

RESOLUTION 2021-006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY AND LARIMER COUNTY FOR FUNDING AND ADMINISTRATION
OF A SMALL BUSINESS RELIEF PROGRAM

WHEREAS, the City of Fort Collins is threatened with serious injury and damage, consisting of widespread human and economic impact caused by the Novel Coronavirus 2019 (COVID-19); and

WHEREAS, on March 13, 2020, in order to undertake emergency measures to protect the life, health, safety and property of the citizens of the City and persons conducting business therein, and in order to attempt to minimize the loss of human life and the preservation of property, the City Manager, as the Director of the City's Office of Emergency Management, proclaimed a "local emergency" in accordance with Section 2-671(a)(1) of the City Code and activated the Emergency Operations Plan established pursuant to Section 2-673 of the City Code; and

WHEREAS, the COVID-19 pandemic has had an unexpected and substantial impact on health risks for City residents, the social structures in the community, the economic wellbeing of the business community, and the services provided by the City in response; and

WHEREAS, the prevention and management of exposure to COVID-19 and mitigation of related social, economic, and other impacts of all kinds continue to require emergency action by the City; and

WHEREAS, the City Council has, with the adoption of Resolution 2020-030, extended the City Manager's proclamation of local emergency; and

WHEREAS, the State of Colorado declared its first Emergency Disaster Declaration related to COVID-19 on March 11, 2020; and

WHEREAS, the Colorado General Assembly, as part of a special session in December 2020, approved Senate Bill 20B-001 ("SB20B-001"), authorizing monetary relief for small and minority businesses as well as arts organizations, which Bill was signed by the Governor on December 7, 2020; and

WHEREAS, SB20B-001 provides \$37 million in state funds for direct relief payments to small businesses located in a county that is subject to, and in compliance with, severe capacity restrictions pursuant to a public health order, with payments allocated to the counties for distribution to eligible small businesses, including restaurants, bars, movie theaters, and fitness and recreational sports centers; and

WHEREAS, Larimer County (the "County") is eligible to receive funding and submitted the required application for consideration of allocation on January 4, 2021; and

WHEREAS, the County has asked the City, the City of Loveland, and Town of Estes Park to each act as a "hub" to distribute funds to their community, adjacent communities, and adjacent

portions of the unincorporated county, which means the City will receive unanticipated revenue to distribute and administer a Small Business Relief (SBR) program for its defined “hub” geography; and

WHEREAS, to establish a uniform process for administration of the SBR, the County intends to enter into a separate intergovernmental agreement (IGA) with each hub; and

WHEREAS, the proposed IGA between the City and the County has not yet been prepared; however, the IGA will include the following key provisions:

- Larimer County will distribute funds to each of the hubs based on the number of applications received and processed by the hub for the SBR.
- Larimer County will pass through to the hubs 4.5 percent of the allowable 5 percent the County allotted for administrative costs for program administration, with the 4.5 percent based on the total funding provided to each hub as described above.
- The SBR application dates for Larimer County will be Wednesday, January 6, 2020 through close of business on Wednesday, January 27, 2020 for a total of 22 days.
- Representatives from the three hubs and the County will meet Friday, January 29, 2021 to review the number of eligible applications and determine relief fund amounts for the three relief tiers (as outlined in the legislation).
- The goal is to provide each eligible business with the same amount of relief payment (within their relief tier) and to provide a consistent approach among the three hubs.
- All three hubs will use the same application, collect the same documentation, and use the same online grant management system.
- Hubs are encouraged to retain applications that do not meet SBR eligibility but may have valid needs for SBR-like assistance if additional funds become available through other sources.
- The Fort Collins hub would consist of Fort Collins, LaPorte, Livermore, Red Feather Lakes, Wellington, and Timnath (within Larimer County), as well as businesses in the unincorporated areas of the County around or between those communities. However, the geographic boundaries of the hubs need not be precise, as the applications from all three hubs will be considered as one pool and funding divided evenly regardless of the hub to which a business has applied; and

WHEREAS, pursuant to Colorado Revised Statutes Section 29-1-203, governments may cooperate or contract with one another to provide any function or service lawfully authorized to each of the cooperating or contracting units of government; and

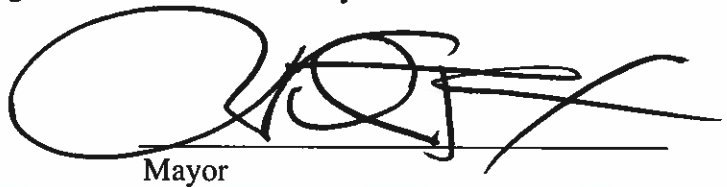
WHEREAS, the City Council has determined that it is in the best interests of the City that the City Manager be authorized to execute an IGA between the City and the County in support of the SBR as described in this Resolution.

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 City Council hereby authorizes the City Manager to execute an intergovernmental agreement between the City and the County consistent with this Resolution, for the purpose of administering a small business assistance program using funds provided by the State of Colorado pursuant to SB20B-001, including such terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or further the purposes of this Resolution.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 12th day of January, A.D. 2021.



Mayor

ATTEST:



City Clerk

