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, requests an appropriation of \$150,000 in General Funds in order to work with a consultant to develop a comprehensive and actionable Digital Accessibility Roadmap. The purpose of this roadmap is to provide a strategy for compliance with both Colorado and federal laws and regulations pertaining to digital accessibility requirements, including both the Americans with Disabilities Act and Colorado House Bill 21-1110.*

***Adopted on Second Reading.***

3. **Second Reading of Ordinance No. 067, 2024, Making a Supplemental Appropriation from the Colorado Department of Transportation Colorado Highway Safety Office Click It or Ticket Grant for the Fort Collins Police Services Traffic Enforcement Unit.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, appropriates \$16,529 of unanticipated federal grant revenue from the Colorado Department of Transportation, Colorado Highway Safety Office (HSO), to support Fort Collins Police Services' Traffic Enforcement Unit work toward traffic safety and reducing serious injuries and fatal crashes through the enforcement of traffic laws and specifically those related to driver and passenger restraint system use.*

***Adopted on Second Reading.***

4. **Second Reading of Ordinance No. 068, 2024, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Waters Edge Second Filing Developer for Construction of Turnberry Road, Brightwater Drive, and Morningstar Way Improvements.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, appropriates \$612,027 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Waters Edge Second Filing developer, Waters Edge Development Inc. (Developer), for its oversizing construction of Turnberry Road, Brightwater Drive, and Morningstar Way. As part of the development plans and development agreement for Waters Edge Second Filing and permitted for construction under the Waters Edge Third Filing Development Construction Permit, the Developer has constructed to City standards Turnberry Road as a two-lane arterial, and Brightwater Drive and Morningstar Way as collectors as part of its development requirements. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Turnberry Road, Brightwater Drive, and Morningstar Way not attributed to the local portion obligation.*

***Adopted on Second Reading.***

5. **Second Reading of Ordinance No. 069, 2024, Making a Supplemental Appropriation from the Colorado Department of Early Childhood in Support of Licensed City Childcare Programs.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, supports licensed City childcare programs by appropriating \$21,069 of unanticipated grant revenue awarded by the Colorado Department of Early Childhood (CDEC).*

*Through the CDEC's Childcare Stabilization Grants program the City was awarded \$21,069 in federal pass-through funds to provide enhancements in licensed City Childcare programs.*

***Adopted on Second Reading.***

6. **Second Reading of Ordinance No. 070, 2024, Correcting Ordinance No. 003, 2024, Authorizing Transfers and Reappropriating Funds Previously Approved for the Utilities' Grid Flexibility Programs.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, appropriates \$200,000 of prior year reserves in the Light and Power Fund to support Ordinance No. 003, 2024, which authorized transfers and reappropriation of funds previously appropriated for the Utilities' Grid Flexibility Programs. The ordinance, as adopted, omitted the need for \$200,000 of prior year reserves to fully fund the requested appropriation, since those funds had technically lapsed at the end of fiscal year 2023.*

***Adopted on Second Reading.***

7. **Second Reading of Ordinance No. 071, 2024, Approving the First Amendment to the Hangar Ground Lease Agreement with IC Loveland, LLC, for the Aero FNL Hangar Development at the Northern Colorado Regional Airport.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, approves an amendment to an existing hangar ground lease between the City of Fort Collins, the City of Loveland, and IC Loveland, LLC, to allow for subleasing and fractional ownership of multi-unit aircraft hangar buildings.*

***Adopted on Second Reading.***

8. **Second Reading of Ordinance No. 072, 2024, Annexing the Property Known as the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, annexes a 46.92-acre property located at the NE Corner of the I-25 and East Mulberry interchange. A specific project development plan proposal is not included with the annexation application. The Initiating Resolution was adopted on April 16, 2024. 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 annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement regarding Growth Management.*

***Pulled from Consent for Discussion.***

9. **Second Reading of Ordinance No. 073, 2024, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, zones the property included in the I-25 & Mulberry Annexation into the Industrial (I), and General Commercial (CG) zone districts and place the property into the LC2 Lighting Context Area and Non-residential Sign District.*

*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 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.*

*Because the Planning and Zoning Commission did not make a recommendation on the annexation zoning until after the agenda materials were available for first reading, the information in the ordinance was subsequently updated with the Commission's recommendation for second reading.*

***Pulled from Consent for Discussion.***

10. **Items Relating to the Appropriation of Federal Funds in the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds.**

A. *First Reading of Ordinance No. 074, 2024, Making Supplemental Appropriations in the Community Development Block Grant Fund.*

B. *First Reading of Ordinance No. 075, 2024, Making Supplemental Appropriations in the HOME Investments Partnerships Grant Fund.*

*The purpose of this item is to appropriate the City's FY2024 Community Development Block Grant (CDBG) Entitlement Grant and FY2024 Home Investment Partnerships Program (HOME) Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and CDBG program income from FY2022 and FY2023 and HOME Program Income from FY2022 and FY2023.*

***Adopted on First Reading.***

11. **First Reading of Ordinance No. 076, 2024, Making Supplemental Appropriation for the Charter Review Council Priority from General Fund Reserves.**

*The purpose of this item is to appropriate funds to allow work to begin on the City Charter review process included in the Council-adopted Council priorities. The amount appropriated, \$25,000, will be used to fund special legal counsel with municipal charter expertise to take the lead on the review and drafting of Charter provisions to update and modernize the City Charter.*

***Adopted on First Reading.***

12. **First Reading of Ordinance No. 077, 2024, Appropriating Philanthropic Revenue Received Through City Give for the Cultural Community Program Through Cultural Services.**

*The purpose of this item is to request an appropriation of \$30,000 in philanthropic revenue received through City Give for Cultural Community Program, a department within the City's Cultural Services area, for live music as designated by the grant award.*

*In 2019, the City of Fort Collins launched City Give, a formalized enterprise-wide initiative to create a transparent, non-partisan governance structure for accepting and appropriating charitable gifts.*

***Adopted on First Reading.***

**13. First Reading of Ordinance No. 078, 2024, Appropriating Prior Year Philanthropic Revenue Reserves Received by City Give for the 9/11 Memorial at Spring Park.**

*The purpose of this item is to request an appropriation of \$12,500 in philanthropic revenue received by City Give for the construction of the 9/11 Memorial at Spring Park, 2100 Mathews Steet, Fort Collins, CO.*

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

***Adopted on First Reading.***

**14. First Reading of Ordinance No. 079, 2024, 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 \$4,200 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and*
- *Utilizing matching funds in the amount of \$4,200 from existing 2024 appropriations into to this new grant project.*

*In May 2024 the Colorado Department of Agriculture (CDA) awarded the City of Fort Collins (City) \$4,200 under the CDA's Agricultural Workforce Development Grant Program (Attachment 2). The City will be providing an additional \$4,200 in required matching funds. The award funds and City's matching funds will support hiring an intern for The Gardens' summer 2024 internship program.*

*The \$4,200 in funds through the CDA's Agricultural Workforce Development Grant Program are federal pass-through funds.*

*As presented per Attachment 2, the \$4,200 is provided pursuant to a State of Colorado Purchase Order, with corresponding terms and conditions. There is no requirement that the City sign an agreement. Rather upon the City submitting the first request for reimbursement to CDA, the City agrees to all terms and conditions of the award.*

***Adopted on First Reading.***

**15. Resolution 2024-072 Authorizing the Mayor to Execute City-sponsored 401(a) Restated Adoption Agreements.**

*The purpose of this item is to authorize the Mayor to execute restated adoption agreements for City-sponsored 401(a) and Police 401(a) plans to designate a new Special Trustee.*

***Adopted.***

16. **Resolution 2024-073 Authorizing the Assignment of the City's Private Activity Bond Allocation for 2024 to Housing Catalyst to Finance the Construction and Rehabilitation of Affordable Housing Units.**

*The purpose of this item is to support the new construction of affordable housing at several locations in the City by assigning the City's 2024 Allocation of Private Activity Bond (PAB) capacity. PAB capacity is required for development projects using four percent (4%) Low-Income Housing Tax Credit financing.*

**Adopted.**

17. **Resolution 2024-074 Authorizing the Execution of a Discretionary Aviation Grant Resolution (CDAG No. 24-FNL-01) with the City of Loveland to Accept Grant Funds from the State for the Construction of the New Terminal and the Rehabilitation of Certain Taxiways at the Northern Colorado Regional Airport.**

*The purpose of this item is for Council to authorize the Mayor or City Manager to execute a Colorado Department of Transportation (CDOT)-provided resolution to secure state grant funding for the construction of the new terminal at the Northern Colorado Regional Airport and for the rehabilitation of pavement for Taxiways B and D.*

**Adopted.**

18. **Resolution 2024-075 Authorizing the City Manager to Execute a Grant Agreement (AIG Project No. 3-08-0023-045-2024) Between the City of Fort Collins, the City of Loveland, and the Federal Aviation Administration for the Construction of the New Terminal at the Northern Colorado Regional Airport.**

*The purpose of this item is for Council to authorize the City Manager to execute a grant agreement with the City of Loveland and the Federal Aviation Administration (FAA) to secure federal funding for the construction of the new terminal at the Northern Colorado Regional Airport. These funds were budgeted as part of the initial project funding and came available for application in 2024 as part of the Bipartisan Infrastructure Law Airport Improvement Grant program and were appropriated in the 2024 Airport budget for expenditure in this project.*

**Adopted.**

19. **Resolution 2024-076 Making Appointments to the Youth Advisory Board.**

*The purpose of this item is to fill existing vacancies on the Youth Advisory Board.*

*Pursuant to Council policy, the recommended appointees have completed or will complete 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.*

**Adopted.**

#### END OF CONSENT CALENDAR

**Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to approve the recommended actions on items 1-19, minus items 8 and 9, on the consent calendar.**

**The motion carried 6-0.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, Ohlson, and Canonico.**

**Nays: None.**

**Absent: Councilmember Pignataro.**

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

None.

**L) STAFF REPORTS**

None.

**M) COUNCILMEMBER REPORTS**

Councilmember Potyondy announced a listening session Saturday at the Harmony Library.

Councilmember Gutowsky reported on the Poudre Fire Authority's EMS survivors' event and graduation. Additionally, she reported on the FoCo EcoFest, the FoCo Kindness Expo, and the Recycle Summit.

Councilmember Canonico reported on the Lincoln Center's season announcement and on attending the EPA's local government advisory committee meeting in Washington, D.C.

Mayor Arndt reported on the U.S. Climate Mayors western mayors' meeting regarding water.

Councilmember Potyondy reported on the opening of the Origami Exhibit at the Gardens on Spring Creek.

Councilmember Gutowsky reported on the Emma Malaby Grocery building being restored into a grocery museum by Historic Larimer County.

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

**8. Second Reading of Ordinance No. 072, 2024, Annexing the Property Known as the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, annexes a 46.92-acre property located at the NE Corner of the I-25 and East Mulberry interchange. A specific project development plan proposal is not included with the annexation application. The Initiating Resolution was adopted on April 16, 2024. 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 annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement regarding Growth Management.*

**PUBLIC COMMENT**

Carolynne White, land use counsel for the landowner, stated the team is available for questions.

## COUNCIL COMMENT

Councilmember Ohlson stated this item should not have been on the Consent Calendar and should first have gone to the Council Finance Committee. He requested the County be urged to develop or improve their metro district policy and expressed concern about the questions raised in the Agenda Item Summary (AIS) that have yet to be discussed.

Kai Kleer, City Planner, stated the applicant team was opposed to presenting to the Council Finance Committee and it was assumed Council would pull the item off Consent if there were concerns about the difference between the County and City metro district policies.

Councilmember Ohlson stated staff could choose to bring the issue before the Council Finance Committee.

Kleer stated internal policy shifts could be made regarding the Finance Committee and noted this is the first metro district the City could annex. He stated there is a gap in the intergovernmental agreement with the County and County staff has shown support for amending the IGA.

Councilmember Ohlson suggested annexation should not occur unless the metro district policies align.

Josh Birks, Deputy Sustainability Director, stated staff does want to be able to talk to the County about working more closely on metro districts within the growth management area and on updating their metro district policy. Additionally, he concurred these types of issues should be brought to the Council Finance Committee. He noted the zoning for this property would be commercial and industrial which has a different set of standards within the metro district policy.

Mayor Arndt thanked Councilmember Ohlson for bringing forth the questions and comments and concurred staff should make the decision to bring an item to Council Finance Committee.

Mayor Pro Tem Francis asked if it would be possible to postpone consideration of this item on Second Reading to bring it before the Finance Committee. City Attorney Daggett replied there would be an issue with postponing the item as the annexation statute governs the process and it does not allow for continuation of the hearing unless there has first been one hour of testimony. She stated staff could vote the item down.

Birks reviewed the metro district process which requires that the governing jurisdiction in which the metro district is created review and evaluate it for consistency with the statute and any policy it may have. In this case, the County Commissioners reviewed and approved the metro district and service plan as it exists.

City Attorney Daggett stated there is a process through which the metro district can request that Council become the approving authority rather than the County Commissioners as an existing metro district that has been annexed. However, that is an action that the district needs to take, and it is not a party to the annexation; the property owner is the requesting party for the annexation.

Councilmember Gutowsky stated she would like to get more information and suggested the item be voted down to allow it to go before Council Finance.

Mayor Arndt stated she is willing to move forward with this item with the knowledge the process will change in the future.

Councilmember Ohlson stated he is not requesting the item be voted down by others, though he will be voting in the negative due to his concerns.

Birks stated any of the suggested actions within the staff report will require a willing partner on the other side of the table. He noted metro districts are subsections of government, and once created, have their own sovereignty.

Councilmember Ohlson noted the application of the metro district policy, even in a commercial setting, could have valuable implications.

Mayor Pro Tem Francis stated she is comfortable moving forward with the knowledge that policy changes will be made.

**Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 072, 2024, on Second Reading.**

**The motion carried 5-1.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, and Canonico.**

**Nay: Councilmember Ohlson.**

**Absent: Councilmember Pignataro.**

- 9. **Second Reading of Ordinance No. 073, 2024, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the I-25 & Mulberry Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map and Lighting Context Area Map.**

*This Ordinance, unanimously adopted on First Reading on May 21, 2024, zones the property included in the I-25 & Mulberry Annexation into the Industrial (I), and General Commercial (CG) zone districts and place the property into the LC2 Lighting Context Area and Non-residential Sign District.*

*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 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2015-091.*

*Because the Planning and Zoning Commission did not make a recommendation on the annexation zoning until after the agenda materials were available for first reading, the information in the ordinance was subsequently updated with the Commission's recommendation for second reading.*

**PUBLIC COMMENT**

None.

**COUNCIL COMMENT**

Councilmember Ohlson asked if the Planning and Zoning Commission suggested any changes to this item. Kai Klee, City Planner, replied there were no changes recommended by the Commission and its recommendation of approval was not part of the First Reading staff report due to a scheduling issue.



**Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Ordinance No. 073, 2024, on Second Reading.**

**The motion carried 6-0.**

**Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Gutowsky, Potyondy, Canonico, and Ohlson.**

**Nays: None.**

**Absent: Councilmember Pignataro.**

**(\*\*Clerk's Note: Mayor Arndt called for a brief recess at this point in the meeting. The meeting resumed at 7:15 p.m.)**

## **O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION**

### **20. Appeal of the Historical Preservation Commission's Decision Finding 2601 South College Avenue Eligible for Landmark Designation.**

*The purpose of this quasi-judicial item is to consider an appeal of the decision of the Historic Preservation Commission ("HPC") on April 17, 2024, determining that the property at 2601 South College Avenue (the "Property," historically, the Ghent Auto Dealership) is eligible for designation as a Fort Collins Landmark.*

*The Appellant, Dracol, LLC, the owner of the Property, raises one issue on appeal: that the HPC failed to properly interpret and apply provisions of City Code Section 14-22, which establishes standards for determining the eligibility of structures for designation as landmarks or landmark districts. Specifically, Appellant alleges that the HPC failed to properly establish historic significance under either Standard 1 (Events/Trends) or Standard 3 (Design/Construction), and further failed to establish clear historic integrity; before making a ruling on whether the Property met the standards for significance and integrity required for Landmark designation under the Code.*

City Attorney Daggett provided an overview of the appeal process and outlined Council's role.

Paul Sizemore, Community, Development and Neighborhood Services Director, outlined the various steps in the finding of eligibility for the property and discussed how a determination of eligibility would affect the larger process of development. Sizemore discussed the process utilized by the Historic Preservation Commission to determine eligibility and outlined the Commission's decision. Sizemore noted the decision maker on any redevelopment of the property moving forward would be the Planning and Zoning Commission, and a finding of eligibility being upheld for the property would necessitate adaptive reuse and limit exterior changes that could be made to the building moving forward.

Sizemore outlined the notice of appeal which alleges that the Historic Preservation Commission did not properly interpret and apply applicable Codes as there is no evidence to show historic significance under standards one or three and the property lacks integrity to show any significance.

Mayor Arndt noted she knows the Ghent family but does not believe that is a reason for recusal.

Councilmember Potyondy and Mayor Arndt stated they are familiar with the appearance of the property.

Carolynne White, counsel for the appellant, introduced herself.

Meg Dunn introduced herself as a party-in-interest opposed to the appeal.

Mayor Arndt outlined the time allotments for presentations and rebuttals.

#### APPELLANT PRESENTATION

White introduced Kris Spradley and Bill Barr, the property owners, and Natalie Feinberg Lopez, historic preservation expert with Built Environment Evolution. She discussed the 2017 determination of eligibility for the property, which was then appealed to the former Landmark Preservation Commission and Council, which found in April of 2018 that the property was not eligible for landmark designation. She noted that determination expired in April of 2023 and the development application for the site then triggered the need for staff's subsequent review. White requested Council adopt a resolution overturning the Historic Preservation Commission's determination of eligibility.

Kris Spradley, property owner, discussed his history with the property and noted it is no longer feasible to operate the property as a new car dealership. Additionally, he stated the building is quite inefficient and he is hoping to move forward with the development proposal that aligns with City Plan and the Midtown Plan.

White stated the criteria for significance and integrity have not fundamentally changed since the determination of ineligibility was made by Council in 2018. She noted Natalie Feinberg Lopez' Colorado Cultural Resource Survey found that the property did not meet the Code standards for significance and integrity and is therefore not eligible for landmark designation.

Natalie Feinberg Lopez discussed her background and employment in historic preservation. She detailed her findings that the property is not eligible for landmark designation.

White stated the Structure Plan for this area discusses moving away from auto-oriented uses and toward vertical, high-density development. She outlined comments made by the Commissioners during the HPC hearing that demonstrate there is some question in their minds about the degree to which the policies and purposes of the Code are advanced by historic designation of the site.

#### OPPONENT PRESENTATION

Meg Dunn discussed her history on the HPC and noted Fort Collins is a certified local government; therefore, the HPC is required to have members with certain areas of expertise, including architects, builders, historians, and preservationists. She stated the proposed development project has been supported by the Commission and historic preservation staff and the section of the Code requiring retaining the historic buildings does not negatively impact the developers' ability to construct substantial amounts of housing on what is now a vast parking lot behind the structures.

Dunn discussed the requirement for adaptive reuse and stated the buildings could be used for a proposed bank or gas station, or for more housing. She stated the buildings have been properly found to be significant and to have the integrity to convey that significance.

#### APPELLANT REBUTTAL

Feinberg Lopez stated she is considered one of the specialists in the United States on conserving materials, specifically from mid-century modern structures, and reiterated the materials on these buildings are at the end of their life and there would be an extreme expense associated with reusing the materials. Additionally, replacing the materials would result in a loss of integrity.

White noted potential future adaptive reuse is not one of the criteria for eligibility and stated the buildings are located right in the center of the property which would make development around it costly and difficult. She stated there is not sufficient evidence in the record to support the conclusions reached by the HPC for eligibility under significance and integrity; therefore, the Commission did not properly apply the Code.

#### OPPONENT REBUTTAL

Dunn commented on the Lucky's Market adaptive reuse of the Safeway building at Mulberry and College and stated the landmarking of the buildings would provide significant credits for redevelopment. Additionally, she stated the buildings could be improved from an energy standpoint and noted the primary role of the Historic Preservation Commission is to apply this Code, which she stated was done appropriately in this instance.

#### COUNCIL QUESTIONS

Councilmember Gutowsky requested clarification regarding the aspects of integrity. Maren Bzdek, Historic Preservation Manager, replied it is not a requirement for all seven aspects of integrity to be met for eligibility, though the evaluation process considers all seven aspects.

Councilmember Gutowsky requested additional information regarding the Commission's finding on workmanship. Bzdek replied workmanship is typically considered in terms of how the building is constructed, what types of techniques are applied to the construction, and evidence of a particular style.

Councilmember Gutowsky asked if a modification to materials could cause a building to lose historic integrity. Bzdek replied that can occur and materials are examined with a focus on character-defining features.

Jim Bertolini, Senior Historic Preservation Planner, stated the character-defining features in this case include the large open windows, stone veneer, and roof framing. He acknowledged some of the materials are deteriorating, but noted historic integrity is not the same as building condition. He stated the deteriorating materials may need to be repaired or replaced in kind. In terms of detractors of materials itself, the main issues were the loss of the overhead garage doors in the service bays and the replacement of the original roof material.

Councilmember Gutowsky asked if the building can be demolished if it is considered eligible for designation. Bzdek replied there is special consideration for retention of the historic resources as part of the development review process if a property is found to be eligible. She noted the development applicant can request a modification of standard for an eligible property and that could allow modification up to demolition.

Councilmember Gutowsky asked why other car dealerships have not been found to be eligible. Bertolini replied a comparative study was conducted as part of the survey and it was found that at least four of the car dealerships that reflected the shift to a car-centric Fort Collins were either demolished or heavily modified.

Mayor Pro Tem Francis asked if landmark designation is possible if Council upholds the decision of the HPC. Bzdek replied in the affirmative.

Councilmember Potyondy clarified the property owners would have had the latitude to modify or demolish the property during the five years after it was determined ineligible. She asked if anything has changed with the property since the 2018 decision. Bzdek replied nothing has changed

although the reevaluation process is in place to address any changes to the property or available information that might have happened during that five-year period.

## COUNCIL DISCUSSION

Councilmember Potyondy stated she loves mid-century modern architecture; however, she does not see the historic significance or architectural uniqueness in this property.

Mayor Pro Tem Francis concurred with Councilmember Potyondy and stated the standards for significance for events were not met given the movement toward a car-centric society is not unique to Fort Collins. Additionally, she stated the building is not a good example of mid-century modern architecture.

Councilmember Canonico also concurred and stated the property owner should not be penalized due to the five-year period lapsing, particularly given the unique circumstances of the last five years.

Councilmember Gutowsky supported upholding the decision of the Commission noting it is composed of highly qualified individuals in historic preservation. She stated she believes it is possible to both provide housing and preserve the building.

Councilmember Ohlson also concurred with the staff recommendation and HPC finding of eligibility. He stated he could support finding only the main showroom building eligible. He commented on the successful adaptive reuse of what is now Taco Bell at Prospect and College.

Mayor Arndt supported adaptive reuse; however, she stated she does not believe this property meets the test of significance under the standards for events or design.

Councilmember Ohlson noted the Lucky's Market building is not landmarked. Bzdek replied the building was determined to be eligible more than five years ago but is not landmarked.

***Mayor Pro Tem Francis made a motion, seconded by Councilmember Potyondy, that Council overturn the Historic Preservation Commission's decision that 2601 South College Avenue is eligible for historic landmark designation because the Historic Preservation Commission failed to properly interpret and apply City Code Section 14-22(a) in finding that 2601 South College Avenue possesses significance in that it did not properly individually contribute significantly to Fort Collins history and does not embody mid-century modern architecture and lacks artistic value. Further, except as so stated, based on the evidence in the record and presented at this hearing, any other issues raised in the appeal are hereby found to be without merit and are denied.***

***The motion carried 4-2.***

***Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Potyondy, and Canonico.***

***Nays: Councilmembers Gutowsky, and Ohlson.***

***Absent: Councilmember Pignataro.***

## P) OTHER BUSINESS

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

None.

Item 1.

**OB 2. Consideration of a motion to adjourn this meeting until after the completion of the Electric Utility Enterprise Board business:**

"I move that Council adjourn this meeting until after the completion of the Electric Utility Enterprise Board business."

**(\*\*Clerks Note: The Mayor adjourned the meeting to go into the EUE meeting at 8:30 p.m. and reconvened at 8:36 p.m.)**

**Q) ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 8:37 p.m.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

DRAFT



# AGENDA ITEM SUMMARY

City Council

## STAFF

Beth Rosen, Grants Compliance and Policy Manager

## SUBJECT

**Items Relating to the Appropriation of Federal Funds in the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Program Funds.**

## EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 074, 2024, Making Supplemental Appropriations in the Community Development Block Grant Fund.

B. Second Reading of Ordinance No. 075, 2024, Making Supplemental Appropriations in the HOME Investments Partnerships Grant Fund.

These Ordinances, unanimously adopted on First Reading on June 4, 2024, appropriate the City's FY2024 Community Development Block Grant (CDBG) Entitlement Grant and FY2024 Home Investment Partnerships Program (HOME) Participating Jurisdiction Grant from the Department of Housing and Urban Development (HUD), and CDBG program income from FY2022 and FY2023 and HOME Program Income from FY2022 and FY2023.

## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

## BACKGROUND / DISCUSSION

The Community Development Block Grant (CDBG) Entitlement Program provides annual grants on a formula basis to eligible cities and counties to improve the living conditions for low and moderate- income persons. Recipient communities develop their own programs and funding priorities. In the 2020-2024 Consolidated Plan submitted to HUD, the City prioritized the use of these funds to further its affordable housing goals and provide public services for persons experiencing homelessness and persons most at risk of homelessness.

The HOME Investment Partnership Program (HOME) provides annual grants on a formula basis to Participating Jurisdictions to implement local housing strategies designed to increase homeownership and housing opportunity for low and very low-income residents. These funds are used annually to further the affordable housing goals outlined in the Housing Strategic Plan.

On May 7, 2024, HUD published formula allocations for both the CDBG and HOME programs. This appropriation includes \$1,107,934 for CDBG and \$602,015 for HOME. Additionally, the City receives annual repayments into the CDBG and HOME programs, referred to as Program Income (PI), through the

payoffs of Home Buyer Assistance (HBA) loans and loan payments on affordable housing projects. These payments go back to their respective programs for re-allocation to eligible projects. Since April 1, 2023, the CDBG program has received \$103,659 in Program Income and the HOME Program has received \$83,688 in Program Income.

Ordinance No. 074, 2024, appropriates a total of \$1,211,593 into the CDBG Program, which includes the Entitlement Award of \$1,107,934 and \$103,659 from Program Income.

Ordinance No. 075, 2024, appropriates a total of \$685,703 into the HOME Program, which includes the Entitlement Award of \$602,015 and \$83,688 from Program Income.

These funds are allocated through an annual Competitive Process, with funding recommendations being made to Council by the Human Services and Housing Funding Board. Recommendations for the use of these funds will be presented to Council at its regular meeting on June 18, 2024.

**CITY FINANCIAL IMPACTS**

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This item will appropriate \$1,897,296 in federal funding to the City of Fort Collins which will be allocated to housing and community development related programs and projects, and the administration of the funds, thereby reducing the demand on the City’s General Fund budget to address such needs.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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First Reading attachments not included.

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

ORDINANCE NO. 074, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING SUPPLEMENTAL APPROPRIATIONS IN THE  
COMMUNITY DEVELOPMENT BLOCK GRANT FUND

A. The City estimates it will receive in federal fiscal year 2024-2025 unanticipated revenue in the form of federal Community Development Block Grant (“CDBG”) funds from Housing and Urban Development (HUD) totaling \$1,107,934.

B. The City received unanticipated CDBG Program income in the amount of \$103,659.

C. Recommendations for the use of these funds will be presented to City Council at its regular meeting on June 18, 2024.

D. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of providing affordable housing and human services for city residents.

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 this appropriation is available and previously unappropriated from the Community Development Block Grant Fund and will not cause the total amount appropriated in the Community Development Block Grant 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 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 grant or the City’s expenditure of all funds received from such grant.

H. The City Council wishes to designate the appropriation herein for the Community Development Block Grant Entitlement 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 from HUD in the Community Development Block Grant Fund, the sum of ONE MILLION ONE HUNDRED SEVEN THOUSAND NINE HUNDRED THIRTY-FOUR DOLLARS (\$1,107,934), to be expended in the Community Development Block Grant Fund upon receipt thereof for federal fiscal year 2024-2025 Community Development Block Grant projects.

Section 2. There is hereby appropriated from new revenue or other funds from program income in the Community Development Block Grant Fund, the sum of ONE HUNDRED THREE THOUSAND SIX HUNDRED FIFTY-NINE DOLLARS (\$103,659), to be expended in the Community Development Block Grant Fund for approved Community Development Block Grant projects.

Section 3. The appropriation herein for the Community Development Block Grant Entitlement Program 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 June 4, 2024, and approved on second reading for final passage on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 28, 2024  
Approving Attorney: Jenny Lopez Filkins

ORDINANCE NO. 075, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING SUPPLEMENTAL APPROPRIATIONS IN THE HOME  
INVESTMENTS PARTNERSHIPS GRANT FUND

A. The Home Investment Partnerships Program (the “HOME Program”) was authorized by the National Affordable Housing Act of 1990 to provide funds in the form of Participating Jurisdiction Grants for a variety of housing-related activities that would increase the supply of decent, safe, and affordable housing.

B. On March 1, 1994, the City Council adopted Resolution 1994-092 authorizing the Mayor to submit to the Department of Housing and Urban Development (“HUD”) a notification of intent to participate in the HOME Program.

C. On May 26, 1994, HUD designated the City as a Participating Jurisdiction in the HOME Program, allowing the City to receive an allocation of HOME Program funds as long as Congress re-authorizes and continues to fund the program.

D. The City estimates it will receive in federal fiscal year 2024-2025 unanticipated revenue in the form of Home Investment Partnership Program (“HOME”) funds from Housing and Urban Development (HUD) totaling \$602,015.

E. The City received unanticipated HOME Program income in the amount of \$83,688.

F. Recommendations for the use of these funds will be presented to City Council at its regular meeting on June 18, 2024.

G. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of providing affordable housing for city residents.

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 this appropriation is available and previously unappropriated from the Home Investment Partnerships Grant Fund and will not cause the total amount appropriated in the Home Investment Partnerships Grant 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. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal 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 grant or the City's expenditure of all funds received from such grant.

K. The City Council wishes to designate the appropriation herein for the Home Investment Partnerships 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 from HUD in the HOME Investment Partnerships Grant Fund the sum of SIX HUNDRED TWO THOUSAND FIFTEEN DOLLARS (\$602,015), to be expended in the HOME Investment Partnerships Grant Fund upon receipt from federal fiscal year 2024-2025 HOME Participating Jurisdiction Grant Funds.

Section 2. There is hereby appropriated from new revenue or other funds from program income in the HOME Investment Partnerships Grant Fund the sum of EIGHTY-THREE THOUSAND SIX HUNDRED EIGHTY-EIGHT DOLLARS (\$83,688), to be expended in the HOME Investment Partnerships Grant Fund for approved HOME Program projects.

Section 3. The appropriation herein for HOME Investment Partnerships Grant Entitlement Program 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 June 4, 2024, and approved on second reading for final passage on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 28, 2024  
Approving Attorney: Jenny Lopez Filkins

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Carrie Daggett, City Attorney  
Heather Walls, Interim City Clerk  
Rupa Venkatesh, Assistant City Manager

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## SUBJECT

**Second Reading of Ordinance No. 076, 2024, Making Supplemental Appropriation for the Charter Review Council Priority from General Fund Reserves.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on June 4, 2024, appropriates funds to allow work to begin on the City Charter review process included in the Council-adopted Council priorities. The amount appropriated, \$25,000, will be used to fund special legal counsel with municipal charter expertise to take the lead on the review and drafting of Charter provisions to update and modernize the City Charter.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## BACKGROUND / DISCUSSION

On February 27, 2024, the Council adopted Resolution 2024-024, adopting a 2024-2026 Council Priority to modernize and update the City Charter, describing the goal of this work as follows:

**Modernize and Update the City Charter:**

Although small parts of the Charter get reviewed and updated on a regular basis, due to changes in state laws and election procedures, there is a need to modernize and update the City Charter, which has not been done in a comprehensive way in over 25 years.

The Council discussed this priority at the May 14 Work Session, and the following objectives were identified for this work:

1. Comprehensive review of City Charter to align with state law and legal developments;
2. Update language in Charter to be inclusive;
3. Focus on cleanup and modernization rather than policy changes;
4. Evaluate form and timing options for presenting updates to voters; and
5. Fresh look at how Charter language is presented for ease of reading and clarity.

While staff continues to monitor for legal developments that impact Charter language and identify changes that may be needed or beneficial, retaining a special legal counsel with expertise and experience working with municipal charters throughout Colorado will add a new perspective to the review and focus resources more intentionally and systematically. This review work is expected to take four to six months and initiating the work this summer will assure that any appropriate public outreach and consideration of potential Charter amendments by Council can be completed on a schedule that would allow for referral of Charter amendments to the November 2025 ballot.

The City Attorney will take the lead in arranging the outside legal resources and coordinating the work. City Clerk and City Manager staff will also be actively involved in the work. With this appropriation it is expected that initial work on the review would begin in July 2024.

Election-related Charter amendments have been considered and recommended by the Council Election Code Committee and are expected to be presented to Council for consideration and referred to the voters at a special election to be called for November 2024. Updating and modernizing the language of the provisions coming forward as part of that effort will be part of those proposed amendments.

**CITY FINANCIAL IMPACTS**

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This appropriation will utilize \$25,000 in General Fund Reserves.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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First Reading attachments not included.

1. Ordinance for Consideration

ORDINANCE NO. 076, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING A SUPPLEMENTAL APPROPRIATION FOR THE CHARTER  
REVIEW COUNCIL PRIORITY FROM GENERAL FUND RESERVES

A. On February 27, 2024, the City Council adopted Resolution 2024-024, adopting a 2024-2026 Council Priority to modernize and update the City Charter.

B. The Resolution sets out the goals of this work as follows:

**Modernize and Update the City Charter:** Although small parts of the Charter get reviewed and updated on a regular basis, due to changes in state laws and election procedures, there is a need to modernize and update the City Charter, which has not been done in a comprehensive way in over 25 years.

C. The Council further discussed this Priority at the May 14 Council Work Session, identifying as the objectives for this work:

1. Comprehensive review of City Charter to align with state law and legal developments;
2. Update language in Charter to be inclusive;
3. Focus on cleanup and modernization rather than policy changes;
4. Evaluate form and timing options for presenting updates to voters; and
5. Fresh look at how Charter language is presented for ease of reading and clarity.

D. While staff continues to monitor for legal developments that impact Charter language and identify changes that may be needed or beneficial, retaining a special legal counsel with expertise and experience working with municipal charters throughout Colorado will add a new perspective to the review and focus resources more intentionally and systematically.

E. With this appropriation it is expected that initial work on the review would begin in July 2024.

F. Election-related Charter amendments have been considered by the Council Election Code Committee and are expected to be presented to Council for consideration and referred to the voters at a special election to be called for November 2024. Updating and modernizing the language of the provisions coming forward as part of that effort will be part of those proposed amendments.

G. This appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of improving and updating the City's Charter.

H. 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.

I. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated the General Fund and will not cause the total amount appropriated in the General Fund, as applicable, to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds 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 TWENTY-FIVE THOUSAND DOLLARS (\$25,000) to be expended in the General Fund for the Charter Review Council Priority.

Introduced, considered favorably on first reading on June 4, 2024, and approved on second reading for final passage on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 28, 2024  
Approving Attorney: Carrie Daggett





# AGENDA ITEM SUMMARY

City Council

## STAFF

Nina Bodenhamer, City Give Director

## SUBJECT

**Second Reading of Ordinance No. 077, 2024, Appropriating Philanthropic Revenue Received Through City Give for the Cultural Community Program Through Cultural Services.**

## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on June 4, 2024, requests an appropriation of \$30,000 in philanthropic revenue received through City Give for Cultural Community Program, a department within the City’s Cultural Services area, for live music as designated by the grant award.

In 2019, the City of Fort Collins launched City Give, a formalized enterprise-wide initiative to create a transparent, non-partisan governance structure for accepting and appropriating charitable gifts.

## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

## BACKGROUND / DISCUSSION

The City was awarded \$30,000 from the Bohemian Foundation to underwrite live music as an aspect of the Cultural Community Program which works to equitably integrate arts and culture into the Fort Collins community, especially in locations not typically programmed and beyond conventional cultural facilities.

The Program is part of the City of Fort Collins’ Cultural Service Department, and since 2022, both staff and programming have been funded from American Rescue Plan Act (ARPA) dollars.

Cultural Community Program is committed to equitable opportunities for artists to reach and engage with diverse and often underserved community segments. The Program integrates art and culture across the community via pop-up performances, community co-creation, and supporting community initiatives by hiring local creatives to augment planned events. The work is guided by a range of objectives, including:

- Equitable opportunities for diverse artists to reach and engage with diverse and often underserved community segments.
- Diverse, proactive programming into the community that highlights all art forms and disciplines, designed in ways that facilitate learning, capacity building, and engagement when feasible.
- Collaboration and co-creation with partners internal and external to the City and across and within artistic disciplines.

Item 4.

The grant is awarded by Bohemian Foundation, a Fort Collins-based private family foundation that supports local, national, and global efforts to build strong communities.

**CITY FINANCIAL IMPACTS**

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Upon adoption, this Ordinance will appropriate \$30,000 in philanthropic revenue. 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 and will not cause the total amount appropriated to exceed the current estimate of actual and anticipated revenues and all other funds during fiscal year 2024.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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First Reading attachments not included.

- 1. Ordinance for Consideration

ORDINANCE NO. 077, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PHILANTHROPIC REVENUE RECEIVED  
THROUGH CITY GIVE FOR THE CULTURAL COMMUNITY  
PROGRAM THROUGH CULTURAL SERVICES

A. The City was awarded \$30,000 from the Bohemian Foundation to underwrite live music as an aspect of the Cultural Community Program (the “Program”) which works to equitably integrate arts and culture into the Fort Collins community, especially in locations not typically programmed and beyond conventional cultural facilities.

B. The Program is part of the City’s Cultural Services Department, and since 2022, both staff wages and programming have been supported by funding from American Rescue Plan Act (ARPA) dollars.

C. The Program is committed to equitable opportunities for artists to reach and engage with diverse and often underserved community segments. The Program integrates art and culture across the community via pop-up performances, community co-creation, and supporting community initiatives by hiring local creatives to augment planned events.

D. This appropriation benefits the public health and welfare of the citizens and serves the public purpose of contributing to the vibrancy of Fort Collins and making live music fun and accessible for all.

E. 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.

F. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Cultural Services and Facilities Fund and 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.

D. 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.

E. The City Council wishes to designate the appropriation herein for Bohemian Foundation to underwrite live music donation as an appropriation that shall not lapse until

the earlier of the expiration of the grant or donation or the City’s expenditure of all funds received from such grant or 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 new philanthropic revenue in the Cultural Services and Facilities Fund the sum of THIRTY THOUSAND DOLLARS (\$30,000) to be expended in the Cultural Services and Facilities Fund for the Bohemian Foundation to underwrite live music.

Section 2. The appropriation herein for the Cultural Community Program 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 donation or the City’s expenditure of all funds received from such grant or donation.

Introduced, considered favorably on first reading on June 4, 2024, and approved on second reading for final passage on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 28, 2024  
Approving Attorney: Jenny Lopez-Filkins



# AGENDA ITEM SUMMARY

City Council

## STAFF

Nina Bodenhamer, City Give Director

## SUBJECT

**Second Reading of Ordinance No. 078, 2024, Appropriating Prior Year Philanthropic Revenue Reserves Received by City Give for the 9/11 Memorial at Spring Park.**

## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on June 4, 2024, requests an appropriation of \$12,500 in philanthropic revenue received by City Give for the construction of the 9/11 Memorial at Spring Park, 2100 Mathews Steet, Fort Collins, CO.

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

## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

## BACKGROUND / DISCUSSION

Adjacent to PFA Station 3, abutting Spring Park, the park will serve as the permanent home to the steel World Trade Center (WTC) I-Beam, moved to Fort Collins in 2015. A symbol of resilience, this WTC artifact will draw visitors to reflect on the collective loss and incredible acts of bravery of September 11.

Colorado Task Force 1 – Urban Search and Rescue, a federal disaster response team, deployed 64 Coloradoans – including nine firefighters from the Poudre Fire Authority – to New York City to assist with urban search and recovery. By telling their story, we acknowledge that the response to tragedy defines a community more than the tragedy itself.

Funding for the memorial is the culmination of generous community donors, Poudre Fire Authority and the City of Fort Collins. This item appropriates \$12,500 in a philanthropic gift from UC Health and charitable proceeds from Canvas Credit Union’s HeroFest. These gifts are designated for the sole purpose of the 9/11 Memorial at Spring Park.

## CITY FINANCIAL IMPACTS

Upon adoption, this Ordinance will appropriate \$12,500 in philanthropic revenue received in 2023 being appropriated from prior year reserves. The funds have been received and accepted per City Give Administrative and Financial Policy.

Item 5.

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 to exceed the current estimate of actual and anticipated revenues and all other funds to be received during fiscal year 2024.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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First Reading attachments not included.

- 1. Ordinance for Consideration

ORDINANCE NO. 078, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR PHILANTHROPIC  
REVENUE RESERVES RECEIVED BY CITY GIVE FOR  
THE 9/11 MEMORIAL AT SPRING PARK

A. The City of Fort Collins and Poudre Fire Authority have collaborated to construct a memorial to the events of September 11, 2001, at Spring Creek Park, adjacent to Poudre Fire Authority Station 3 (the “Memorial”).

B. The Memorial will serve as the permanent home for a Steel World Trade Center I-beam and will honor firefighters, emergency medical technicians, law enforcement officers, and nearly 3,000 others who lost their lives on September 11, 2011.

C. Funding for the memorial is made possible by donations from generous community donors and efforts by Poudre Fire Authority and the City of Fort Collins staff members. This item appropriates \$12,500 in philanthropic gifts from UC Health and charitable proceeds from Canvas Credit Union’s HeroFest. These gifts are appropriated for the sole purpose of the 9/11 Memorial at Spring Park.

D. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of facilitating the construction of a public memorial to the tragic events of September 11, 2001.

E. 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.

F. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Capital Project Fund and will not cause the total amount appropriated in the Capital Project 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.

D. 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.

E. The City Council wishes to designate the appropriation herein for 9/11 Memorial at Spring Park donation as an appropriation that shall not lapse until the earlier of the expiration of the grant or donation or the City’s expenditure of all funds received from such grant or 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 prior year reserves in the Capital Project Fund the sum of TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500) to be expended in the Capital Project Fund for the 9/11 Memorial at Spring Park.

Section 2. The appropriation herein for the 9/11 Memorial at Spring Creek 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 donation or the City’s expenditure of all funds received from such grant or donation.

Introduced, considered favorably on first reading on June 4, 2024, and approved on second reading for final passage on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 28, 2024  
Approving Attorney: Jenny Lopez Filkins



# AGENDA ITEM SUMMARY

City Council



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## STAFF

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

## SUBJECT

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**Second Reading of Ordinance No. 079, 2024, Making a Supplemental Appropriation and Authorizing Transfer of Appropriations for The Gardens on Spring Creek Internship Program.**

## EXECUTIVE SUMMARY

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This Ordinance, unanimously adopted on First Reading on June 4, 2024, supports The Gardens on Spring Creek internship program by:

- Appropriating \$4,200 of unanticipated grant revenue awarded by the Colorado Department of Agriculture (CDA) and
- Utilizing matching funds in the amount of \$4,200 from existing 2024 appropriations into to this new grant project.

In May 2024 the Colorado Department of Agriculture (CDA) awarded the City of Fort Collins (City) \$4,200 under the CDA’s Agricultural Workforce Development Grant Program (Attachment 2). The City will be providing an additional \$4,200 in required matching funds. The award funds and City’s matching funds will support hiring an intern for The Gardens’ summer 2024 internship program.

The \$4,200 in funds through the CDA’s Agricultural Workforce Development Grant Program are federal pass-through funds.

As presented per Attachment 2, the \$4,200 is provided pursuant to a State of Colorado Purchase Order, with corresponding terms and conditions. There is no requirement that the City sign an agreement. Rather upon the City submitting the first request for reimbursement to CDA, the City agrees to all terms and conditions of the award.

## STAFF RECOMMENDATION

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Staff recommends adoption of the Ordinance on Second Reading.

## BACKGROUND / DISCUSSION

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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. Qualified businesses may be reimbursed for up to 50 percent of the actual cost of hiring an intern, not to exceed \$5,000 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 awarded one horticulture internship of \$4,200 for the summer of 2024. This 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.

### **CITY FINANCIAL IMPACTS**

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This item appropriates \$4,200 in unanticipated revenue from the CDA in support of The Garden's internship program.

This grant is a reimbursement type grant, meaning Cultural Services and Facilities Fund expenses will be reimbursed up to \$4,200.

Required matching funds in the amount of \$4,200 have already been appropriated in the Cultural Services and Facilities Fund, specifically in the 2024 operating budget for The Gardens. Up to \$4,200 in required match will be transferred from The Gardens' 2024 operating budget to the grant project.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

### **PUBLIC OUTREACH**

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None.

### **ATTACHMENTS**

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First Reading attachments not included.

1. Ordinance for Consideration

ORDINANCE NO. 079, 2024  
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 to continue to provide paid internship opportunities for learners. 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 one horticulture internship of \$4,200 for the summer of 2024. This 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.

D. This appropriation benefits public health, safety and welfare of the citizens of Fort Collins and the intern’s 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 this appropriation is available and previously unappropriated from the Cultural Services and Facilities Fund and 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.

D. 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; and

E. The City Manager has recommended the transfer of \$4,200 from the Cultural Services and Facilities Fund Operating Budget to Cultural Services and Facilities Fund Grant Project Budget and determined that the purpose for which the transferred funds are to be expended remains unchanged.

F. 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 the City's expenditure of all funds received from such grant.

G. The City Council wishes to designate the appropriation herein for the Gardens on Spring Creek Internship Program Grant 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 FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200) to be expended in the Cultural Services and Facilities Fund for Gardens on Spring Creek Internship Program.

Section 2. The unexpended and unencumbered appropriated amount of FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200) is authorized for transfer from the Cultural Services and Facilities Fund Operating Budget to Cultural Services and Facilities Fund Grant Project Budget and appropriated therein to be expended for Gardens on Spring Creek Internship Program.

Section 3. The appropriation herein for the 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 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 June 4, 2024, and approved on second reading for final passage on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 28, 2024  
Approving Attorney: Jenny Lopez Filkins

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Tyler Marr, Deputy City Manager  
Derek Bergsten, Poudre Fire Authority Fire Chief  
Kirsten Howard, Poudre Fire Authority Budget and Administration Manager

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## SUBJECT

**First Reading of Ordinance No. 080, 2024, Amending Ordinance No. 107, 2023, and Appropriating Prior Year Reserves Designated for Fire Services in the Fire Protection Capital Expansion Fund for Payment to the Poudre Fire Authority to be Used to Pay for a New Headquarters Building.**

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## EXECUTIVE SUMMARY

The purpose of this item is to appropriate and reappropriate funds from the Fire Protection Capital Expansion Fund and transfer funds to Poudre Fire Authority (PFA) for purchase of a new Headquarters Building.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

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## BACKGROUND / DISCUSSION

Replacement or expansion of the PFA Administrative Building (102 Remington Street) has been included in PFA’s Long-Range Financial Plan since 2016 and has been on the unfunded priorities list within PFA budget documents since 2014. PFA staff have been in discussions with the PFA Board during the past year and a half regarding several options including a rental option at a separate location that required a lease of several years prior to purchase as well as tenant finish expenses, and the purchase a new facility to house all PFA administrative and support staff. PFA made an offer to purchase a new facility located at 301 Remington Street; however, that offer fell through. The current option to purchase a new Headquarters Facility has been identified and an offer has been accepted.

PFA staff have been working on options for additional administrative office space with City of Fort Collins Real Estate Services, and the property located in the Old Town area meets the criteria for PFA needs. The Property is 55,888 square feet on an entire block consisting of 1.28 acres and will provide sufficient space for PFA Administrative and Support staff for the long-term future. The property is in Old Town on the southwest corner of Oak and Howes Streets, near PFA’s current location and convenient for collaboration with City and County partners. The facility features on-site parking, an outside courtyard, generator, computer server room, kitchen and eating area, one garage bay, several conference rooms, entry vestibule, and plenty of space for current and future PFA staff. An offer of \$9,750,000 has been made by PFA staff and accepted by the seller.

In anticipation of the purchase of 301 Remington Street, PFA requested that Council appropriate funds from the City’s Fire Protection Capital Expansion Fee Account in Capital Expansion Fee Fund. Council appropriated \$3,511,575 by adopting Ordinance No. 107, 2023 (the “2023 Ordinance”). The 2023 Ordinance specifically stated that \$3,500,000 was appropriated for the purchase of a new facility located at 301 Remington Street. After adoption of the 2023 Ordinance and after the City transferred \$3,500,000 to PFA, the purchase of 301 Remington fell through. Rather than the City and PFA incur the administrative burden of returning the \$3,500,000, PFA staff and City staff propose that Council amend the 2023 Ordinance to remove reference to 301 Remington. Doing so would be consistent with Council’s original intent of funding PFA’s new facility while also removing any restriction on which building PFA may choose to purchase. While PFA has identified a new location and is under contract to purchase it, this amendment would allow PFA the flexibility to pursue another location if this most recent one were also to fall through. The City has majority representation on the PFA Board of Directors, which provides a level of oversight on the property that PFA decides to purchase.

**CITY FINANCIAL IMPACTS**

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City Code Section 7.5-30(a) requires that capital expansion fees for fire services be used only for capital improvements related to the provision of fire services, as such improvements may be identified in the capital improvements plan for fire protection services.

The amount of \$986,763 will be appropriated from reserves in this Ordinance.

The amount of \$3,511,575 will be reappropriated from the Fire Protection Capital Expansion Fee Account in the Capital Expansion Fee Fund, and which funds have already been transferred to PFA.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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- 1. Ordinance for Consideration

ORDINANCE NO. 080, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING ORDINANCE NO. 107, 2023, AND APPROPRIATING  
PRIOR YEAR RESERVES DESIGNATED FOR FIRE SERVICES  
IN THE FIRE PROTECTION CAPITAL EXPANSION FUND FOR  
PAYMENT TO THE POUDBRE FIRE AUTHORITY TO BE USED  
FOR A NEW HEADQUARTERS BUILDING

A. The City of Fort Collins has recognized and addressed the issue of requiring future growth and new development to contribute its proportionate share of the cost of providing new capital facilities and infrastructure required to maintain the City's level of services to its residents.

B. The City Council adopted Ordinance No. 051, 1996, on May 21, 1996, amending the City Code by adding a new article pertaining to the imposition of capital expansion fees to be used to fund capital improvements for the library, community parks, police services, fire services, and general government facilities.

C. The City Council adopted Ordinance No. 166, 2018, on December 18, 2018, amending Chapters 7.5, 8 and 24 of the Code of the City of Fort Collins to implement phase II increases of the capital expansion fees.

D. The capital expansion fees imposed under the provisions of the aforementioned article of the City Code, including a Fire Protection Capital Expansion Fee, went into effect on January 1, 2019, and the City has since been receiving such fees as a condition of the issuance of building permits in the City.

E. The administrative headquarters of the Poudre Fire Authority (the "Authority"), located at 102 Remington Street, house Fire Prevention and Community Risk Reduction as well as Operations and those administrative personnel of the Authority whose duties include the management and coordination of public education and emergency services.

F. Additional space or a new, larger building to house administrative headquarters (the "Project") has been a priority of the Authority since 2014 due to shortages of space in meeting both current and future needs at the facility.

G. City Code Section 7.5-30(a) requires that capital expansion fees for fire services be used only for capital improvements related to the provision of fire services, as such improvements may be identified in the capital improvements plan for fire protection services.

H. Such "capital improvements" are defined in Code Section 7.5-17 to include "the purchase or long-term lease or lease-purchase of real property."



I. The Project is included in the Poudre Fire Authority 2023 PFA Long-Range Financial Plan, adopted by the Board of Directors of the Authority on November 15, 2022.

J. On September 5, 2023, City Council adopted on second reading Ordinance No. 107, 2023 (the “2023 Ordinance”), appropriating \$3,511,575 from prior year reserves in the Fire Protection Capital Expansion Fee Account in the Capital Expansion Fee Fund for the Authority to use to purchase a new facility located at 301 Remington Street.

K. After Council adopted the 2023 Ordinance and the City transferred the funds to PFA, the purchase and sale of the facility at 301 Remington Street fell through and PFA found a different facility to purchase. Accordingly, this Ordinance amends the 2023 Ordinance to clarify Council’s intent that the \$3,511,575 is appropriated not just for PFA to purchase 301 Remington Street, but for PFA to use to purchase a facility it chooses.

L. The estimated cost to purchase the Project is \$9,750,000, with \$4,550,000 due at closing and seller financing interest free loan amount of \$5,000,000 with a term of two years from the closing date. Costs to remodel and furnish the new Headquarters will come from a combination of Poudre Fire Authority Reserve and the Capital Expansion Fees requested. The sale of the current Headquarters Facility and the sale of Poudre Fire Authority’s Station 7 in LaPorte will contribute to the outstanding loan payment. Funding sources for the purchase and associated costs are identified as follows:

City of Fort Collins Fire Protection Capital Expansion Fees (received in 2023 per the 2023 Ordinance)	\$3,511,575
City of Fort Collins Fire Protection Capital Expansion Fees (current request)	986,763
Poudre Fire Authority Existing Appropriations	<u>200,000</u>
Total	\$4,698,338

M. The aforementioned request for appropriation of said fees is consistent with the uses of the fees set forth in Chapter 7.5 of the City Code.

N. Funds are available in the Fire Protection Capital Improvement Expansion Fund from prior year reserves in the amount of \$986,763.

O. 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.

P. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Fire Protection Capital Expansion Account in the Capital Expansion Fund and will not

cause the total amount appropriated in the Capital Expansion 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 as follows:

Section 1. The ninth Whereas clause of Ordinance No. 107, 2023, is hereby replaced in its entirety to read as follows:

WHEREAS, the Authority’s staff has been working with the City’s Real Estate Services on options to acquire additional office space and has identified a property and building (the “New Facility”). The Authority has made an offer to purchase the property and the owner has accepted the offer.

Section 2. Section 2 of Ordinance No. 107, 2023, is hereby replaced in its entirety to read as follows:

Section 2. That there is hereby appropriated from prior year reserves in the Fire Protection Capital Expansion Fee Account in the Capital Expansion Fee Fund, the sum of THREE MILLION FIVE HUNDRED ELEVEN THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$3,511,575), to be expended from the CEF Fund for payment to the Authority for it to use in its purchase of the New Facility, or such other real property that the Authority deems to be suitable for its needs, provided such acquisition is consistent with the purposes and intent of this Ordinance.

Section 3. There is hereby appropriated from prior year reserves in the Fire Protection Capital Expansion Fee Account in the Capital Expansion Fee Fund the sum of NINE HUNDRED EIGHTY-SIX THOUSAND SEVEN HUNDRED SIXTY-THREE DOLLARS (\$986,763) to be expended from the Capital Expansion Fund for payment to the Poudre Fire Authority to be used for the purchase of a new administrative headquarters.

Introduced, considered favorably on first reading on June 18, 2024, and approved on second reading for final passage on July 2, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Effective Date: July 12, 2024  
Approving Attorney: Ryan Malarky

# AGENDA ITEM SUMMARY

City Council



## STAFF

Adam Molzer, Human Services Program Manager

## SUBJECT

**Public Hearing and Resolution 2024-077 Approving the Programs and Projects that will Receive Funds from the Federal Community Development Block Grant Program, the HOME Investment Partnerships Program, the City’s Affordable Housing Fund, and the City’s Human Services Program.**

## EXECUTIVE SUMMARY

The purpose of this item is to approve funding recommendations of the 2024 Spring Cycle of the Competitive Process. This Resolution will complete the 2024 Spring Cycle of the Competitive Process for allocating \$3,772,510 in City financial resources to affordable housing and public facility projects, human service programs, and administration of the programs.

## STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

## BACKGROUND / DISCUSSION

This Resolution establishes which programs and projects will receive funding with the Federal Community Development Block Grant (CDBG), HOME, Affordable Housing Fund (AHF) and Human Services Program (HSP) funds for the 2024 program year. CDBG and HOME are federal dollars allocated through HUD. AHF and HSP funds are allocated from the General Fund (GF) and the General Fund 0.25% Other Community Priorities (OCP). In 2024, the total dollar amount available and being allocated to fulfill the FY2024 project requests, as well as the planning and administration needs, is \$3,772,510. The following table shows available dollars in each funding category:

### FY2024 FUNDING CATEGORIES

Funding Source	Amount
FY2024 Housing	\$2,370,715
FY2024 Human Service	\$920,287
FY2024 CDBG Public Service	\$181,684
FY2024 Planning and Administration	\$299,824
<b>Total</b>	<b>\$3,772,510</b>

Federal funds available for allocation total \$2,271,176. These funds are sourced from eight categories designated by HUD, including: FY2024 Entitlement Grants (CDBG and HOME - new funding), FY2023 and FY2022 Unanticipated Program Revenue (CDBG and HOME - new funding), and Prior Year Funds (CDBG and HOME - re-appropriated).

Unanticipated Revenue Funds include repayments from loans issued for rehabilitation, homebuyer assistance, acquisition and development. Fifteen percent (15%) of CDBG funds received in the current program year (FY2023) can be allocated towards public services. The remaining CDBG and HOME Unanticipated Revenue is available for allocation to housing activities.

Prior Year Funds (CDBG FY2023, HOME FY2022) represent previously appropriated funds that were unexpended and available for re-allocation in the housing category only.

Total federal contribution to the Housing category is \$1,807,705.

The maximum limit allowed by HUD regulations in the Public Service category for the CDBG Entitlement grant and current year CDBG Program Income is 15%.

Total federal contribution to the Public Service category is \$181,684: \$166,189 from the FY2024 CDBG Entitlement grant and \$15,495 from CDBG FY2023 Unanticipated Program Income.

HUD regulations allow a maximum of 20% of the CDBG Entitlement grant (\$221,586) to be used for CDBG planning and program administration costs.

HUD regulations allow a maximum of 10% of HOME Entitlement grant (\$60,201) to be used for HOME planning and program administration.

Total federal contribution to the Planning and Program Administration category is \$281,787.

The following table provides a summary of 2024 federal funding sources for Housing, Public Service and Planning/Program Administration:

**FEDERAL FUNDS**

Funding Source	Total Funds	Housing	Public Service	Planning / Admin
FY2024 CDBG Entitlement Grant	\$ 1,107,934	\$ 720,159	\$ 166,189	\$ 221,586
FY2023 Unanticipated Revenue CDBG	\$ 103,301	\$ 87,806	\$ 15,495	
FY2022 Unanticipated Revenue CDBG	\$ 358	\$ 358		
Prior Year CDBG Funds (previously appropriated and available)	\$ 293,711	\$ 293,711		
FY2024 HOME Entitlement Grant	\$ 602,015	\$ 541,814		\$ 60,201
FY2023 Unanticipated Revenue HOME	\$ 35,709	\$ 35,709		

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FY2022 Unanticipated Revenue HOME	\$ 47,979	\$ 47,979		
Prior Year HOME Funds FY2022 (previously appropriated and available)	\$ 80,169	\$ 80,169		
<b>TOTAL Federal Funds</b>	<b>\$ 2,271,176</b>	<b>\$ 1,807,705</b>	<b>\$ 181,684</b>	<b>\$ 281,787</b>

The City’s contribution to the Housing category is \$563,010.

The City’s contribution to the Human Service category is \$920,287 (\$918,282 new allocation for FY24, \$2,005 reappropriated from prior year).

A portion of City funds assigned to the Human Services Program is used for planning and program administration costs (\$18,037).

The following table provides a summary of 2024 City Funding for Housing and Human Service, including differentiation between General Fund (GF) and the General Fund 0.25% Other Community Priorities (OCP) sources for each:

**CITY FUNDS**

Funding Source	Total Funds	Housing	Human Service	Planning / Admin
Human Services Program (GF)	\$ 537,982		\$ 519,945	\$ 18,037
Affordable Housing Fund (GF)	\$ 345,091	\$ 345,091		
General Fund OCP	\$ 616,256	\$ 217,919	\$ 398,337	
Prior Year Human Services Program Funds (previously appropriated and available)	\$ 2,005		\$ 2,005	
<b>TOTAL City Funds</b>	<b>\$ 1,501,334</b>	<b>\$ 563,010</b>	<b>\$ 920,287</b>	<b>\$ 18,037</b>

**COMBINED FUNDING TOTALS**

	Total Funds	Housing	Human Service & Public Service	Planning / Admin
	<b>\$ 3,772,510</b>	<b>\$ 2,370,715</b>	<b>\$ 1,101,971</b>	<b>\$299,824</b>

The City received 58 housing, human service and public service applications totaling \$7,021,284. In the housing category, eight proposals were received totaling \$4,810,000. The available funding in the Housing category equals \$2,370,715, and therefore the amount requested from Housing applicants is \$2,439,285 greater than the funding available. In the Human Service category, 46 applications were received totaling \$2,029,600. The total unfunded amount of Human Service requests is \$1,109,313. The CDBG Public Service funds offer the 4 grant recipients multi-year funding support and FY24 was a renewal cycle, which delivers \$181,684 to those programs. The following table summarizes the amount of funding requests compared to the amount of funding available for each of the categories:

**FY2024 FUNDING REQUESTS BY CATEGORY**

<b>Category</b>	<b>Number of Applications</b>	<b>Available Funding</b>	<b>Requested Funding</b>	<b>Available Request Difference</b>
Administration – CDBG	*	\$ 221,586	\$ 221,586	\$ 0
Administration – HOME	*	\$ 60,201	\$ 60,201	\$ 0
Administration – Human Services	*	\$ 18,037	\$ 18,037	\$ 0
Housing	8	\$ 2,370,715	\$ 4,810,000	- \$ 2,439,285
Human Service	46	\$ 920,287	\$ 2,029,600	- \$ 1,109,313
Public Service	4	\$ 181,684	\$ 181,684	\$ 0
<b>Totals</b>	<b>58</b>	<b>\$ 5,596,742</b>	<b>\$ 5,041,721</b>	<b>+ \$ 555,021</b>

**CITY FINANCIAL IMPACTS**

The CDBG and HOME programs provide federal funds from HUD to the City of Fort Collins which can be allocated to housing and community development related programs and projects and administration of the funds, thereby, reducing the demand on the City’s General Fund budget to address such needs. In FY2024, the total amount of federal funds available for allocation is \$2,271,176 and the City’s contribution is \$1,501,334. These dollars allow applicants to leverage other funding sources to provide needed services in our community.

Through the provision of affordable housing, more of Fort Collins’ workforce can reside within the community. This means there is an available labor pool within the city, which is a positive benefit to economic sustainability.

Human Service and Public Service programs contribute to economic sustainability and homelessness prevention by providing such programs as education, childcare, counseling, and rent assistance, so workers can maintain their employment and housing.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

The Human Services and Housing Funding Board recommends adoption of their affordable housing, CDBG public service and human service funding recommendations made on April 30, 2024, and May 1, 2024. The Board read all project applications, viewed presentations by each housing applicant, and asked clarifying questions. Additionally, in the Housing category, they reviewed the priority rankings of the Affordable Housing Board, the goals of the Affordable Housing Strategic Plan and the priorities of the HUD required Five-Year Consolidated Plan.

In the Human Service categories, they considered the performance of current grantees, the priority areas of the Social Sustainability Strategic Plan, community needs and the program’s potential to address community needs. Each Board member then completed a scorecard to reflect their evaluations of the Human Service proposals relative to a series of weighted criteria. The proposals were then placed in descending ranked order based on the average scores of the participating Board members who submitted scores. The Board proceeded to deliberate funding recommendations following a rules-based protocol that they had predetermined.

In the CDBG Public Service category, they considered the performance of current grantees, the goals of the HUD required Five-Year Consolidated Plan, and the program’s potential to address the HUD goals.

The Board was presented with the percentage of CDBG Public Service funding assigned in FY2022 to each program. The City's FY2024 CDBG Entitlement Grant award amount was not published by HUD at the time of deliberations, and therefore the Board did not have the equivalent dollar amount calculations. The Board voted to adopt the recommended funding formula without any changes to the funding distribution.

The evaluation process for the Housing, Human Service and CDBG Public Service categories addresses deeply rooted community needs that pre-date the COVID-19 pandemic and have continued beyond the public health emergency passing. COVID-19 was not a leading determinant in the funding recommendations. Many applicants were supported in 2020-2024 with federal CARES-CVRF and American Rescue Plan Act (ARPA) grants administered by the Social Sustainability Department.

The Human Services and Housing Funding Board members are subject to certain rules of ethical conduct established by the City Charter and Code, including refraining from voting on or attempting to influence any decision in which they have a financial or personal conflict of interest. Board members have been presented with information detailing the City Charter and Code provisions regarding conflict of interest and the disclosure process.

The following tables present the project-specific allocations recommended by the Board to Council within the housing, CDBG public service and human service categories, as well as the accompanying planning and administrative costs:

**PLANNING AND ADMINISTRATION CATEGORY**

<b>Applicant Project/Program</b>	<b>Funding Request</b>	<b>Recommended Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
City of Fort Collins: CDBG Planning/Administration	\$ 221,586	\$ 221,586	\$ 0	100%
City of Fort Collins: HOME Planning/Administration	\$ 60,201	\$ 60,201	\$ 0	100%
City of Fort Collins: Human Services Program Planning/Administration	\$ 18,037	\$ 18,037	\$ 0	100%
Planning/Administration Total	\$ 299,824	\$ 299,824	\$ 0	100%

**HOUSING CATEGORY**

In the Housing category, the Human Services and Housing Funding Board determined six of the eight housing proposals were projects that would benefit from receiving funding, with each of those six proposals recommended for full funding. The two proposals that were not recommended were not placed in ranked order for funding consideration. Those recommendations and the board's ranked order prioritization are listed in the table below:



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<b>Applicant Project/Program</b>	<b>Funding Request</b>	<b>HS&amp;HF Board's Prioritized Ranking</b>	<b>Recommended Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
CARE Housing: Greenbriar-Windtrail Rehab	\$ 1,000,000	# 4	\$ 520,715	\$ 479,285	52%
City of Fort Collins Forestry Division: Homeowner Hazard Tree Removal Assistance Program	\$ 100,000	# 5	\$ 0	\$ 100,000	0%
Fort Collins Habitat for Humanity: Harmony Cottages	\$ 200,000	# 3	\$ 200,000	\$ 0	100%
Housing Catalyst: Remington Parking Lot	\$ 750,000	# 6	\$ 0	\$750,000	0%
Housing Catalyst: Village on Eastbrook	\$ 1,500,000	# 1	\$1,500,000	\$ 0	100%
L'Arche Fort Collins: L'Arche Homes at Heartside Hill	\$ 300,000	Not Advanced For Ranking	\$ 0	\$ 300,000	0%
Loveland Housing Development Corp: Larimer Home Improvement Program	\$ 150,000	# 2	\$ 150,000	\$ 0	100%
The Szanton Company: 302 Conifer	\$810,000	Not Advanced For Ranking	\$ 0	\$ 810,000	0%
<b>Housing Total</b>	<b>\$ 4,810,000</b>		<b>\$ 2,370,715</b>	<b>\$ 2,439,285</b>	

There are no unallocated funds remaining after all applications received full or partial funding recommendations.

**CDBG PUBLIC SERVICE CATEGORY**

In the CDBG Public Service category, 4 eligible programs are recommended to receive a proportional share of the CDBG Public Service funds. These programs were selected by the HSHF Board in 2022 and are considered for renewal annually until the City's current HUD Consolidated Plan expires in September 2025. The FY24 recommendations were recognized as a renewal cycle. All recommendations are listed in the table below:

<b>Applicant Project/Program</b>	<b>Funding Renewal</b>	<b>HS&amp;HF Board's Recommended Funding</b>	<b>Unfunded Balance</b>	<b>Percent of CDBG Public Service Funds</b>
Catholic Charities: Samaritan House Shelter	\$ 56,322	\$ 56,322	\$ 0	31%

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Crossroads Safehouse: Domestic Violence Emergency Shelter Advocacy	\$47,238	\$47,238	\$ 0	26%
Family Housing Network: Shelter Program	\$19,985	\$19,985	\$ 0	11%
Neighbor to Neighbor: Housing Solutions – Direct Rental Assistance	\$ 58,139	\$ 58,139	\$ 0	32%
Public Service Total	\$ 181,684	\$ 181,684	\$ 0	

**HUMAN SERVICE CATEGORY**

In the Human Service category, 46 proposals were received and 39 are being recommended for funding, ranging from 23% to 100% of requests. Seven proposals are not being recommended for funding. The total unfunded amount of requests is \$1,109,313. All recommendations are listed in the table below:

<b>Applicant Project/Program</b>	<b>Funding Request</b>	<b>HS&amp;HF Board's Recommended Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
A Little Help: A Little Help for Older Adults in Fort Collins	\$45,000	\$20,000	\$25,000	44%
Alianza NORCO: Navigation Programming for Immigrants by Immigrants	\$75,000	\$32,000	\$43,000	43%
Boys & Girls Clubs of Larimer County: Boys & Girls Clubs - Fort Collins	\$50,000	\$25,000	\$25,000	50%
CASA of Larimer County: Court Appointed Special Advocates	\$52,500	\$30,000	\$22,500	57%
CASA of Larimer County: Family Connections	\$75,500	\$30,000	\$45,500	40%
Catholic Charities: Senior Support Services	\$60,000	\$27,000	\$33,000	45%
Children's Speech and Reading Center: Scholarships, Screens & Early Literacy	\$20,000	\$15,000	\$5,000	75%
ChildSafe Colorado: Child Abuse Treatment Program	\$83,000	\$35,000	\$48,000	42%
Colorado Health Network: CHN Connection Point - Integrative Care & Supportive Services	\$40,500	\$0	\$40,500	0%
Crossroads Safehouse: Bilingual & Bicultural Victim Advocacy	\$40,000	\$28,000	\$12,000	70%
Disabled Resource Services: Disability Services for Independence	\$40,000	\$20,000	\$20,000	50%
Elderhaus Adult Day Program: Direct Care for Fort Collins Residents Living with Disabilities	\$66,000	\$27,000	\$39,000	41%
Ensign Skills Center: Low Vision Rehabilitation Care and Support Program	\$25,000	\$15,000	\$10,000	60%

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Family Housing Network: Sherwood House - Bridge Housing	\$25,000	\$16,000	\$9,000	64%
Feeding Our Community Ourselves: Meal Exchange Program	\$15,000	\$0	\$15,000	0%
Food Bank for Larimer County: Fort Collins Kids Café	\$40,000	\$22,000	\$18,000	55%
Fort Collins Rescue Mission: Nutritious Meal Program	\$50,000	\$0	\$50,000	0%
Homeward Alliance: Family Services	\$45,000	\$30,000	\$15,000	67%
Homeward Alliance: Murphy Center	\$45,000	\$30,000	\$15,000	67%
ISAAC of Northern Colorado: Housing in the Gaps: Safety Net for Unhoused Immigrant & Refugee Families	\$40,000	\$20,000	\$20,000	50%
L'Arche Fort Collins: I/DD Emergency Services Identification	\$35,000	\$0	\$35,000	0%
Larimer County Partners: Youth Mentoring and Prevention	\$28,300	\$15,000	\$13,300	53%
Lutheran Campus Ministry at CSU: Student Housing Security Initiative	\$45,000	\$0	\$45,000	0%
McBackpack: Working to Alleviate Food Insecurity in Fort Collins	\$20,000	\$15,000	\$5,000	75%
Meals on Wheels for Fort Collins: Meal Delivery Program	\$50,000	\$25,000	\$25,000	50%
Neighbor to Neighbor: N2N Rent Assistance Coordination	\$70,000	\$32,500	\$37,500	46%
Outreach Fort Collins: Street-Based Homelessness Services Program Support	\$90,000	\$39,000	\$51,000	43%
Poudre River Public Library District: Social Service Interventions for Unhoused Library Customers	\$15,000	\$15,000	\$0	100%
Project Self-Sufficiency: Career Pathways for Low-Income Single Parents	\$45,000	\$22,000	\$23,000	49%
Respite Care: Career Pathways for Low-Income Single Parents	\$40,000	\$19,000	\$21,000	48%
Sexual Assault Victim Advocate Center: Sexual Assault Intervention & Prevention Services	\$43,000	\$21,500	\$21,500	50%
Teaching Tree Early Childhood Learning Center: Childcare Scholarships for Low Income Families	\$85,000	\$40,000	\$45,000	47%
The Crawford Child Advocacy Center: Fighting Child Sexual Abuse & Maltreatment	\$29,700	\$15,000	\$14,700	51%
The Family Center/La Familia: Childcare Scholarships & Family Support Services	\$75,000	\$41,287	\$33,713	55%
The Lotus Effect: Fit to Fight	\$32,000	\$0	\$32,000	0%
The Matthews House: Family to Family Program at the Community Life Center	\$26,000	\$15,000	\$11,000	58%

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The Matthews House: Youth & Young Adults Transitioning to Independence	\$52,000	\$30,000	\$22,000	58%
The Quarter Project: GEMS - Girls in Engineering, Math & Science	\$28,200	\$15,000	\$13,200	53%
The Salvation Army: Rent and Utilities Program	\$35,000	\$18,000	\$17,000	51%
The Vegetable Connection: Feeding the Families	\$15,000	\$0	\$15,000	0%
Turning Point Center for Youth & Family Development: Connections Program	\$65,900	\$15,000	\$50,900	23%
United Way of Larimer County: Larimer Child Care Fund	\$25,000	\$15,000	\$10,000	60%
United Way of Weld County: Coordinated Assessment and Housing Placement System	\$40,000	\$30,000	\$10,000	75%
Vindeket Foods: Vindeket Market	\$30,000	\$16,000	\$14,000	53%
Volunteers of America: Handyperson Program	\$22,000	\$16,000	\$6,000	73%
Volunteers of America: Home Delivered Meals Program	\$55,000	\$28,000	\$27,000	51%
<b>Human Service Total</b>	<b>\$ 2,029,600</b>	<b>\$ 920,287</b>	<b>\$ 1,109,313</b>	<b>45%</b>

**FUNDING RECOMMENDATIONS BY CATEGORY**

A summary of the funding recommendations by category is presented in the following table:

Category	Recommended Funding	% of Total
Planning and Administration	\$ 299,824	8%
Housing	\$ 2,370,715	63%
Public Service	\$ 181,684	5%
Human Service	\$ 920,287	24%
<b>Total</b>	<b>\$ 3,772,510</b>	<b>100%</b>

The justifications for the Human Services and Housing Funding Board’s recommendations can be found in the approved minutes of the April 30, 2024 meeting and draft minutes of the May 1, 2024, meeting.

**PUBLIC OUTREACH**

A meeting that combined the Human Services and Housing Funding Board and the Affordable Housing Board was held on March 27, 2024, to discuss the merits of the housing proposals, without any funding discussion. Housing applicants also had the opportunity to create video presentations that were viewed by members of both boards in advance. Housing applicants were provided the opportunity to respond to questions directly from board members at their joint meeting. The Affordable Housing Board met on April 4, 2024, and created their own project ranking list, which was then made available to the Human Services and Housing Funding Board as a resource to consider during funding deliberations. The Human Services and Housing Funding Board met on April 3, 2024, to discuss the merits of the human services proposals and identify follow-up questions for the applicants, without any funding discussion. The Human Services and Housing Funding Board held a meeting on April 30, 2024, to deliberate the housing proposals and CDBG public service proposals, and again on May 1, 2024, to deliberate the human service proposals, and make funding recommendations. All meetings were open to the public and added to the City calendar.

The City of Fort Collins Citizen Participation Plan for HUD funds requires a Public Hearing to review the Competitive Process, funding sources, applications and funding requests for all projects. Announcements were published in the Coloradoan newspaper, posted on the Social Sustainability website and the Events Calendar, and emailed to community organizations. The Public Hearing occurred on March 26, 2024.

The City of Fort Collins Citizen Participation Plan for HUD funds also requires a 30-day public comment period on the proposed allocation of CDBG and HOME funds prior to Council's final decision. Staff placed an ad in the Coloradoan newspaper on May 14, 2024, presenting the list of recommended funding for programs/projects and indicated the public comment period would start on May 15, 2024, and end on June 18, 2024. The Council meeting on June 18, 2024, will serve as a Public Hearing and comments will be recorded and reported to HUD in August. The public notice of funding recommendations was placed on the Social Sustainability Department's website. It was also distributed to applicants and entities serving a majority of clients in legally protected classes-including those in a racial/ethnic minority, those with a disability, or female heads of households-or serving those community members who might otherwise have barriers to public participation in the City's civic engagement processes. To date, the public comments received have largely been statements of gratitude from the applying agencies.

## **ATTACHMENTS**

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1. Resolution for Consideration
2. Summary of Organizations Requesting Funding and Recommendations
3. Affordable Housing Board Priority Rankings
4. Funds Distributed Based on Human Services Priorities
5. Scorecard Rankings
6. Human Services and Housing Funding Board Minutes, April 30, 2024
7. Human Services and Housing Funding Board Minutes DRAFT, May 1, 2024

RESOLUTION 2024-077  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROVING THE PROGRAMS AND PROJECTS THAT WILL  
RECEIVE FUNDS FROM THE FEDERAL COMMUNITY  
DEVELOPMENT BLOCK GRANT PROGRAM, THE HOME  
INVESTMENT PARTNERSHIPS PROGRAM,  
THE CITY'S AFFORDABLE HOUSING FUND, AND THE  
CITY'S HUMAN SERVICES PROGRAM

A. The Community Development Block Grant (“CDBG”) Program and the Home Investment Partnerships (“HOME”) Program are ongoing grant administration programs funded by the Department of Housing and Urban Development (“HUD”).

B. The City has received CDBG Program funds since 1975 and HOME program funds since 1994.

C. The City Council has budgeted Affordable Housing Fund (“AHF”) and the Human Services Program (“HSP”) monies from the General Fund and the General Fund 0.25% Other Community Priorities for use in assisting affordable housing programs and projects and community development activities.

D. On January 18, 2000, the City Council adopted Resolution 2000-013, formally adopting a competitive process for the allocation of City financial resources to affordable housing programs and projects and community development activities.

E. On January 20, 2015, the City Council adopted Resolution 2015-009, adopting a revised competitive process that changed the process from two annual funding cycles, in the spring and fall, to one funding cycle in the spring, with the fall funding cycle being optional and used only when funds are available that were not allocated in the spring or were returned to the City.

F. The Human Services and Housing Funding (“HSHF”) Board reviewed applications for the 2024 funding cycle, listened to presentations by applicants, and asked clarifying questions.

G. In the Housing category the HSHF Board also reviewed priority rankings from the Affordable Housing Board, the goals of the Affordable Housing Strategic Plan, and the priorities of the HUD-required Five-Year Consolidated Plan.

H. In the Human Service categories, the HSHF Board also considered the performance of current grantees, community needs, and the program’s potential to address those needs.

I. The HSHF Board met on April 30 and May 1, 2024, to deliberate and prepare a recommendation to the City Council as to which programs and projects should be funded.

J. As required by HUD regulations and the City’s Citizen Participation Plan, a 30-day comment period began on May 15, 2024, and any comments will be recorded and reported to HUD in August, 2024.

K. The City Council has considered the recommendations of the HSHF Board and has determined that the City’s 2024 allocation should be made as set out in this Resolution.

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 authorizes City staff to submit an application to HUD based on the following recommended funding allocations:

**Planning and Administration Category**

Applicant Project/Program	Funding Request	Recommended Funding	Unfunded Balance	Percent of Request Funded
City of Fort Collins: CDBG Planning/Administration	\$ 221,586	\$ 221,586	\$ 0	100%
City of Fort Collins: HOME Planning/Administration	\$ 60,201	\$ 60,201	\$ 0	100%
City of Fort Collins: Human Services Program Planning/Administration	\$ 18,037	\$ 18,037	\$ 0	100%
Planning/Administration Total	\$ 299,824	\$ 299,824	\$ 0	100%

**Housing Category**

Applicant Project/Program	Funding Request	HS&HF Board’s Prioritized Ranking	Recommended Funding	Unfunded Balance	Percent of Request Funded
CARE Housing: Greenbriar-Windtrail Rehab	\$ 1,000,000	# 4	\$ 520,715	\$ 479,285	52%
City of Fort Collins Forestry Division: Homeowner Hazard Tree Removal Assistance Program	\$ 100,000	# 5	\$ 0	\$ 100,000	0%

Fort Collins Habitat for Humanity: Harmony Cottages	\$ 200,000	# 3	\$ 200,000	\$ 0	100%
Housing Catalyst: Remington Parking Lot	\$ 750,000	# 6	\$ 0	\$750,000	0%
Housing Catalyst: Village on Eastbrook	\$ 1,500,000	# 1	\$1,500,000	\$ 0	100%
L'Arche Fort Collins: L'Arche Homes at Heartside Hill	\$ 300,000	Not Advanced For Ranking	\$ 0	\$ 300,000	0%
Loveland Housing Development Corp: Larimer Home Improvement Program	\$ 150,000	# 2	\$ 150,000	\$ 0	100%
The Szanton Company: 302 Conifer	\$810,000	Not Advanced For Ranking	\$ 0	\$ 810,000	0%
<b>Housing Total</b>	<b>\$ 4,810,000</b>		<b>\$ 2,370,715</b>	<b>\$ 2,439,285</b>	

**CDBG Public Service Category**

[Note: These programs are eligible to receive a proportional share of the CDBG Public Service (“CDBG/PS”) funds, which will be renewed annually until the City’s current HUD Consolidated Plan expires in September 2025.]

<b>Applicant Project/Program</b>	<b>Funding Renewal</b>	<b>HS&amp;HF Board's Recommended Funding</b>	<b>Unfunded Balance</b>	<b>Percent of CDBG Public Service Funds</b>
Catholic Charities: Samaritan House Shelter	\$ 56,322	\$ 56,322	\$ 0	31%
Crossroads Safehouse: Domestic Violence Emergency Shelter Advocacy	\$47,238	\$47,238	\$ 0	26%
Family Housing Network: Shelter Program	\$19,985	\$19,985	\$ 0	11%
Neighbor to Neighbor: Housing Solutions – Direct Rental Assistance	\$ 58,139	\$ 58,139	\$ 0	32%
<b>Public Service Total</b>	<b>\$ 181,684</b>	<b>\$ 181,684</b>	<b>\$ 0</b>	



### Human Service Category

<b>Applicant Project/Program</b>	<b>Funding Request</b>	<b>HS&amp;HF Board's Recommended Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
A Little Help: A Little Help for Older Adults in Fort Collins	\$45,000	\$20,000	\$25,000	44%
Alianza NORCO: Navigation Programming for Immigrants by Immigrants	\$75,000	\$32,000	\$43,000	43%
Boys & Girls Clubs of Larimer County: Boys & Girls Clubs - Fort Collins	\$50,000	\$25,000	\$25,000	50%
CASA of Larimer County: Court Appointed Special Advocates	\$52,500	\$30,000	\$22,500	57%
CASA of Larimer County: Family Connections	\$75,500	\$30,000	\$45,500	40%
Catholic Charities: Senior Support Services	\$60,000	\$27,000	\$33,000	45%
Children's Speech and Reading Center: Scholarships, Screens & Early Literacy	\$20,000	\$15,000	\$5,000	75%
ChildSafe Colorado: Child Abuse Treatment Program	\$83,000	\$35,000	\$48,000	42%
Colorado Health Network: CHN Connection Point - Integrative Care & Supportive Services	\$40,500	\$0	\$40,500	0%
Crossroads Safehouse: Bilingual & Bicultural Victim Advocacy	\$40,000	\$28,000	\$12,000	70%
Disabled Resource Services: Disability Services for Independence	\$40,000	\$20,000	\$20,000	50%
Elderhaus Adult Day Program: Direct Care for Fort Collins Residents Living with Disabilities	\$66,000	\$27,000	\$39,000	41%
Enight Skills Center: Low Vision Rehabilitation Care and Support Program	\$25,000	\$15,000	\$10,000	60%
Family Housing Network: Sherwood House - Bridge Housing	\$25,000	\$16,000	\$9,000	64%
Feeding Our Community Ourselves: Meal Exchange Program	\$15,000	\$0	\$15,000	0%
Food Bank for Larimer County: Fort Collins Kids Café	\$40,000	\$22,000	\$18,000	55%

Fort Collins Rescue Mission: Nutritious Meal Program	\$50,000	\$0	\$50,000	0%
Homeward Alliance: Family Services	\$45,000	\$30,000	\$15,000	67%
Homeward Alliance: Murphy Center	\$45,000	\$30,000	\$15,000	67%
ISAAC of Northern Colorado: Housing in the Gaps: Safety Net for Unhoused Immigrant & Refugee Families	\$40,000	\$20,000	\$20,000	50%
L'Arche Fort Collins: I/DD Emergency Services Identification	\$35,000	\$0	\$35,000	0%
Larimer County Partners: Youth Mentoring and Prevention	\$28,300	\$15,000	\$13,300	53%
Lutheran Campus Ministry at CSU: Student Housing Security Initiative	\$45,000	\$0	\$45,000	0%
McBackpack: Working to Alleviate Food Insecurity in Fort Collins	\$20,000	\$15,000	\$5,000	75%
Meals on Wheels for Fort Collins: Meal Delivery Program	\$50,000	\$25,000	\$25,000	50%
Neighbor to Neighbor: N2N Rent Assistance Coordination	\$70,000	\$32,500	\$37,500	46%
Outreach Fort Collins: Street-Based Homelessness Services Program Support	\$90,000	\$39,000	\$51,000	43%
Poudre River Public Library District: Social Service Interventions for Unhoused Library Customers	\$15,000	\$15,000	\$0	100%
Project Self-Sufficiency: Career Pathways for Low-Income Single Parents	\$45,000	\$22,000	\$23,000	49%
Respite Care: Career Pathways for Low-Income Single Parents	\$40,000	\$19,000	\$21,000	48%
Sexual Assault Victim Advocate Center: Sexual Assault Intervention & Prevention Services	\$43,000	\$21,500	\$21,500	50%
Teaching Tree Early Childhood Learning Center: Childcare Scholarships for Low Income Families	\$85,000	\$40,000	\$45,000	47%
The Crawford Child Advocacy Center: Fighting Child Sexual Abuse & Maltreatment	\$29,700	\$15,000	\$14,700	51%

The Family Center/La Familia: Childcare Scholarships & Family Support Services	\$75,000	\$41,287	\$33,713	55%
The Lotus Effect: Fit to Fight	\$32,000	\$0	\$32,000	0%
The Matthews House: Family to Family Program at the Community Life Center	\$26,000	\$15,000	\$11,000	58%
The Matthews House: Youth & Young Adults Transitioning to Independence	\$52,000	\$30,000	\$22,000	58%
The Quarter Project: GEMS - Girls in Engineering, Math & Science	\$28,200	\$15,000	\$13,200	53%
The Salvation Army: Rent and Utilities Program	\$35,000	\$18,000	\$17,000	51%
The Vegetable Connection: Feeding the Families	\$15,000	\$0	\$15,000	0%
Turning Point Center for Youth & Family Development: Connections Program	\$65,900	\$15,000	\$50,900	23%
United Way of Larimer County: Larimer Child Care Fund	\$25,000	\$15,000	\$10,000	60%
United Way of Weld County: Coordinated Assessment and Housing Placement System	\$40,000	\$30,000	\$10,000	75%
Vindeket Foods: Vindeket Market	\$30,000	\$16,000	\$14,000	53%
Volunteers of America: Handyperson Program	\$22,000	\$16,000	\$6,000	73%
Volunteers of America: Home Delivered Meals Program	\$55,000	\$28,000	\$27,000	51%
Human Service Total	\$ 2,029,600	\$ 920,287	\$ 1,109,313	45%

Section 2. Subject to the appropriation of funds by the City Council, the City Council hereby authorizes the City Manager to execute any agreements necessary to implement the funding allocations described herein on terms and conditions consistent with this Resolution, along with such additional terms and conditions as the City Manager, in consultation with the City Attorney, deems necessary or appropriate to protect the interests of the City.

Section 3. This Resolution shall not be construed as constituting City Council approval, support for approval, or waiver of any City regulatory requirement, including any development application process whether in administrative or quasi-judicial review, for any project referenced herein.

Passed and adopted on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 18, 2024  
Approving Attorney: Ted Hewitt

# HS&HF Board Competitive Funding Process FY24 Summary of Organizations Requesting Funding & Recommendations

## HOUSING

### **CARE Housing - Greenbriar-Windtrail Rehab**

<b>Request:</b> \$1,000,000	<b>Recommendation:</b> \$520,715	<b>Percentage:</b> 52%
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CARE Housing provides affordable housing, advocacy and supportive services to empower working families in Northern Colorado. This proposal supports the costs associated with the rehabilitation of 90 multi-family rental units that serve low-income households between 30%-60% of the Area Median Income.

### **City of Fort Collins Forestry Division - Homeowner Hazard Tree Removal Assistance**

<b>Request:</b> \$100,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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The City of Fort Collins Forestry Division’s objective is to sustain a safe, healthy and resilient urban forest through frequent and sound management practices. This proposal supports a pilot program to assist 20+ low-income homeowners with the cost of emergency tree removal at their primary owner-occupied homes.

### **Fort Collins Habitat for Humanity - Harmony Cottages**

<b>Request:</b> \$200,000	<b>Recommendation:</b> \$200,000	<b>Percentage:</b> 100%
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Habitat for Humanity helps low-income families realize home-ownership by offering 0% interest loans that don’t exceed 28% of a family’s income. This proposal supports the building costs of 4 homes (2 duplexes) in Harmony Cottages.

### **Housing Catalyst - Remington Parking Lot**

<b>Request:</b> \$750,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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Housing Catalyst is a Fort Collins, mission-driven real estate developer that designs, builds and serves communities with homes that are affordable in Northern Colorado. This proposal supports the development costs associated with the construction of 75 new multi-family rental units that will serve low-income households between 30%-80% of the Area Median Income.

### **Housing Catalyst - Village on Eastbrook**

<b>Request:</b> \$1,500,000	<b>Recommendation:</b> \$1,500,000	<b>Percentage:</b> 100%
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Housing Catalyst is a Fort Collins, mission-driven real estate developer that designs, builds and serves communities with homes that are affordable in Northern Colorado. This proposal supports the development costs associated with the construction of 73 new multi-family rental units that will serve low-income households between 30%-60% of the Area Median Income.

**L'Arche Fort Collins - L'Arche Housing**

<b>Request:</b> \$300,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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L'Arche Fort Collins is a nonprofit organization that provides support for adults with intellectual and development disabilities through an inclusive community of volunteers, bound together by intentionally mutual relationships. This proposal supports development costs associated with the development of two "group homes" serving persons with developmental disabilities at Heartside Hill. The project consists of the construction of two six-bedroom single family homes, each occupied by 3 persons with disabilities and 3 staff.

**Loveland Housing Authority - Larimer Home Improvement Program**

<b>Request:</b> \$150,000	<b>Recommendation:</b> \$150,000	<b>Percentage:</b> 100%
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Loveland Housing Authority administers the LHIP funding for all of Larimer County, including residents within For Collins City Limits. This proposal supports low- to no-interest loans for homeowners in Fort Collins to address health, safety, and energy efficient repairs to their homes. The program is available to families earning no more than 80% of the Area Median Income (AMI). The Emergency Funds Program provides a one-time-only grant of up to \$1,000 to very low-income families who have emergency repair needs.

**The Szanton Company – 302 Conifer**

<b>Request:</b> \$810,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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The Szanton Company is a real estate developer with a local office in Denver that has developed several LIHTC properties in New England. This proposal supports the development costs associated with the construction of 81 new multi-family rental units in Fort Collins that will serve low-income households below 80% of the Area Median Income.

**CDBG PUBLIC SERVICE**

**Catholic Charities - Samaritan House Shelter**

<b>Renewal:</b> \$56,322	<b>Recommendation:</b> \$56,322	<b>Percentage:</b> 100% 31% of Available CDBG PS \$
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Catholic Charities provides shelter, food, case management, resource navigation, benefits application assistance, and transitional housing help in support of the homeless and near homeless.

**Crossroads Safehouse - Emergency Shelter Advocacy**

<b>Renewal:</b> \$47,238	<b>Recommendation:</b> \$47,238	<b>Percentage:</b> 100% 26% of Available CDBG PS \$
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Crossroads Safehouse operates a domestic violence shelter providing emergency housing, crisis intervention and other services and outreach.

### Family Housing Network - Shelter Programs

<b>Renewal:</b> \$19,985	<b>Recommendation:</b> \$19,985	<b>Percentage:</b> 100% 11% of Available CDBG PS \$
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Family Housing Network supports families experiencing homelessness with a full range of emergency and stabilizing services, including overnight shelter, day center support and case management.

### Neighbor to Neighbor - Homelessness Prevention Assistance

<b>Renewal:</b> \$58,139	<b>Recommendation:</b> \$58,139	<b>Percentage:</b> 100% 32% of Available CDBG PS \$
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Neighbor to Neighbor provides short-term and mid-term rent assistance with supportive services and case management to assists people in housing crises to identify, secure, and maintain affordable, sustainable rental housing. This proposal supports the direct client (rent) assistance.

## HUMAN SERVICES

### A Little Help – A Little Help for Older Adults in Fort Collins

<b>Request:</b> \$45,000	<b>Recommendation:</b> \$20,000	<b>Percentage:</b> 44%
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A Little Help helps older adults age in place by providing connections to important resources and services necessary for them to maintain independence in their homes. Program provides volunteer-driven delivery of diverse essential services and multi-generational connections.

### Alianza NORCO – Navigation Programming for Immigrants

<b>Request:</b> \$75,000	<b>Recommendation:</b> \$32,000	<b>Percentage:</b> 43%
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Alianza NORCO supports bilingual, culturally informed navigation services that include guidance for obtaining driver’s licenses for immigrants, notary services, passport appointments, rent assistance, and ITIN/tax preparation.

### Boys & Girls Clubs of Larimer County - Fort Collins Clubs

<b>Request:</b> \$50,000	<b>Recommendation:</b> \$25,000	<b>Percentage:</b> 50%
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B&G Clubs provides after-school and school-break youth development programs at their Fort Collins location to kids 6-18 years. Programs allow members to have access to meals, diverse positive youth development programming, mentoring, behavioral health services, and more.

**CASA (Court Appointed Special Advocates) - CASA Program**

<b>Request:</b> \$52,500	<b>Recommendation:</b> \$30,000	<b>Percentage:</b> 57%
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CASA provides a voice in court for children who have been physically or sexually abused or neglected. Trained community advocates, or CASAs, work with each child they are assigned to and provide neutral recommendations regarding the best interests of the child.

**CASA (Court Appointed Special Advocates) - Family Connections**

<b>Request:</b> \$75,500	<b>Recommendation:</b> \$30,000	<b>Percentage:</b> 40%
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The Family Connections program at Harmony House is a specialized visitation center that serves as a safe, conflict-free public place for family interactions. Harmony House staff are responsible for documenting information used in deciding the child’s permanent placement.

**Catholic Charities - Senior Services**

<b>Request:</b> \$60,000	<b>Recommendation:</b> \$27,000	<b>Percentage:</b> 45%
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Catholic Charities in Fort Collins provides supportive services to vulnerable populations, including services that allow low-income seniors age 60 and over to maintain self-sufficiency. Program provides case management, referrals to community providers, assessments, and application assistance for durable medical equipment and dental, vision, and hearing needs.

**Children’s Speech & Reading Center - Scholarships, Screens & Early Literacy**

<b>Request:</b> \$20,000	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 75%
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CSRC provides children that suffer from speech-language and reading delays with high quality therapy on a sliding fee scale. Program provides free screenings to assess early literacy skills, speech and language disorders, and reading delays, individual speech-language and reading therapy on a sliding scale fee structure that goes to zero so no child is ever turned away.

**ChildSafe Colorado - Child Abuse Treatment Program**

<b>Request:</b> \$83,000	<b>Recommendation:</b> \$35,000	<b>Percentage:</b> 42%
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ChildSafe provides comprehensive outpatient treatment to victims of childhood abuse, primarily sexual abuse, and their non-offending family members. Program provides individual, group, and family therapy; coaching to parents and caregivers; and engagement in outreach by providing in-service training for professionals and education to the community.

**Colorado Health Network - Integrative Care & Supportive Services**

<b>Request:</b> \$40,500	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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CHN strives to meet the needs of people affected by HIV and other health conditions through prevention, care and advocacy. Program provides behavioral health clinicians available during drop-in hours for clients who are interested in discussing and/or engaging integrative care and behavioral health services.



**Crossroads Safehouse - Bilingual & Bicultural Victim Advocacy**

<b>Request:</b> \$40,000	<b>Recommendation:</b> \$28,000	<b>Percentage:</b> 70%
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Crossroads Safehouse operates a domestic violence shelter providing emergency housing, crisis intervention and other services and outreach. This proposal supports victims from the local Hispanic/Latinx community.

**Disabled Resource Services - Disability Services for Independence**

<b>Request:</b> \$40,000	<b>Recommendation:</b> \$20,000	<b>Percentage:</b> 50%
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DRS is the only Center for Independent Living in Larimer County for people with disabilities (physical, cognitive, mental, neurological, deaf, blind, etc.). It is consumer-driven allowing participants to choose the goals they want to pursue to help them live in the community with independence, dignity and equality.

**Elderhaus Adult Day Program – Direct Care for Residents Living with Disabilities**

<b>Request:</b> \$66,000	<b>Recommendation:</b> \$27,000	<b>Percentage:</b> 41%
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Elderhaus provides therapeutic daytime programs for adults with disabilities: Down syndrome, Cerebral Palsy, dementia, traumatic brain injuries, etc.

**Enight Skills Center - Low Vision Rehabilitation Care & Support Services**

<b>Request:</b> \$25,000	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 60%
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Enight Skills Center provides quality healthcare services to residents who are visually impaired. Program provides low vision and blindness rehabilitation across the community that works to enhance independence, productivity, and safety.

**Family Housing Network - Bridge Housing / Sherwood House**

<b>Request:</b> \$25,000	<b>Recommendation:</b> \$16,000	<b>Percentage:</b> 64%
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Family Housing Network supports families experiencing homelessness with a full range of emergency and stabilizing services, including overnight shelter, day center support and case management. This proposal supports the residential sheltering efforts for families at the Sherwood House.

**FOCO Café - Meal Exchange Program**

<b>Request:</b> \$15,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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FOCO Café provides nutritious and delicious meals to the people of Fort Collins regardless of their ability to pay while using mostly local, organic, and sustainably grown ingredients. Program provides meals in exchange for volunteering.

**Food Bank for Larimer County - Kids Café**

<b>Request:</b> \$40,000	<b>Recommendation:</b> \$22,000	<b>Percentage:</b> 55%
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Kids Café is the largest of the Child Nutrition programs offered by the Food Bank. Free, healthy meals and snacks are provided to kids after school and during school breaks at multiple locations, many in schools with high numbers of free and reduced lunch eligible families.

**Fort Collins Rescue Mission - Nutritious Meal Program**

<b>Request:</b> \$50,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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Fort Collins Rescue Mission (FCRM) is an outreach of Denver Rescue Mission that helps people experiencing homelessness with shelter and nutritious meals (breakfast, lunch and dinner). Program would provide clients more fruits, vegetables, whole grains, nuts, and dairy.

**Homeward Alliance – Family Services**

<b>Request:</b> \$45,000	<b>Recommendation:</b> \$30,000	<b>Percentage:</b> 67%
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Homeward Alliance provides multiple programs that offer a continuum of services to individuals and families who are homeless or at-risk of becoming homeless. This proposal provides bilingual resource navigation, financial assistance, basic need items, and quarterly Family Resource Fairs to families experiencing homelessness or housing insecurity.

**Homeward Alliance – Murphy Center**

<b>Request:</b> \$45,000	<b>Recommendation:</b> \$30,000	<b>Percentage:</b> 67%
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Homeward Alliance manages and operates the Sister Mary Alice Murphy Center for Hope. In addition to the programs of Homeward Alliance, they provide oversight of the facility and the programs that provide services to people who are homeless or at-risk of becoming homeless.

**ISAAC of Northern Colorado - Housing in the Gaps Program**

<b>Request:</b> \$40,000	<b>Recommendation:</b> \$20,000	<b>Percentage:</b> 50%
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ISAAC is a coalition of individuals, community partners and faith communities working in support of immigrant, asylum-seeking and refugee families in Fort Collins. Program provides flex emergency funding for move-in assistance, interpretation services, and coordination.

**L’Arche Fort Collins - I/DD Emergency Services Identification**

<b>Request:</b> \$35,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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L’Arche Fort Collins is a nonprofit organization that provides support for adults with intellectual and development disabilities through an inclusive community of volunteers, bound together by intentionally mutual relationships. Program would partner with Fort Collins EMS to help find Fort Collins residents with I/DD, and their caregivers, and inform them of opportunities to increase their own safety and that of their loved ones by registering their contact info and any specific needs they might anticipate in an emergency.

**Larimer County Partners - Youth Mentoring & Prevention**

<b>Request:</b> \$28,300	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 53%
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Partners Mentoring Youth supports mentoring relationships between positive adult role models and youth facing challenges in their personal, social and academic lives. Program supports school based mentoring and prevention education programs.

**Lutheran Campus Ministry at CSU – Housing Security Initiative**

<b>Request:</b> \$28,300	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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LuMin’s Housing Security Initiative helps subsidize rent to an affordable level for college students and helps pay all or a portion of security deposits for those unable to pay. The program also offers students free access to laundry, snacks, showers, Wi-Fi, and space for storage of personal property during housing transitions.

**McBackpack - Nutritional Food Program**

<b>Request:</b> \$20,000	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 75%
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McBackpack provides nutritional food to children and families within the Poudre School District who may otherwise go without food over the weekend. Program is in collaboration with PSD to deliver food bags to referred students so they have take-home meal/snack options.

**Meals on Wheels for Fort Collins - Meal Delivery Program**

<b>Request:</b> \$50,000	<b>Recommendation:</b> \$25,000	<b>Percentage:</b> 50%
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Meals on Wheels provides hot, noontime meals delivered to homebound seniors and persons with disabilities unable to safely prepare their own meals.

**Neighbor to Neighbor - Rent Assistance Coordination**

<b>Request:</b> \$70,000	<b>Recommendation:</b> \$32,500	<b>Percentage:</b> 46%
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Neighbor to Neighbor provides short-term and mid-term rent assistance with supportive services and case management to assists people in housing crises to identify, secure, and maintain affordable, sustainable rental housing. This proposal supports the staffing needs to run the homelessness prevention programming.

**Outreach Fort Collins - Street-Based Homelessness Services**

<b>Request:</b> \$90,000	<b>Recommendation:</b> \$39,000	<b>Percentage:</b> 43%
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Outreach Fort Collins (OFC) is a street-based outreach organization providing situational response for issues of disruptive behavior, physical and mental health concerns, and general resource inquiry. OFC primarily serves the unhoused community and connects those in need to services and supportive networks.

**Poudre River Public Library District - Social Service Interventions for Unhoused Customers**

<b>Request:</b> \$15,000	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 100%
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Pilot program that utilizes a partnership with SummitStone to provide a part-time social worker housed at the Old Town Library to connect unhoused individuals to local resources, conduct needs assessments, and help support library staff.

**Project Self-Sufficiency - Career Pathways for Low-Income Single Parents**

<b>Request:</b> \$45,000	<b>Recommendation:</b> \$22,000	<b>Percentage:</b> 49%
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Project Self-Sufficiency assists single parent families to become self-sufficient through career planning, wrap around services and support that removes barriers and empowers parents to complete education and training goals. Program helps to break the cycle of generational poverty.

**Respite Care - Childcare Scholarship for Low-Income Families**

<b>Request:</b> \$40,000	<b>Recommendation:</b> \$19,000	<b>Percentage:</b> 48%
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Respite Care provides short-term care for children with developmental disabilities and other supportive services that provide respite for families. Support is available 24/7 all year for children from infancy to age 21. Scholarship program allows families pay on a sliding fee scale based on income and family size.

**Sexual Assault Victim Advocate Center - Victim Services & Prevention**

<b>Request:</b> \$43,000	<b>Recommendation:</b> \$21,500	<b>Percentage:</b> 50%
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SAVA provides crisis intervention, advocacy and counseling to all those affected by sexual violence, as well as prevention education programming in Fort Collins schools.

**Teaching Tree Early Childhood Learning Center - Childcare Scholarships**

<b>Request:</b> \$85,000	<b>Recommendation:</b> \$40,000	<b>Percentage:</b> 47%
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Teaching Tree provides accessible and affordable early childhood care and education programs that teach children skills to lower their risk factors and begin kindergarten with social, emotional and academic skills to allow them to learn. Scholarship program significantly reduces the out-of-pocket costs for families.

**The Crawford Child Advocacy Center - Fighting Child Sexual Abuse & Maltreatment**

<b>Request:</b> \$29,700	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 51%
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The Crawford Child Advocacy Center provides comprehensive response to child abuse working with law enforcement, child protection, prosecution, mental health, medical and victim advocacy to investigate abuse, help children heal from abuse and hold offenders accountable. Program includes direct forensic interviews with children and non-offending family support.

**The Family Center / La Familia - Childcare Scholarships & Family Support Services**

<b>Request:</b> \$75,000	<b>Recommendation:</b> \$41,287	<b>Percentage:</b> 55%
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The Family Center / La Familia provides services to help strengthen and stabilize low-income families through affordable child care for infants, toddlers and preschool-aged children, parent and community enrichment programs and adult education. Program offers childcare tuition discounts for families, as well as bilingual resource and referral support.

**The Lotus Effect - Fit to Fight**

<b>Request:</b> \$32,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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The Lotus Effect supports low-income Fort Collins youth struggling with legal issues and adults transitioning out of the legal system. The Fit to Fight program is a 6-week program that has 2 components: boxing and life coaching, with strong ties to the value of taking care of one’s mental health, physical health, and relationships.

**The Matthews House – Family to Family Program**

<b>Request:</b> \$26,000	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 58%
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The Matthews House empowers young adults and families in transition to navigate difficulties on the road to self-sufficiency; many have been in foster care, justice system, generational poverty, etc. The Family to Family Program is a holistic intergenerational case management program serving lower-income families and offering peer-to-peer support for parents and children ages 0-18.

**The Matthews House – Youth & Young Adults Transitioning to Independence**

<b>Request:</b> \$52,000	<b>Recommendation:</b> \$30,000	<b>Percentage:</b> 58%
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The Matthews House empowers young adults and families in transition to navigate difficulties on the road to self-sufficiency; many have been in foster care, justice system, generational poverty, etc. Youth and Young Adult Services program aids the transition to adulthood by building connections, fostering belonging, and developing self-efficacy skills.

**The Quarter Project - Girls in Engineering, Math & Science**

<b>Request:</b> \$28,200	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 53%
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The Quarter Project offers a weekly afterschool hands-on program for girls from low-income and minority populations to become more confident and comfortable working in a STEM arena. GEMS program is for girls K-5 and teaches foundational concepts through interactive experiments and fun STEM activities.

**The Salvation Army - Rent and Utilities Program**

<b>Request:</b> \$35,000	<b>Recommendation:</b> \$18,000	<b>Percentage:</b> 51%
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The Salvation Army in Fort Collins offers a variety of programs to support human service needs of vulnerable populations in the community, including rent and utility assistance, food boxes, clothing and hygiene items, meals, back-to-school items, disaster relief and more. Case management and other support services are offered in addition to rent/utility assistance.

**The Vegetable Connection - Feeding the Families**

<b>Request:</b> \$15,000	<b>Recommendation:</b> \$0	<b>Percentage:</b> 0%
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The Vegetable Connection is a local, nonprofit Community Supported Agriculture (CSA) farm that operates a 'Feeding the Families' program to assist low-income families in becoming members of the CSA for an entire growing season by subsidizing their market-priced shares.

**Turning Point Center for Youth & Family Development – Connections Program**

<b>Request:</b> \$65,900	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 23%
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Turning Point provides mental health, behavioral health and substance abuse treatment services to children and families. Program offers families an individualized continuum of services, from prevention to behavior coaching to wraparound intervention supports.

**United Way of Larimer County - Larimer Child Care Fund**

<b>Request:</b> \$25,000	<b>Recommendation:</b> \$15,000	<b>Percentage:</b> 60%
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UWLC is a community impact organization addressing systems-level change for health and human services. The Childcare Scholarship Fund provides sliding scale scholarships to income-eligible families who receive care through providers of their choice.

**United Way of Weld County - Coordinated Assessment & Housing Placement System**

<b>Request:</b> \$40,000	<b>Recommendation:</b> \$30,000	<b>Percentage:</b> 75%
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UWWC develops and supports programs that improve lives and catalyze social change and serves as the fiscal agent for Coordinated Assessment and Housing Placement System (CAHPS) efforts in Fort Collins, which prioritizes housing options community-wide for people experiencing homelessness.

**Vindeket Foods - Vindeket Market**

<b>Request:</b> \$30,000	<b>Recommendation:</b> \$16,000	<b>Percentage:</b> 53%
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Vindeket Foods partners with grocery stores, restaurants, & farms to reduce wasted food and ensure all individuals and families feel empowered and dignified in accessing nutritious food and participating in the food system. The program offers a no-cost market that is open to anyone.

**Volunteers of America - Handyperson Program**

<b>Request:</b> \$22,000	<b>Recommendation:</b> \$16,000	<b>Percentage:</b> 73%
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The Fort Collins VOA provides services to seniors (60+) who are frail and/or home-bound to help them remain healthy, safe, socially connected and independent. The Handyperson program offers VOA clientele safety-related home modifications and repairs utilizing volunteers.

**Volunteers of America - Home Delivered Meal Service**

<b>Request:</b> \$55,000	<b>Recommendation:</b> \$28,000	<b>Percentage:</b> 51%
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The Fort Collins VOA provides services to seniors (60+) who are frail and/or home-bound to help them remain healthy, safe, socially connected and independent. The meal delivery program offers weekly boxed meals or frozen meals and nutrition risk assessments, nutrition education/counseling, information/referral to community resources, etc.

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**AFFORDABLE HOUSING BOARD (AHB)**

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



April 8, 2024

From: Affordable Housing Board, Chair - John Singleton

To: Human Service and Housing Funding Board

Re: Ranking of Housing Applications in the 2024 Competitive Process

The Affordable Housing Board met on April 4, 2024, and discussed the 8 Housing applications and ranked them in the following priority order:

1. HO 5 Housing Catalyst - Village on Eastbrook
2. HO 7 Loveland Housing Development Corp – Larimer Home Improvement Program
3. HO 6 L'Arche Fort Collins – L'Arche Homes at Heartside Hill
4. HO 1 CARE Housing – Greenbriar-Windtrail Rehab
5. HO 4 Housing Catalyst – Remington Parking Lot
6. HO 3 Fort Collins Habitat for Humanity – Harmony Cottages
7. HO 2 City of Fort Collins Forestry Division – Homeowner Hazard Tree Removal Assistance Program
8. HO 8 The Szanton Company -302 Conifer

Comments on ranking exercise:

- This was a very difficult round understanding that all applications were for worthy projects and that the amount of funding available was not sufficient to fund all applications.
- Housing Catalyst's Village on Eastbrook (HO 5) rose to the top because it is ready to go and will add new units to the City's affordable housing inventory.
- HO7 LIHIP and HO 6 L'Arche Homes at Heartside Hill show support for a broader and more holistic approach to housing stabilization.
  - LIHIP will use the funding to match and leverage additional funding, serves Mobile Home Park residents, and provides for emergency repairs.
  - L'Arche serves a target population (people experiencing disabilities) that is lacking in services and could be seen as a pilot program encouraging scaling this up to serve more qualifying residents.
- CARE Housing's rehabilitation (HO 1) is very important and not as time sensitive as the new construction. The AHB hopes to see this application come back next year.
- HO 4, Housing Catalyst's Remington Parking Lot project anticipated needing to return to the Competitive Process in 2025. The Board felt the project is in the early stages and had time so they could refine and expand their request next year.



## AFFORDABLE HOUSING BOARD (AHB)



### CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

- Habitat for Humanity's Harmony Cottages (HO 3) is a great community that the City has always supported. This round, H4H is not the only Community Housing Development Organization and therefore funding can still be deployed even if this application is not funded this round. The Board would support funding this application if there was more funding available.
- HO 2 The City's Forestry Division's Homeowner Hazard Tree Removal is a good support for low-income homeowners. They have yet to spend all the funding provided in the last round and have only helped one household to date. The Board would like to see more activity if this comes back for funding next year. Also, the Board encourages the Forestry Department to look for additional funding sources for the program such as submitting a BFO offer in the City's budget process or seeking grants from other sources more directly related to trees.
- HO 8 The Szanton Company's plans for 302 Conifer seemed to be too early in the process to fund now. It was unclear if they were targeting households earning no more than 80% Area Median Income. It was also unclear what funding sources they were relying on for financing their development. The Board encourages this applicant to return next year if appropriate based on final details for their project.

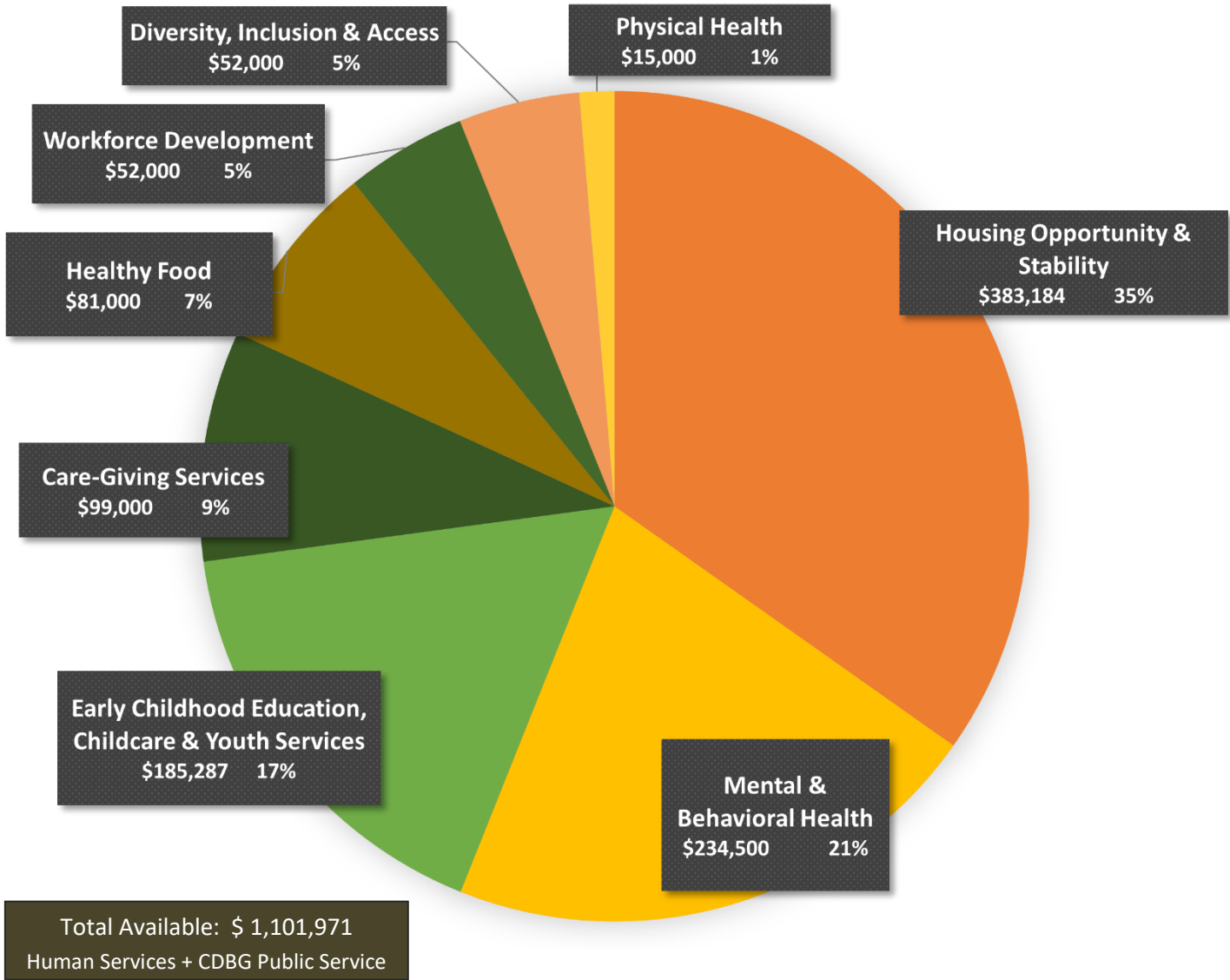
**Note to HS&HF Board:** The members of the Affordable Housing Board are leaning into their duty to promote citizen participation and public education on City-wide affordable housing issues. To that end, the Board intends to have education components at most of their meetings this year and has formed committees to guide this year's focus. They include:

- **Knowledge Repository**
- **Outreach, Education and Partnerships**
- **Council and Local Legislative Support**
- **Diversity, Equity & Inclusion in Affordable Housing**

Members of the Human Services and Housing Funding Board are invited to attend the Affordable Housing Board's hybrid meetings (in-person or on Zoom) that occur the first Thursday of each month at 4:00 and/or to join any of the committees.

# Human Services Priorities

## Distribution of FY24 Funding



The Human Services priorities are identified within the Social Sustainability Strategic Plan. Each priority is further defined with demographic or strategy concentrations to clarify the targeted needs of underserved groups and low-income residents. For example, Care-Giving Services identifies Seniors and People with Disabilities as vulnerable populations to support.

Applicants were required to clearly demonstrate in their funding proposal how the program directly addresses and advances 1-2 of the priorities and concentrations. The distribution of funds shown in the chart above reflects the primary priority of the program, however; many programs also support a secondary priority. For example, a senior meal delivery program is foremost a Care-Giving (Senior) priority, with Healthy Food as its secondary priority.

Further, there are four FY24 programs receiving federal CDBG Public Service funds (\$181,684) and they are all aligned with the Housing Opportunity & Stability priority above.

2024 Competitive Process Recommendations - Human Services					
RANKING	SCORE - 102 Total	Agency	Program	Request	RECOMMENDED FUNDING
1	92.57	United Way of Weld County	Coordinated Assessment and Housing Placement System	\$40,000	\$30,000
2	91.63	Homeward Alliance	Murphy Center	\$45,000	\$30,000
2	91.63	The Family Center/La Familia	Childcare Scholarships & Family Support Services	\$75,000	\$41,287
4	91.25	Homeward Alliance	Family Services	\$45,000	\$30,000
5	90.00	Crossroads Safehouse	Bilingual & Bicultural Victim Advocacy	\$40,000	\$28,000
5	90.00	Neighbor to Neighbor	N2N Rent Assistance Coordination	\$70,000	\$32,500
5	90.00	The Matthews House	Youth & Young Adults Transitioning to Independence	\$52,000	\$30,000
8	89.75	Outreach Fort Collins	Street-Based Homelessness Services Program Support	\$90,000	\$39,000
9	89.63	Teaching Tree Early Childhood Learning Center	Childcare Scholarships for Low Income Families	\$85,000	\$40,000
10	89.50	Volunteers of America	Handyperson Program	\$22,000	\$16,000
11	88.88	Food Bank for Larimer County	Fort Collins Kids Cafe	\$40,000	\$22,000
12	88.75	CASA of Larimer County	Court Appointed Special Advocates	\$52,500	\$30,000
12	88.75	The Matthews House	Family to Family Program at the Community Life Center	\$26,000	\$15,000
14	88.13	Volunteers of America	Home Delivered Meals Program	\$55,000	\$28,000
15	88.00	Disabled Resource Services	Disability Services for Independence	\$40,000	\$20,000
16	87.63	Project Self-Sufficiency	Career Pathways for Low-Income Single Parents	\$45,000	\$22,000
17	87.38	ChildSafe Colorado	Child Abuse Treatment Program	\$83,000	\$35,000
17	87.38	The Crawford Child Advocacy Center	Fighting Child Sexual Abuse & Maltreatment	\$29,700	\$15,000
19	87.13	CASA of Larimer County	Family Connections	\$75,500	\$30,000
20	86.88	Boys & Girls Clubs of Larimer County	Boys & Girls Clubs - Fort Collins	\$50,000	\$25,000
21	86.75	Meals on Wheels for Fort Collins	Meal Delivery Program	\$50,000	\$25,000
22	86.63	The Salvation Army	Rent and Utilities Program	\$35,000	\$18,000
23	85.50	Family Housing Network	Sherwood House - Bridge Housing	\$25,000	\$16,000
24	84.88	Larimer County Partners	Youth Mentoring and Prevention	\$28,300	\$15,000
25	84.75	Catholic Charities	Senior Support Services - Samaritan House Ft Collins	\$60,000	\$27,000
26	83.88	A Little Help	A Little Help for Older Adults in Fort Collins	\$45,000	\$20,000
27	83.50	McBackpack	Working to Alleviate Food Insecurity in Fort Collins	\$20,000	\$15,000
28	83.00	Vindeket Foods	Vindeket Market	\$30,000	\$16,000
29	82.75	Sexual Assault Victim Advocate Center	Sexual Assault Intervention & Prevention Services	\$43,000	\$21,500
30	82.63	ISAAC of Northern Colorado	Unhoused Immigrant & Refugee Families	\$40,000	\$20,000
31	82.25	Alianza NORCO	Navigation Programming for Immigrants by Immigrants	\$75,000	\$32,000
32	81.13	Elderhaus Adult Day Program	Direct Care for Fort Collins Residents Living with Disabilities	\$66,000	\$27,000
33	80.00	Respite Care	Childcare Scholarships for Low-Income Families	\$40,000	\$19,000
34	79.88	The Quarter Project	GEMS - Girls in Engineering, Math & Science	\$28,200	\$15,000
35	79.50	United Way of Larimer County	Larimer Child Care Fund	\$25,000	\$15,000
36	78.63	Children's Speech and Reading Center	Scholarships, Screens & Early Literacy	\$20,000	\$15,000
37	74.38	Fort Collins Rescue Mission	Nutritious Meal Program	\$50,000	\$0
38	72.63	Colorado Health Network	CHN Connection Point - Integrative Care & Supportive Services	\$40,500	\$0
39	72.25	Ensign Skills Center	Low Vision Rehabilitation Care and Support Program	\$25,000	\$15,000
40	71.13	Turning Point Center for Youth & Family Development	Connections Program	\$65,900	\$15,000
41	68.63	Poudre River Public Library District	Social Service Interventions for Unhoused Library Customers	\$15,000	\$15,000
42	62.38	Feeding Our Community Ourselves	Meal Exchange Program	\$15,000	\$0
43	61.50	The Vegetable Connection	Feeding the Families	\$15,000	\$0
44	61.00	Lutheran Campus Ministry at CSU	Student Housing Security Initiative	\$45,000	\$0
45	57.88	The Lotus Effect	Fit to Fight	\$32,000	\$0
46	47.63	L'Arche Fort Collins	I/DD Emergency Services Identification	\$35,000	\$0
		<b>TOTAL:</b>		<b>\$2,029,600</b>	<b>\$920,287</b>

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

April 30, 2024 at 5:30 PM

222 Laporte Ave, Fort Collins – Colorado River Room

Additional viewing option via Zoom

#### 1. CALL TO ORDER

- At 5:42 PM the meeting was called to order by Pat Hastings.

#### 2. ROLL CALL

- Board Members Present
  - Pat Hastings, Chair
  - Olga Duvall, Vice Chair
  - Erma Woodfin
  - Lori Kempter
  - Michaela Ruppert
  - Mike Kulisheck
  - Mike Nielsen
- Board Members Excused
  - Christine Koepnick
- Staff Members Present
  - Adam Molzer, Staff Liaison, Social Sustainability – City of Fort Collins
  - Beth Rosen, Social Sustainability – City of Fort Collins
  - Sue Beck-Ferkiss, Social Sustainability – City of Fort Collins
  - Megan Gallagher, Social Sustainability – City of Fort Collins
  - Tamra Leavenworth, Social Sustainability – City of Fort Collins
- Community Members in Attendance
  - Kim Iwanski, CARE Housing
  - Tatiana Zentner, CARE Housing
  - Alex Statham-Lardner, Fort Collins Habitat for Humanity
  - Mara Johnson, Fort Collins Habitat for Humanity
  - Kristin Fritz, Housing Catalyst
  - Linda Wright, Loveland Housing Authority
  - Nathan Szanton, The Szanton Company

Due to the duration and extent of the housing preliminary grant review, the summary of the meeting reflected in the minutes below may not include all details of the HSHF-Board's discussion. For further information, details and insight, and audio recording, resources are available by contacting the HSHF-Board staff liaison.

#### 3. AGENDA REVIEW

Adam Molzer reviewed the agenda. The Board accepted the agenda without modification.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL BOARD MEETING

#### 4. COMMUNITY PARTICIPATION

Guests from the public introduced themselves. No additional public comments.

#### 5. APPROVAL OF MINUTES – March 27, 2024 Special Meeting & April 3, 2024 Regular Meeting

Erma Woodfin motioned to approve the March 27, 2024 meeting minutes as presented. Michaela Ruppert seconded. Approved 7-0.

Olga Duvall motioned to approve the April 3, 2024 meeting minutes as presented. Michaela Ruppert seconded. Approved 7-0.

#### 6. BOARD MEMBER REPORTS

None.

#### 7. STAFF REPORTS

Adam Molzer informed the Board that next week's meeting on Wednesday, May 8, would be held in-person at the Foothills Activity Center.

#### 8. UNFINISHED BUSINESS

None.

#### 9. NEW BUSINESS

a. Deliberations to Formulate Funding Recommendations – CDBG Public Services (renewal funding)

- Beth Rosen provided a brief overview of the CDBG Public Service funds to the Board, explaining that since these awards were originally allocated in FY22, FY24 is the second and final year the Board must consider and vote on renewal funding. CDBG Public Service funds are distributed to organizations that provide emergency sheltering and services or provide housing stabilization services. The funds are distributed in percentages (of the eligible CDBG funding total for Public Service) over a multi-year period.
- Beth Rosen gave an overview of each organization's funding request, what the funds will be used for, how many clients will be served, and the organization's progress over the last year. Several board members followed up with clarifying questions for Beth.
- Olga Duvall motioned to approve the 2024 CDBG Public Service funding recommendations at the percentages presented. Erma Woodfin seconded. Approved 6-0-1. Lori Kempter abstained.
- The CDBG Public Service funds will be renewed for FY24 as follows:
  - Catholic Charities – Samaritan House Fort Collins Shelter – Funding TBD (31% of available funding)
  - Crossroads Safehouse – Domestic Violence Emergency Shelter Advocacy – Funding TBD (26% of available funding)
  - Family Housing Network of Fort Collins, Inc. – Family Housing Network Shelter Program – Funding TBD (11% of available funding)
  - Neighbor to Neighbor, Inc. – N2N Housing Solutions – Direct Rental Assistance – Funding TBD (32% of available funding)

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL BOARD MEETING

- b. Deliberations to Formulate Project Ranked Order for Funding – Affordable Housing
- The Affordable Housing Board’s rankings of the housing proposals were presented.
  - A total of 8 proposals were submitted, requesting \$4.8 million total for housing projects and programs. Adam Molzer explained that the Board would first vote to support funding for each project, then rank each project in order of priority.
  - Beth Rosen provided an overview of the funding considerations and reviewed the Housing Strategic Plan goals, encouraging Board members to consider how each project relates to these goals when making their decisions.
  - Pat Hastings motioned to support funding for HO-1 CARE Housing. Olga Duvall seconded. Approved 7-0.
  - Pat Hastings motioned to support funding for HO-2 City of Fort Collins Forestry Division. Lori Kempter seconded. Approved 5-2. Opposed by Olga Duvall and Mike Kulischeck.
  - Opposing Board members explained that they did not think affordable housing funds were the appropriate funding source for HO-2 City of Fort Collins Forestry Division.
  - Olga Duvall motioned to support funding for HO-3 Habitat for Humanity. Lori Kempter seconded. Approved 7-0.
  - Olga Duvall motioned to support funding for HO-4 Housing Catalyst Remington Parking Lot. Lori Kempter seconded. Approved 4-3. Opposed by Michaela Ruppert, Erma Woodfin, and Pat Hastings.
  - Opposing Board members expressed concern that HO-4 Housing Catalyst Remington Parking Lot anticipates needing to return to the Competitive Process in 2025 and that they need more time to refine their funding request.
  - Olga Duvall motioned to support funding for HO-5 Housing Catalyst Village on Eastbrook. Mike Nielsen seconded. Approved 7-0.
  - Olga Duvall motioned to approve funding for HO-6 L’Arche Fort Collins. Seconded by Mike Kulischeck. The motion fails 4-3. Opposed by Mike Nielsen, Lori Kempter, Michaela Ruppert, and Erma Woodfin.
  - The Board engaged in discussion about HO-6 L’Arche Fort Collins – expressing concern about the small number of people served in relation to the cost of the project and the unintended consequences of the caretakers’ housing and occupation being interconnected. Board members also discussed that this project would move forward regardless of funding from the Competitive Process, since the funding request serves to fully eliminate project debt.
  - Mike Nielsen motioned to support funding for HO-7 Loveland Housing Development. Erma Woodfin seconded. Approved 7-0.
  - Erma Woodfin motioned to not support funding for HO-8 The Szanton Company. Lori Kempter seconded. Approved 7-0.
  - The Board engaged in discussion about HO-8 The Szanton Company – expressing that the project seems too early in the process to support funding at this time. It was also unclear if they were targeting

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL BOARD MEETING

households earning no more than 80% Area Median Income. The Board encourages the applicant to return next year if appropriate based on the final details of the project.

- Board members asked Beth Rosen what would happen if a project ranked in such a way that it would only receive partial funding. Beth explained that the project would get a conditional commitment for the balance of the funds remaining, with the expectation that they would take the partial funding to secure tax credits and other required funding and return to the Competitive Process later to fill their remaining funding gap.
- Erma Woodfin motioned to recommend allocating funding to all supported projects in rank order until the funds are exhausted. If a project later withdraws their proposal, funding would be made available to the next eligible prioritized project. Mike Nielsen seconded. Mike Kulisheck proposed a friendly amendment to move HO-2 City of Fort Collins Forestry Division to Priority #5 and HO-4 Housing Catalyst Remington Parking Lot to Priority #6. Erma Woodfin and Mike Nielsen accepted the friendly amendment. The final priority ranking list was presented as follows:

Priority #1 – **HO-5: Housing Catalyst – Village on Eastbrook**

Priority #2 – **HO-7: Loveland Housing Development – Larimer Home Improvement Program**

Priority #3 – **HO-3: Fort Collins Habitat for Humanity – Harmony Cottages**

Priority #4 – **HO-1: CARE Housing – Greenbriar-Windtrail Rehab**

Priority #5 – **HO-2: City of Fort Collins Forestry Division – Tree Removal Assistance Program**

Priority #6 – **HO-4: Housing Catalyst – Remington Parking Lot**

Motion to pass the FY24 prioritization as presented passed 7-0.

Housing projects are ranked in priority order. If a project receives funding through the City from another source and/or withdraws their proposal, the funding recommendation will be withdrawn, and funds will be made available to the next eligible, prioritized project.

#### 10. OTHER BUSINESS

- Adam Molzer shared that he went through the process of standardizing the Board’s scoring of the Human Service grant proposals. He presented the results to the Board to see if they would like to use the standardized scores or raw scores for tomorrow’s deliberations. The Board decided they would like to use the raw scores.

#### 11. NEXT MEETINGS

Wednesday, May 1, 2024 | 4:00pm | Location: 222 Laporte Avenue – Colorado River Room

- Funding Deliberation Special Meeting – Human Services

#### 13. ADJOURNMENT

Pat Hastings adjourned meeting at 8:15 PM.

Minutes were finalized and approved by the Human Services & Housing Funding Board on May 8, 2024.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

**DRAFT**

May 1, 2024 at 4:00 PM

222 Laporte Ave, Fort Collins – Colorado River Room

[Additional viewing option via Zoom](#)

#### 1. CALL TO ORDER

- At 4:10 PM the meeting was called to order by Pat Hastings.

#### 2. ROLL CALL

- Board Members Present
  - Pat Hastings, Chair
  - Olga Duvall, Vice Chair
  - Erma Woodfin
  - Lori Kempter
  - Michaela Ruppert
  - Mike Kulisheck
  - Mike Nielsen
  - Pat Hastings
- Board Members Excused
  - Christine Koepnick
- Staff Members Present
  - Adam Molzer, Staff Liaison, Social Sustainability – City of Fort Collins
  - Halley Pucker, Social Sustainability – City of Fort Collins
  - Tamra Leavenworth, Social Sustainability – City of Fort Collins
- Community Members in Attendance
  - Donna Lopez, Lutheran Campus Ministry at CSU
  - Brad Rhoda, Outreach Fort Collins
  - Michelle Gerard, Outreach Fort Collins
  - Kyla Pfeif, Colorado Health Network (online)
  - Runeela Taskeen, The Quarter Project (online)
  - Dustin Barrington, L'Arche Fort Collins (online)
  - Paula Ordaz, Fort Collins Rescue Mission (online)
  - Mindy Vallejos, Denver Rescue Mission (online)
  - Sharlene Johnson, Food Bank for Larimer County (online)
  - Ann Lindgren, Turning Point & The Lotus Effect (online)
  - Tim Pierz, Catholic Charities (online)
  - Shayna Kefalas, Larimer County Partners (online)
  - Annette Zacharias, Family Housing Network (online)

Due to the duration and extent of the human services preliminary grant review, the summary of the meeting reflected in the minutes below may not include all details of the HSHF Board's discussion. For further information, details and insight, and video recording, resources are available by contacting the HSHF Board staff liaison.



# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board SPECIAL MEETING

### 3. AGENDA REVIEW

Adam Molzer reviewed the agenda. The Board accepted the agenda without modification.

### 4. COMMUNITY PARTICIPATION

Guests from the public introduced themselves. No additional public comments.

### 5. APPROVAL OF MINUTES

None.

### 6. BOARD MEMBER REPORTS

None.

### 7. STAFF REPORTS

None.

### 8. UNFINISHED BUSINESS

None.

### 9. NEW BUSINESS

#### a. Deliberations to Formulate Funding Recommendations – Human Services

Adam Molzer provided a review of the deliberations protocol and funding available (\$920,287). Adam reviewed the scorecard criteria and ranking spreadsheet. He noted that funding recommendations will go before City Council in June and the grant cycle will begin October 2024.

Deliberations protocol has Board members begin at the top of the ranking list, with each proposal open to further discussion. Funding recommendations will be made with a first and second motion, and friendly amendments are permitted.

#### **HS-43: United Way of Weld County – Coordinated Assessment and Housing Placement System**

Motion by Pat Hastings to fund at \$30,000. Seconded by Michaela Ruppert. Approved 7-0.

#### **HS-19: Homeward Alliance – Murphy Center**

Motion by Olga Duvall to fund at \$30,000. Seconded by Mike Nielsen. Approved 7-0.

#### **HS-34: The Family Center/La Familia – Childcare Scholarships & Family Support Services**

Motion by Mike Kulisheck to fund at \$40,000. Seconded by Erma Woodfin. Approved 7-0.

#### **HS-18: Homeward Alliance – Family Services**

Motion by Lori Kempter to fund at \$30,000. Seconded by Olga Duvall. Approved 7-0.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

**HS-10: Crossroads Safehouse – Bilingual & Bicultural Victim Advocacy**

Motion by Pat Hastings to fund at \$28,000. Seconded by Olga Duvall. Friendly amendment by Erma Woodfin to fund at \$25,000 was declined. Approved 6-0. Lori Kempter recused herself from the vote.

Adam Molzer provided an update of funds: remaining balance is ~\$762,000.

**HS-26: Neighbor to Neighbor – N2N Rent Assistance Coordination**

Motion by Mike Kulisheck to fund at \$32,500. Seconded by Lori Kempter. Approved 7-0.

**HS-37: The Matthews House – Youth & Young Adults Transitioning to Independence**

Motion by Mike Kulisheck to fund at \$30,000. Seconded by Lori Kempter. Approved 7-0.

**HS-27: Outreach Fort Collins – Street-Based Homelessness Services Program Support**

Motion by Pat Hastings to fund at \$39,000. Seconded by Michaela Ruppert. Approved 7-0.

**HS-32: Teaching Tree Early Childhood Learning Center – Childcare Scholarships for Low Income Families**

Motion by Olga Duvall to fund at \$40,000. Seconded by Mike Kulisheck. Approved 7-0.

**HS-45: Volunteers of America – Handyperson Program**

Motion by Pat Hastings to fund at \$16,000. Seconded by Mike Kulisheck. Approved 7-0.

Discussion: The Board discussed the importance of this program and the volunteer coordination involved.

**HS-16: Food Bank of Larimer County – Fort Collins Kids Cafe**

Motion by Olga Duvall at \$22,000. Seconded by Michaela Ruppert. Approved 7-0.

**HS-4: CASA of Larimer County – Court Appointed Special Advocates**

Motion by Erma Woodfin to fund at \$30,000. Seconded by Lori Kempter. Approved 7-0.

**HS-36: The Matthews House – Family to Family Programming at the Community Life Center**

Motion by Mike Nielsen to fund at \$15,000. Seconded by Olga Duvall. Approved 7-0.

**HS-46: Volunteers of America – Home Delivered Meals Program**

Motion by Michaela Ruppert to fund at \$28,000. Seconded by Mike Kulisheck. Approved 7-0.

**HS-11: Disabled Resource Services – Disability Services for Independence**

Motion by Olga Duvall to fund at \$20,000. Seconded by Michaela Ruppert. Approved 7-0.

Adam Molzer provided an update of funds: remaining balance is ~\$490,000.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

**HS-29: Project Self-Sufficiency – Career Pathways for Low-Income Single Parents**

Motion by Mike Kulisheck to fund at \$22,000. Seconded by Michaela Ruppert. Approved 7-0.

**HS-8: ChildSafe Colorado – Child Abuse Treatment Program**

Motion by Erma Woodfin to fund at \$35,000. Seconded by Mike Nielsen. Approved 7-0.

**HS-33: The Crawford Advocacy Center – Fighting Child Sexual Abuse & Maltreatment**

Motion by Lori Kempter to fund at \$15,000. Seconded by Michaela Ruppert. Approved 7-0.

**HS-5: CASA of Larimer County – Family Connections**

Motion by Pat Hastings to fund at \$30,000. Seconded by Erma Woodfin. Approved 7-0.

**HS-3: Boys & Girls Clubs of Larimer County – Boys & Girls Clubs - Fort Collins**

Motion by Mike Kulisheck to fund at \$25,000. Seconded by Olga Duvall. Approved 7-0.

**HS-25: Meals on Wheels for Fort Collins – Meal Delivery Program**

Motion by Olga Duvall to fund at \$25,000. Seconded by Michaela Ruppert. Approved 7-0.

**HS-39: The Salvation Army – Rent and Utilities Program**

Motion by Pat Hastings to fund at \$18,000. Seconded by Erma Woodfin. Approved 7-0.

Discussion: The Board expressed appreciation for the substantial portion of requested funding that would be allocated directly towards rent and utility assistance.

**HS-14: Family Housing Network – Sherwood House - Bridge Housing**

Motion by Michaela Ruppert to fund at \$16,000. Seconded by Olga Duvall. Approved 7-0.

Adam Molzer called for a short break at 5:21 PM and the meeting resumed at 5:39 PM.

**HS-22: Larimer County Partners – Youth Mentoring and Prevention**

Motion by Mike Kulisheck to fund at \$15,000. Seconded by Olga Duvall. Approved 7-0.

**HS-6: Catholic Charities – Senior Support Services - Samaritan House Ft Collins**

Motion by Olga Duvall to fund at \$27,000. Seconded by Mike Kulisheck. Approved 7-0.

**HS-1: A Little Help – A Little Help for Older Adults in Fort Collins**

Motion by Erma Woodfin to fund at \$20,000. Seconded by Lori Kempter. Approved 7-0.

**HS-24: McBackpack – Working to Alleviate Food Insecurity in Fort Collins**

Motion by Mike Kulisheck to fund at \$15,000. Seconded by Erma Woodfin. Approved 7-0.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

**HS-44: Vindeket Foods – Vindeket Market**

Motion by Pat Hastings to fund at \$16,000. Seconded by Mike Kulisheck. Approved 7-0.

**HS-31: Sexual Assault Victim Advocate Center – Sexual Assault Intervention & Prevention Services**

Motion by Erma Woodfin to fund at \$21,500. Seconded by Lori Kempter. Approved 7-0.

Adam Molzer provided an update of funds: remaining balance is ~\$189,000.

**HS-20: ISAAC of Northern Colorado – Housing in the Gaps: Safety Net for Unhoused Immigrant & Refugee Families**

Motion by Pat Hastings to fund at \$20,000. Seconded by Olga Duvall. Approved 7-0.

**HS-2: Alianza NORCO – Navigation Programming for Immigrants by Immigrants**

Motion by Michaela Ruppert to fund at \$32,000. Seconded by Olga Duvall. Approved 7-0.

**HS-12: Elderhaus Adult Day Program – Direct Care for Fort Collins Residents Living with Disabilities**

Motion by Erma Woodfin to fund at \$27,000. Seconded by Michaela Ruppert. Approved 7-0.

**HS-30: Respite Care – Childcare Scholarships for Low-Income Families**

Motion by Olga Duvall to fund at \$19,000. Seconded by Mike Nielsen. Approved 7-0.

Adam Molzer provided an update of funds: remaining balance is ~\$91,287.

**HS-38: The Quarter Project – GEMS - Girls in Engineering, Math & Science**

Motion by Olga Duvall to fund at \$15,000. Seconded by Lori Kempter. Approved 4-3. Opposed by Michaela Ruppert, Mike Kulisheck, and Erma Woodfin.

Discussion: Some Board members felt funds could be better utilized by organizations addressing urgent needs in the community. Other Board members advocated for the long-term investment of this program, noting its growth and expansion over the years.

**HS-42: United Way of Larimer County – Larimer Child Care Fund**

Motion by Michaela Ruppert to fund at \$15,000. Seconded by Olga Duvall. Approved 7-0.

**HS-7: Children’s Speech and Reading Center – Scholarships, Screens & Early Literacy**

Motion by Lori Kempter to fund at \$15,000. Seconded by Mike Kulisheck. Approved 7-0.

**HS-17: Fort Collins Rescue Mission – Nutritious Meal Program**

Motion by Mike Nielsen to fund at \$0. Seconded by Mike Kulisheck. Approved 7-0.

Discussion: Some Board members expressed concern that the majority of requested funds would go

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

toward staff salary and benefits and would have liked to see more go toward food costs.

Adam Molzer provided an update of funds: remaining balance is ~\$46,287.

**HS-9: Colorado Health Network – CHN Connection Point - Integrative Care & Supportive Services**

Motion by Mike Kulischeck to fund at \$0. Seconded by Lori Kempter. Approved 6-0-1. Olga Duvall abstained.

Discussion: Board members acknowledged the program's value but voiced concerns regarding the proportion of the program budget it sought in comparison to other applicants.

**HS-13: Enight Skills Center – Low Vision Rehabilitation Care and Support Program**

Motion by Erma Woodfin to fund at \$15,000. Seconded by Lori Kempter. Friendly amendment by Lori Kempter requesting that \$9,400 go toward direct client assistance, with the remaining \$5,600 designated for staff salary. Accepted by Erma Woodfin. Approved 7-0.

Discussion: The Board discussed the importance of this program, especially for seniors, and how it serves a unique role in the community.

**HS-41: Turning Point Center for Youth & Family Development – Connections Program**

Motion by Olga Duvall to fund at \$15,000. Seconded by Mike Kulischeck. Approved 7-0.

**HS-28: Poudre River Public Library District – Social Service Interventions for Unhoused Library Customers**

Motion by Olga Duvall to fund at \$15,000. Seconded by Michaela Ruppert. Approved 5-2. Opposed by Lori Kempter and Mike Kulischeck.

Discussion: Some Board members discussed that having a social worker stationed at a public library is considered one of the best practices in the nation, and that it would be particularly helpful for Fort Collins given past incidents at the old town library. However, there were differing perspectives among Board members, with some viewing it as a duplication of existing services while others emphasized the increasing community need. Concerns were raised regarding the metric used to gauge success, specifically the reliance on incident reduction. Additionally, the Board discussed the possibility of the library incorporating the program into its base budget if the pilot proves successful, though some members expressed reservations about its readiness for funding.

**HS-15: Feeding Our Community Ourselves – Meal Exchange Program**

Motion by Pat Hastings to fund at \$0. Seconded by Erma Woodfin. Approved 7-0.

**HS-40: The Vegetable Connection – Feeding the Families**

Motion by Pat Hastings to fund at \$0. Seconded by Mike Nielsen. Approved 7-0.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

**HS-23: Lutheran Campus Ministry at CSU – Student Housing Security Initiative**

Motion by Pat Hastings to fund at \$0. Seconded by Olga Duvall. Approved 7-0.

**HS-35: The Lotus Effect – Fit to Fight**

Motion by Pat Hastings to fund at \$0. Seconded by Mike Kulisheck. Approved 7-0.

**HS-21: L'Arche Fort Collins – I/DD Emergency Services Identification**

Motion by Pat Hastings to fund at \$0. Seconded by Erma Woodfin. Approved 7-0.

Adam Molzer provided an update of funds: remaining balance is \$1,287.

**HS-34: The Family Center/La Familia – Childcare Scholarships & Family Support Services**

Motion by Mike Kulisheck to fund at \$41,287. Seconded by Erma Woodfin. Approved 7-0.

**Slate Proposals:**

Motion by Pat Hastings to adopt the recommended funding slate for Human Services true dollars and percentages as discussed and presented. Seconded by Erma Woodfin. Approved 6-0. Lori Kempter recused.

Adam Molzer applauded the Board members for the work achieved in Housing and Human Services over the last few months and weeks.

#### 10. OTHER BUSINESS

Dianne Tjalkens will be joining the Board to share information about the HUD Consolidated Plan at the next regular meeting on May 8, 2024.

Adam Molzer shared that a 360-review of the grant recommendation process will be presented at the next regular meeting on May 8, 2024.

Adam Molzer mentioned that the Board may need to convene for a summer meeting to discuss the Human Services Priorities Platform. Additionally, he noted that he would be seeking volunteers from the Board to contribute to the project.

Pat Hastings announced that he will not be renewing his term on the Board, with his final meeting being May 8, 2024.

#### 11. NEXT MEETING

Wednesday, May 8, 2023 | 5:30 PM | Location: Foothills Activity Center

#### 13. ADJOURNMENT

Pat Hastings adjourned the meeting at 6:42 PM.

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



## Human Services & Housing Funding Board

### SPECIAL MEETING

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Minutes were finalized and approved by the Human Services & Housing Funding Board on \_\_\_\_\_.

DRAFT

# AGENDA ITEM SUMMARY

## City Council



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### STAFF

Rupa Venkatesh, Assistant City Manager

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### SUBJECT

**Resolution 2024-078 Approving the Appointment of Delynn Coldiron as City Clerk Effective June 24, 2024.**

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### EXECUTIVE SUMMARY

The purpose of this item is to approve the appointment of Delynn Coldiron as City Clerk.

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### STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

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### BACKGROUND / DISCUSSION

On January 18, 2024, Anissa Hollingshead separated from her position as City Clerk. Following her departure, an internal recruitment was initiated, and Heather Walls was appointed as Interim City Clerk, which was approved by Council with the adoption of Resolution 2024-007.

A national recruitment for the next City Clerk was conducted in the spring of 2024. Delynn Coldiron was selected as the successful candidate, supported by her experience as the City Clerk of Loveland, former City Clerk for the City of Fort Collins, education, and Municipal Clerk Certification. Coldiron’s first day of employment with the City is June 24, 2024.

Per Article II, Section 12 of the Fort Collins City Charter, the City Manager is authorized to appoint a City Clerk to act as Clerk of Council. This Resolution grants Council’s approval of the appointment.

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### CITY FINANCIAL IMPACTS

None.

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### BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

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### PUBLIC OUTREACH

None.

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### ATTACHMENTS

1. Resolution for Consideration



RESOLUTION 2024-078  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROVING THE APPOINTMENT OF DELYNN COLDIRON AS  
CITY CLERK EFFECTIVE JUNE 24, 2024

A. On January 18, 2024, Anissa Hollingshead separated from her position as City Clerk. Following her departure, an internal recruitment was initiated, and Heather Walls was appointed as Interim City Clerk, which was approved by Council with the adoption of Resolution 2024-007.

B. A national recruitment for the next City Council was conducted in the spring of 2024. Delynn Coldiron was selected as the successful candidate, supported by her experience as the City Clerk of Loveland, former City Clerk for the City of Fort Collins, education, and Municipal Clerk Certification.

C. Delynn Coldiron’s first day of employment with the City is June 24, 2024.

D. Per Article II, Section 12 of the Fort Collins City Charter, the City Manager is authorized to appoint a City Clerk to act as Clerk of Council.

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 appointment of Delynn Coldiron as City Clerk, effective as of June 24, 2024.

Section 2. The City Council hereby expresses its appreciation for the exceptional interim services that have been provided by Heather Walls and the staff of the City Clerk’s office.

Passed and adopted on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 18, 2024  
Approving Attorney: Carrie Daggett

# AGENDA ITEM SUMMARY

City Council



## STAFF

Paul Sizemore, Director, Community Development and Neighborhood Services  
Maren Bzdek, Manager, Historic Preservation Services  
Jim Bertolini, Senior Historic Preservation Planner

## SUBJECT

**Resolution 2024-079 Adopting Findings of Fact in Support of the City Council’s Decision to Overturn on Appeal the Historic Preservation Commission Determination that 2601 South College Avenue is Eligible for Fort Collins Landmark Designation.**

## EXECUTIVE SUMMARY

The purpose of this item is to make findings of fact and conclusions regarding Council’s decision at the June 4, 2024, appeal hearing about the historic landmark eligibility of 2601 South College Avenue (the "Property") that the Historic Preservation Commission (HPC "Commission") failed to properly interpret and apply City Code Section 14-22 and thereby overturned the HPC’s April 17, 2024, determination that the Property was eligible for designation as a Fort Collins Landmark.

## STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

## BACKGROUND / DISCUSSION

On April 17, 2024, the Commission upheld the October 17, 2023, decision of the City Historic Preservation Services Staff that 2601 South College Avenue was eligible for Fort Collins landmark designation, because it possessed significance under City Code Section 14-22(a)(1) Events and (3) Design/Construction and qualities of integrity were present under Section 14-22(b)(1) through (5) (Location, Design, Setting, Materials, Workmanship).

On April 30, 2024, the Property owner timely filed a Notice of Appeal seeking to overturn the Commission’s determination as to eligibility for the Property, alleging that the Commission failed to properly interpret and apply City Code Section 14-22, specifically alleging that that the Property lacks sufficient significance or integrity to convey its historic significance as required under Section 14-22.

On June 4, 2024, Council considered the record on appeal and testimony from the parties-in-interest. Council discussed the specific assertions of the appeal. On a 4-2 vote (Nays: Councilmembers Gutowsky, and Ohlson, Absent: Councilmember Pignataro). Council found that the Commission failed to properly interpret and apply City Code Section 14-22. Council overturned the April 17, 2024, Commission decision and found that 2601 South College Avenue is not eligible for designation as a Fort Collins’ landmark. This determination of eligibility remains valid until June 18, 2029.

**CITY FINANCIAL IMPACTS**

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None.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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1. Resolution for Consideration

RESOLUTION 2024-079  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ADOPTING FINDINGS OF FACT IN SUPPORT OF THE CITY COUNCIL’S  
DECISION TO OVERTURN ON APPEAL THE HISTORIC PRESERVATION  
COMMISSION DETERMINATION THAT 2601 SOUTH COLLEGE AVENUE IS  
ELIGIBLE FOR FORT COLLINS LANDMARK DESIGNATION

A. On April 17, 2024, the Historic Preservation Commission (“Commission”) conducted a *de novo* hearing and upheld the October 17, 2024, decision of the City Historic Preservation Services Staff that 2601 South College Avenue (the “Property”) is eligible for Fort Collins landmark designation pursuant to City Code Section 14-22.

B. On April 30, 2024, Angela Hygh as counsel for the Property owner Dracol LLC (“Appellants”) filed a Notice of Appeal (“Appeal”) of the April 17, 2024, Commission decision, alleging the Commission failed to properly interpret and apply City Code Section 14-22 standards for determining the eligibility of sites, structures, objects and districts for designation as landmarks or landmark districts.

C. On June 4, 2024, the City Council, after notice given in accordance with City Code Section 2-52, held a public hearing (“Hearing”) pursuant to City Code Section 2-54 to consider the allegations raised in the Appeal.

D. At the Hearing the Appellants and the Appellants’ historic preservation expert appeared and addressed Council, arguing in favor of the Appeal.

E. At the Hearing, a party-in-interest under the City Code Section 2-46 definition who was a person who provided written comments to the Commission before the Commission’s hearing, Meg Dunn, argued in opposition to the Appeal.

F. The City Council based its decision on the record on appeal according to City Code Section 2-51, testimony from City staff, statements and arguments by the Appellants and Appellants’ historic preservation expert, and statements and arguments in opposition to the appeal.

G. The City Council overturned the Commission’s April 17, 2024, decision that the Property is eligible for historic landmark designation, because the Commission failed to properly interpret and apply City Code Section 14-22(a) in finding that the Property possesses significance, because under:

1. Subsection 14-22(a)(1) Events, the Property does not individually contribute significantly to the history of Fort Collins; and
2. Subsection 14-22(a)(3) Design/Construction, the Property does not embody midcentury modern architecture and lacks artistic value.

H. City Code Section 2-56(c) provides that no later than the date of its next regular meeting after the hearing of an appeal, City Council shall adopt, by resolution, findings of fact in support of its decision on the Appeal.

In light of the foregoing recitals, which the City 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 April 17, 2024, Commission decision regarding the Property is overturned, and the Property is not eligible for Fort Collins landmark designation.

Section 2. The determination that the Property is not eligible for Fort Collins landmark designation will remain valid until June 18, 2029.

Section 3. Any other issues raised in the Appeal are without merit and are denied and dismissed.

Section 4. The adoption of this Resolution constitutes the final action of the City Council in accordance with City Code Section 2-56(c).

Passed and adopted on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 18, 2024  
Approving Attorney: Heather N. Jarvis

# AGENDA ITEM SUMMARY

City Council



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## STAFF

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Davina Lau, Public Engagement Specialist

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## SUBJECT

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**Resolution 2024-080 Making Appointments to the Downtown Development Authority Board.**

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## EXECUTIVE SUMMARY

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The purpose of this item is to fill vacancies that will exist as of June 30, 2024.

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## STAFF RECOMMENDATION

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Staff recommends adoption of the Resolution.

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## BACKGROUND / DISCUSSION

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This Resolution makes appointments to fill the three upcoming vacancies on the Downtown Development Authority (DDA) Board. The terms of Rebecca Hill, Dwight Hall, and Angel Kwaitkowski will expire June 30, 2024, creating three vacancies.

City Code Section 2-4462 provides that the DDA Board shall consist of eleven (11) members, nine (9) of whom are either residents, landowners or tenants within the boundaries of the Authority, one (1) of whom shall be a Councilmember and one (1) of whom shall be a member of the Board of County Commissioners of Larimer County, provided Larimer County continues to meet the qualifications for membership on the Board of the Authority as either a landowner or tenant within the boundaries of the Authority, and formally designates one (1) Commissioner to serve to serve in such a capacity. The Downtown Development Authority statute, Section 31-25-806, Colorado Revised Statutes, requires that members of the Board, other than members of the governing body (Council) reside, be a business lessee, or own real property in the DDA area.

On May 30, 2024, Councilmember Susan Gutowsky and Councilmember Emily Francis interviewed applicants for the Downtown Development Authority.

These terms will begin July 1, 2024. The names of the individuals recommended to fill these vacancies are listed in the table below.

**Downtown Development Authority**

<b>Appointments</b>	<b>Term Effective Date</b>	<b>Expiration of Term</b>
Holli McElwee (Seat D)	July 1, 2024	June 30, 2028
Dwight Hall (Seat E)	July 1, 2024	June 30, 2028
Rebecca Hill (Seat F)	July 1, 2024	June 30, 2028

**CITY FINANCIAL IMPACTS**

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None.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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Public outreach to seek applicants for boards and commissions included a spotlight and press release on the City of Fort Collins website, media releases for earned coverage in local media sources, and social media promotion of opportunities.

**ATTACHMENTS**

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1. Resolution for Consideration
2. Applications

RESOLUTION 2024-080  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING APPOINTMENTS TO THE DOWNTOWN  
DEVELOPMENT AUTHORITY BOARD

A. The Downtown Development Authority Board has vacancies due to the expiration of terms of Rebecca Hill, Dwight Hall, and Angel Kwaitkowski.

B. Councilmember Susan Gutowsky and Councilmember Emily Francis interviewed candidates for this appointment on May 30, 2024.

C. The qualifications to serve on the Board are set out in Colorado Revised Statutes Section 31-25-806 and City Code Section 2-462, and the Council finds that the proposed appointees below meet these qualifications.

D. The City Council desires to make appointments to fill these vacancies on the Downtown Development Authority Board.

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 following named persons are hereby appointed to fill the open vacancies on the Downtown Development Authority Board with terms to begin and expire as noted below next to each appointee’s name:

**Downtown Development Authority**

<b>Appointments</b>	<b>Term Effective Date</b>	<b>Expiration of Term</b>
Holli McElwee (Seat D)	July 1, 2024	June 30, 2028
Dwight Hall (Seat E)	July 1, 2024	June 30, 2028
Rebecca Hill (Seat F)	July 1, 2024	June 30, 2028



Passed and adopted on June 18, 2024.

\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

\_\_\_\_\_  
Interim City Clerk

Effective Date: June 18, 2024  
Approving Attorney: Carrie Daggett

# VOLUNTEER APPLICATION

Holli McElwee

5/5/2024 3:38 PM

Application: **DDA - Downtown Development Authority**

### Applicant Information

Birthdate: [REDACTED] Gender: Female Education Level: Bachelors degree

Address: [REDACTED], Phone: [REDACTED] <<

### Availability

	S	M	T	W	T	F	S
Morning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>

### Volunteer Groups Applied For

Downtown Development Authority

### Job Description

I have read the job description

### Questions

Do you reside or own property within the DDA?

YES

Current Occupation:

I am the owner and operation of Old Town Ice Cream & Treats, DBA Kilwins, Fort Collins, CO at 114 South College Avenue.

Current Employer:

Kilwins Fort Collins

Prior work experience (please include dates):

Please see the attached resume for exact dates and positions.

Volunteer experience (please include dates):

Saint Joseph's Catholic School:  
Kindergarten Class Parent Volunteer (2023-Present)  
Thompson School District's Kids' Backpack Food Program (2023)  
Larimer County Food Bank's & CSU's Rams Against Hunger Canned Food Drive (2021-2023)  
Larimer County's ClimateSmart & Future Ready Board (2022-2023)  
Colorado Youth Outdoors Volunteer (2022)  
4-H Volunteering (Approximately 2015-2016; Volunteered at a Dog Show in Boulder County and 2022 at the Larimer County Fair for the Sensory Fair for Youth)

Are you currently serving on a City board or Commission? If so, which one?

No

Why do you want to become a member of the Downtown Development Authority?

I am interested in serving on the DDA Board, as the Retailer position will be vacant in June of 2024. As a local retailer

Have you had any exposure to the Downtown Development Authority? If yes, please explain:

and business, I can be a voice for those in this particular space and will provide first-hand experience into current trends. I have spent several years in creating community, connections, and have experience in policy making, development, stakeholder engagement and public affairs, even on topics that are extremely controversial.

Yes;

Yes, working at Realities For Children and helping to organize the Realities Ride & Motorcycle Rally, featuring thousands of attendees in Old Town Square back in the day, serving as the Marketing Manager of Gallegos Sanitation, and now, most recently, the Owner of Kilwins, I have had years of involvement with the DDA. In my current role, my familiarity has increased significantly due to monthly meetings and engagement events.

In addition, I have had the pleasure of listening to presentations from the DDA in other roles/boards I have involved in.

Specify any activities which might create a serious conflict of interest if you are appointed:

None at this time.

Optional: How did you learn of a vacancy on this board or commission?

Other (please specify);

I learned of the opportunity through the DDA.

List any abilities, skills, certifications, specialized training, or interests you have which are applicable to this board.

My background is diverse. Spanning from event planning, to solid waste and recycling expertise, to stakeholder engagement, policy development and owning a retail and confections business in Old Town myself, I offer broad insights and a perspective from multiple lenses.

Briefly explain what you believe are the three most important issues facing the Downtown Development Authority (DDA), and how do you believe the DDA should address each issue? You may also attach/upload a separate document if additional space is required.

1. I am extremely concerned for the businesses and the Downtown area, should Linden Street move to the concept of being permanently closed in favor of a pedestrian mall. Not only are there not enough events/activations to support a permanent closure, businesses will certainly feel a negative impact from the lack of parking, customers, and with the space not being public, policing the homelessness and/or transient related thefts, drug use, and crime is concerning, especially since funding for officers has been cut.

After speaking with businesses in that area, it would be advantageous to have events in the area under some of the proposed models; however, a 100% closure offers multiple disadvantages.

2) There has been a marked decrease in pedestrian traffic/shoppers/diners in the Downtown Area, which is reflective in what the City receives in Sales Tax. Some of



the City receives in sales tax. Some of this has to do with people making their purchases outside of the City, whether it is due to living outside the limit (housing affordability), parking issues, or the increase in taxes with making purchases here. I believe there are multiple contributors to the decline, and it is not a one size fits all solution, but may require discussion about more attractions, modes of transportation, parking, business hours/ draws, and other elements.

3) The costs of doing business continue to increase. Whether it is COGs, policy decisions that cost business, higher wages, higher rents and triple net rising exponentially with property values, and thefts on the rise, it is expense to conduct business in Fort Collins. As it relates to the DDA, the engagement and stakeholder engagement involvement is important and beneficial. As business owners are busy running their day-to-day operations, it helpful to have candid conversations and presentations related to what is coming down the pike or discussions, and to help businesses engage with elected officials and staffers prior to decisions being made. The continual awareness piece and 1:1's make a difference.

Are you willing to complete the required training if appointed?

YES

# VOLUNTEER APPLICATION

## Dwight Hall

4/22/2024 11:44 AM

Application: **DDA - Downtown Development Authority**

### Applicant Information

Birthday: [REDACTED]      Gender: Female      Education Level: Associate degree  
 Address: [REDACTED]      Phone: [REDACTED] <<

### Availability

	S	M	T	W	T	F	S
Morning	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" 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

Downtown Development Authority

### Job Description

I have read the job description

### Questions

Do you reside or own property within the DDA?

YES

Current Occupation:

business owner

Current Employer:

CooperSmith's Pub & Brewing Co.

Prior work experience (please include dates):

I have work in restaurants for the last 42 years.

Volunteer experience (please include dates):

Fort Collins DBA, Fort Collins DDA, Fort Collins Zoning Board of Appeals, Fort Collins Art in Public Places

Are you currently serving on a City board or Commission? If so, which one?

Yes;  
DDA

Why do you want to become a member of the Downtown Development Authority?

I have been on this board for the last 4 years and find the work to be rewarding. The staff and board are very high functioning and accomplish a lot.

Have you had any exposure to the Downtown Development Authority? If yes, please explain:

Yes;  
I have worked downtown for 34 years and been on the DDA board for the last 4.

Specify any activities which might create a serious conflict of interest if you are appointed:

None at this point.

Optional: How did you learn of a vacancy on this board or commission?

Other (please specify);  
I am on the board so I am looking to do a second term.

List any abilities, skills, certifications, specialized training, or interests you have which are applicable to this board.

I am a business owner in downtown with many years of experience and awareness

## Dwight Hall

4/22/2024 11:44 AM

Briefly explain what you believe are the three most important issues facing the Downtown Development Authority (DDA), and how do you believe the DDA should address each issue? You may also attach/upload a separate document if additional space is required.

Are you willing to complete the required training if appointed?

of the challenges and opportunities it faces.

1) Leveraging TIF financing to improve downtown facades. 2) Advocating for the the social and economic health of downtown. 3) Utilizing the Business Outreach Team to activate the area and support downtown businesses.

YES

# VOLUNTEER APPLICATION

Rebecca Hill

4/22/2024 10:23 AM

Application: **DDA - Downtown Development Authority**

### Applicant Information

Birthdate: [REDACTED] Gender: Female

Education Level: PhD

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Afternoon	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>

### Volunteer Groups Applied For

Downtown Development Authority

### Job Description

I have read the job description

### Questions

Do you reside or own property within the DDA?

NO

Current Occupation:

Extension Professor, Agricultural Economist

Current Employer:

Colorado State University

Prior work experience (please include dates):

I received my Ph.D. from Colorado State University in 2012 and have been working as a researcher at Colorado State University Since then. I also run two programs at Colorado State University. The Extension Internship Program ([intern.colostate.edu](http://intern.colostate.edu)) and the Colorado AgrAbility Project ([agrability.colostate.edu](http://agrability.colostate.edu)).

Volunteer experience (please include dates):

2019 - Present: Fort Collins Downtown Development Authority Board Member  
2011 - 2018: City of Fort Collins Water Board served as both vice chair and chair  
2008: City of Fort Collins Women's Commission

Are you currently serving on a City board or Commission? If so, which one?

Yes;  
Downtown Development Authority

Why do you want to become a member of the Downtown Development Authority?

I have served one term on the Authority currently and feel like I am finally at a place where I understand and am really able to provide valuable feedback to the Authority and I would like the opportunity to serve a second term.

# Rebecca Hill

4/22/2024 10:23 AM

Have you had any exposure to the Downtown Development Authority? If yes, please explain:

Yes;  
I am currently a board member

Specify any activities which might create a serious conflict of interest if you are appointed:

None that I can think of.

Optional: How did you learn of a vacancy on this board or commission?

Other (please specify);  
Currently on the board

List any abilities, skills, certifications, specialized training, or interests you have which are applicable to this board.

I have a Ph.D. in Economics and currently am teaching a finance course, I have found these skills to be helpful while on the board.

I think the most valuable specialized training though is serving one term already on the Authority. There is a lot to learn and I feel my term on the board has given me that grounding.

Briefly explain what you believe are the three most important issues facing the Downtown Development Authority (DDA), and how do you believe the DDA should address each issue? You may also attach/upload a separate document if additional space is required.

1. Continuing to make Downtown an enjoyable place to visit - The DDA has several programs that they have worked on to make Downtown a place we can all enjoy including the Alley projects and the Façade program.

2. The DDA is currently going through a process to decide what investments they want to make in currently vacant lots in the DDA boundary - this will be very important for the future, both the decision of a plot as well as what they decide to do with the property

3. The DDA recently took over some of the functions that the DBA previously performed. Continue with these services (like the gift card program) will be important going into the future.

Are you willing to complete the required training if appointed?

YES





# AGENDA ITEM SUMMARY

City Council

## STAFF

Sylvia Tatman-Burruss, Senior Policy and Project Manager  
Ginny Sawyer, Lead Policy and Project Manager

## SUBJECT

**Items Relating to Residential Occupancy Ordinance.**

## EXECUTIVE SUMMARY

A. First Reading of Ordinance No. 081, 2024, Amending the Land Use Code of the City of Fort Collins to Remove Residential Occupancy Limitations.

B. First Reading of Ordinance No. 082, 2024, Amending the Code of the City of Fort Collins to Conform with the Removal of Residential Occupancy Limitations from the Land Use Code.

The purpose of this item is to consider adoption of changes to the City’s Land Used Code and Municipal Code to comply with House Bill 24-1007, which prohibits residential occupancy limits based on familial relationship.

## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on First Reading.

## BACKGROUND / DISCUSSION

The current version of the City’s occupancy ordinance limits occupancy of residential dwellings to a family of any size plus one additional unrelated occupant, or to no more than three unrelated occupants. Active enforcement began in 2005 when violation of the ordinance was classified as a civil infraction.

The State legislature recently passed House Bill 24-1007, and it was signed into law by the Governor of Colorado in April, with an effective date of July 1, 2024.

### **HB24-1007 Prohibits Residential Occupancy Limits Based on Familial Relationship**

HB24-1007 limits the regulation of occupancy based “only on demonstrated health and safety standards, such as International Building Code standards, fire code regulations, or Colorado Department of Public Health and Environment Wastewater and Water Quality standards.”

In addition, the bill states that, “A local government shall not limit the number of people who may live together in a single dwelling based on familial relationship.” The Bill states an effective date of July 1, 2024.

## City Compliance

Occupancy and related regulations are currently in both the Land Use Code and in the Municipal Code. Staff is prepared to bring ordinances amending these in compliance with the July 1, 2024, compliance deadline.

Proposed amendments to the Land Use Code include:

- Replacing the word “family” with the word “unit” throughout the document.
- Removing Occupancy section 3.8.16 and any references to that section of the document.
- Removing references to Group Homes, associated requirements, and removing the definition from the document.
- Removing references to “Extra Occupancy.”

Proposed amendments to the Municipal Code include:

- Section 5-264 related to Extra Occupancy in single-family, two-family or multi-family dwellings.
- Section 5-265 related to disclosure and posting of maximum permissible occupancy.
- Section 20-111 definition of “Dwelling unit occupancy limits” and reference to 3.8.16 in the Land Use Code.
- Sections 14-3, 14-6, and 14-8 of the Historic Preservation provisions to replace “family” with “unit” and to update the dwelling unit definition to match the Land Use Code.
- Sections 15-641, 15-644, 15-646, and 15-648 of the Short Term Rental provisions to replace “family” with “unit” and to update the reference to the short term rental parking requirements in the Land Use Code.

## CITY FINANCIAL IMPACTS

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No financial impacts to the City are anticipated as a result of these changes.

## BOARD / COMMISSION / COMMITTEE RECOMMENDATION

---

Staff presented the proposed changes to the Planning and Zoning Commission at their May work session. Staff will again present the proposed changes, seeking a recommendation, at the June hearing on June 20, 2024.

## PUBLIC OUTREACH

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Staff have already begun auditing fcgov.com for references to occupancy which will need to be removed and will add updated language and FAQs. Additional awareness efforts include:

- Edits to City web pages to reflect changes related to HB24-1007.
- Press release, social media posts and other City communications regarding the change to the Occupancy regulations.

## ATTACHMENTS

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

ORDINANCE NO. 081, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING THE LAND USE CODE OF THE CITY OF FORT COLLINS  
TO REMOVE RESIDENTIAL OCCUPANCY LIMITATIONS

A. Pursuant to Ordinance 055, 2024, Council adopted the revised Land Use Code by reference which went into effect on May 27, 2024.

B. The Land Use Code contains certain residential occupancy limits based upon familial relationships.

C. Colorado House Bill 24-1007, effective July 1, 2024, prohibits the City from limiting who may live together in a single dwelling based on familial relationship.

D. In order for the City to comply with House Bill 24-1007, the existing Land Use Code residential occupancy limits based upon familial relationships must be amended as set forth in this Ordinance.

E. On June 20, 2024, the Planning and Zoning Commission on a unanimous/ \_\_ to \_\_ voted to/not to recommend that Council adopt the proposed changes set forth in this Ordinance.

F. Concurrently by separate ordinance, City Code references to residential occupancy limits based upon familial relationships are also being amended.

G. This Ordinance amends the Land Use Code which was adopted by reference in Ordinance 055, 2024. However, the amendments contained in this Ordinance are set forth in their entirety herein, rather than adopted by reference.

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. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.4, RL - Low Density Residential District, DEVELOPMENT STANDARDS, BUILDING ENVELOPE, Building Height Table is hereby amended to read as follows:

BUILDING HEIGHT	
Single-Unit Dwelling, <del>Group Home</del> , or Child-Care Center	28' max. <b>F</b>
All Other Uses	3 Stories max.

Section 2. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.1, LMN – Low Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, BUILDING MASS & SCALE, BUILDING MASS table, Variation in Massing is hereby amended to read as follows:

...

**Variation in Massing** includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single – or two-family unit dwellings.

...

Section 3. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.2, MMN – Medium Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, BUILDING MASS & SCALE, BUILDING MASS table, Variation in Massing is hereby amended as follows:

...

**Variation in Massing** includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single – or two-family unit dwellings.

...

Section 4. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.3, HMN – High Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, BUILDING MASS & SCALE, Building Mass table, Variation in Massing is hereby amended to read as follows:

...

**Variation in Massing** includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single – or two-family unit dwellings.

...

Section 5. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.2 MIXED-USE DISTRICTS, Section 2.2.4, NC – Neighborhood Commercial District, DEVELOPMENT STANDARDS, BLOCK STRUCTURE is hereby amended to read as follows:

...

**BLOCK STRUCTURE**

Each development within this District shall be developed as a series of complete blocks bounded by public or private streets (see Section 5.3.2(E) for Multi-Family Unit Block Requirements). Natural areas, irrigation ditches, high-voltage power lines, operating railroad tracks and other similar substantial physical features may form up to two (2) sides of a block.

...

Section 6. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.3 COMMERCIAL DISTRICTS, Section 2.3.1, CC - Community Commercial District, DEVELOPMENT STANDARDS, BLOCK STRUCTURE is hereby amended as follows:

...

**BLOCK STRUCTURE**

Each Community Commercial District and each development within this District shall be developed as a series of complete blocks bounded by public or private streets (see Section 5.3.2(E) for Multi-Family Unit Block Requirements). Natural areas, irrigation ditches, high-voltage power lines, operating railroad tracks and other similar substantial physical features may form up to two (2) sides of a block.

...

Section 7. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.3 COMMERCIAL DISTRICTS, Section 2.3.6, CL - Limited Commercial District, DEVELOPMENT STANDARDS, BUILDING STANDARDS, Variation in Massing is hereby amended as follows:

...

**Variation in Massing** includes:

...

- Dividing large facades and walls into human-scaled proportions similar to the adjacent single- or two-family unit dwellings

Section 8. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.2 Apartment Building, MASSING is hereby amended as follows:

- Dividing large façades and walls into human-scaled proportions similar to the adjacent single- or two-family unit dwellings shall not have repetitive, monotonous undifferentiated wall planes.

Section 9. ARTICLE 4 USE STANDARDS, DIVISION 4.2 TABLE OF PRIMARY USES is hereby amended to delete the references to Extra-Occupancy Houses and Group Homes to read as follows:

RESIDENTIAL USES	RESIDENTIAL DISTRICTS						MIXED-USE DISTRICTS						COMMERCIAL DISTRICTS										DOWNTOWN DISTRICTS					EMPLOYMENT, INDUSTRIAL, OTHER								
	RUL	UE	RF	RL	OT-A	MH	LMN	MMN	HMN	OT-B	OT-C	CC	CCN	CCR	CG	CG-CAC	CS	NC	CL (RA)	CL (OA)	HC	HL CORE	CA/C/NM	I/R	RC	CN	EC	E	I	POL	T					
Single Unit Dwelling	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△		
Single Unit Attached Dwelling	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Two Unit Dwelling	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Multi-Unit Dwelling							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Mixed-Use Dwelling Units							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Accessory Dwelling Unit	■				■		■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Short Term Primary Rentals		■					■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△
Short Term Non-Primary Rentals												■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△	
Fraternity & Sorority Houses								■	■		■	■	■								■													△		
Extra-Occupancy Houses							■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△
Manufactured Housing Community							■	■																											△	
Group Homes	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△
Shelter for victims of domestic violence	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	△

Regardless of the level of review indicated in the Residential Uses table above all affordable housing developments shall be reviewed through Basic Development Review (BDR).

■ Basic Development Review	■ Type 1 (Administrative Review)	■ Type 2 (Planning and Zoning Commission)	△ Additional Use Standards
■ Minor Amendment	■ Building Permit	■ License	

Section 10. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.1 RESIDENTIAL USES, is hereby amended by the deletion of Subparagraphs (C) and (F) and all remaining Subparagraphs renumbered as follows:

**(C) Extra Occupancy Unit**

- ~~(1) One (1) occupant per three hundred fifty (350) square feet of habitable floor space, in addition to a minimum of four hundred (400) square feet of habitable floor space if owner-occupied.~~

~~(a) In the LMN Zone district no more than twenty five (25) percent of the parcels on a block face may be approved for extra occupancy use.~~

~~(b) In the CS zone district such use shall not be allowed within two hundred (200) feet of North College Avenue.~~

...

~~(D)~~**(C)** Family Care Homes consist of one or more of the following:

...

~~(E)~~**(D)** **Fraternity/Sorority Houses shall** mean residences housing students attending an accredited institution of higher learning within the City.

...

~~(F)~~ **Group Home** is allowed in the following zone districts:

Zone	Maximum Number of Residents excluding supervisors, for Minimum lot size.	Additional lot area for each additional resident (square feet)	Maximum permissible residents, excluding supervisors	Minimum separation requirements between any other group home (feet)
UE	3	2,000	8	1,500
RL, OT-A, HC, E, RF, MH	3	1,500	8	1,500
LMN, OT-B, RDR	6	750	15	1,000
OT-C, D, CS, CCN, MMN, HMN, NC, CG, CC, CL, CCR	6	500	20	700

~~(1) All Group Homes are required to be setback at least 200 feet from North College Avenue.~~

- ~~(2) The minimum separation distance required between group homes that are located in different zone districts shall be the one that requires the greatest distance.~~
- ~~(3) The decision maker may determine a higher maximum number of residents to be allowed to occupy the facility upon finding that the facility as so occupied will satisfy the following criteria:~~
- ~~(a) The adjacent street system is sufficient to accommodate the traffic impacts generated by the group care facility;~~
  - ~~(b) the group care facility has made adequate, on-site accommodations for its parking needs;~~
  - ~~(c) the architectural design of the group care facility is compatible with the character of the surrounding neighborhood;~~
  - ~~(d) the architectural design of the group care facility is compatible with the character of the surrounding neighborhood;~~
  - ~~(e) the size and scale of the group care facility is compatible with the character of the surrounding neighborhood; and~~
  - ~~(f) the types of treatment activities or the rendering of services proposed to be conducted upon the premises are substantially consistent with the activities permitted in the zone district in which the facility is proposed to be located.~~
- ~~(4) Regardless of the level of review:~~
- ~~(a) The decision maker shall conduct such review for the purpose of approving, denying or approving with conditions the application for a group home use in such zone. If approved, the decision maker shall, with such approval, establish the type of group home permitted and the maximum number of residents allowed in such group home.~~
  - ~~(b) A group home may be located without consideration to the minimum separation requirements as established in the table above if the group home is separated from other group homes within the area of the aforesaid minimum separation requirement by a substantial natural or man-made physical barrier, including, but not limited to, an arterial street, a state or federal highway, railroad tracks, river or commercial/business district. Such reduction in the separation requirement shall be allowed only after the decision maker has~~



~~determined that the barrier and resulting separation distance are adequate to protect the City from any detrimental impacts resulting from an excessive concentration of group homes in any one (1) vicinity.~~

~~(c) No permanent certificate of occupancy will be issued by the City for a group home until the person applying for the group home has submitted a valid license, or other appropriate authorization, or copy thereof, from a governmental agency having jurisdiction.~~

~~(d) If active and continuous operations are not carried on in a group home which was approved pursuant to the provisions contained in this Section for a period of twelve (12) consecutive months, the group home use shall be considered to have been abandoned. The group home use can be reinstated only after obtaining a new approval from the decision maker as outlined in this Section.~~

~~(e) Shelters for victims of domestic violence shall be separated from any other group home or shelter by a minimum of one thousand five hundred (1,500) feet.~~

~~(f) Please see Section 6.1.5 for information regarding Reasonable Accommodations.~~

**(G)(E) Home Occupations**

...

**(H)(F) Manufactured Housing**

...

**(I)(G) Mixed Use Dwelling Unit**

...

**(J)(H) Multi-Unit Dwelling Unit**

...

**(K)(I) Single Unit Detached Dwelling**

...

~~(L)~~**(J)** Single Unit Attached Dwelling

...

~~(M)~~**(K)** Shelter for victims of Domestic Violence

...

~~(N)~~**(L)** Short Term Rentals

...

~~(O)~~**(M)** Two Unit Dwelling

...

~~(P)~~**(N)** Secondary Uses

...

Section 11. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.5 ACCESSORY/MISCELLANEOUS USES, subparagraph (H)(1)(b) Wireless Communication is hereby amended to read as follows:

**(H) WIRELESS COMMUNICATION**

(1) **Applicability and Exemptions.** The provisions of this Section shall apply to any Wireless Communications Facility (WCF) within the City. The requirements set forth in this Section shall not apply to:

...

(b) **Television or radio antennas.** Those antennas, including over the air reception devices, located on single **unit** family dwellings or duplexes, not exceeding one (1) meter in diameter and less than five (5) feet above the highest point of the existing principal structure, or for ground mounted antennas, the requirement that the height be no more than the distance from its base to the property line or the maximum height specified for accessory structures for that zone district, whichever is less. The Director has the authority to approve modifications to the height restriction related to over the air reception device antennas and antenna structures, if in the reasonable discretion of the City, modifications are necessary to comply with federal law.

...

Section 12. ARTICLE 5 General Development and Site Design, TABLE OF CONTENTS, DIVISION 5.14 OCCUPANCY LIMITS is hereby amended to read as follows:

~~DIVISION 5.14 OCCUPANCY LIMITS~~ **RESERVED**

~~5.14.1 Occupancy limits; increasing the number of persons allowed~~

Section 13. ARTICLE 5 General Development and Site Design, DIVISION 5.2 AFFORDABLE HOUSING, Section 5.2.1 AFFORDABLE HOUSING is hereby amended to read as follows:

**5.2.1 AFFORDABLE HOUSING**

...

(B) **Applicability.** This Section shall apply to the following development projects:

...

- (3) Section 5.2 does not apply to ~~group homes~~, dormitories, medical facilities, hotels, motels, shelters, tents, short-term rentals or other structures designed or used primarily for temporary occupancy and/or group living.

...

Section 14. Use Categories "Group Homes" and "Extra Occupancy" contained in ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(C)(4)(c) are hereby deleted.

**5.9.1 ACCESS, CIRCULATION AND PARKING**

...

(C) **Development Standards.** All developments shall meet the following standards:

...

- (4) **Bicycle Facilities.** Commercial, industrial, civic, employment and multi-unit residential uses shall provide bicycle facilities to meet the following standards:

...

(c) **Minimum Bicycle Requirements Table:**

<i>Use Categories</i>	<i>Bicycle Parking Space Minimums</i>	<i>%Enclosed Bicycle Parking/ % Fixed Bicycle Racks</i>
<b>Residential and Institutional Parking Requirements</b>		
...		
Group Homes	No Requirement	n/a
...		
Extra Occupancy	1 per occupant	0%/100%
...		

...

Section 15. ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(D)(2) is hereby amended to read as follows:

**5.9.1 ACCESS, CIRCULATION AND PARKING**

...

(D) **Access and Parking Lot Requirements.** All vehicular use areas in any proposed development shall be designed to be safe efficient, convenient and attractive, considering use by all modes of transportation that will use the system, (including, without limitation, cars, trucks, buses, bicycles and emergency vehicles).

...

(2) **Access.** Unobstructed vehicular access to and from a public street shall be provided for all off-street parking spaces. Vehicular access shall be provided in such manner as to protect the safety of persons using such access or traveling in the public street from which such access is obtained and, in such manner, as to protect the traffic-carrying capacity of the public street from which such access is obtained. Notwithstanding the forgoing required off-street parking for both **an ADU** and **extra occupancy use** are **is** allowed one (1) tandem space to count towards minimum parking requirement.

...

Section 16. ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(K)(1) is hereby amended by the deletion of subparagraph (h) **Group Homes** and subparagraph (l) **Extra Occupancy** and all subparagraphs being renumbered accordingly:

### 5.9.1 ACCESS, CIRCULATION AND PARKING

...

#### (K) Parking Lots – Required of Off-Street Spaces for Type of Use.

(1) **Residential and Institutional Parking Requirements.** Residential and institutional uses shall provide a *minimum* number of parking spaces as defined by the standards below:

...

~~(h) **Group Homes.** For each group home there shall be two (2) parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles.~~

...

~~(h)~~ **(i) Recreational Uses.**

...

~~(i)~~ **(i) Schools, Places of Worship or Assembly and Child Care Centers.**

...

~~(k)~~ **(j) Small Scale Reception Centers in the UE, Urban Estate District.**

...

~~(l) **Extra Occupancy.** For each extra occupancy, there shall be 0.75 (¾) parking space per occupant, rounded up to the nearest whole parking space. If the lot upon which such parking spaces are to be situated has more than sixty-five (65) feet of street frontage length on any one (1) street or abuts an alley, then each such parking space shall have direct access to the abutting street or alley and shall be unobstructed by any other parking space. If such lot has less than sixty-five (65) feet of street frontage length on any one (1) street and does not abut an alley, then one (1) of the required parking spaces may be aligned in a manner that does not provide direct access to the abutting street.~~

...

~~(m)~~ **(k) Short Term non-primary rentals and short term primary rentals.**

...

Section 17. ARTICLE 5 General Development and Site Design, DIVISION 5.14 OCCUPANCY LIMITS is hereby deleted in its entirety and replaced with the following:

**DIVISION 5.14 RESERVED**

Section 18. ARTICLE 5 General Development and Site Design, DIVISION 5.16 SIGNS, Section 15.16.2 PERMANENT SIGNS, Section 5.16.2(D) Projecting Signs is hereby amended to read as follows:

**DIVISION 5.16 SIGNS**

...

**15.16.2 PERMANENT SIGNS**

...

(D) **Projecting Signs.** Projecting signs include awning signs, marquee signs, under-canopy signs, and fin signs. Projecting signs are allowed according to the standards in Table (D), Projecting Signs. Projecting signs shall not extend into the public right-of-way, except that the City may grant a revocable license to allow projecting signs to encroach into the right-of-way.

Table (D) Projecting Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District <sup>1</sup>					
	Downtown	Commerical/Industrial	Mixed-Use	Multi-Unit	Single-Unit	Within Residential Neighborhood Sign District <sup>1</sup>
...						
Fin Signs (Primary)						
Max. #	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.	1 per street frontage per nonresidential mixed-use, or multifamily unit building.
Subject to Sign Area Allowance	Yes.	Yes.	Yes, but only for nonresidential, mixed-use, or multifamily unit buildings.	Yes, but only for nonresidential, mixed-use, or multifamily unit buildings.	Yes, but only for nonresidential, mixed-use, or multifamily unit buildings.	Yes.
...						

...

Section 19. Article 5 General Development and Site Design, DIVISION 5.16 SIGNS, Section 15.16.2 PERMANENT SIGNS, Section 5.16.2(G) Freestanding Permanent Signs is hereby amended to read as follows:

**DIVISION 5.16 SIGNS**

...

**15.16.2 PERMANENT SIGNS**

...

**(G) Freestanding Permanent Signs.** Detached permanent signs are allowed according to the standards in Table (G)(1), Freestanding Permanent Signs.

Table (G)(1) Freestanding Permanent Signs						
Sign District						
Outside of Residential Neighborhood Sign District <sup>1</sup>						
Type of Sign Standards	Downtown	Commercial/Industrial	Mixed-Use	Multi-Unit	Single-Unit	Within Residential Neighborhood Sign District <sup>1</sup>
<b>Primary Detached Signs</b>						
Max. #	1 per frontage <sup>1</sup>	1 per frontage <sup>1</sup>	1 per frontage for nonresidential, mixed-use, or multi-unit property. <sup>1</sup>	1 per site for nonresidential, mixed-use, or multi-unit uses <sup>1</sup> ; 1 per site for single-unit detached or duplex if the lot fronts on an arterial; 2 per public vehicular entry into residential subdivision or multifamily unit site (one single face sign on each side of entry).	1 per site for nonresidential, mixed-use, or multi-unit uses <sup>1</sup> ; 1 per site for single-unit detached or duplex if the lot fronts on an arterial; 2 per public vehicular entry into residential subdivision or multifamily unit site (one single face sign on each side of entry).	1 per site for nonresidential, mixed-use, or multi-unit uses <sup>1</sup> ; 2 per public vehicular entry into residential subdivision or multifamily unit site (one single face sign on each side of entry).
...						
<b>Secondary Detached Signs</b>						
Max. #	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.	1 per vehicular access point to nonresidential, mixed-use, or multifamily unit property.
...						

...

Section 20. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.3 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS, Section 6.3.6 STEP 6: NOTICE, subparagraph (D) Supplemental Notice Requirements is hereby amended to read as follows:

**DIVISION 6.3 COMMON DEVELOPMENT REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS**

...

**6.3.6 STEP 6: NOTICE**

...

(D) **Supplemental Notice Requirements.** The following table indicates the required notice radius for a mailed notice and posted sign size for development applications.

<i>Development Project</i>	<i>Minimum Notice Radius</i>	<i>Sign Size</i>
...		
Developments proposing more than fifty (50) and less than one hundred (100) single family unit or two family unit lots or dwelling units.	800 feet	12 square feet
Developments proposing more than twenty-five (25) and less than one hundred (100) multi-family unit dwelling units.	800 feet	12 square feet
...		
Developments proposing one hundred (100) or more single-family unit or two-family unit lots or dwelling units.	1,000 feet	12 square feet
Developments proposing one hundred (100) or more multi-family unit dwelling units.	1,000 feet	12 square feet
...		

...

Section 21. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.22 EXPANSIONS AND ENLARGEMENTS OF EXISTING BUILDINGS, Section 6.22.1(C) Expansions and Enlargements of Single-Family Dwellings, Two-Family Dwellings and Accessory Buildings is hereby amended to read as follows:

**DIVISION 6.22 EXPANSIONS AND ENLARGEMENTS OF EXISTING BUILDINGS**

**6.22.1 EXPANSIONS AND ENLARGEMENTS OF EXISTING BUILDINGS**

...

(C) **Expansions and Enlargements of Single-Family Unit Dwellings, Two-Family Unit Dwellings and Accessory Buildings.** Any proposal for the enlargement or expansion of a single-unit dwelling, two-unit dwelling or



accessory building shall be subject to Building Permit review in accordance with standards of this code.

Section 22. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended by the deletion of the definitions of “Extra occupancy”, “Family”, and “Group home”.

...

**DIVISION 7.2 DEFINITION**

...

**SECTION 7.2.2. DEFINITIONS.**

...

~~Extra occupancy shall mean the use of a building or portion of a building by a number of occupants that exceeds the occupancy limits set forth in 5.14.1.~~

...

~~Family shall mean any number of persons who are all related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, and who live together as a single housekeeping unit and share common living, sleeping, cooking and eating facilities.~~

...

~~Group home shall mean either of the following:~~

~~(A) Residential group home shall mean a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.~~

~~(B) Large group care facility shall mean a residential facility that is planned, organized, operated and maintained to offer facilities and services to a specified population and is licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical~~

~~condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.~~

Section 23. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended to read as follows:

...

**DIVISION 7.2 DEFINITION**

...

**SECTION 7.2.2. DEFINITIONS.**

...

~~Occupant, in relation to extra occupancy and in other parts of this Code, shall mean a person who occupies habitable space in a dwelling unit or any portion thereof.~~

...

*Site specific development plan* shall mean and be limited to a final plan as approved pursuant to this Land Use Code, including a plan approved pursuant to basic development review; or, under prior law in effect on the day before the effective date of this Land Use Code, any of the following: the final plan; the final subdivision plat; a minor subdivision plat; cluster development plans; ~~group home review;~~ a PUD Comprehensive Plan for the purpose of acquiring a vested property right with respect to uses, densities, development standards and engineering standards for which variances have been granted pursuant to Section 2.6.3(K); and a development agreement in connection with a PUD Comprehensive Plan that grants a vested property right for a period exceeding three (3) years, in addition, a site specific development plan shall mean a final plan or plat that was approved by Larimer County for property that, at the time of approval, was located in the county but has been subsequently annexed into the city. All references to districts or sections herein pertain to the law in effect on the day before the effective date of this Land Use Code and which is repealed by the adoption of this Land Use Code.

...

Introduced, considered favorably on first reading on June 18, 2024, and approved on second reading for final passage on July 2, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Effective Date: July 12, 2024  
Approving Attorney: Brad Yatabe

ORDINANCE NO. 082, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING THE CODE OF THE CITY OF FORT COLLINS TO  
CONFORM WITH THE REMOVAL OF RESIDENTIAL  
OCCUPANCY LIMITATIONS FROM THE LAND USE CODE

A. Pursuant to Ordinance No. 055, 2024, Council adopted the revised Land Use Code by reference which went into effect on May 27, 2024.

B. The Land Use Code contains certain residential occupancy limits based upon familial relationships.

C. Colorado House Bill 24-1007, effective July 1, 2024, prohibits the City from limiting who may live together in a single dwelling based on familial relationship.

D. In order for the City to comply with House Bill 24-1007, City Code references to residential occupancy limits based on familial relationships must be amended as set forth in this Ordinance.

E. Concurrently by separate ordinance, Land Use Code references to residential occupancy limits based upon familial relationships are also being amended.

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. Section 5-264 of the Code of the City of Fort Collins is hereby deleted in its entirety and held in reserve.

**Sec. 5-264. - Reserved. ~~Certificate required for occupancy of dwelling units contained in single-family or two-family dwellings in excess of limit; conditions; revocation or suspension.~~**

- ~~(a) No dwelling unit contained in a single-family or two-family dwelling shall be occupied by more persons than the number of persons permitted under Section 5.14.1 of the Land Use Code unless a certificate of occupancy for an extra-occupancy rental house has been issued for such dwelling by the Building Official.~~
- ~~(b) Terms and conditions imposed upon a certificate of occupancy as an extra-occupancy rental house may include, but are not limited to, compliance with all state laws, City ordinances, rules and regulations, and court or administrative orders.~~
- ~~(c) In determining whether to revoke or suspend a previously issued certificate of occupancy, the Building Official may consider any history or pattern of Code violations related to the use of the property, or any failure on the part of the applicant or the applicant's property manager or tenants to abate or correct violations at the property as ordered by an enforcement official, referee or judge.~~

Section 2. Section 5-265 of the Code of the City of Fort Collins is hereby deleted in its entirety and held in reserve.

**Sec. 5-265. - ~~Reserved. Posting; inspection of books and records; disclosure.~~**

~~(a) — Any certificate of occupancy for an extra occupancy rental house specifying the number of allowable tenants must be posted on the back of the front door of the dwelling.~~

~~(b) — Whenever reasonable cause exists to believe that a violation of the Code or Land Use Code has occurred at any rental dwelling unit, the owner and property manager, if any, of said unit shall, immediately upon request, make available to the City all lease, rental payment and tenant information pertaining to the unit, together with the written disclosure statement required by Subsection (c) of this Section.~~

~~(c) — Any person selling or leasing a dwelling unit shall forthwith provide all purchasers, lessees or sublessees of such unit with a written disclosure statement, on a form provided by the City, specifying the maximum permissible occupancy of such unit under Section 5.14.1 of the Land Use Code. Such disclosure statement shall be signed and dated by all parties to the transaction immediately upon execution of any deed, contract for purchase and sale or lease pertaining to such unit. In the case of a lease, the following shall apply:~~

~~(1) — All signatures on such disclosure statement shall be notarized by a notary public or, as an alternative to notarization, an electronic record may be used to verify the date that the disclosure statement was signed by the parties.~~

~~(2) — The disclosure statement shall be attached to a copy of the fully executed lease agreement and retained at the leased premises by the owner of the unit and the property manager, if any. If an electronic record is used to verify the date that the disclosure statement was signed, then documentation evidencing the electronic record shall also be attached to a copy of the lease agreement.~~

~~(3) — In the case of a multi-family building with an on-site manager, the lease, the disclosure statement and any documentation evidencing electronic verification may be retained in the office of the property manager for the unit.~~

~~(d) — Notwithstanding the foregoing, a new disclosure statement need not be provided upon renewal of a written lease agreement if all parties to such renewal agreement executed a disclosure statement at the time of execution of the original lease agreement.~~

~~(e) — It shall be a violation of this Section for any person to rent a dwelling unit, or portion thereof, to any person who has failed or refused to sign the disclosure statement required by Subsection (c) of this Section.~~

~~(f) — It shall be a violation of this Section for any person to occupy a dwelling unit pursuant to a lease or sublease unless such person has signed the disclosure statement required by Subsection (c) of this Section.~~

Section 3. Section 14-3 of the Code of the City of Fort Collins is hereby amended as follows:

**Sec. 14-3. - Definitions.**

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section:

...

*Dwelling, single-family unit* shall mean a dwelling containing no more than one (1) dwelling unit.

*Dwelling, single-family unit detached* shall mean a single-family unit dwelling that is not attached to any other dwelling or building by any means, including mobile homes and manufactured housing situated on a permanent foundation.

*Dwelling unit* shall mean habitable floor space intended for the exclusive use of a single household with a single kitchen, or including a second kitchen pursuant to Land Use Code Section 5.3.6, ~~one (1) or more rooms and a single kitchen and at least one (1) bathroom, designed, occupied or intended for occupancy as separate quarters for the exclusive use of a single family for living, cooking, and sanitary purposes.~~

...

Section 4. Section 14-6 of the Code of the City of Fort Collins is hereby amended as follows:

**Sec. 14-6. - Offenses against historic resources and potentially eligible resources.**

(a) Except as may be authorized pursuant to this Chapter or the provisions of the Land Use Code, no person shall damage, deface, destroy, or otherwise cause any alteration to be made to any site, structure or object that is: (1) Fifty (50) years of age or older that is not a single-family unit detached dwelling; (2) An accessory building or structure fifty (50) years of age or older that is not directly associated with a single-family unit detached dwelling; (3) A historic resource; or (4) Undergoing any of the processes provided for in this Chapter.

(b) Except in response to a bona fide determination of imminent danger under § 14-8 of this Article, no person shall deviate from or fail to comply with any approved plan of protection for any historic resource that is required under this Chapter or the Land Use Code.

Section 5. Section 14-8 of the Code of the City of Fort Colins is hereby amended to read as follows:

**Sec. 14-8. - Remedying of dangerous conditions.**

In any case where a properly authorized public official or employee orders the demolition of any historic resource for the purpose of remedying conditions determined by that official

or employee to constitute an imminent danger, as such term is defined in the version of the *International Property Maintenance Code* adopted and amended by the City, to life, health or property, nothing contained herein shall be construed as making it unlawful for any person to comply with such order. Such official or employee shall take immediate steps to notify the Commission of the proposed issuance of such order and may include in the order any timely received requirements or recommendations of the Commission or staff. In the event that such official or employee has determined that the historic resource, with the exception of single-family unit detached dwellings, and accessory buildings or structures associated with single-family unit detached dwellings, that are non-designated, is capable of being made safe by repairs and need not be demolished, the historic resource shall be repaired, or demolished, in accordance with the provisions of this Article.

Section 6. Section 15-641 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-641. - Definitions.**

The following definitions shall apply to this Article:

...

*Multi-family unit dwelling unit* shall mean a dwelling unit that is located in a structure that is zoned for multi-family unit dwelling use.

...

Section 7. Section 15-644 of the Code of the City of Fort Collins is hereby amended to read as follows:

(a) The following are the minimum requirements that must be satisfied by the applicant for the issuance of a short term primary rental license.

...

(3) The dwelling unit must comply with all applicable federal, state, and local laws including, but not limited to, the Code of the City of Fort Collins and Land Use Code, and in particular, Land Use Code Section 5.9.1(K)(1)(k) which sets forth applicable parking requirements.

...

(b) The following are the minimum requirements that must be satisfied by the applicant for the issuance of a short term non-primary rental license.

...

(3) The dwelling unit must comply with all applicable federal, state, and local laws including, but not limited to, the Code of the City of Fort Collins and Land Use

Code, and in particular, Land Use Code Section 5.9.1(K)(1)(~~km~~) which sets forth applicable parking requirements.

...

Section 8. Section 15-646 of the Code of the City of Fort Collins is hereby amended to read as follows:

...

(b) In addition to satisfying (a) above, the applicant must satisfy the requirements set forth in § 15-644 in order to be eligible for a license. License applications submitted pursuant to this Section on or before October 31, 2017, do not need to comply with the parking requirements in Land Use Code Section 5.9.1(K)(1)(~~km~~).

...

(e) Should ownership of a dwelling unit licensed pursuant to § 15-646 be transferred, and such license was continuously valid until the transfer of ownership, the new owner is eligible for a license identical in scope to the previously issued license provided: (1) the new owner applies for a license within thirty (30) calendar days of the transfer of ownership; (2) the dwelling unit complies with the parking requirements in Land Use Code Section 5.9.1(K)(1)(~~km~~); and (3) any license issued pursuant to § 15-646 is continuously maintained. Should a license issued to the new owner under this Section be revoked, not be renewed, or lapse for any period of time, the new owner shall no longer be eligible for a license for such dwelling unit pursuant to this Section.

...

Section 9. Section 15-647 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-647. - Term of license and renewal.**

...

(d) A short term primary or non-primary rental shall only operate in a multi-family unit dwelling unit if the entire multi-family unit structure meets all sanitation, mechanical, electrical, structural, and fire safety requirements applicable to an R-1 Occupancy Building.

(e) A short term primary or non-primary rental licensed prior to September 13, 2019, that operates in a multi-family unit dwelling unit may continue to operate under and for the current terms of such license if it meets the requirements in § 15-648(4) and continues to comply with all other applicable requirements, and if the license has not lapsed for more than thirty (30) days.

If the owner of a short term primary or non-primary rental operating in a multifamily-unit dwelling unit that is licensed prior to September 13, 2019, sells or otherwise transfers the multifamily-unit dwelling unit, then the short term rental license shall expire at the time of



sale or transfer unless the entire multi-family unit structure where the multifamily-unit dwelling unit is located meets the R-1 Occupancy Building requirements in this § 15-647.

Section 10. Section 15-648 of the Code of the City of Fort Collins is hereby amended to read as follows:

**Sec. 15-648. License regulations.**

...

(3) The licensee shall comply with all applicable Code of the City of Fort Collins and Land Use Code provisions including, but not limited to, the Code of the City of Fort Collins Chapter 5, Buildings and Building Regulations, and the Code of the City of Fort Collins Chapter 20, Nuisances, Chapter 25, Taxation, and Land Use Code Section 5.9.1(K)(1)(km).

(4) The licensee shall maintain compliance with all sanitation, mechanical, electrical, structural, and fire safety requirements described in § 15-644. As a condition of renewal for the year 2020 and subsequent years, a short term primary or non-primary rental licensed in a multi-family unit dwelling unit prior to September 13, 2019, may only continue to operate as a short term rental if the Building Official determines that the dwelling unit meets the following alternate minimum fire resistance and safety requirements applicable to an R-1 Occupancy, as those terms are defined by the *International Building Code*:

...

Section 11. Section 20-111 of the Code of the City of Fort Collins is hereby amended by deleting Paragraph (8) in the definition of *Nuisance activity* and holding that Paragraph number in reserve.

**Sec. 20-111. – Definitions.**

...

*Nuisance activity* means any of the following violations and nuisances occurring or existing on a property and committed by any person, including, without limitation, by an owner, lessee, agent, occupant, or trespasser:

...

(8) **Reserved.** Dwelling unit occupancy limits — § 3.8.16 of the Fort Collins Land Use Code.

...

Introduced, considered favorably on first reading on June 18, 2024, and approved on second reading for final passage on July 2, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Effective Date: July 12, 2024  
Approving Attorney: Brad Yatabe



# Residential Occupancy Ordinance

## City Council Regular Meeting

Sylvia Tatman-Burruss, Senior Policy and Project Manager

Ginny Sawyer, Lead Policy and Project Manager

Brad Yatabe, Managing Attorney

June 18, 2024

## Purpose

The purpose of this item is to consider adoption of changes to the City's Land Use Code and Municipal Code to comply with House Bill 24-1007, which prohibits residential occupancy limits based on familial relationship.

## Bill language:

“A local government shall not limit the number of people who may live together in a single dwelling based on familial relationship. Local governments retain the authority to implement residential occupancy limits based only on:

- (a) Demonstrated health and safety standards, such as international building code standards, fire code regulations, or Colorado Department of Public Health and Environment Wastewater and Water Quality Standards, OR
- (b) Local, State, Federal, or Political Subdivision Affordable Housing Program Guidelines.”

The City's occupancy ordinance limits occupancy of residential dwellings to a family of any size plus one additional unrelated occupant *OR* no more than three unrelated occupants.

Active enforcement of the ordinance (Section 3.8.16 of the Land Use Code, also called "U+2") began in 2005.

The State legislature recently passed House Bill 24-1007, and it was signed into law by the Governor of Colorado in April, with an effective date of July 1, 2024.

## Proposed amendments to the Land Use Code include:

- Replacing the word “family” with the word “unit” throughout the document.
- Removing Occupancy section 3.8.16 and any references to that section of the document.
- Removing references to Group Homes, associated requirements, and removing the definition from the document.
- Removing references to “Extra Occupancy.”

## Proposed amendments to the Municipal Code include:

- Section 5-264 related to Extra Occupancy in single-family, two-family or multi-family dwellings.
- Section 5-265 related to disclosure and posting of maximum permissible occupancy.
- Section 20-111 definition of “Dwelling unit occupancy limits” and reference to 3.8.16 in the Land Use Code.
- Sections 14-3, 14-6, and 14-8 of the Historic Preservation provisions to replace “family” with “unit” and to update the dwelling unit definition to match the Land Use Code.
- Sections 15-641, 15-644, 15-646, and 15-648 of the Short Term Rental provisions to replace “family” with “unit” and to update the reference to the short term rental parking requirements in the Land Use Code.

**Compliance required by July 1, 2024.**

Does Council wish to adopt Ordinance Nos. 081, 2024, and 082, 2024, for the proposed Land Use Code updates on First Reading?

