

RESOLUTION 2018-120
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPOINTING A COUNCILMEMBER TO THE LARIMER
COUNTY BEHAVIORAL HEALTH POLICY COUNCIL

WHEREAS, on November 6, 2018, the voters passed Larimer County Ballot Initiative 1A providing for enhanced mental health services throughout the Council; and

WHEREAS, recognizing that Larimer County residents have diverse needs, Board of County Commissioners of Larimer County ("Commissioners") have announced the formation of a Behavioral Health Policy Council to foster regional coordination and cooperation in matters relating to the provision of a continuum of behavioral health services in Larimer County; and

WHEREAS, the Commissioners have requested that the mayor of each of the municipalities of Fort Collins, Estes Park, Loveland and Wellington, or a designated member of the elected body, participate as representatives of those cities on the Policy Council; and

WHEREAS, the City Council desires to appoint one Councilmember to represent the City of Fort Collins on the Behavioral Health Policy Council.

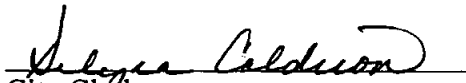
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS, that Councilmember Kristin Stephens is hereby appointed to attend and serve as the representative for the City of Fort Collins on the Larimer County Behavioral Health Policy Council, until replacement a representative is designated by the Council.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 4th day of December, A.D. 2018.



Mayor

ATTEST:



City Clerk



RESOLUTION 2018-119
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE MIDTOWN BUSINESS IMPROVEMENT
DISTRICT 2019 BUDGET AND OPERATING PLAN

WHEREAS, on December 5, 2017, the City Council adopted Ordinance No. 165, 2017, creating the Midtown Business Improvement District (the "District") in accordance with the provisions of the Business Improvement District Act in Part 12 of Article 25 in Title 31 of the Colorado Revised Statutes (the "Act"); and

WHEREAS, the City Council also appointed the District's initial board of directors (the "District Board") in Ordinance No. 165, 2017; and

WHEREAS, the District Board has approved and submitted to the City Clerk the District's 2019 Budget and Operating Plan, which is attached hereto as Exhibit "A" and incorporated herein by reference (the "2019 Budget and Operating Plan"); and

WHEREAS, Section 31-25-1211 of the Act provides that the City Council shall either approve or disapprove the 2019 Budget and Operating Plan by December 5, 2018 and, if approved, the District's services, improvements and financial arrangements for 2019 are to conform as far as practicable to the 2019 Budget and Operating Plan unless amended with the City Council's prior approval; and


WHEREAS, the City Council has reviewed the 2019 Budget and Operating Plan and finds and determines that it satisfies the requirements of the Act and should be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

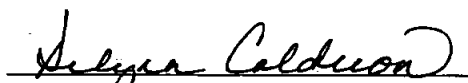
Section 2. That the District's 2019 Budget and Operating Plan is hereby approved and, as required by the Act, the District's 2019 services, improvements and financial arrangements shall conform as far as practicable with the 2019 Budget and Operating Plan.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 4th day of December, A.D. 2018.



Mayor

ATTEST:



City Clerk



EXHIBIT A

MIDTOWN BUSINESS IMPROVEMENT DISTRICT
 SUMMARY
 2019 BUDGET AS PROPOSED
 WITH 2017 ACTUAL AND 2018 ESTIMATED
 For the Years Ended and Ending December 31

	2017	Budget 2018	Actual Jan-Aug 2018	Estimated 2018	Proposed 2019
BEGINNING FUND BALANCES	-	-	-	-	-
REVENUES					
01 Property Taxes	-	-	-	-	170,000.00
03 Local Grants	-	-	-	-	-
Total Revenue	-	-	-	-	<u>170,000.00</u>
TRANSFERS IN	-	-	-	-	-
TOTAL FUNDS AVAILABLE	-	-	-	-	<u>170,000.00</u>
EXPENDITURES					
ADMINISTRATIVE EXPENSES					
MANAGEMENT AND ADMINISTRATION	-	-	-	-	55,000.00
ACCOUNTING AND TAX SERVICES	-	-	-	-	3,500.00
BANK FEE	-	-	-	-	-
LEGAL - ATTORNEY'S FEES	-	-	-	-	4,000.00
CITY OF FORT COLLINS TAX COLLECTION FEE (1%)	-	-	-	-	1,700.00
INSURANCE	-	-	-	-	1,500.00
CONTINGENCY RESERVES	-	-	-	-	2,000.00
OFFICE RENT, PARKING, SUPPLIES AND MISC.	-	-	-	-	2,300.00
REPAYMENT OF BID START-UP EXPENSES	-	-	-	-	10,000.00
PROGRAM EXPENSES					
PROMOTION, MGMT AND BUSINESS SUPPORT	-	-	-	-	15,000.00
BRANDING, MARKETING, ACTIVATION	-	-	-	-	35,000.00
PLACEMAKING AND MAINTENANCE	-	-	-	-	40,000.00
Total Expenditures	-	-	-	-	<u>170,000.00</u>
Net Income	-	-	-	-	-

NOTES:

- 1 - The Midtown BID was approved in December 2017, but has not yet completed their TABOR vote, thus no revenues have moved through the BIDs books for 2017/2018
- 2 - Total BID start-up repayment costs are likely to be approximately \$30,000 to be repaid to the City of Fort Collins, and between \$10-15K to be paid for legal costs associated with startup. Repaying all these funds out of the BIDs first year operating budget will be a financial challenge, in that the first years of a district are the most critical in demonstrating value. The BID will aim to negotiate multi-year repayment for these expenses, or will need to identify alternatives to support repayment and delivery of services.

**Midtown Business Improvement District (BID)
2019 Operating Plan**

BID NAME

The BID shall operate as the Midtown Business Improvement District (BID).

LEGAL AUTHORITY

A BID in Colorado is organized pursuant to the Business Improvement District Act, Section 31-25-1201 et seq., Colorado Revised Statutes. A BID is legally created via the following process:

- Stakeholders acquire petition signatures of commercial property owners representing a majority of the total assessed value and a majority of the total acreage of the proposed BID area.
- The City adopts an ordinance establishing the district, following notice and a public hearing.

ABOUT MIDTOWN

Midtown is a growing, thriving hub in central Fort Collins. The properties adjacent to College Avenue, from approximately Drake south to Boardwalk, as well as the Foothills Mall, make up Midtown. In total, the corridor spans slightly over one and a half miles. Today, Midtown is an active place with a wide range of commercial activities and a limited amount of residential and institutional uses. Automobile dealerships make up a significant portion of the business mix, while big box retailers dominate the shopping offer. Within the last few years, there has been renewed commitment to and interest in supporting a revitalized Midtown with a focus on a long-term strategy to support the growth of the district, both physically and economically.

THE VISION FOR MIDTOWN

Midtown has recently seen significant change. With the opening of the new Foothills Mall and significant investment taking place throughout the corridor, stakeholders envision a refreshed future for the district, one that continues to invigorate the area with destination retail, higher-density development, commercial opportunities and unique urban living opportunities. A distinctive identity, placemaking, events, activities and people-oriented uses will create a new shopping and entertainment hub in the heart of Fort Collins, providing distinctive options and opportunities for locals and visitors to the community.

THE BID'S ROLE IN MIDTOWN

The development of the Midtown BID provides an opportunity to create a sustainable funding source to leverage public sector investments and provide private sector stakeholders in the area with a stronger platform through which to advocate for – and directly fund – needed improvements as Midtown comes into a new era. The Midtown BID aims to:

- Create a collective voice to accomplish the goals of the neighborhood, provide leadership for the neighborhood, and champion the vision of Midtown.
- Serve as the activator of the Midtown neighborhood, providing programming, marketing and activities year-round.
- Purposefully improve and advance Midtown and facilitate economic growth and overall increased vitality in Midtown.
- Develop and establish Midtown's character and personality, communicate it succinctly, and bring it to life.
- Create synergistic relationships with the City of Fort Collins to create an accessible and desirable place for locals and visitors.

- Find interesting, active and creative uses for shops, sidewalks and open spaces that can boost the economy, thus diversifying the mix and adding new business opportunities.
- Provide awareness, recognition, promotion and education about Midtown.
- Keep Midtown safe, clean and welcoming.
- Be an administrative umbrella that brings the neighborhood together and maximizes funding opportunities for the future of Midtown.

BID BOUNDARIES

The Midtown BID includes parcels fronting South College Avenue from Drake Road in the north to Boardwalk Drive in the south, as well as those fronting East Foothills Parkway between East Swallow Road and South College Avenue in the City of Fort Collins, County of Larimer, State of Colorado.

BID SERVICES

The specific types of services that the BID in the future will fund were developed and prioritized by the business and property owners of Midtown, and include:

- ***Midtown Promotion, Management, and Business Support:*** The BID aims to be the go-to resource for Midtown, providing leadership and business support, while championing stakeholders' needs to create an environment that's welcoming to the larger community and visitors. Projects to support the stakeholders will include:
 - Administrative support to help manage Midtown, advocate for Midtown needs, and focus on leveraging resources and improvements for the area.
 - Promotion of Midtown commercial sector development that supports strategic economic growth and creates a vibrant environment in which Midtown businesses can thrive.
 - Supplementing the BID budget and identifying strategic funding opportunities to leverage and enhance the base assessments collected from year to year.
 - Building partnerships and developing strategies to increase community participation, leadership and coordination, including (but not limited to) partnerships with the City of Fort Collins, the Fort Collins Downtown Development Authority, and the Downtown Fort Collins Business Association.
 - Providing business support for Midtown businesses, serving as the "conciierge" for all things Midtown and helping businesses succeed by providing them with useful tools and resources, including tracking policies, data, and other useful information.
 - Shaping the retail, restaurant and overall storefront experience in Midtown by developing and implementing a strategy for strengthening the offer on the ground level and enhancing the existing business mix in Midtown.
- ***Midtown Branding, Marketing, and Activation:*** The BID aims to develop and deliver a unique experience that encourages locals and visitors to explore Midtown, and to establish a strong identity that is recognizable and highlights the distinctive Midtown offer. Projects may include:
 - Development of an authentic, compelling and clear brand for Midtown that uniquely identifies its offer and potential.
 - Producing targeted marketing and messaging to the community and visitors.
 - Developing year-round programming, events and activities that draw in diverse demographic groups to experience and explore Midtown and give them a reason to stay, explore and spend money in the district.
 - Facilitating events that drive traffic into businesses and leveraging partnerships with Midtown stakeholders.

- Public and community relations in support of growing the Midtown corridor that help promote why Midtown is a destination in its own right.
- **Midtown Placemaking and Maintenance:** The BID will work to activate the public realm in Midtown and develop a clean, safe and friendly environment, offering enhancements and amenities that create a welcoming destination and support larger-scale infrastructure projects proposed for the area. Projects will include:
 - Creation of a unique Midtown ambiance and sense of place that is safe, accessible, walkable and easy to park.
 - Development of a unifying aesthetic for Midtown's public spaces and right of way through the addition of public realm amenities throughout Midtown, including more benches, bike racks, public art and trash/recycling cans.
 - Investments in unique Midtown wayfinding signage and gateways that create a sense of place and help guests explore the area whether by car, by bicycle, or on foot.
 - Adding color and vibrancy to the district by funding banners, holiday lighting and public art.

BID ASSESSMENT METHOD AND BUDGET

The BID will utilize an assessment method that is based upon linear frontage of a property on College Avenue and Foothills Parkway within the BID boundary. **The initial assessment will be \$10 per linear foot, annually.** Only commercially-assessed properties will be included. The BID will raise approximately \$170,000 in its first year of operations.

Additionally, the BID will have the ability to raise the assessment annually not to exceed the Consumer Price Index for all Urban Consumers (CPI-U) for the Denver-Boulder-Greeley, Colorado metropolitan area. This decision will be at the discretion of the BID board.

Bringing in revenue and contributions in addition to the BID assessment will increase impact and help the organization to best leverage investments into Midtown. To that end, the BID will work to procure supporting funding from the City of Fort Collins as well as grants, donations, sponsorships, memberships, fee-for-service projects, crowdsourcing and partnerships on top of the BID special assessment. The BID Board, with City approval, would determine the annual operating budget each year of BID operations, based upon the priorities set out in this plan.

Properties adjacent to, but not within the BID boundaries, may elect to participate in the BID. Upon request, the BID would provide technical assistance to help. To do so, the owners of such properties would be required to file a written petition with the City of Fort Collins, requesting that their property be included in the BID. The petition shall be accompanied by a deposit of money sufficient to pay all costs of the inclusion or exclusion proceedings. Public notice will be given, a public hearing will be held and an ordinance may be adopted by Fort Collins City Council. The determination of assessment for properties joining the BID which do not have frontage on either College Avenue or Foothills Parkway shall be assessed the same frontage rate as the rest of the BID for their particular frontage on the street they are located.

2019 Proposed BID Budget and Services

The following table lays out the proposed Year One budget for the Midtown BID, as well as some considerations for each proposed expenditure:

Year One Expenditure	Year One Budget Amount
<p>Staff/Administration Hiring effective staff/contractors to support the board and administer the programs and projects will be a critical first step for the BID.</p>	\$55,000
<p>Branding and Identity In late 2018 and early 2019, the focus will be on identifying an individual or firm who can assist the Midtown BID in development of a brand identity, brand standards, and an initial implementation plan.</p>	\$25,000
<p>Wayfinding Strategy/Plan In 2019, the BID will work towards developing a design plan for district wayfinding signage, as well as a siting plan. Implementation won't likely be able to begin until 2020 (unless other funds can be leveraged), but this plan will aim to build off of the newly developed branding plan.</p>	\$15,000
<p>Events In year one, funding for events will be minimal, and so the work will primarily focus on consolidating events into one calendar, supporting and helping to brand existing events as BID events, and leveraging fundraising and other financial support to develop new events as deemed appropriate.</p>	\$10,000
<p>Placemaking Investing in placemaking in Year One will make a critical visible impact on the district, and be a good way to demonstrate to stakeholders that the BID is advancing projects with their investment. This is also a good place for the BID to leverage City and other funding to implement bigger projects. Year One projects will focus on identifying and implementing quick win projects and identifying longer-term needs that can be delivered in future years of the BID operations.</p>	\$40,000
<p>Other Fees These may include:</p> <ul style="list-style-type: none"> ▫ 1% collection fee for BID Funds ▫ Legal costs ▫ Accounting ▫ Creation of a reserve account 	\$25,000
TOTAL 2019 BUDGET	\$170,000

The first year accomplishments will inform future year's investment and projects.

BID BONDING

As allowed by law, the BID may issue bonds or other multiple-year financial obligations *only if the BID is authorized to do so by its operating plan, budget and its voters in a future election*. The election must comply with all applicable state requirements, including the TABOR Amendment, and would limit the amount of debt that may be issued to no more than the amount that is approved by the BID voters.

BID GOVERNANCE

The BID statute allows for a board of 5 to 11 members who are BID electors. The Midtown BID board will initially consist of *nine* appointed members from the Midtown BID area. The Midtown BID recommends that City Council appoint the following initial board members:

Board Member	Affiliation	Rationale for Inclusion on Board
Steve Taylor	Hot Corner Concepts	Long standing Fort Collins business owner and resident who has participated in the Old Town DDA and will help represent the restaurant users along the corridor
Rayno Seaser	The Egg & I	Long standing Fort Collins business owner and resident who has participated and will also help represent the restaurant users along the corridor
Mike Dellenbach	Dellenbach Chevrolet	Long standing Fort Collins business owner and resident who will help represent the car dealers along the corridor
David Fritzler	BBVA Compass	Well established and respected member of the business community who will help represent the financial institutions along the corridor
Spiro Palmer	Palmer Properties	Long standing Fort Collins business owner and resident who will help represent the shopping centers and general businesses along the corridor
Luke McFetridge	Level Real Estate	Former president of the SFCBA leading the efforts to form the BID and will remain on the Board to see the vision through
John Gaffney	Foothills Mall	GM of Foothills Mall, representing a catalyst project in Midtown and demonstrating the Mall's commitment to the BID by serving on the board
Lauren DeRosa	Wild Birds	Long standing resident and business owner in Fort Collins

		and will help represent the business lessees
Carrie Baumgart	Markley Motors	Chief Operating Officer of Markley Motors representing the car dealers in the district

The terms of office shall be staggered to encourage continuity in BID governance. The maximum length of a term is three (3) years and the consecutive term limit shall be two (2) terms. After a member has fulfilled two consecutive terms, that person may not be a member of the Midtown BID governing body for three (3) years before being reappointed.

BID MANAGEMENT STRUCTURE

The Midtown BID expects to work with the South Fort Collins Business Association (SFCBA) to deliver its services and hire staff. The SFCBA is a 501(c)(6) organization that supports the development of Midtown Fort Collins.

BID TERM

BIDs in Colorado may be perpetual. However, the Midtown BID will have an initial ten-year term. This will allow for property and business owners to evaluate the BID’s effectiveness at the end of the term. If the BID is deemed successful, the BID Board will request that the City Council renew the BID by ordinance after the initial period. If the BID is not considered to be successful, it will sunset at the end of the initial term.

CITY SERVICES

BID services will be designed to supplement existing City services and will be in addition to City services that are currently provided in Midtown. BID services will not replace any existing City services.

The Midtown BID will provide a number of benefits to the City of Fort Collins, including:

- A collective leader and champion for the vision of Midtown, and clear partner with which the City can work
- Help the City of Fort Collins advance its key strategic objectives
- Clear economic benefits, including but not limited to:
 - Increased sales revenue through the activation, marketing and promotion of Midtown creating more visitors and more spending in the area
 - Development of Midtown as an entertainment and shopping hub
 - Interesting, active and creative uses for shops, sidewalks and open spaces
- Opportunity to further demonstrate the commitment to Midtown outlined in the City’s Midtown Plan
- Create a second activity center in Fort Collins and a “place” beyond downtown in Fort Collins for visitors and locals
- Beautification of the City through a refreshed and invigorated area

ANNUAL REVIEW

The BID Act requires the BID to file an annual operating plan and budget with the City on or before September 30 of each year. The City will review and approve the operating plan and budget as provided by law.

DISSOLUTION

Under Colorado law, the BID may be dissolved following a public hearing if property owners representing at least 50% of acreage within the BID and at least 50% of total assessed value within the BID submit petitions for dissolution to City Council. City Council also retains discretion to initiate dissolution proceedings if the BID fails to submit an operating plan and budget for two successive years.