

## **SUBJECT**

Items Relating to the Completion of the 2011 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing the Federal Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs, and the City's Human Services Program.

- A. Second Reading of Ordinance No. 096, 2011, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations Between Program Years in the Community Development Block Grant Fund.
- B. Second Reading of Ordinance No. 097, 2011, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations Between Program Years in the Home Investment Partnerships Fund.

## **EXECUTIVE SUMMARY**

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Ordinance No. 096, 2011, appropriates the City's FY 2011 CDBG Entitlement Grant from the Department of Housing and Urban Development (HUD). Ordinance No. 097, 2011, appropriates the City's FY 2011 HOME Participating Jurisdiction Grant from HUD. Both Ordinances were unanimously adopted on First Reading on July 19, 2011.

## **STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on Second Reading.

## **ATTACHMENTS**

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- 1. Copy of First Reading Agenda Item Summary - July 19, 2011  
(w/o attachments)

**DATE:** July 19, 2011  
**STAFF:** Ken Waido

**AGENDA ITEM SUMMARY**  
 FORT COLLINS CITY COUNCIL

**25**

**SUBJECT**

Items Relating to the Completion of the 2011 Spring Cycle of the Competitive Process for Allocating City Financial Resources to Affordable Housing and Community Development Activities Utilizing the Federal Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs, and the City's Human Services Program.

- A. Public Hearing and Resolution 2011-063 Approving the Programs and Projects that Will Receive Funds from the Federal Community Development Block Grant Program, the Home Investment Partnerships Program, and the City's Human Services Program.
- B. Public Hearing and Resolution 2011-064 Approving the Fiscal Year 2011 Administration and Project Budgets for the Home Investment Partnerships Program.
- C. First Reading of Ordinance No. 096, 2011, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations Between Program Years in the Community Development Block Grant Fund.
- D. First Reading of Ordinance No. 097, 2011, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations Between Program Years in the Home Investment Partnerships Fund.
- E. Public Hearing and Resolution 2011-065 Eliminating Restrictions on the Use of Affordable Housing Funds Currently Earmarked for the Acquisition of Former Rental Properties.

**EXECUTIVE SUMMARY**

Resolution 2011-063 will complete the 2011 spring cycle of the competitive process for allocating City financial resources to affordable housing programs/projects and community development activities by listing the specific programs/projects that will receive funding starting October 1, 2011. Ordinance No. 096, 2011, appropriates the City's FY 2011 CDBG Entitlement Grant from the Department of Housing and Urban Development (HUD). Resolution 2011-064 establishes the major funding categories within the HOME Program for the FY 2011 program year, which also starts on October 1, 2011. Specific projects for the use of HOME funds will be determined in November as a result of the 2011 fall cycle of the competitive process. Ordinance No. 097, 2011, appropriates the City's FY 2011 HOME Participating Jurisdiction Grant from HUD. Resolution 2011-065 eliminates the restriction on \$60,000 of Affordable Housing Fund dollars that they be used for the acquisition of former rental properties by first-time home buyers to allowing the funds to be used for the purchases of non-rental properties.

**BACKGROUND / DISCUSSION**

Resolution 2011-063 establishes which programs and projects will receive funding with CDBG funds for the FY 2011 program year (including funds from the Entitlement Grant and Program Income), which starts on October 1, 2011; which programs and projects will receive funding from carry-over funds from the HOME Program; and which programs will receive funding from the City's 2011 Human Services Program. The CDBG Commission presents to the City Council a list of recommendations as to which programs and projects should receive funding. The following table summarizes the total amount and sources of all available CDBG, HOME, and City funds for distribution during the spring cycle of the competitive process:

<b>AMOUNT</b>	<b>SOURCE</b>
\$923,469	FY 2011 CDBG Entitlement Grant
61,815	FY 2011 CDBG Program Income
8,883	Prior Year's CDBG Program Income
191,338	FY 2010 Unprogrammed CDBG Funds
211,906	FY 2010 Unprogrammed HOME Funds
102,381	FY 2010 Unprogrammed HOME CHDO Funds
25,328	FY 2004 Unprogrammed HOME Funds
389,601	2011 City Human Services Program
150,733	2011 City Human Services KFCG Funds
<b>\$2,065,454</b>	<b>Total Funding Available</b>

Unprogrammed funds are funds from previous years that have yet to be allocated to specific programs or projects. Program Income includes repayments from rehabilitation loans and home buyer assistance loans along with repayments from development loans. Community Housing Development Organization (CHDO) funds are HOME funds that need to be reserved for allocation to agencies which qualify as CHDOs including the Fort Collins Housing Corporation, CARE Housing, and Neighbor-to-Neighbor, Inc..

The FY 2011 CDBG Entitlement Grant and CDBG Program Income totals \$994,167. HUD regulations limit a maximum of 20% of these funds, or \$198,832, for planning and program administrative purposes. The following table summarizes the amount and sources of available funds for planning projects and CDBG Program administrative costs:

#### **Funding for Planning and CDBG Program Administration**

<b>AMOUNT</b>	<b>SOURCE</b>
\$184,693	20% of the FY 2011 CDBG Entitlement Grant
12,363	20% of FY 2011 CDBG Program Income
1,776	20% of Prior Year's CDBG Program Income
<b>\$198,832</b>	<b>Total Funding Available for Planning and CDBG Program Administration</b>

HUD regulations limit a maximum of 15% of the FY 2011 CDBG funds and CDBG Program Income, or \$149,124 for use in the Public Services category. The City's 2011 Human Services Program adds \$389,601 and Human Services Program KFCG funds adds an additional \$150,733, for use in the category, for a total of \$689,458 of available funding. The following table summarizes the amount and sources of available funds for public/human service proposals:

#### **Funding for Public/Human Services**

<b>AMOUNT</b>	<b>SOURCE</b>
\$138,520	15% of the FY 2011 CDBG Entitlement Grant
9,272	15% of FY 2011 CDBG Program Income
1,332	15% of Prior Year's CDBG Program Income
389,601	2011 City Human Services Program
150,733	2011 City Human Services KFCG Funds
<b>\$689,458</b>	<b>Total Funding Available for Public/Human Services Proposals</b>

Considering the set-asides for Planning and Administration and Public/Human Services presented above, the balance of the FY 2011 CDBG Entitlement Grant and CDBG Program Income amounts, or \$646,211, plus \$191,338 of unprogrammed FY 2010 CDBG funds, \$211,906 of unprogrammed FY 2010 HOME funds, \$102,381 of unprogrammed FY 2010 HOME CHDO funds, and \$25,328 of unprogrammed FY 2004 HOME CHDO funds, provide an amount of \$1,177,164 available for allocation to affordable housing proposals. The following table summarizes the amount and sources of available funds for affordable housing proposals:

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### Funding for Affordable Housing

AMOUNT	SOURCE
\$600,256	FY 2011 CDBG Entitlement Grant
40,180	FY 2011 CDBG Program Income
5,775	Prior Year's CDBG Program Income
191,338	FY 2010 Unprogrammed CDBG Funds
211,906	FY 2010 Unprogrammed HOME Funds
102,381	FY 2010 Unprogrammed HOME CHDO Funds
25,328	FY 2004 Unprogrammed HOME CHDO Funds
\$1,177,164	Total Funding Available for Affordable Housing Proposals

The City received 31 applications for funding and a staff administration request as part of the 2011 spring cycle of the competitive process requesting a total of \$2,678,987. The total amount of funds available from all sources is \$2,065,454. The total of application requests is, thus, \$613,533 more than the amount of available funding. Also, HUD regulation limitations within the Public Services category results in a total of \$260,697 more in requests than available funds for the category. Unfortunately, funds in the Planning and Administration and Affordable Housing categories can not be used to fund any Public Service applications. The following table summarizes the amount of funding requests compared to the amount of funding available for each of the major funding categories.

Category	Number of Applications	Requested Funding	Available Funding	Request-Available Difference
Affordable Housing	3	\$1,530,000	\$1,177,164	-\$352,836
Public Services	28	\$950,155	\$689,458	-260,697
Administration	-	\$198,832	\$198,832	0
Totals	31	\$2,678,987	\$2,065,454	\$-613,533

### Removing Restrictions on the Use of Affordable Housing Funds in the Home Buyer Assistance Program

The City's Home Buyers Assistance (HBA) Program uses funding from the HOME and CDBG federal grants and the City's Affordable Housing Fund (AHF). In the past, normal assistance has been split with 50% coming from the HOME Program and 50% coming from the CDBG Program (federal regulations limit the use of CDBG funds to be no more than 50% of the total assistance). The City's AHF dollars have been earmarked for assistance to families wishing to purchase former rental housing units (for the use of federal funds, federal regulations require rental units to be vacant for three months in order to avoid displacement concerns and relocation payments).

With the change in federal HOME regulations, it is now basically impossible to continue using HOME funds as the 50% match to CDBG funds in providing down payment and closing cost assistance in the HBA Program. Staff is suggesting that the City change its policy regarding the use of the AHF in the HBA program, eliminating the condition that they be used only for the acquisition of former rental units and allowing the funds to be used for any home purchase. Staff's request is to remove the "former rental unit only" restriction for \$60,000 of AHF dollars already approved through the competitive process for the HBA. This \$60,000 could then be used to match \$60,000 of CDBG funds already allocated to the HBA Program. This would still leave \$84,000 of AHF to assist first-time home buyers wishing to purchase former rental units.

Without the ability to use AHF as a match, assistance in the HBA would be limited to CDBG funds, or only half the amount of assistance families would need to acquire a new home. Stated another way, without a 50% match to CDBG funds, families would need to have between \$4,000 and \$5,000 of their own money to buy a home – not many low-income families have that amount of funds available.

The CDBG Commission discussed this issue at its monthly meeting on February 10, 2011, and voted unanimously to recommend the requested change in the use of AHF dollars (see Attachment 8).

The Affordable Housing Board discussed this issue at its monthly meeting on March 3, 2011, and voted unanimously to recommend the requested change in the use of AHF dollars (see Attachment 9).

Resolution 2011-065 would eliminate the restrictions on the use of \$60,000 of Affordable Housing Funds currently earmarked for the acquisition of former rental properties and permit the funds to be used for the acquisition of any home by a first-time home buyer.

**FINANCIAL / ECONOMIC IMPACTS**

The Community Development Block Grant (CDBG) Program, and the Home Investment Partnership (HOME) Program provide federal funds from the Department of Housing and Urban Development (HUD) to the City of Fort Collins which can be allocated to housing and community development related programs and projects, thereby, reducing the demand on the City's General Fund Budget to address such needs. The total amount of CDBG funds available for allocation during FY 2011 is \$1,185,505, while the total amount of HOME funds for FY 2011 is \$644,352. Together, the CDBG and HOME programs provide \$1,829,857 of federal funds to the City. The City's General Fund does contribute \$389,601 in the Human Services Program and \$150,733 of KFCG funds for allocation during the spring cycle, and \$325,024 of Affordable Housing Fund dollars for the fall cycle of the competitive process.

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

Public/human service programs contribute to economic sustainability by providing such programs as job training and child care, so workers can maintain their employment.

**ENVIRONMENTAL IMPACTS**

Affordable housing programs help provide for a healthy environment. By offering affordable housing options for lower income people, more of Fort Collins' work force can live in the community instead of being forced to live outside the community and commute into the city for work. This helps reduce traffic congestion and, thus, improves air quality.

Affordable housing developers, including for-profit and non-profit agencies, are utilizing green building practices. Green building practices are being used in both new construction and major rehabilitation of existing housing unit projects. These practices include geo-thermal applications and other energy saving techniques.

All affordable housing projects utilizing CDBG and HOME funds are required to pass a HUD environmental review which covers such items as noise impacts, floodplains, hazardous materials, etc.

**STAFF RECOMMENDATION**

Staff recommends adoption of the Resolutions and the Ordinances on First Reading.

**BOARD / COMMISSION RECOMMENDATION**

**Community Development Block Grant (CDBG) Commission Recommendations**

The CDBG Commission presents recommendations as to which programs and projects should receive funding from the available funding sources presented above, including CDBG funds and the Human Services Program (HSP). The following tables present the allocations recommended by the Commission to the City Council within each major category:

**Planning and Administration**

Applicant Project/Program	Request and Recommendation	Source(s) of Funding	Unfunded Balance	Percent of Request Funded
AD-1 City of Fort Collins CDBG Administration	Request \$198,832 Recommendation \$198,832	\$198,832 FY 2011 CDBG Entitlement Grant CDBG Program Income	\$0	100%

**Affordable Housing**

<b>Applicant Project/Program</b>	<b>Request and Recommendation</b>	<b>Source(s) of Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
HO-1 Fort Collins Housing Authority – Land Acquisition	Request \$350,000 Recommendation \$0	\$0	\$350,000	0%
HO-2 Fort Collins Housing Corporation & Cornerstone – Legacy Senior Residences	Request \$430,000 Recommendation \$427,164	\$87,549 FY 2010 CDBG \$211,906 FY 2010 HOME \$102,381 FY 2010 CHDO \$25,328 FY 2004 CHDO	\$2,836	99%
HO-3 Merten – Union Place	Request \$750,000 Recommendation \$750,000	\$600,256 FY 2011 CDBG \$40,180 FY 11 CDBG PI \$5,775 CDBG PI \$103,789 FY 2010 CDBG	\$0	100%

All funding recommendations in the Affordable Housing category are in the form of a “Due on Sale Loan + 5% Simple Interest.”

**Public Service**

<b>Applicant Project/Program</b>	<b>Request and Recommendation</b>	<b>Source(s) of Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
PS-1 B.A.S.E. Camp: Sliding Scale Fee Tuition	Request \$57,000 Recommendation \$57,000	\$57,000 (CDBG grant)	\$0	100%
PS-2 Boys & Girls Club: After-school and School-break Child Care and Youth Program	Request \$19,892 Recommendation \$18,644	\$18,644 (HSP grant)	\$1,248	94%
PS-3 Care – Supportive Services Program	Request \$25,000 Recommendation \$0	\$0	\$25,000	0%
PS-4 CASA – Program Support	Request \$14,976 Recommendation \$9,360	\$9,360 (HSP grant)	\$5,616	63%
PS-5 Catholic Charities : Senior Outreach	Request \$12,000 Recommendation \$11,331	\$11,331 (HSP grant)	\$669	94%
PS-6 Catholic Charities the Mission and Supportive Services	Request \$75,000 Recommendation \$40,000	\$40,000 (CDBG grant)	\$35,000	53%

<b>Applicant Project/Program</b>	<b>Request and Recommendation</b>	<b>Source(s) of Funding</b>	<b>Unfunded Balance</b>	<b>Percent of Request Funded</b>
PS-7 Center for Family Outreach – Diversion Program for Youth/Parents	Request \$17,500 Recommendation \$0	\$0	\$17,500	0%
PS-8 Childsafe Research & Treatment Foundation – Child Abuse Program	Request \$30,000 Recommendation \$0	\$0	\$30,000	0%
PS-9 Crossroads Safehouse: Advocacy Program	Request \$99,216 Recommendation \$42,202	\$16,469 (HSP grant) \$25,733 (HSP KFCG grant)	\$57,014	43%
PS-10 Disabled Resource Services: Access to Independence Program	Request \$28,442 Recommendation \$28,442	\$28,442 (HSP grant)	\$0	100%
PS-11 Education and Life Training Center: Employment Skills Training	Request \$22,009 Recommendation \$19,483	\$19,483 (CDBG grant)	\$2,526	89%
PS-12 Elderhaus: Mindset Therapy Center Program	Request \$23,592 Recommendation \$23,592	\$23,592 (CDBG grant)	\$0	100%
PS-13 Family Center: Sliding Scale Fee Tuition	Request \$30,000 Recommendation \$30,000	\$30,000 (HSP grant)	\$0	100%
PS-14 Food Bank for Larimer County: Kids Café Program	Request \$21,000 Recommendation \$21,000	\$21,000 (HSP grant)	\$0	100%
PS-15 Homelessness Prevention Initiative: Emergency Rent Assistance	Request \$45,000 Recommendation \$45,000	\$45,000 (HSP KFCG grant)	\$0	100%
PS-16 Larimer Center for Mental Health – Community Dual Disorders Treatment	Request \$27,082 Recommendation \$14,000	\$14,000 (HSP grant)	\$13,082	52%
PS-17 Larimer Center for Mental Health – Employee Assistance Murphy Center	Request \$16,012 Recommendation \$0	\$0	\$16,012	0%
PS-18 Matthews House - Transition Program	Request \$27,639 Recommendation \$27,639	\$27,639 (HSP grant)	\$0	100%
PS-19 Neighbor to Neighbor -Housing Counseling	Request \$69,205 Recommendation \$40,175	\$10,175 (HSP grant) \$30,000 (HSP KFCG grant)	\$29,030	58%
PS-20 Neighbor to Neighbor - Rent Assistance	Request \$25,000 Recommendation \$25,000	\$25,000 (HSP KFCG grant)	\$0	100%

Applicant Project/Program	Request and Recommendation	Source(s) of Funding	Unfunded Balance	Percent of Request Funded
PS-21 Northern Colorado AIDS Project - Client Services	Request \$29,500	\$24,500 (HSP grant)	\$5,000	83%
PS-22 Project Self-Sufficiency: Services for Single-Parent Families	\$33,000 Recommendation \$22,000	\$22,000 (HSP KFCG grant)	\$11,000	67%
PS-23 Rehabilitation and Visiting Nurse Association: Home Health Care Scholarships	Request \$35,000 Recommendation \$35,000	\$9,049 (CDBG grant) \$25,951 (HSP grant)	\$0	100%
PS-24 Respite Care: Sliding Scale Fee Tuition Assistance	Request \$30,000 Recommendation \$30,000	\$30,00 (HSP grant)	\$0	100%
PS-25 Suicide Resource Center – R.A.P.P & Hope for Today Programs	Request \$3,000 Recommendation \$3,000	\$3,000 (HSP KFCG grant)	\$0	100%
PS-26 Teaching Tree - Sliding Scale Fee Tuition Assistance	Request \$60,000 Recommendation \$60,000	\$60,000 (HSP grant)	\$0	100%
PS-27 Volunteers of America - Home Delivered Meal Program	Request \$29,200 Recommendation \$29,200	\$29,200 (HSP grant)	\$0	100%
PS-28 Women’s Resource Center: Dental Connections	Request \$44,890 Recommendation \$32,890	\$32,890 (HSP grant)	\$12,000	73%

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

Recommended Funding	% of Total	Category
\$1,177,164	57.0%	Affordable Housing
689,458	33.4%	Public Services
198,832	9.6%	CDBG Administration
\$2,065,454	100.0%	Total

The CDBG Commission has recommended all (100%) of the available funding amount of \$2,065,454 be allocated. The Commission has recommended that one of the three affordable housing proposals receive full funding, one to receive 99% of its request; while the third proposal is recommended for no funding. The Commission has recommended that 13 of the 28 public service proposals receive full funding; 11 proposals receive partial funding (ranging from 43% to 94%); and 4 proposals to receive no funding. The justifications for the Commission’s recommendations can be found in Attachment 5, Minutes of the May 12, 2011, meeting.

**HOME Program**

Resolution 2011-064 establishes the major funding categories within the HOME Program for the FY 2011 Program year, which starts on October 1, 2011. Specific projects for the use of HOME funds will be determined in November as a result of the 2011 fall funding cycle of the competitive process for the allocation of the City’s financial resources to affordable housing programs/projects and community development activities. The FY 2011 HOME Grant is \$599,259, HOME Program Income for 2011 is \$45,093, for a total of \$644,352. The following table summarizes the sources of HOME funding for FY 2011.



<b>Amount</b>	<b>Source</b>
\$599,259	FY 2011 HOME Participating Jurisdictions Grant
45,093	FY 2011 HOME Program Income
\$644,352	Total

HUD regulations allow a maximum of 10% of the HOME grant, or \$59,925, and certain portions of eligible Program Income, or \$5,992, for a total of \$65,917, for program administrative purposes. HUD regulations also require a 15% set-aside of the HOME Grant, or \$89,888, for Community Housing Development Organizations (CHDOs). The following table summarizes the distribution of HOME funding.

<b>Recommended Funding</b>	<b>% of Total</b>	<b>Category</b>
\$65,917	10.2%	HOME Program Administration
89,888	14.0%	Community Housing Development Organizations
488,547	75.8%	Other Affordable Housing Projects
\$644,352	100.0%	Total

## **PUBLIC OUTREACH**

HUD regulations require a 30-day public comment period on the proposed allocation of CDBG and HOME funds as recommended by the CDBG Commission. Staff placed an ad in the Coloradoan newspaper presenting the list of recommended funding for programs/projects and indicated the public comment period would start on May 13, 2011, and end on June 13, 2011. No public comments were received.

## **ATTACHMENTS**

1. Background and Summary of the CDBG Commission's Recommendations for Funding
2. Background Information on the Competitive Process
3. Affordable Housing Board's Comments
4. Background Information on the CDBG and HOME Federal Programs
5. CDBG Commission's Funding Recommendations, Meeting Minutes May 12, 2011
6. Focus Questions for CDBG Commission Decision Making
7. Formulation of Funding Recommendations Session
8. CDBG Commission minutes, February 10, 2011
9. Affordable Housing Board minutes, March 3, 2011
10. PowerPoint Presentation

ORDINANCE NO. 096, 2011  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE AND  
AUTHORIZING THE TRANSFER OF APPROPRIATIONS BETWEEN  
PROGRAM YEARS IN THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND

WHEREAS, the City will receive in federal fiscal year 2011-2012 unanticipated revenue in the form of federal Community Development Block Grant (“CDBG”) funds totaling \$923,469; and

WHEREAS, the City will also receive unanticipated CDBG Program income in the 2011-2012 federal fiscal year in the amount of \$61,815 and has received unanticipated CDBG Program income in the 2010-2011 federal fiscal year in the amount of \$8,883; and

WHEREAS, unexpended funds are also available from the CDBG Program from prior fiscal years in the amount of \$191,338; and

WHEREAS, by adoption of Resolution 2011-063 the City Council approved the 2011 Community Development Block Grant Program; and

WHEREAS, by adoption of Resolution 2011-064 the City Council authorized the City Manager to transmit for approval the 2011 Fort Collins Consolidated Annual Action Plan to HUD as required to receive the grant funds; and

WHEREAS, Article V, Section 9, of the City Charter permits City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, Article V, Section 10, of the City Charter authorizes the City Council to transfer by ordinance any unexpected and unencumbered amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the funds were initially appropriated no longer exists; and

WHEREAS, Article V, Section 11, of the City Charter provides that federal grant appropriations shall not lapse if unexpended at the end of the budget year until the expiration of the federal grant; and

WHEREAS, City staff has determined that the appropriation of all unanticipated CDBG grant and program revenue as described herein will not result in total appropriations in excess of the current estimate of actual and anticipated revenues for fiscal year 2011.

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

Section 1. That there is hereby appropriated for expenditure from unanticipated revenue in the federal fiscal year 2011-2012 into the Community Development Block Grant Fund, the sum of NINE HUNDRED TWENTY-THREE THOUSAND FOUR HUNDRED SIXTY-NINE DOLLARS (\$923,469), upon receipt thereof for federal fiscal year 2011-2012 Community Development Block Grant Funds.

Section 2. That there is hereby appropriated for expenditure from unanticipated program income revenue, upon receipt thereof into the Community Development Block Grant Fund, the sum of SEVENTY THOUSAND SIX HUNDRED NINETY-EIGHT DOLLARS (\$70,698), for approved Community Development Block Grant projects.

Section 3. That the unexpended and unencumbered amount of ONE HUNDRED NINETY-ONE THOUSAND THREE HUNDRED THIRTY-EIGHT DOLLARS (\$191,338) is hereby authorized for transfer from the 2010-2011 Community Development Block Grant Program to the 2011-2012 Community Development Block Grant Program and appropriated therein.

Introduced, considered favorably on first reading, and ordered published this 19th day of July, A.D. 2011, and to be presented for final passage on the 16th day of August, A.D. 2011.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 16th day of August, A.D. 2011.

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Mayor

ATTEST:

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City Clerk

ORDINANCE NO. 097, 2011  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE AND AUTHORIZING THE TRANSFER  
OF APPROPRIATIONS BETWEEN PROGRAM YEARS IN THE HOME  
INVESTMENT PARTNERSHIPS FUND

WHEREAS, the Home Investment Partnership 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 which would increase the supply of decent, safe, and affordable housing; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the City has been notified by HUD that the City’s HOME Participating Jurisdiction Grant for the federal fiscal year 2011-2012 is \$599,259; and

WHEREAS, the City will also receive unanticipated HOME Program income in the 2011-2012 federal fiscal year in the amount of \$45,093; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, do not exceed the then current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, Article V, Section 10, of the Charter authorizes the City Council to transfer by ordinance any unexpected and unencumbered amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the funds were initially appropriated no longer exists; and

WHEREAS, City staff has determined that the appropriation of the HOME Program funds as described herein will not cause the total amount appropriated in the HOME Program Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during the 2011 fiscal year; and

WHEREAS, Article V, Section 11, of the City Charter provides that federal grant appropriations shall not lapse if unexpended at the end of the fiscal year until the expiration of the federal grant.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT

COLLINS as follows:

Section 1. That there is hereby appropriated for expenditure from unanticipated revenue in the federal fiscal year 2011-2012 in the HOME Program Fund the sum of FIVE HUNDRED NINETY-NINE THOUSAND TWO HUNDRED FIFTY-NINE DOLLARS (\$599,259), upon receipt from federal fiscal year 2011-2012 HOME Participating Jurisdiction Grant Funds.

Section 2. That there is hereby appropriated for expenditure from unanticipated program income revenue, upon receipt thereof, in the HOME Program Fund the sum of FORTY-FIVE THOUSAND NINETY-THREE DOLLARS (\$45,093), for approved HOME Program projects.

Section 3. That the unexpended and unencumbered amount of THREE HUNDRED FOURTEEN THOUSAND TWO HUNDRED EIGHTY-SEVEN DOLLARS (\$314,287) is hereby authorized for transfer from the 2010-2011 HOME Program projects to the 2011-2012 HOME Program and appropriated therein.

Section 4. That the unexpended and unencumbered amount of TWENTY-FIVE THOUSAND THREE HUNDRED TWENTY-EIGHT DOLLARS (\$25,328) is hereby authorized for transfer from the 2004-2005 HOME Program projects to the 2011-2012 HOME Program and appropriated therein.

Introduced, considered favorably on first reading, and ordered published this 19th day of July, A.D. 2011, and to be presented for final passage on the 16th day of August, A.D. 2011.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 16th day of August, A.D. 2011.

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Mayor

ATTEST:

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City Clerk