City Council Work Session
December 8, 2020
4:30 PM

• CALL TO ORDER.

1. **Equity Indicators Update**  (staff: Jackie Kozak-Thiel; Janet Freeman; 15 minute presentation; 45 minute discussion)

   The purpose of this item is to update Council on the Equity Indicators project and receive feedback on which indicators the City should track.

2. **Possible Charter Amendments.**  (staff: Kelly DiMartino; Delynn Coldiron; Rita Knoll; Lawrence Pollack; Teresa Roche; Carrie Daggett; Ryan Malarky; 20 minute presentation; 60 minute discussion)

   The purpose of this item is to discuss Charter amendments Council may be interested in submitting to the voters at the April 6, 2021 election.

3. **Single Use Plastics Ballot Item Discussion**  (staff: Molly Saylor; 10 minute presentation; 45 minute discussion)

   The purpose of this work session is to continue Council discussion on initiating a single-use plastic ballot measure.
4. **Housing Strategic Plan Update**  (staff: Caryn Champine; Jackie Kozak-Thiel; Lindsay Ex; 15 minute presentation; 45 minute discussion)

   The purpose of this item is to:

1. Briefly summarize progress on the Housing Strategic Plan since the August 2020 Work Session;
2. Share community feedback to date on the greatest challenges and possible solutions to improve housing affordability;
3. Introduce the initial list of potential strategies to be considered in the Housing Strategic Plan;
4. Provide an overview of the draft evaluation criteria for assessing these strategies;
5. Update Council on the direction provided by the Ad Hoc Housing Council Committee; and
6. Share next steps.

- **ANNOUNCEMENTS.**
- **ADJOURNMENT.**
SUBJECT FOR DISCUSSION

Equity Indicators Update

EXECUTIVE SUMMARY

The purpose of this item is to update Council on the Equity Indicators project and receive feedback on which indicators the City should track.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. Overview of results to date on the equity indicator project
2. Council input on indicators to track on the dashboard

BACKGROUND/DISCUSSION

Strategic Alignment

The City’s strategic plan has three equity and inclusion objectives:

- Neighborhood Livability & Social Health 1.4: Advance equity for all, leading with race, so that a person’s identity or identities is not a predictor of outcomes.

- Neighborhood Livability & Social Health 1.3: Improve accessibility of City and community programs to low and moderate-income residents and increase participation in services to eligible, income-qualified residents.

- High Performing Government 7.3: Improve effectiveness of community engagement with enhanced inclusion of all identities, languages and needs.

City Council Action

City Council adopted Equity and Inclusion as one of its priorities, specifically the following actions:

- Implement the usage of an equity lens (including staff and Council training)
- Develop indicators and metrics
- Consider a resolution regarding anti-discrimination
- Develop principles of community

Equity Indicator Project: Background, Objectives, Methodology and Sample Findings

Consultant Background

For our equity indicator work, we selected the CUNY Institute on State and Local Governance as our consultant, or ISLG, a non-partisan research institute that works to improve government systems. ISLG utilizes data-driven approaches that influence policy and operations that support work in diverse communities.
Project Objectives & Alignment

The objectives of the equity indicators project are to track disparities in outcomes faced by community members most likely to experience inequality; support data-informed policy-making; and increase transparency and accountability so impacted communities can co-create/lead solutions and equity work can be better prioritized at both an institutional and systemic level.

Utilizing a data-informed approach is part of the Government Alliance on Race and Equity’s (GARE) theory of change model, a framework to which we are aligned. Having accurate and comprehensive data sets available will help us more effectively and proactively mitigate barriers to inclusion and equity.

Defining Equity Indicators

Equity Indicators are ways to assess and measure disparities in achieving goals on difficult-to-define concepts. As ISLG shared with us in the example below, equity indicators go a step beyond a more broadly focused indicator and allow staff to ascertain what aspects of lived experience the City and our institutional partners are trying to positively impact:

### Concept | Indicators | Equity Indicators
--- | --- | ---
Criminal Justice | Incarceration rates | Disparities in incarceration rates for different racial and ethnic groups
Economic Opportunity | Income | Disparities in income for men, women, and nonbinary people
Employment | Labor Force Participation | Disparities in labor force participation by disability status

Disparity Landscape Analysis

The disparity landscape analysis currently contains initial community data, disaggregated by race-and other identities as much as possible-that demonstrates inequities community members are either experiencing or have a perception they are experiencing both within the community and in some areas of the City’s service delivery. In some cases, an inequity surfaced in quantitative data can likewise result in a negative perception of experience, and we will have more of those perception-based data sets available in the final project deliverable.

The data represents the impact of inequity on people's lives and will help staff prioritize the City's work as a government institution, as well as a collaborator in the community, working to co-create solutions for mitigating disparities at the systemic level. To date, ISLG has compiled a preliminary analysis, which they will be building on, including the community and other stakeholder input.

The analysis informing current and future conclusions (some of which are evident in this presentation as preliminary findings) will continue to be vetted by City staff. Our plan is to ultimately use this data to help inform root cause analyses on existing disparities, which is critical information currently missing in our efforts.

Methodology - High Level Overview

For the project, ISLG is collecting data and analyzing them for disparities, disaggregating outcomes by race, ethnicity, and other marginalized identities. This began with extensive background research and a data diagnostic to establish what work had been done in the area, and the availability and reliability of different sources of data. ISLG used this to conduct a preliminary set of analysis, which they also used as the basis for a survey to enable community members to rank the measures they believe to be most important for the City to track; identify gaps and suggest new measures to fill them; and provide information on potential data sets that could be used to shed light on disparities impacting different communities.

ISLG also conducted nine focus groups where more information was needed to better understand gaps in equity and experience. ISLG held focus groups for community members with the following identities represented:
December 8, 2020

- Asian American/Pacific Islander
- Black/African American
- Current or Former Undocumented Status (Mixed Status Families)
- Latinx/Hispanic
- LGBTQIA+
- Living with Disabilities
- Native American
- Religious Minorities

In total, ISLG conducted 14.5 hours of listening with community members during these sessions.

Work is ongoing to build on the preliminary disparity landscape analysis by incorporating suggestions from community and City/County stakeholder input where possible based on data availability. ISLG is also analyzing the rankings provided through this input to identify potential equity indicators, which will then be selected if the data available are sufficient to enable tracking disparities over time (i.e., data are collected and updated on a regular basis and disaggregated by one or more identity).

The final equity indicators will be tracked over time by the City, so they can be used to drive decision-making about policy and practice, including the allocation of resources. In the cities where ISLG has conducted this work to date, the equity indicators identified and tracked though the work have been used to support policy development, drive budgeting decisions, and highlight areas where new policies and initiatives may be needed. They have also helped to increase transparency and accountability within local government and have been used as a tool by local communities to identify ways the City can better support and partner with them to create change.

Preliminary Disparity Landscape Analysis Findings

ISLG examined disparities across a wide range of outcomes in nine key areas of life: City Services; Criminal Justice and Public Safety; Economic Opportunity; Education; Environmental Justice; Housing; Public Health; Social Inclusion and Civic Engagement; and Transportation. Considering the City’s goal to advance equity for all, leading with race, ISLG focused on race and ethnicity in these analyses, but will incorporate additional identities in their final report, where data is available. To date, initial data uncovered by ISLG found that people of color are experiencing disparate outcomes and/or are reporting perceptions of facing disparities across all these areas, and suggest a number of key areas that the City can target in its efforts to increase equity. The City recognizes that both outcome and perception data are vital to enhancing our ability to proactively address barriers to equity in the community and our service delivery, and that both tell the fuller story of lived experience and wisdom of our residents. Figure 1 below shows how each racial or ethnic group fared across all 78 measures. Positive numbers in blue represent the number of outcomes for which a group had more positive outcomes than outcomes overall; negative numbers in red represent the number of outcomes for which a group had more negative outcomes. For example, Hispanics/Latinx had a more positive outcome on 1 measure and more negative outcomes on 25.
The nature and magnitude of these disparities differed across areas. For example, in Economic Opportunity, disparities were found on five of the seven measures looking at race and ethnicity; within Housing, disparities were found on nine of the 10 measures looking at race and ethnicity; and within Criminal Justice and Public Safety, disparities were found on all eight measures looking at race and ethnicity. Specific examples of these measures can be seen in Table 1. It is important to note, however, that because statistical testing has not yet been conducted, caution should be used in drawing conclusions about the differences between groups. Statistical testing will occur in December where possible given the data available.

Table 1. Findings for sample measures within three of the nine areas examined

<table>
<thead>
<tr>
<th></th>
<th>Overall</th>
<th>White</th>
<th>Hispanic/Latinx</th>
<th>Asian</th>
<th>Black</th>
<th>Native American</th>
<th>Other</th>
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<tbody>
<tr>
<td><strong>Economic Opportunity</strong></td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Poverty</td>
<td>17 in 100</td>
<td>16 in 100</td>
<td>21 in 100</td>
<td>20 in 100</td>
<td>22 in 100</td>
<td>25 in 100</td>
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<td>Median Income</td>
<td>$62,132</td>
<td>$65,061</td>
<td>$49,646</td>
<td>$58,505</td>
<td>$50,614</td>
<td>$51,797</td>
<td>$56,679</td>
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<td><strong>Housing</strong></td>
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<td></td>
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<tr>
<td>Homeownership</td>
<td>53 in 100</td>
<td>55 in 100</td>
<td>42 in 100</td>
<td>52 in 100</td>
<td>20 in 100</td>
<td>47 in 100</td>
<td>37 in 100</td>
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<td>Homelessness</td>
<td>2 in 1,000</td>
<td>2 in 1,000</td>
<td>2 in 1,000</td>
<td>6 in 1,000</td>
<td>8 in 1,000</td>
<td>7 in 1,000</td>
<td>1 in 1,000</td>
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<td><strong>Criminal Justice</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Criminal Arrests/Citations</td>
<td>4 in 100</td>
<td>4 in 100</td>
<td>n/a</td>
<td>1 in 100</td>
<td>17 in 100</td>
<td>4 in 100</td>
<td>0 in 100</td>
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<td>Jail Incarceration</td>
<td>2 in 1,000</td>
<td>1 in 1,000</td>
<td>4 in 1,000</td>
<td>1 in 1,000</td>
<td>9 in 1,000</td>
<td>1 in 1,000</td>
<td>n/a</td>
</tr>
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</table>
Dashboard

After finalizing the report and indicator selection, City staff will begin in Q1 of 2021 inputting findings into an external facing dashboard, allowing for full transparency and accountability so community members, and City staff, can track progress (Attachment 1) for a list of indicators included in the preliminary landscape disparity analysis to date; Attachment 2 contains links to final reports other cities have undertaken. Data will be updated annually and used to inform and guide our equity efforts to continue to make our workplace and the community more equitable and inclusive. In addition, other community organizations and institutions can use the data to help advance their respective equity efforts as well.

Examples of promising equity dashboards from other jurisdictions are attached and can be found at:

- Tacoma, Washington
- Asheville, NC

Problem We Are Trying to Solve

While we have had notable gains in our equity work to date, we have likewise been hindered by the absence of a comprehensive baseline analysis of equality gaps in the Fort Collins community and our own service delivery. Our partnering with ISLG is in support of how critical data is when working to advance equitable outcomes for all people in Fort Collins. The City will effectively identify root cause analyses of both systemic and institutional disparities once we have this baseline data available. Upon validation of the data, staff can begin this process, with the goal of making changes to our internal programs and services as needed to strengthen the equity of our service delivery.

In addition, prior to this undertaking, we had yet to establish a community-informed set of indicators that speak to these disparities. This effort will include data disaggregated by race and other marginalized identities, which has also been difficult to ascertain.

How will we measure success?

Establishing an analysis of disparities will enable us to more effectively align resources and efforts to apply interventions to mitigate inequities surfaced during the data collection effort as well as work with partner institutions for a systemic approach to mitigating disparate outcomes in the community.

Success in our efforts will be measured by selection of community-informed equity indicators and the ongoing tracking efforts that will subsequently occur in a public facing dashboard to increase accountability and transparency and more effectively prioritize our work and respond to this data with community members who are most impacted to improve race-based outcomes currently being experienced across a variety of topics.

Next Steps

1. Equity indicators report will be finalized in mid-January
2. Findings presented to Ad-Hoc Committee January 25, 2021
3. Staff input data into dashboard Q1 of 2021
4. A new work order with CUNY ISLG to establish benchmarks and target setting will begin in Q1 of 2021

ATTACHMENTS

1. List of Disparity Measures for Fort Collins (PDF)
2. Links to Equity Indicator Reports (PDF)
3. PowerPoint Presentation (PDF)
Attachment 1: List of Disparity Measures for Fort Collins

This list represents where ISLG has been able to collect data on disparities across a wide range of outcomes in nine key areas of life: City Services; Criminal Justice and Public Safety; Economic Opportunity; Education; Environmental Justice; Housing; Public Health; Social Inclusion and Civic Engagement; and Transportation.

ISLG will be building on these findings with additional comparison groups and outcomes recommended by the community and by City and County stakeholders where possible based on the data available. They will then be presenting these, along with the measures selected as Equity Indicators, in a final report.

City Services
- Internet Access
- Sewer Service Quality
- Recycling Programs
- Disaster Response
- Street Maintenance
- Library Service Quality
- Park Quality
- Youth Recreation Program Quality

Criminal Justice and Public Safety
- Criminal Arrest or Citation
- Traffic Citation
- Use of Force
- Representation among Police Officers
- Police Service Quality
- Jail Incarceration
- Probation

Economic Opportunity
- Poverty
- Household Income
- Personal Earnings
- SNAP Recipiency
- Labor Force Nonparticipation
- Unemployment
- Representation among Business Owners
- Difficulty Finding Childcare
- Availability of Affordable Childcare

Education
- Third Grade Reading
- On-Time High School Graduation
- Teacher Representation
- Principal Representation
- Student-to-Adult Connections
- Student-to-Student Connections
- High School Dropout Rates
- School Discipline
- School Mobility
- Educational Attainment
- High School Completion
• Bachelor’s Degree

**Environmental Justice**
• Unclean Indoor Air
• Pollution from Industry
• Unsafe or Unclean Drinking Water

**Housing**
• Housing Cost Burden
• Concern About Paying Housing Costs
• Needing and Using Housing Assistance
• Needing But Not Using Housing Assistance
• Homeownership
• Home Loan Denials
• sheltered Homelessness
• Unsheltered Homelessness
• Access to Basic Needs
• Neighborhood Safety

**Public Health**
• Lack of Health Insurance
• Lack of Access to Health Care
• Use of Emergency Services for Care
• Concerns about Medical Care Costs
• Delaying Healthcare Due to Costs
• Delaying Mental Health Care Due to Costs
• Forgoing Prescription Medication Due to Costs
• Poor Physical Health
• Asthma
• High Cholesterol
• Cardiovascular Disease
• Diabetes
• High Stress
• Current Mental Health Concern
• Suicidality

**Social Inclusion and Civic Engagement**
• Community Openness and Acceptance
• Attending Neighborhood Events
• Interacting with Neighbors
• Helping Neighbors
• City Fosters Belonging
• City Respects All
• Attending government events
• Volunteering
• Opportunities to Volunteer

**Transportation**
• Commute Time
• Lack of Personal Vehicle Access
• Transit Access
• Driving Access
• Bicycle Access
Examples of Equity Indicator Work Accomplished by CUNY Institute for State and Local Governance

Note: the work being done for the City of Fort Collins will not look exactly like this.


Equity Indicators Project Update

Jacqueline Kozak-Thiel and Janet Freeman, Sustainability Services
Victoria Lawson, CUNY ISLG
• Do Councilmembers have input on which equity indicators the City should track?
Strategic Alignment

STRATEGIC ALIGNMENT

City Plan
Neighborhood Livability & Social Health 1.4
Neighborhood Livability & Social Health 1.3
High Performing Government 7.3
SSD Strategic Plan
Council Priorities

BUDGET

FTE:
Coordination, Compliance, Engagement
75+ staff volunteers
Revision Offer: $60,000
Donated Funds: $30,000
Project Objectives

Track
Disparities in outcomes faced by community members most likely to experience inequality

Support
Data-informed policy-making

Increase
Transparency and accountability so impacted communities can co-create/lead solutions and equity work can be better prioritized at both an institutional and systemic level
NONPARTISAN RESEARCH AND POLICY INSTITUTE

WORK TO IMPROVE GOVERNMENT SYSTEMS

DATA-DRIVEN APPROACHES THAT INFLUENCE POLICY AND OPERATIONS THAT SUPPORT WORK IN DIVERSE COMMUNITIES
CUNY ISLG Scope of Work

- Background Research
- Data Diagnostic
- City and County Staff Discussions
- Preliminary Landscape Analysis
- Community Input
- Final Landscape Analysis and Equity Indicators

We are here

Partnership with Internal City Equity Team

Attachment: PowerPoint Presentation (9753: Equity Indicators Update)
Community Engagement

- Seeking input from marginalized and typically underrepresented communities
- Community outreach: email, social media, flyer distribution, OurCity page
- 5-minute and 20-minute surveys
- 9 focus groups: approximately 14 hours of listening

<table>
<thead>
<tr>
<th>African-Americans</th>
<th>Individuals living with disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>LGBTQIA+</td>
<td>Latinx Americans</td>
</tr>
<tr>
<td>Religious minorities</td>
<td>Native Americans/Indigenous</td>
</tr>
<tr>
<td>Asian Americans &amp; Pacific Islanders</td>
<td>Mixed-status</td>
</tr>
</tbody>
</table>
Disparities across areas are deeply intersectional

A lack of social inclusion and understanding of different cultures deeply impacts many Fort Collins communities

Policies as drivers of inequity need to be understood head on

Assessing the state of equity in Fort Collins and progress should involve not just looking at the outcomes for different groups but at the funding and resources allocated to tackling these problems
## Key Domains

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Services</td>
<td>Essential services, parks and recreation,</td>
</tr>
<tr>
<td>Criminal Justice &amp; Public Safety</td>
<td>Law enforcement, incarceration, community supervision</td>
</tr>
<tr>
<td>Economic Opportunity</td>
<td>Poverty, income, employment, business ownership, childcare</td>
</tr>
<tr>
<td>Education</td>
<td>Achievement, representation, connections, barriers, attainment</td>
</tr>
<tr>
<td>Environmental Justice</td>
<td>Air quality, water quality, pollution</td>
</tr>
<tr>
<td>Housing</td>
<td>Affordable housing, homelessness, neighborhood characteristics</td>
</tr>
<tr>
<td>Public Health</td>
<td>Affordability, physical health, mental health, access to care</td>
</tr>
<tr>
<td>Social Inclusion &amp; Civic Engagement</td>
<td>Community, respect and acceptance, participation</td>
</tr>
<tr>
<td>Transportation</td>
<td>Commuting, transit access, biking, walking, driving</td>
</tr>
</tbody>
</table>
Data Sources for Preliminary Landscape Analysis

Existing reports
- Ex: 2020 Sustainability Gaps Analysis, Feasibility Study for Inclusionary Housing

Publicly available data or dashboards from local sources
- Ex: Colorado Department of Education, Fort Collins Police Services Transparency Data

Publicly available local data from national sources
- Ex: American Community Survey 5-year estimate, Bureau of Justice Statistics Annual Survey of Jails

Data provided by City/County departments
- Ex: Fort Collins Community Survey, Larimer County Community Health Survey (Health District)
Findings Across Areas

- White: 3
- Hispanic/Latino: 0
- Asian or Pacific Islander: 1
- Black: 7
- Native American: 1
- Other: 2
- Non-white, non-Hispanic: 2
- Hispanic and/or other race: 1

Values indicate discrepancies across different racial and ethnic categories.
Economic Opportunity

Out of 7 measures looking at race and ethnicity, disparities found on 5

For example:

Poverty:
• 16 in 100 whites
• 21 in 100 Hispanics/Latinx
• 20 in 100 Asians
• 22 in 100 Blacks
• 25 in 100 Native Americans

Median household income:
• White = $1.04
• Hispanic/Latinx = 80¢
• Asian = 94¢
• Black = 81¢
• Native American = 83¢
Housing

Out of 10 measures looking at race and ethnicity, disparities found on 9

For example:

Homeownership:
53 in 100 in Fort Collins

• 55 in 100 white households
• 42 in 100 Hispanic/Latinx households
• 52 in 100 Asian households
• 20 in 100 Black households
• 47 in 100 Native American households

Homelessness:
2 in 1,000 in Fort Collins

• 2 in 1,000 whites
• 2 in 1,000 Hispanics/Latinx
• 6 in 1,000 Asians
• 8 in 1,000 Blacks
• 7 in 1,000 Native Americans
Out of 8 measures looking at race and ethnicity, disparities found on 8

For example:

**Criminal arrests/citations:**
- 4 in 100 whites
- 1 in 100 Asians
- 17 in 100 Blacks
- 4 in 100 Native Americans

**Jail incarceration:**
- 1 in 1,000 whites
- 4 in 1,000 Hispanics/Latinx
- 1 in 1,000 Asians
- 9 in 1,000 Blacks
- 1 in 1,000 Native Americans
Establishing Equity Indicators

- Indicators are ways to assess and measure difficult-to-define concepts
  - Allow us to measure progress in achieving goals related to these concepts

- Equity Indicators are ways to assess and measure disparities on those concepts

For example:

<table>
<thead>
<tr>
<th>Concept</th>
<th>Indicators</th>
<th>Equity Indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Criminal Justice</strong></td>
<td>Incarceration rates</td>
<td>Disparities in incarceration rates for different racial and ethnic groups</td>
</tr>
<tr>
<td><strong>Economic Opportunity</strong></td>
<td>Income</td>
<td>Disparities in income for different genders</td>
</tr>
</tbody>
</table>
Considerations When Choosing Indicators

- Importance for measuring and understanding disparities

- Data availability and quality
  - Is the data collected regularly?
  - Is the data broken down by group or geographic area to allow for comparison?

- Ability to interpret results
  - Is it clear what an increase or decrease in the measure would mean?
  - Does the measure really get at what we want to assess?
Next Steps

- Building on landscape analysis and selecting equity indicators in December
- Equity indicators report finalized in mid-January
- Findings presented to Ad-Hoc Committee 1/25
- Staff input data into dashboard beginning Q1 of 2021
- Benchmarks and target setting will begin in Q1 of 2021
Council Direction

• Do Councilmembers have input on which equity indicators the City should track?
WORK SESSION ITEM
City Council

SUBJECT FOR DISCUSSION

Possible Charter Amendments.

EXECUTIVE SUMMARY

The purpose of this item is to discuss Charter amendments Council may be interested in submitting to the voters at the April 6, 2021 election.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What amendments, if any, would Councilmembers like staff to bring forward for formal consideration?

2. What additional information is needed in order for staff to bring Charter amendments of interest to Council forward for Council consideration on January 5, 2021?

BACKGROUND / DISCUSSION

The next Regular election to be conducted by the City of Fort Collins will be held on April 6, 2021. This presents an opportunity to bring forward proposed Charter amendments for voter consideration. Council must adopt an ordinance to refer any such changes to the voters on second reading no later than the second Council meeting in January (January 19). The potential Charter amendments outlined below for discussion include election-related charter amendments discussed by the City Council Election Code Committee, as well as other election, Council vacancy, finance and organization-related Charter amendments suggested by staff to update the Charter to adapt to and allow evolving practices.

To summarize, the following Charter amendments are described below:

Election-Related Amendments

1. Amending Article II, Section 4 to conform with Article II, Section 1(d) to reflect the selection of Mayor Pro Temp does not occur until after the recount period has expired.

2. Amending Article VIII, Section 4(a) to eliminate the requirement that the affidavit of circulator contain a statement of the number of signers on that section of the petition.

3. Amending Article VIII, Section 5 to correct the reference to Municipal Judge in describing the Board of Elections.

4. Amending Article VIII, Section 8 regarding participation in elections by City employees, public service corporations or any other person having an interest in or intending to apply for a franchise or contract with the City, and political parties to allow Council to adopt restrictions in the City Code or to revise the Charter the restrictions.
5. Amending Article VIII, Section 9 regarding Corrupt Practices if a modification of the consequences for criminal conviction for an offense at an election is desired.

Vacancy Appointment

6. Amending Article II, Section 18 to update the process for filling vacancies to address timing and options, if a process change is desired.

Finance-Related Charter Amendments

7. Amending Article II, Section 17 regarding publication of annual audit summary to allow additional time.

8. Amending Article V, Section 9 regarding supplemental appropriations to clarify revenues that may be appropriated.

9. Amending Article V, Section 11 regarding lapsed appropriations to allow a Council decision regarding lapsing of certain funds and to allow appropriations of private grants and donations to be nonlapsing.

Organization-Related Charter Amendments

10. Amending Article II, Section 5 Regarding Powers and Article IV, Section 2 Regarding Administrative Branch to allow Council to delegate organizational structure decisions to the City Manager.

11. Amending Article II, Section 5(b), Regarding Essential Administrative Functions and Services to add telecommunication facilities and services and transit services as essential functions.

12. Amending Article IV, Section 3 Regarding Residency Requirements to allow Council to determine and delegate to the City Manager authority to determine when residency should be required.

13. Amending Article XIII, Definitions, to conform to the changes proposed regarding organizational structure.

Explanation of Amendments Presented for Discussion:

Election-Related Charter Amendments:

In 2015, Council formed an ad hoc committee to review, discuss and recommend changes to the election process and to review and propose needed updates to City Code and Charter regarding elections and other related matters. In 2017, Council made the ad hoc committee a standing committee of the Council (the Election Code Committee or ECC) for the purpose of identifying and evaluating ideas for improvements to City election laws and practices and anticipating adjustments that may be needed to adapt to a rapidly changing legal and technological environment. Mayor Troxell and Councilmembers Pignataro and Summers are the current members of the ECC. Councilmember Pignataro serves as the Chair.

The ECC met regularly for much of 2020 and staff presented several Charter changes to the ECC for discussion. Some items suggested by staff to address inconsistencies within the Charter or update specified processes. In addition, staff provided background on some Charter provisions that had been the subject of discussion during and since the April 2019 municipal election. The ECC requested that staff bring these items forward to the full Council for discussion.

1. Amending Article II, Section 4 to conform with Article II, Section 1(d) to reflect the selection of Mayor Pro Tem does not occur until after the recount period has expired.

This item concerns a proposed amendment to City Charter Article II, Section 4, which governs when the Council must elect the Mayor Pro Tem following an election. This proposed amendment is to align Section 4 with City Charter Article II, Section 1(d), which was amended in 2017 to read that the Mayor and Council members shall take their oaths of office at the first regular or special Council meeting that occurs after the final certification of the election and after the time for recount expires.
The proposed amendment would revise the language in Section 4 to mirror the language of Section 1(d), meaning the Council would elect the Mayor Pro Tem at the first regular or special Council meeting following the final certification of election results and after the expiration of the recount period. Council may also wish to add language addressing the replacement of the Mayor Pro Tem in the event that office is vacated.

2. Amending Article VIII, Section 4(a) to eliminate the requirement that the affidavit of circulator contain a statement of the number of signers on that section of the petition.

This item concerns a proposed amendment to City Charter Article VIII, Section 4(a), which establishes requirements for the circulation of a nominating petition. Section 4(a) currently requires that the circulator of the petition provide a signed statement that states the number of signers in a particular section of a petition and that each signature was made in the circulator’s presence by the actual person whose signature it is. This requirement regarding the number of signers is similar to a requirement that had previously existed in Article VIII, Section 4(b). It stated that if a petition is found to be signed by more persons than the number of signatures the circulator certified, the last signatures in excess of the number certified must be disregarded. The provision in subparagraph (b) was removed in 2015, but the corresponding provision in subparagraph (a) was overlooked.

The proposed amendment removes a remaining reference to the circulator having to certify the number of signers of a petition, which is unnecessary and serves no practical purpose after the 2015 amendment.

3. Amending Article VIII, Section 5 to correct the reference to Municipal Judge in describing the Board of Elections (not presented to the Election Code Committee).

This is a clean-up item that would update the reference in Section 5, describing the Board of Elections, to “Chief Judge” rather than “Municipal Judge.”

4. Amending Article VIII, Section 8 regarding participation in elections by City employees, public service corporations or any other person having an interest in or intending to apply for a franchise or contract with the City, and political parties to allow Council to adopt restrictions in the City Code or to revise the Charter restrictions.

This item concerns a proposed amendment to City Charter Article VIII, Sec. 8 which establishes limitations on participation in City elections by City employees, public service corporations or any other person having an interest in, or intending to apply for, a franchise or contract with the City. In particular, Section 8 places limits on whether those parties may make direct contributions and indirect expenditures in support of, or in opposition to, candidates for City office.

Article VIII, Section 8 states, in relevant part:

No political party or city employee, directly or indirectly, and no public service corporation, nor any other person, firm or corporation, owning, interested in, or intending to apply for any franchise or contract with the city shall contribute or expend any money or other valuable thing, directly or indirectly, to assist in the election or defeat of any candidate.

The application of Section 8 to City employees was the matter of some discussion during and after the 2019 election. Since the adoption of Section 8 in approximately 1980, there have also been developments in the law that may impact Section 8’s restrictions on who may contribute or expend money or things of value, directly or indirectly, to assist in the election or defeat of a Council candidate.

Council could remove Section 8 from the Charter and adopt an ordinance to replace it with provisions in City Code. Placing these restrictions in City Code would allow the City Attorney’s Office to craft restrictions taking into consideration changes in the law since Section 8’s original adoption in 1980. Placing the restrictions in the City
Code would also make it easier to amend the restrictions in light of what is a relatively active area of the law.

Alternatively, Council may want to consider asking the voters to approve an amendment to this provision that modifies the specific prohibitions to more closely track legal developments concerning restrictions on campaign contributions.

5. **Amending Article VIII, Section 9 regarding Corrupt Practices if a modification of the consequences for criminal conviction for an offense at an election is desired.**

   This item concerns the corrupt practices language in City Charter Article VIII, Section 9, which states:

   Any person who violates at a city election any state law, provision of this Charter or ordinance of the city shall, upon conviction thereof, be disqualified from holding any city position or employment for two (2) years, or any elective office for four (4) years.

   The substantial penalties in Section 9 were brought to Council’s attention during a campaign finance enforcement action arising from the April 2019 election. The Election Code Committee discussed these penalties in light of potential amendments it was addressing regarding the campaign finance violation framework as a whole. In particular, the Committee sent to Council proposed amendments to Chapter 7 of City Code to make the majority of campaign finance violations noncriminal. Council made these amendments by adopting Ordinance No. 109, 2020, on September 15, 2020.

   Now that the majority of campaign finance violations are civil, rather than criminal, if a person is found liable for such a violation no conviction is entered. Convictions only occur in criminal enforcement actions. Because most violations would no longer result in a conviction, most violations would not trigger the penalties in Section 9, which only applies in the event of a “conviction.” This means that the likelihood of Section 9’s substantial penalties being at issue are greatly reduced, which may address the concerns previously raised by Council and the Committee. With the majority of violations not being subject to Section 9, an amendment may not be required.

   However, if Council desires to make changes, possible amendments could include:

   A. removing Section 9 entirely;
   B. amending the language to clarify what is meant by “at a city election;” or
   C. amending the language to change the types of offenses that would trigger the penalties of Section 9.

   An additional item that Council may wish to discuss is whether Council is satisfied with the process for filling Council vacancies:

6. **Amending Article II, Section 18 to update the process for filling vacancies to address timing and options, if a process change is desired.**

   When a vacancy occurs near the beginning of a City election year (which is commonly caused by a Councilmember’s election to another office), there are unique timing considerations for filling the vacancy.

   The Charter currently requires that any vacancy on the Council be filled within 45 days by appointment of the Council. If the 45-day period for filling the vacancy falls within the 45 days prior to any regular election, and the remaining unexpired term of the Councilmember to be replaced is more than 2 years, then the vacancy is filled by the newly-constituted Council following their election, and within 45 days after the term of office begins for new Councilmembers. In order for the 45-day appointment period to run prior to the 45-day deadline prior to the election, the departing Councilmember typically needs to resign in a timely manner to facilitate that process. If the resignation is not effective more than ninety days before the election, the selection of a replacement becomes the responsibility of the newly seated Council after the election.
Because Council has had direct experience with this process twice in recent years, this may be an appropriate time for Council to consider the way the process works and suggest changes, if any, that may be of interest.

There are a number of additional Charter amendments that are being considered in addition to the election-related ones listed above. They include:

**Finance Related Charter Amendments:**

7. **Amending Article II, Section 17 regarding publication of annual audit summary to allow additional time.**

   This item concerns the date by which a summary of the City’s annual audit is required to be published in the *Coloradoan* each year. Article II, Section 17 currently reads:

   Section 17. - Independent annual audit.

   The Council shall provide for an independent audit at least annually by a certified public accountant of all books and accounts of the city, and shall publish a summary thereof once in the manner provided for publication of legal notices within five (5) months after the end of each fiscal year.

   It has been staff’s experience that the City’s annual audit is sometimes difficult to complete within 5 months of the end of each fiscal year. Therefore, staff is recommending that Section 17 be amended to allow the legal notice for the audit summary be published within 7 months of the end of the fiscal year instead of 5 months. This should give sufficient time for the audit to be completed each year.

8. **Amending Article V, Section 9 regarding supplemental appropriations to clarify revenues that may be appropriated.**

   This item concerns an amendment so Section 9 of Charter Article V to clarify that the City Council can make supplemental appropriations not only from the City’s estimated actual and anticipated revenues received in the fiscal year of the supplemental appropriation, such as tax and fee revenues, but also from any other kind of funds the City has received or is anticipated to receive in that fiscal year, such as grant money and proceeds from debt issuance or borrowing. Section 9 would also be amended to clarify that the same would be true for supplemental appropriations of both revenues and other funds in reserves accumulated in prior years. To reflect these amendments, Section 9 would be revised as follows:

   Section 9. - Supplemental appropriations.

   The Council, upon recommendation of the City Manager, may make supplemental appropriations by ordinance at any time during the fiscal year; provided, however, that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, shall not exceed the then current estimate of actual and anticipated revenues and all other funds received and to be received by the city during the fiscal year. This provision shall not prevent the Council from appropriating by ordinance at any time during the fiscal year such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

9. **Amending Article V, Section 11 regarding lapsed appropriations to allow a Council decision regarding lapsing of certain funds and to allow appropriations of private grants and donations to be nonlapsing.**

   Section 11 of Charter Article V currently provides that all appropriations unexpended or unencumbered at the end of a fiscal year lapse, except for two categories of appropriations that Section 11 states “shall not lapse.” The first category is appropriations for City capital projects. The second category is appropriations for federal and state grants.

   Staff is proposing that Section 11 be amended in two respects. First, that it be amended to leave to Council’s discretion and determination whether a particular appropriation for a capital project or grant should be non-
lapses. There are times when it is better from an administrative perspective that such appropriations be non-lapsing and other times when it is beneficial for the appropriation to lapse at the end of the fiscal year. Second, that it be amended to allow addition types of grants to be non-lapsing be extended, to include not only federal and state grants, but also grants and donations the City receives from private persons and entities. This amendment addresses the fact that the City is more often receiving private grants and donations. To accomplish these changes, Section 11 is proposed to be amended as follows:

Section 11. - Lapsed appropriations.

All appropriations unexpended or unencumbered at the end of the fiscal year shall lapse to the applicable general or special fund, except that the Council may designate in an ordinance appropriations appropriating funds for capital projects and for federal, or state and private grants and donations shall not lapse until the completion of the capital project or until the earlier of the expiration of the federal, or state or private grant or donation or the city’s expenditure of all funds received from such grant or donation.

Nothing herein shall limit the ability of the Council to terminate a capital project or a federal, or state or private grant or donation at any time prior to completion of the project or prior to expiration of or the city's expenditure of all funds from the grant or donation.

Organization-Related Charter Amendments:

10. Amending Article II, Section 5 Regarding Powers and Article IV, Section 2 Regarding Administrative Branch to allow Council to delegate organizational structure decisions to the City Manager.

This item concerns the process for establishing the City organizational structure. Currently changes to the City’s organizational structure must be adopted by Ordinance. This amendment would authorize City Council to delegate the authority to establish, change, consolidate or abolish administrative offices, service areas or agencies to the City Manager, so long as the administrative functions and public services established by the Charter are not abolished in any such reorganization. The amendment would not require Council to delegate this responsibility but would provide the ability for them to do so in support of a more agile administrative process. With the exponential rate of change, adaptive and resilient organizations are critical to meet the demands of an evolving community.

11. Amending Article II, Section 5(b), Regarding Essential Administrative Functions and Services to add telecommunication facilities and services and transit services as essential functions.

This item adds to the list of essential administrative functions and services in Section 5(b) a new item (9) telecommunication facilities and services and a new item (10) transit services.

The current list of essential services that the City must provide is as follows:

(1) fire suppression and prevention;
(2) police services;
(3) finance and recordkeeping;
(4) electric utility services;
(5) water supply and wastewater services;
(6) street maintenance;
(7) storm drainage;
(8) planning and zoning.

12. Amending Article IV, Section 3 Regarding Residency Requirements to allow Council to determine and delegate to the City Manager authority to determine when residency should be required.

This item removes the specific designations for residency requirements, and instead authorizes City Council to establish residency requirements by ordinance, or to delegate this authority to the City Manager.
A critical component for attracting and retaining competitive and diverse talent to serve the community is the selective use of alternative work models, including remote working. While residency requirements will still exist for certain positions, allowing the ability to adapt to changing conditions is important and is tied to allowing more flexibility in the structure of the City organization.

13. **Amending Article XIII, Definitions, to conform to the changes proposed regarding organizational structure.**

This item is a companion change to changes in Article II, Section 5 regarding powers and Article IV, Section 2 regarding administrative branch in that it expands the definition of “Service area” to mean a major city administrative unit designated as a service area by the City Council by ordinance or by the City Manager as such authority is delegated by the City Council.

**Next Steps:**

Based on the concerns and interests identified during the Work Session discussion, staff will bring forward ordinances placing proposed Charter changes on the April ballot for Council’s consideration at the January 5, 2021, regular Council meeting.
SUBJECT FOR DISCUSSION

Single Use Plastics Ballot Item Discussion

EXECUTIVE SUMMARY

The purpose of this work session is to continue Council discussion on initiating a single-use plastic ballot measure.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

What are Councilmember preferences on the outlined decision points?

- What type of regulation should the ballot measure include: ban, fee, or ban/fee hybrid?
- What businesses should be subject to such regulation: large grocers, all grocers, food service, retailers?
- What mechanism should be used for adoption of regulation:
  o submission of ordinance to voters *without Council adoption first*
  o referral of ordinance to voters *after Council adoption*
- What items should the regulation cover: plastic bags, paper bags, polystyrene, accessory items, plastic plates, cups, etc.?

BACKGROUND / DISCUSSION

Reducing Plastics Pollution is an adopted Council Priority, which aligns with the community’s Road to Zero Waste goal to produce zero waste by 2030 as well as the goal to sustain and improve the health of the Cache la Poudre River and watershed.

Past Council Action

Funding:

- Midcycle budget offers funded:
  o $35k to conduct plastic pollution reduction awareness and engagement during 2020.
  o $35k for a study to address microplastics pollution in Fort Collins’ local waterways.

Work Session:

- February 11, 2020 - During this work session, staff provided plastic pollution context and learnings from peer communities. Council provided direction for action both on micro and macro pollution. (Attachment 1)

- October 27, 2020 - During this work session, staff provided a progress update on plastic pollution awareness work, policy development and outreach, and a staff recommendation. Councilmembers indicated interest in moving plastic bag policy to a ballot measure. (Attachment 1 and 2)

To put a plastic pollution question on the April ballot, staff will need direction on key decision points covering both logistical matters and preferred policy elements. The following sections provide details of the outstanding decision
points. Based on recent conversations with Council and best practices from other cities, staff also presents a recommended base suite of policy elements that can apply to various types of policies (bans, fees, etc.) following the key decision point sections.

**Key decision points**

<table>
<thead>
<tr>
<th>Type of policy</th>
<th>Businesses impacted</th>
<th>Mechanism</th>
<th>Other additions</th>
</tr>
</thead>
<tbody>
<tr>
<td>❑ Ban</td>
<td>❑ Large grocers</td>
<td>❑ Initiative</td>
<td>❑ Accessory items</td>
</tr>
<tr>
<td>❑ Fee – plastic</td>
<td>❑ All grocers</td>
<td>❑ Referendum</td>
<td>❑ Styrofoam</td>
</tr>
<tr>
<td>❑ Fee – plastic and paper</td>
<td>❑ All food service</td>
<td></td>
<td>❑ Plates, cups, etc.</td>
</tr>
<tr>
<td>❑ Hybrid</td>
<td>❑ All retailers</td>
<td></td>
<td>❑ Future consideration - OCF</td>
</tr>
</tbody>
</table>

**Type of policy**

**Question:** Does Council prefer a ban on plastic bags, a fee on plastic bags, or a plastic bag ban with paper bag fee combination? The following options, information on efficacy and notes provide context on these elements:

- **Plastic Bag Ban** - Prohibits plastic bags from being distributed by a specific type of business (e.g. grocers, retailers, etc.)
  
  - Efficacy: Dramatically reduces plastic bags but can significantly increase paper bag distribution which may shift the environmental burden elsewhere instead of mitigating it.

  - Note: Few cities have solely used a ban - most have switched to a ban/fee hybrid. When paper bags are still distributed for free, most consumers simply switch to using paper bags. Paper bags have a higher environmental impact than plastic in some categories (e.g. GHG emissions, water use for producing, etc.). See section on Systems Approaches for more details.

- **Plastic and/or Paper Bag Fee** Places a fee on plastic bags and/or paper bags, ranging from five to twenty cents to recover costs of recycling and managing these material streams.

  - Efficacy: Data from the City of Boulder suggests a fee on plastic and paper bags is effective at reaching a 70% reduction in bags overall. This approach typically does not achieve a 100% reduction. Note that if the fee applies only to plastic bags, consumers may shift to paper bags. See section on Comprehensive and Systems Approaches for more details.

  - Note: Many cities (including Boulder) have conducted an evaluation to review the costs incurred to the City and determine the appropriate fee amount. *(Attachment 3)*

- **Bag/Fee Hybrid**

  - Efficacy: Best peer city examples suggest that combining a plastic bag ban with a paper bag fee results in the best long-term results for single use plastic bag reductions, keeping paper bag use low, and encouraging reusable bags to contribute to zero waste goals. The Palo Alto case study has more information of their hybrid approach. *(Attachment 4)*
Businesses impacted

Question: What types of businesses should be subject to this policy? Many types of businesses hand out plastic bags with purchases, including grocers, restaurants, and retail establishments. The following information outlines options and considerations.

- Large grocers
  - Note: Many large grocers have existing practices and policies that can be applied locally if a bag policy is enacted. These practices and policies have already been developed to comply with bag policies in other jurisdictions.

- Expanded scope
  - All grocers
  - Food service
  - All retailers and food service
  - Note: Due to COVID-19 food service and many retailers are experiencing significant challenges that may be exacerbated by policy changes in the near-term.
  - Significantly increases the number of locations regulated and the compliance workload for the City.

Ballot timing

Staff understands Council interest to submit or refer a ballot question to the April election, which is lower cost and initiates potential nearer term progress on Council’s priority. Including the question on the November ballot is also an option. (Attachment 5)

Mechanism

Question: With no community-led petition being circulated currently, does Council wish to submit a question as a Council initiative or adopt an ordinance and use the ballot measure as a referendum?

Pursuant to the Charter, Council may submit any question or proposed ordinance or resolution to the voters via Council initiative. Alternatively, Council may refer any adopted ordinance or resolution to a vote of the people via Council referendum.

- Initiative:
  - Council submits ordinance to the voters without adopting it first
  - If adopted by the voters, the ordinance can only be amended by subsequent vote of the people
  - Council could include the ability for Council to make amendments in the ordinance, pending further legal review

- Referendum:
  - The Council adopts an ordinance first, and then puts it on the ballot for voter consideration
  - If voter approval is received, Council is able to make future changes to the ordinance without voter approval

Other additions

Question: Does Council wish to expand the policy beyond bags and add any of the following items or other policy types?
• Additional items
  o Accessory items (e.g. straws, stirrers, toothpicks)
  o Polystyrene (i.e. Styrofoam)
  o Serviceware (e.g. cups, plates, lids, etc.)

• Policy options
  o Bans - Ban single use plastic items.
    o Note: May need to be evaluated for alignment with State law.
  o Upon Request - Require single-use plastic items only be provided upon customer request.
  o Note: Can create a broad reaching policy to reduce single-use plastics that does not create access issues for disabled community members or limiting consumer choice.

Staff recommended base case

• The base case is the recommended approach to any of the policy options.

• Implementation:
  o Implementation begins one-year post election
  o Two-year campaign to provide free reusable bags to the community, ensuring distribution to those most impacted by the change.

• Enforcement:
  o Compliance audit of retailers and data collection from retailers.
  o Civil penalties applied to retailers violating the bag policy.
  o Annual reporting to Council on outcomes: equity impacts, mitigation impacts, compliance.

• Risk mitigation:
  o Draft ballot language/ordinance to allow City Council to:
    • amend the ordinance if future stakeholder engagement or annual reporting finds policy elements to be inequitable or ineffective.
    • amend ordinance implementation dates if conditions change due to COVID-19 or other unforeseen situations.
  o Draft ballot language/ordinance to allow City Manager to suspend in unforeseen situations, like COVID-19, that impact public health or disrupt supply chains.

Engagement

With an April election, all engagement from the City would need to end by February 2, 2021. In December 2020 and January 2021, staff would share with the community an online survey to gather feedback about the proposed elements.

Systems Approaches

Mayor Troxell recently shared an article (link below) with Council and staff speaking to the need for a systems approach, the trade-offs of alternatives and policy action as only one piece of the puzzle.

A systems (or comprehensive) approach is one that engages multiple elements in the system to address an issue. For example, in the case of addressing single-use plastics, a systems approach could include policy that
balances trade-offs between different types of environmental burdens, improving existing recycling infrastructure and technologies, addressing the circular value chain for packaging, and increasing consumer awareness and community support for behavior change.

For plastic bag policies specifically, a systems approach involves addressing multiple materials systemically for maximum positive environmental impact. This avoids an unintended consequence if an item targeted by a policy is replaced by an item of similar environmental impact, thus shifting rather than reducing environmental impact.

- An example of shifting environmental impact could be reducing the waterway pollution impact from plastic bags with a ban but increasing greenhouse gas impacts from paper bags if they are not also considered in a policy.

A systems approach is supported in the following mechanisms at the City:

- Our Climate Future Big and Next Moves
  - The broader work of taking a systems approach to plastics and waste management is incorporated in the Our Climate Future work, through Big Moves such as:
    - Circular Economy
    - Cooperative Communities
      - Universal Recycling and Composting
  - The City’s Legislative Policy Agenda on Recycling and Solid Waste Reduction incorporates many elements of a systems approach, including these statements
    - Encourages integrated, sustainable waste management planning and implementation policy, including but not limited to centralized data collection requirements and reaching statewide diversion targets.
    - Supports greater producer responsibility initiatives, such as “take back” regulations that assist consumers to appropriately recycle packaging materials or certain products (e.g., cardboard and expanded polystyrene packaging, single-use plastic shopping bags, or mattresses). Producer Responsibility is already successfully implemented in Colorado for paint.


**Next steps**

Pending Council’s work session discussion on December 8, 2020, staff anticipates the following next steps:

- At the December 15, 2020 Council Meeting, consider a resolution directing staff to draft ballot language and a corresponding ordinance.
- Early December - end of January - Online survey and engagement for ballot measure.
- Additional next steps are dependent on Council direction on December 8, 2020. (Attachment 6)

**ATTACHMENTS**

1. Work Session Agenda Item, October 27, 2020  (PDF)
2. Work Session Summary, October 27, 2020  (PDF)
3. Fees vs. Attachments in Context of Plastic and Paper Bags Memo  (PDF)
4. Comprehensive Approach Case Study - Palo Alto  (PDF)
5. Ballot Timing Considerations Memo  (PDF)
6. Paths to April Election  (PDF)
7. PowerPoint Presentation  (PDF)
SUBJECT FOR DISCUSSION

Plastic Pollution Update.

EXECUTIVE SUMMARY

The purpose of this work session is to update Council on the status of the Microplastics Mitigation Study and Macroplastic Pollution Awareness and Policy work.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

MACROPLASTIC POLLUTION: Which option would councilmembers like staff to pursue for plastic pollution?

1) **Focus on Awareness and Delay Policy Discussion.** Focus awareness work funded through 2020 on making single-use “opt-in” vs. “opt-out” and other simple actions; re-evaluate policy work in 2021 based on readiness criteria (outlined below).

2) **Limited Policy Work.** In addition to awareness, focus policy work on most feasible option with respect to COVID-19 (e.g. “utensils and accessory items upon request only”) and reevaluate comprehensive approach to other plastic items in 2021.

3) **Comprehensive Approach.** In addition to awareness, prioritize policy work and maintain comprehensive approach.

4) **Refer Ballot Initiative.** In addition to awareness, place single-use plastic bag regulation on the April 2021 ballot.

BACKGROUND / DISCUSSION

Reducing plastics pollution is a Council priority, which aligns with the community’s Road to Zero Waste goal to produce zero waste by 2030 as well as its goal to sustain and improve the health of the Cache la Poudre River and its watershed.

Past Council Action

- Funding
  - Midcycle budget offers funded
    - $35k to conduct plastic pollution reduction awareness and engagement during 2020.
    - $35k for a study to address microplastics pollution in Fort Collins’ local waterways.
  - Work Session February 11, 2020
    - During this work session, staff provided plastic pollution context and learnings from peer communities.

Macroplastic Pollution Awareness and Policy Update

1) **Awareness: Outreach and Data Collection BFO Offer Update**

   a. Elements that have changed
      - Majority of campaign was delayed due to budget restrictions between March and mid-July.
      - Some messages have been adapted and presentations have been held virtually.
o Litterati app to characterize local plastic pollution had limited participation, as the best conditions for litter collection are in spring, which coincided with the onset of COVID-19.

b. Progress
o Adapted consumer awareness campaign in response to COVID-19: May the Fork Be With You campaign (Attachment 2).
  o Outreach to businesses and groups interested in plastic pollution from March through September.
  o Fall business recognition and awareness campaign will launch in late October and run through the end of the year. Campaign will feature businesses reducing plastic pollution and provide tips businesses can apply in their operations.
  o Community science and litter pick up campaign ran from March-July. Staff has also secured another year of the Litterati license to continue collecting litter pick up data.

2) Policy Development: Progress Update

A. Councilmember direction: Targeted engagement and equity lens

1) Elements that have changed
  o COVID-19 has disproportionately impacted several of the stakeholder groups that would potentially be highly impacted by a plastic policy.
  o With other priorities such as navigating closures, lost business, paying rent, and covering basic needs for these groups during the pandemic, this is a challenging time to ask for input. The Our Climate Future planning project has worked to engage these stakeholder groups and has encountered significant barriers to these groups engaging at this time; the same difficulty applies to engagement on the plastics topic.

B. Councilmember direction: Robust stakeholder and community engagement

1) Elements that have changed
  o During several months of engagement we have heard from primarily members of environmental groups and senior community members, and not the community at-large.
    ▪ Broad engagement tools not getting typical results (e.g. Utility Bill inserts).
    ▪ Low participation may relate to the significant focus in the community on COVID-19.
  o While there are committed individuals asking for change, it is unclear if there is broad support without more diverse participation.

2) Progress
  o Policy-focused outreach campaign including presentations, advertising, OurCity informational website and two online surveys between March and October of 2020.
  o Over 200 community members have engaged to date, primarily people from environmental groups and senior community members.
    ▪ Individual community members have also shared their interest directly with Council and staff is aware of a 600+ person petition to ban plastic bags.

C. Councilmember direction: Take a comprehensive approach to policy development

1) Elements that have changed
  o A comprehensive approach assumes the ability of community members to use reusable items (mugs, bags, containers etc.). Due to COVID-19 and new corporate policies, reusables are not currently allowed in many businesses.
    ▪ It is unclear when these will be available again making implementation uncertain.
2) Progress
   - 117 people have shown support for acting on many types of single-use plastic items (recognizing the limitations of who has been/not been engaged) with only four respondents disagreeing that the City should act. See Attachment 3 for more information.

D. Councilmember direction: Collect more data on the problem and existing solutions

1) Elements that have changed
   - Data collection from businesses
     - Businesses have been closed or operating in a limited capacity, making outreach to them about plastic pollution policy difficult.

2) Progress
   - See “Outreach and Data Collection BFO offer update” above for information on the Litterati community science data collection effort.
   - 4 out of 9 major and natural/organic grocery stores in Fort Collins offer a bag credit for bringing a reusable bag in non-COVID times. (Attachment 4)

Other elements that have changed

- Staff capacity
  - Due to retirement and COVID-related deployments, the Waste Reduction and Recycling team is currently understaffed.
  - Resources
    - The mid-cycle offer for plastic pollution awareness and engagement was on pause from March-July to support the 2020 budget rebalancing process, meaning only Q3 and Q4 is left for planning and executing policy engagement and awareness work.

Figure 1. Summary: Awareness and Policy Work Challenges

<table>
<thead>
<tr>
<th>Council Direction</th>
<th>On track</th>
<th>Significant challenges</th>
<th>Significant barrier</th>
</tr>
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<tbody>
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<td>Outreach and awareness work</td>
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<td>More data on the problem and existing solutions</td>
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<td>![asterisk]</td>
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</tbody>
</table>

Key: COVID-19  
Staffing  
On track

Possible approaches for moving forward

As discussed, community and stakeholder capacity for engagement, lack of reusable alternatives and unclear timelines for when they will be reintroduced, and understaffing present significant challenges to policy development. Recognizing this, the following options, including staff’s recommendation, are intended to focus future efforts based on Council direction.
1) **Staff Recommendation - Focus on Awareness and Delay Policy Discussion.** Focus awareness work funded through 2020 on making single-use “opt-in” vs. “opt-out” and other simple actions; re-evaluate policy work in 2021 based on readiness criteria (outlined below).

**Benefits:**
- Respects community priorities and limitations (e.g. basic needs, rent, lost business, etc.) related to COVID-19.
- Allows staff to focus on supporting businesses on COVID-19-related strategies to mitigate plastic waste.
- Delivers on awareness element of Council priority in anticipated timeline.
- Future policy work can be timed to when reusable alternatives are available again.
- Early results indicate future policy work may be supported by plastic-related strategies emerging from the Our Climate Future planning process.

**Risks:**
- This approach will not deliver a new plastics pollution policy for Council consideration by the end of Q1 2021.

**Proposed Criteria for Restarting Policy Engagement**
- Alternatives to single-use plastic items (e.g. reusable bags, mugs, etc.) are available or there is indication of their reintroduction within a one-year timeframe
- Community partners connected to key stakeholders indicate various groups are ready to engage in the conversation
- Staff proposes a mid-2021 update to Council on readiness criteria status

2) **Limited Policy Work.** In addition to awareness, focus policy work on most feasible option with respect to COVID-19 (e.g. “utensils and accessory items upon request only”) and reevaluate comprehensive approach to other plastic items in 2021.

**Benefits:**
- Mid-cycle funding available to support engagement.
- Advances Council priority with a policy consideration.

**Risks:**
- The highly impacted stakeholders may not be available for engagement.
- Scope of engagement and policy process is more limited than initially proposed.
- May need to be evaluated for consistency with State legislation.
- Would require new or redeployed additional staffing, such as a co-lead to support engagement.

3) **Comprehensive Approach.** In addition to awareness, prioritize policy work and maintain comprehensive approach.

**Benefit:**
- Delivers comprehensive policy for this Council’s consideration.

**Risks:**
- Policy conversation may not get needed buy-in in the current moment.
  - If the community does not support, may impede future policy work.
- Policy may not be possible to implement for several years due to COVID and conditions may change significantly in that time.
- To accomplish comprehensive policy work, would require additional staffing or staff resources would have to be diverted from other Environmental Services Department priorities (such as Our Climate Future, Regional Wasteshed, etc.), given the short timeframe now remaining for comprehensive plastics policy engagement.
4) **Refer Ballot Initiative.** In addition to awareness, place single-use plastic bag regulation on the April 2021 ballot.

**Benefit:**
- If successful, a ballot initiative would enact plastic bag regulation, reducing the amount of plastic bags that become litter.

**Risks:**
- Ballot initiative may have similar challenges as the Comprehensive Approach above, specifically, the availability of potentially highly-impacted community members and businesses to inform an equitable policy solution, of staff to develop ballot language, and of reusable alternatives due to the pandemic.
- May need to be evaluated for consistency with State legislation.
- Few peer or leading city examples are available to learn from.
  - The only example City staff is currently aware of is Louisville, CO. Louisville has referred a plastic bag fee of 25-cents to the April 2021 ballot.

**Microplastic Pollution Update**

1) **BFO offer:** Council appropriated $35,000 as part of the 2019 mid-cycle budget process to fund a study to address microplastics pollution in Fort Collins’ local waterways. There is currently an information gap that limits the ability of staff to quantify the occurrence of microplastics and develop a targeted mitigation action plan. Staff proposed hiring a contractor to conduct a scientific review of available microplastics monitoring and analytical methods and best practices and technologies for the collection and treatment of water to mitigate microplastics pollution within the City’s drinking water, wastewater and stormwater infrastructure.

   a. **Elements that have changed**
      - The project was paused in 2020 due to budgetary restrictions.
      - The COVID-19 Pandemic has forced program staff to adjust work priorities, workloads and schedules in order to continue providing world class services to our community while also providing necessary care for family members.
      - Expanded technical support for the Halligan Expansion as well as the emerging monitoring, response and recovery efforts for the Cameron Peak Wildfire have resulted in no staff capacity to complete the Microplastics Pollution Mitigation Project in 2020.

   b. **Progress**
      - Budgetary restrictions and constraints on staff capacity delayed progress on this project.
      - Staff will re-evaluate by the end of Q2 2021 if it will be feasible to complete in 2021. A reappropriation of 2020 funds will be required to complete this project. By this time, more will be known about the wildfire response and recovery effort resource needs.

2) **Council direction:** Council desired the project to also focus on outcomes related the health impacts of microplastics on people and wildlife

   a. **How direction would be addressed**
      - The prevalence of microplastics in our local waterways and impacts to humans and wildlife are not well understood. This project will provide an inventory of monitoring and analytical methods. Evaluating the toxicity of microplastics to people and wildlife is beyond the scope of this study; however, mitigating microplastics pollution with the City’s water infrastructure will likely lessen health risks of these pollutants to people and wildlife.
ATTACHMENTS

1. Agenda Item Summary - Work Session February 11, 2020 (PDF)
2. Spring Awareness Campaign (PDF)
3. Community Engagement Data (PDF)
4. Data Collection (PDF)
5. Powerpoint Presentation (PDF)
Mitigating Plastics Pollution.

EXECUTIVE SUMMARY

The purpose of this item is to share existing best practice research and to propose taking a comprehensive approach to mitigating single-use (macroplastic) pollution, while continuing to study microplastic pollution.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Macroplastics pollution
1. Do Councilmembers support a comprehensive policy and engagement approach to reducing plastic pollution?
2. Does Council have a preference on an initial focus area (e.g., plastic bags, straws, take-out containers) ?

Microplastics pollution
3. Do Councilmembers have input on staff’s approach to addressing microplastics?

BACKGROUND / DISCUSSION

City Council has identified plastics pollution as a priority concern for the City to mitigate, which aligns with the community’s Road to Zero Waste goal to produce zero waste by 2030 and its goal to sustain and improve the health of the Cache la Poudre River and its watershed.

Waste Reduction Context

In Fort Collins, plastic makes up around 10% of what is landfilled as “municipal solid waste”. With a community vision of producing zero waste by 2030, mitigating plastic pollution will be a necessary component of achieving this goal.

River Health Context

A healthy Poudre River and surrounding watershed provides innumerable benefits to the Fort Collins community, some of which include reliable, high quality water supply; flood attenuation and protection; recreation, health and wellness opportunities; healthy plant communities and habitat for fish and wildlife. Accordingly, the City invests considerable resources each year to ensure that the health of Poudre River is maintained and whenever possible, improved. Plastic pollution has the potential to negatively impact all these beneficial functions, whereas conversely, mitigating the problem supports and potentially even enhances outcomes in these areas.

Overview of Micro and Macroplastic Pollution Sources and Pathways

Practitioner knowledge about micro- and macroplastics differs. While the former is still a relatively new area, more is known about how to measure, track, and mitigate macroplastic pollution.
Microplastics

Microplastics are small plastic particles that are less than 5 millimeters in size and can include both visible and microscopic particles and fibers. Microplastics include particles that are either intentionally manufactured at very small sizes for the production of other plastic products or particles that form when larger plastic materials break down and fragment into progressively smaller pieces. These plastics originate from a variety of sources, including car tires, road markings, litter, personal care products, synthetic textiles and clothing, among others. The pathways for these materials to enter the environment include domestic and industrial disposal via the wastewater collection system and subsequent discharge of treated wastewater, stormwater runoff from the urban landscape, and improper disposal. Once these materials enter aquatic and terrestrial environments, they present hazards to fish, wildlife and potentially even humans, through ingestion and/or chemical exposure.

While the ubiquity of microplastics in terrestrial and aquatic ecosystems is well recognized, there is much less information available about effective methods for identifying, monitoring and mitigating microplastics pollution. As a result, the City is currently limited in its ability to develop targeted action plans around this issue.

To begin addressing this knowledge gap, Utilities provided funding in 2019 towards a microplastics study of the South Platte River Basin that was designed to identify sampling and analytical methods that are well-suited for Rocky Mountain streams. The study is a cooperative effort between Inland Ocean Coalition and the University of Colorado-Boulder. Utilities supporting funds for this project came from the Utilities Watershed Program operational budget and enabled the inclusion of two new study sites on the Poudre River.

Additionally, through the 2019 mid-cycle budget revision process, Council funded $35,000 for the purpose of conducting a scientific review focused on (1) analytical and sampling methods for monitoring microplastics; and (2) control technologies and industry best practices for mitigating microplastics pollution during the treatment of drinking water, wastewater and stormwater.

Macroplastics

Macroplastics are plastic particles (or products) larger than 5mm, including but not limited to single-use plastic items such as grocery bags, cups, take-out containers, etc. While some plastic is actively littered, many single-use plastic items enter the environment inadvertently. As depicted in the graphic below, winds can gust lightweight plastic items out of receptacles (or garbage trucks or landfills) and into the surrounding area. From there, storm events move plastic items into natural areas and local waterways. Once in natural areas and waterways, they may persist for hundreds of years, degrading into microplastics and at risk of being ingested by wildlife.

Global markets and impacts

Global markets for recyclable materials have suffered due to sweeping nationwide policy changes in China that halted the import of U.S. recycling commodities, including plastic materials. As the largest end-market for U.S. recycled plastics, this change has dramatically impacted cities’ ability to maintain recycling for some types of low-grade plastic.

Single-use items, including those made from low-grade plastic, often have a higher environmental impact than the same items made from sturdier materials that can withstand reuse (for example, durable plastic bags or utensils). While the environmental “payback” period may be longer for reusable items, they reduce environmental impacts along the supply chain, as well as locally.
Regional Wasteshed Coalition

Fort Collins, Larimer County, Loveland, Estes Park, and Wellington have collaborated since 2015 to plan for waste, recycling, and composting infrastructure once the Larimer County landfill reaches capacity. Waste-to-Energy (WTE), a technical process that converts materials, such as plastic, into energy through a combustion process, was identified as a Tier II recommendation. After Tier I recommendations have been implemented, the coalition will evaluate how waste-to-energy could recover single-use plastic items that cannot be recycled. The Regional Wasteshed Coalition’s Policy Advisory Committee is scheduled to re-assess Tier 2 recommendations (including waste to energy) in Q4 of 2020.

Past Council Actions

In 2014, City Council passed a single-use bag policy requiring grocers to charge a 10-cent fee on plastic and paper bags. Under this ordinance, grocers retained the fee with 50% being directed to the purchase and distribution of free durable bags for customers. This ordinance was repealed later in 2014 in response to the concerns of community members opposing restrictions on single-use bags.

Best Practice Approaches to Mitigating Single-Use Plastic Pollution

Measures to reduce plastic pollution range in mitigation potential, for example, awareness about littering or recycling plastic items (Attachment 1) may not have the same efficacy as options that reduce consumption of plastic in the first place. Many cities have embraced the “reduce” philosophy in order to disrupt the pathway described above. By reducing the consumption of single-use items, environmental impacts along the supply chain are also addressed. To understand nationwide best practices, staff engaged a Colorado consulting firm Ecocycle to speak with program managers across the U.S. about their plastic policies. Based on this research, some common mechanisms to reduce single-use plastics include:

- Banning items
- Enacting fees on items
- Restricting certain items and/or in certain situations
  - e.g., making accessory items like utensils available upon request only
- Awareness (generally paired with another measure to increase efficacy)

Some cities have targeted efforts to reduce single-use plastic as a whole category instead of enacting stand-alone policies that target individual plastic items (e.g., straws, bags, etc.). This comprehensive approach looks across multiple single-use plastic items and bundles of policies that, together, create a larger mitigation strategy to be implemented over time (multiple years). Creating a roadmap means impacted businesses and groups in the community know what to expect, can use up existing stocks, and have time to identify replacement items. Comprehensive approaches also allow time for the community to adjust to changes and learn from each policy component.
### Cities with Comprehensive Approaches

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<thead>
<tr>
<th>City</th>
<th>Action (Year)</th>
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**Attachment 2** lists peer cities, Colorado cities, and other U.S. cities that have acted on single-use plastics. **Attachment 3** provides a case study of Palo Alto’s policy work to mitigate plastic pollution.

### Current Actions - Plastic awareness campaign, data collection, and stakeholder engagement

Through the 2019 mid-cycle budget revision process, Council funded $35,000 for an awareness and outreach campaign on plastic pollution, covering both macro and microplastics (separate from the $35,000 funded for scientific review on microplastics). The campaign will launch in Q2 and raise awareness on why single-use plastic items (macropastics) are damaging to the environment, how they get there, and how they may eventually become microplastics. It will also encourage residents to:

- Reduce their use of single-use plastic items by declining items when they are offered and unnecessary
- Bring their own reusable items
- Correctly dispose of plastic items when they can’t be avoided.

The campaign will also have a business component that is currently under development.

In order to further raise awareness about the problem, the campaign will provide opportunities for the community to take action by:

1. **Removing plastic litter from the environment using the Litterati app**

   [Litterati](https://www.litterati.org/about) is an app that allows community members to photograph, tag, and geocode litter before disposing of it. Over 100,000 users in 117 countries have used this app to remove litter from their surrounding areas. In a collaboration between Sustainability Services, Natural Areas, and Human Resources, volunteers will be directed to download the app for City-led cleanups. The broader community will also be invited to participate in challenges.

   An additional benefit of Litterati is its ability to provide staff with data on:

   - Ratio of plastic to other materials
   - Percentage of specific types of plastic relative to all plastic found
   - Whether these data points are influenced by location
2. Providing input on what the City should do to mitigate single-use plastic pollution in Fort Collins.

Outreach will include opportunities for community members to share thoughts, as well as engage key stakeholders on a more targeted basis (e.g., the accessibility community and straws), acknowledging that this is a communitywide issue and that certain groups and businesses may be disproportionately impacted.

Initial list of stakeholder categories (Subject to refinement based on Council direction)

- Residents
- Members of the accessibility community who must regularly use single use plastics
- Historically underrepresented community groups, residents, and business owners
- Local businesses (restaurants, grocery stores, retail stores, etc.) who provide single use plastics to their customers or otherwise rely on them to do business
- Local businesses who manage single use plastic waste or who use it as a raw material
- Local business associations and chambers of commerce
- Local producers and suppliers of single use plastics (for example, wholesale suppliers of single use plastics)
- Local nature, environment, and sustainability focused advocacy groups
- Organizations directly involved in litter clean up
- City departments

Key Takeaways

Staff’s evaluation of peer, Colorado, and U.S. cities has led to the identification of best practices that Fort Collins could build upon, if Council desires to move forward. Key learnings from staff’s review of other cities actions and best practices are:

- Take a comprehensive approach that includes multiple items (e.g., individual type of plastic products), allowing the community to know what to expect, use up existing stocks, and have time to identify replacement items.
- Phase policy-development and implementation over time (multiple years).
- Move toward reusables and away from disposables.
- Thoughtfully engage stakeholders, including groups and businesses that will be impacted by policy measures.

Fort Collins is in a strong position of having some of the key characteristics of successful cities, including well-founded policies based on community vision and goals (Zero Waste, Climate Action Plan), as well as collaboration through regional wasteshed planning.

Next Steps

- Gather community and stakeholder input
- Launch plastics awareness campaign and collect data (midcycle offer)
  - Gather community and stakeholder input
- Regional Wasteshed Coalition’s Policy Advisory Committee is scheduled to reassess Tier 2 recommendations (including waste to energy) in Q4 of 2020.
- June 9, 2020 City Council work session.

ATTACHMENTS

1. Types of Single-Use Plastic Items (PDF)
2. List of Cities taking action (PDF)
3. Comprehensive Approach Case Study-Palo Alto (PDF)
4. Powerpoint presentation (PDF)
Types of Single-Use Plastic Items

The broader category of single-use plastic includes a wide-range of items, from cigarette butts and sanitary wipes to plastic bags and straws. The items listed below are those most commonly addressed by municipal plastic policies.

**Carry-out bags**: Bags made of thin, flexible plastic designed to transport purchases

**Polystyrene**: Plastic foam take-out coffee cups, plates, and containers.

**Foodware**: Plastic plates, cups, and utensils.

**Accessory items**: Lids, utensils, straws, stirrers, etc.
## Who is Taking Action?

Key: X = has taken action, P = planning to take action, C = comprehensive approach, R = repealed

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<th>Peer City</th>
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<td>Tacoma, WA</td>
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| Colorado City             |                |                             |                 |                  |
| Denver, CO                | X              |                             |                 |                  |
| Boulder, CO               | X              |                             |                 |                  |
| Avon, CO                  | X              |                             | P               |                  |
| Telluride                 | X              |                             |                 |                  |
| Aspen                     | X              |                             |                 |                  |
| Carbondale                | X              |                             |                 |                  |
| Breckenridge              | X              |                             |                 |                  |
| Fraser                    | X              |                             |                 |                  |
| Frisco                    | X              |                             |                 |                  |
| Vail                      | X              |                             |                 |                  |
| Nederland                 | X              |                             |                 |                  |
| Crested Butte             | X              |                             |                 |                  |
| Avon                      | X              |                             |                 |                  |
| Ridgeway                  | X              |                             |                 |                  |
| Steamboat Springs         | X              |                             |                 |                  |
| Winter Park               | X              |                             |                 |                  |

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<tr>
<th>Sample U.S. Cities - Not Comprehensive</th>
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<th>Polystyrene food containers</th>
<th>Accessory items</th>
<th>Food serviceware</th>
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Comprehensive Approach Case Study – Palo Alto

Population: 66,666

Disposable Bag Policy (2008)

The City of Palo Alto began addressing single-use plastics in 2008 with the adoption of its Retail and Food Service Establishment Checkout Bag Requirements Ordinance which banned the distribution of single-use plastic carry-out bags from grocery stores. After subsequent creek cleanup events showed that plastic bags were still prevalent in local creeks and on streets, the policy was updated in 2013 to include all retailers and food service establishments. The updated ordinance also required a 10-cent fee on all paper and reusable bags that were distributed to deter the use of single-use paper bags. In 2019, the policy was updated again to ban the distribution of single-use plastic bags for produce, meat, and bulk food bags and require these bags to be certified compostable (paper or bioplastic). The city’s policy is now one of the most comprehensive in the country because it affects many different business types, including all retailers and food service establishments, and many different types of single-use plastic bags, including carry-out bags as well as meat, produce and bulk food bags.

Key drivers for success

- **Other local policies**: Palo Alto’s plastic bag ban followed in the footsteps of other California cities including San Francisco and Santa Monica.
- **Store leadership**: Three of the city’s seven supermarkets had stopped distributing plastic bags as the city was exploring the policy.
- **Community support**: Public and City Council supported exploring policy options. Local nonprofits dedicated to the reduction of plastic pollution were helpful in garnering community support.

Effectiveness at meeting local goals

- City data from creek cleanups showed a 90% reduction in the amount of plastic bags in the creeks after ordinance went into effect.
- Compliance checks conducted by the city after implementation in 2008 found that over 90% of businesses complied with the policy. Future compliance checks will be conducted through the
Zero Waste group and will be scheduled after the next phase of the ordinance goes into effect in January 2020.

- Through a survey, Palo Alto saw a sharp decline in plastic bag use and an increase in the use of reusable bags following its plastic bag ban. However, paper bag use increased immediately in response to the plastic bag ban. Paper bag use sharply decreased once the city implemented a fee on paper bags in 2013, and this led to a further increase in reusable bags and customers not using any bags. From 2008-2015, overall plastic bag use has declined from over 50% of bags used to zero, and over 75% of bag use is now reusable bags or no bag.

**Significant challenges faced**

- **Opposition from plastics industry:** The American Chemistry Council and Dart Container Corp., one of the largest manufacturers of polystyrene foam food containers, lobbied against the policy and testified before the city council. The industry group SavethePlasticBag.com also threatened the city with a lawsuit. The California Restaurant Association also closely echoed the concerns of the plastic industry representatives.

- **Fee:** State law prohibits California cities from collecting a bag fee from retailers so retailers keep the entire 10-cent fee on all paper or reusable checkout bags sold.

**Disposable Foodware Policy (2019)**

In 2019, Palo Alto adopted the Disposable Foodware Reduction Plan, which is a three-phase program with the goal to eliminate the use of disposable foodware items and switch to reusable items in order to protect local watersheds and oceans, reduce litter, encourage Zero Waste, and reduce contamination in the composting program. The first phase of this plan was implemented in 2019 with the passage of the **Disposable Foodware Items and Other Disposable Products Ordinance**, which banned single-use plastic foodware accessory items including plastic straws, plastic utensils, plastic drink stirrers, plastic drink plugs, plastic food and drink picks, plastic drink accoutrements, and plastic produce bags. Businesses are required to provide only reusable or compostable alternatives, and these products must be offered only upon request or via a self-serve station. The policy applies to any business in Palo Alto that serves food, including restaurants, bars, delis, grocery stores, food trucks, hotels, convenience stores, and cafeterias. Hospitals were exempted from the program.

The goal of the Disposable Foodware Reduction Plan:

- Reduce the amount of single-use, disposable foodware generated in Palo Alto
- Encourage the use of reusable foodware
- Ensure that single-use disposable items are either recycled or composted

The plan has a phased approach:

- **Phase 1 – 2019:** **Disposable Foodware Items and Other Disposable Products Ordinance**
  - Bans single-use plastic foodware accessory items such as straws and stirrers.
• Requires compostable or reusable alternatives are offered only upon request or via a self-serve station.

  • Phase 2 – 2021
    • Charge for disposable cups and containers
    • Require reusable foodware for dine-in customers
    • Require all new construction for food service establishments to install a dishwasher

  • Phase 3 – 2025
    • Ban all single-use disposable foodware for take-out
    • Require all food service establishments to have one of the following services to support reusable foodware:
      ▪ Have a dishwasher on site
      ▪ Sign-up for dishwasher service
      ▪ Sign-up for reusable foodware service program
    • Require reusable foodware for take-out, including allowing residents to bring their own containers and/or implementing a citywide reusable food container rental/return program (see p. 59 for current pilot programs)

Key drivers for success

• Mitigate environmental impact: Palo Alto has a strong history of support for reducing waste, reducing the amount of plastics in oceans, decreasing litter in the community and reducing its climate impact.

• Support for compostables in business survey: The city’s survey of food businesses found ⅓ of food service establishments already utilized some form of compostable foodware and 52% reported it would be easy to switch to compostable products.

• Local community partners: The city partnered with Girl Scouts and a local high school biology class to conduct business surveys. Several nonprofits and community advocacy groups submitted a letter of support to the city and encouraged the city to take bolder action. Local stakeholders promoted not using plastic disposables and reducing use at local community events (i.e. farmer’s market).

• ReThink Disposable proves success stories at local businesses: The city signed a 3-year contract with ReThink, a technical assistance program provided by the City of Palo Alto Watershed Protection and Clean Water Action and Clean Water Fund. This program helps businesses, institutions, governments, and consumers reduce waste and associated costs by targeting disposable packaging items through outreach and education, and conducted local business case studies to show waste reduction and cost savings.

Effectiveness at meeting local goals

• The ordinance is expected to reduce waste by 290 tons per year and save 470 tons of carbon pollution once fully implemented.

• ReThink Disposables Report on how businesses in Palo Alto successfully reduced disposable foodware showed the effectiveness of minimizing disposable foodware: 111 businesses were
recruited and provided with outreach materials; 14 businesses were ReThink certified and found that 1,123,443 single-use foodware items were eliminated annually and had $32,023 combined total annual net-savings.

Significant challenges faced
- Council members were concerned with the availability of compostable foodware items.
- Businesses were primarily concerned about the additional cost of compostable items, the difficulty in finding replacements and that these products would still result in litter.

Supporting City Policies and Plans for Bags and Food Serviceware
- Palo Alto’s Bag Ordinance was adopted in 2008 to ban the distribution of single-use plastic bags at grocery stores. This was updated in 2013 to require a 10-cent fee on paper and reusable bags sold by the retailer, and to include all food service establishments. (There is no charge for customers to bring their own bags. However, retailers cannot provide reusable bags for free and must charge a minimum fee on any bags sold to the customer in order to reduce the distribution of any free bags of any type.) In 2019, the ordinance was updated again to include produce, meat, and bulk food bags, and require them to be reusable or certified compostable.
- The Expanded Polystyrene and Non-Recyclable Food Service Containers Ordinance was adopted in 2009 and updated in 2016. The policy prohibits foodservice and retail establishments from distributing prepared food in plastic foam or other non-recyclable plastic food service containers.
  - City facilities and events are prohibited from using disposable food service containers made from plastic foam or non-recyclable plastic.
- In 2017, guidelines were updated to prohibit city staff from using Petty Cash and procurement cards to purchase polystyrene products, bottled water, and other plastic products.
- The 2018 City of Palo Alto Zero Waste Plan has a goal of 95% waste diversion by 2030.
- The Disposable Foodware Reduction Plan was put together in 2018 by the Zero Waste Group, which is a roadmap for the city to switch from disposable foodware items to reusable foodware.
- The Disposable Foodware Items and Other Disposable Products Ordinance was adopted in 2019, banning plastic: straws, utensils, stirrers, beverage plugs, and produce bags. Alternative products must be compostable and can only be provided upon request or at a self-serve station.
- The Municipal Regional Stormwater Permit requires the city to eliminate storm drain litter by 2022.
Mitigating Plastics Pollution
Molly Saylor and Richard Thorp

Attachment: Work Session Agenda Item, October 27, 2020 (9749: Single Use Plastics Ballot Item)
Questions to Council

Macroplastics pollution
1. Do Councilmembers support a comprehensive policy and engagement approach to reducing plastic pollution?
2. Do Councilmembers have a preference on an initial focus area? (such as plastic bags, straws, take-out containers)

Microplastics pollution
3. Do Councilmembers have input on staff’s approach to addressing microplastics?
Plastics Pollution

COUNCIL PRIORITY
Plastics Pollution
- Microplastics
- Macroplastics

STRATEGIC ALIGNMENT
Environmental Health
- 4.4 Zero waste
- 4.9 Poudre River health

BUDGET
Midcycle funding
- $35K each for macroplastics and microplastics

Approximately 10% of Fort Collins’ municipal solid waste is plastic
State of Science and Policy

Microplastics
Plastic particles less than 5mm

Macroplastics
Plastic particles greater than 5mm

• Knowledge of pollution pathways
• Ability to quantify and monitor
• Efficacy of mitigation options
Microplastics: What are they?

Primary – manufactured at a size less than 5mm
  • Examples: microfibers, microbeads, pellets or “nurdles”
Secondary – break down into micro-particles
  • Examples: water and soda bottles, fishing nets, and plastic bags
Sources of Microplastics

- Paint / Coatings
- Synthetic textiles & clothing
- Personal Care Products (microbeads)
- Car Tires / Brake Dust
- Road Markings
- Litter
- Pellets / manufactured plastics
- Artificial turf
- Atmospheric Deposition
Current & Proposed Future Actions

Past Project
2019 Rocky Mountain microplastics survey phase II: Methodology Study
- Utilities Watershed Program funded two sites on Poudre River
- Study led by Inland Ocean Coalition & University of Colorado, Boulder

Current Project
Assess current state of the science on microplastics, with focus on:
- Analytical & monitoring methods - source identification and monitoring
- Control technologies - drinking water, wastewater, stormwater
### Mitigation Options

<table>
<thead>
<tr>
<th>Mitigation options</th>
<th>Challenges</th>
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<td>Anti-littering awareness</td>
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<td>Waste-to-Energy</td>
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<tr>
<td>Recyclable replacements</td>
<td>Risk of blowing out of bin</td>
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<tr>
<td>Compostable replacements</td>
<td>Wildlife risk &amp; contamination</td>
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Mitigation Options

<table>
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<tr>
<th>Mitigation options</th>
<th>Benefits</th>
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<td>Fees on items</td>
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<td>Ban items/require reusables</td>
<td>Avoid supply chain impacts</td>
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<td>Ban/fee hybrids</td>
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<tr>
<td>Item-specific restrictions</td>
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</table>

![Diagram showing different mitigation options and their benefits]
Types of Plastic Items

- Carry-out bags
- Polystyrene (Styrofoam)
- Foodware
- Accessory items
Carry-Out Bags

**What is it?**
Bags made of thin, flexible plastic designed to transport purchases

**Mitigation options:**
- Fees
- Bans
- Fee/ban hybrid

**Peer cities:** Santa Barbara CA, Palo Alto CA, Eugene OR, Portland ME, Santa Rosa CA, Tacoma, WA
Fort Collins context:

**Bag Policy 2014**: 10-cent fee on plastic and paper bags at grocery stores
- Grocers retained fee; 50% for free durable bags to customers
- Repealed in 2014 before implementation

**Current Efforts**: Awareness; plastic film recycling at TRC, grocers and box stores
Polystyrene Food Containers

What is it?
Plastic foam take-out coffee cups and containers.

Mitigation options:
- Fees
- Bans
- Restrictions
  - Dine-in only

Peer cities: Santa Barbara CA, Palo Alto CA, Eugene OR, Portland ME, Santa Rosa CA
Food Serviceware and Accessory Items

What is it?
Plastic plates, cups, lids, utensils, straws, stirrers, etc.

Mitigation options:
• Fees
• Bans
• Restrictions
  • Self-service stations; upon request

Peer cities: Palo Alto CA, Santa Barbara CA
Peer Communities

Palo Alto, CA
Santa Barbara, CA
Santa Rosa, CA
Portland, ME
Eugene, OR
Boulder, CO
Tacoma, WA
Denver, CO
Successful approaches:

• **Comprehensive strategy** with multiple policies
• Policy development and implementation over multiple years
• Move away from disposables and toward reusables
• Extensive stakeholder outreach
Stakeholder Outreach

Considerations

- Who should be engaged depends on item
- Insight from other cities
- Alignment with stakeholder goals

Examples of stakeholder types

- Accessibility community (need items due to disability)
- Local businesses that provide/sell/distribute single-use items
- Local businesses that recycle plastic
Next Steps

- Gather community and stakeholder input
- Launch plastics awareness campaign and collect data
- Continue supporting legislation to facilitate local action
- June 9th Council work session, single-use plastics update
- Regional Wasteshed: Policy Advisory Committee meeting on Tier 2 recommendations (including waste to energy) - in Q4 of 2020
- Microplastics study completion in Q3 2020
Questions to Council

Macroplastics pollution

1. Do Councilmembers support a comprehensive policy and engagement approach to reducing plastic pollution?

2. Do Councilmembers have a preference on an initial focus area? *(such as plastic bags, straws, take-out containers)*

Microplastics pollution

3. Do Councilmembers have input on staff’s approach to addressing microplastics?
Types of Plastic Items

- Carry-out bags
- Styrofoam
- Foodware
- Accessory items
Palo Alto, CA

• Disposable Foodware Reduction Plan
  • Reduce single-use
  • Encourage reusable
Sample Project Timeline

- **RESEARCH**
  - Micro: Sampling, Analysis & Control Technology
  - Macro: Policy Best Practices
  - Data Collection

- **OUTREACH**
  - B&C
  - B&C, Public & Stakeholders

- **POLICY**
  - Awareness

- **RECOMMENDATIONS**

- **WORK SESSION**

**City of Fort Collins**

Attachment: Work Session Agenda Item, October 27, 2020 (9749 : Single Use Plastics Ballot Item)
Spring Awareness Campaign: May the Fork Be With You

Description: May The Fork Be With You is an awareness and education campaign designed to raise awareness and provide an action that people can take to reduce single-use plastics. May The Fork Be With You encourages people to skip the utensils when ordering take out. The campaign was designed specifically in response to the increase in take-out ordering due to COVID-19. Messages were shared via social media and City communications and newsletters from May through the summer.

Community reception: May The Fork Be With You was well-received and several community members have requested the associated Zoom background.
**ATTACHMENT III: Community Engagement Data**

**Bottom line:** Staff does not have a complete picture of community support or concern due to generally low sample sizes and very low or no participation from stakeholders who could be disproportionately impacted by a policy.

**Stakeholders minimally or not engaged through survey:**
- Member of the LatinX community
- Grocery store owner/manager
- Coffee shop owner/manager
- Restaurant owner/manager
- Clothing retail owner/manager
- Producer, wholesaler, or supplier of single-use plastics
- Waste industry professional
- Small business owner/manager
- Income less than $25,094 per year
- High school or college student
- Member of a historically underrepresented group, please describe below
- Business owner/manager
- Person living with a disability
- Minority-owned business owner/manager

**Stakeholders engaged:**
- 169 survey responses across two surveys
  - Plastic Bag Survey – 47 responses
  - Single-Use Plastic Survey – 122 responses
- A significant number of responses were from members of environmental groups and senior community members.

**Key themes:**
- The majority of respondents were positive about addressing plastic bags and single-use plastics and mentioned a variety of voluntary and regulatory options in their responses.
- Many respondents
  - Attempt to limit their use of single-use plastics, including bags.
  - Feel frustrated when they are given single-use plastic items by default and do not have an option to opt out.
  - Are noticing a significant increase in the amount of single-use plastics due to COVID-19 and fewer alternative options.
- Reuse single-use plastics, such as bags, before discarding or recycling.
  - Some respondents (fewer than 15 responses)
    - Indicate support for action on single-use plastics but responded negatively to the City taking action.
    - Do not support action on single-use plastics at all.
ATTACHMENT IV: Plastic Pollution Data Collection

Community science campaign on local plastic pollution:

Starting in April 2020, Environmental Services partnered with Human Resources and Natural Areas to launch a community science project using the Litterati app to characterize local plastic pollution. Community members collected over 2,000 pieces of litter, much of which was plastic.

Key takeaways:

- Plastic litter comprised 48% of all items collected
  - 19% of items were cigarette butts
  - 29% of items were other types of plastic

![Fort Collins Plastic Litter Distribution](image)

*Figure 1. Fort Collins Plastic Litter Distribution. Figure excludes cigarette butts to better present the other categories. Note that this is community science data and should be interpreted as directionally correct vs. precise.*

Existing practices at Fort Collins major grocers:

Staff surveyed local bag-related practices by phone and found trends amongst national chains and natural/organic grocers.

Key takeaways:

- Major national chains in Fort Collins
- Offer plastic bags.
  - Do not offer bag credits for bringing reusable bags (3 out of 4 major grocers).
  - Report approximately 50% of people bring their own bags.
- Natural/organic grocers
  - Do not offer plastic bags (4 out of 5 natural/organic grocers).
  - Offer bag credits (4 out of 5 natural/organic grocers).
  - Report that the majority of people bring their own bags.
- Bag credits range from 2 – 10 cents and in some cases are associated with a donation program instead of the traditional cash back.
Mitigating Plastics Pollution
Molly Saylor
Which option would Councilmembers like staff to pursue for plastic pollution?
COUNCIL PRIORITY
- Plastics Pollution
  - Microplastics
  - Macroplastics

STRATEGIC ALIGNMENT
- Environmental Health
  - 4.4 Zero waste
  - 4.9 Poudre River health

BUDGET
- Midcycle funding
  - $35K each for macroplastics and microplastics
Grounding in plastic pollution

- Plastic pollution threats to waterways and wildlife
- More information is needed on how to better quantify and monitor microplastic pollution
- Litter as a source of pollution we can act on now
  - Peer cities and best practices recommend a comprehensive approach
  - Engagement – broad and targeted – is essential to good policy
Councilmember Input

1) **Targeted** engagement and **equity lens**

2) **Robust** stakeholder and community **engagement**

3) **Comprehensive approach** to policy development

4) **More data** on the problem and existing solutions
May the Fork Be With You
- Adapted to be relevant to COVID-19
- Well-received

Broad outreach
- Businesses & groups: HP, Broadcom, League of Women Voters, Interfaith Council
- Virtual Earth Day

Upcoming
- Business recognition and peer awareness
- Business tip guide
## Engagement Insights

### Who we’ve heard from
- 100+ people
- Environmental groups
- Seniors

### What we’ve heard
- Broad support for action on most items
- Specific interest in bags and polystyrene
- Current lack of alternatives
- Concern about plastic pollutions impacts

### Who we haven’t heard from
- BIPOC
- Small businesses
- People with disability
- People with limited English proficiency
COVID-19 Impacts

1. **Targeted engagement and equity lens**
   - COVID-19 disproportionate impact on “most-impacted” stakeholders
   - Competing priorities for historically underrepresented community members, i.e. housing costs, job loss, childcare, health

2. **Robust stakeholder and community engagement**
   - Engaged to date: environmental groups and seniors
   - Broad engagement tools not getting results
3. Comprehensive approach to policy development
   • COVID-19-related restrictions on reusable alternatives
   • Unclear timeline for return of reusable items

4. More data on the problem and existing solutions
   • Impact of COVID-19 on businesses makes data collection on existing practices challenging
   • Litterati campaign launched and data collected! Yet, limited reach due to COVID-19
## COVID-19 and Staffing Impacts

<table>
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<tr>
<th>Council Direction</th>
<th>On track</th>
<th>Significant challenges</th>
<th>Significant barrier</th>
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<tr>
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<td>Targeted engagement and equity lens</td>
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<tr>
<td>More data on the problem and existing solutions</td>
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**Key:**
- COVID-19 🦠
- Staffing 📌
- On track ✔️

**Packet Pg. 97**
Options for Moving Forward

1. **Focus on Awareness and Delay Policy Discussion.** Focus awareness work funded through 2020 on making single-use “opt-in” vs. “opt-out” and other simple actions; re-evaluate policy work in 2021 based on readiness criteria.

2. **Limited Policy Work.** In addition to awareness, focus policy work on most feasible option with respect to COVID-19 (e.g. “utensils and accessory items upon request only”) and reevaluate comprehensive approach to other plastic items in 2021.

3. **Comprehensive Approach.** In addition to awareness, prioritize policy work and maintain comprehensive approach.

4. **Refer Ballot Initiative.** In addition to awareness, place single-use plastic bag regulation on the April 2021 ballot.
Questions to Council

Which option would Councilmembers like staff to pursue for plastic pollution?

1. Focus on Awareness and Delay Policy Discussion
2. Limited Policy Work
3. Comprehensive Approach
4. Ballot Measure
MEMORANDUM

Date: October 30, 2020

To: Mayor Troxell and City Councilmembers

Thru: Jacqueline Kozak Thiel, Chief Sustainability Officer
Theresa Connor, Interim Utilities Executive Director
Liesel Hans, Utilities Deputy Director
Lucinda Smith, Environmental Services Director

From: Molly Saylor, Environmental Sustainability Senior Specialist
Richard Thorp, Lead Specialist, Science

CC: Jill Oropeza, Director of Sciences, Water Quality Services

Re: October 27, 2020 Work Session Summary: Plastics Pollution Update

Attendees: Jacqueline Kozak Thiel and Molly Saylor presented an update on microplastic and macroplastic pollution work in light of COVID-19 challenges. Mayor Troxell, Mayor Pro Tem Stephens, and Councilmembers Cunniff, Gorgol, Gutowsky, and Pignataro were present.

Key discussion points:

- Recognition of the challenges of engaging the community and most-impacted stakeholders on plastic pollution policy during COVID-19.
- Some interest in following the impact that State legislation would have on potential local action.
- There was interest in exploring a potential plastic pollution ballot measure
  - Perhaps a measure to ban plastic bags and perhaps considering accessory items as well.
  - Incorporating information from related actions in other communities.
- Perspective that COVID-19-related challenges, such as availability of alternative items and temporary suspensions in times of health crises, would need to be addressed
- Other perspectives include:
  - Interest in seeing waste-to-energy considered as part of a systems approach to plastic pollution mitigation, specific interest in follow up on the energy content of plastic items (see table below).
  - That a ballot measure is premature until more engagement can be done, more data collected on options (such as waste-to-energy) and COVID-19 has a lesser impact.
  - Concerns were raised about impacts of a regulation on businesses and consumers, especially while COVID-19 is reducing available options.
  - Interest in more data and health-related implications

Next steps:

- Macroplastics:
  - December 8th work session to continue discussion of a plastic pollution ballot measure.
  - Continue existing online engagement.

- Microplastics:
  - Staff will re-evaluate by the end of Q2 2021 if it will be feasible to complete the microplastics study in 2021.
  - By this time, more will be known about the wildfire response and recovery effort resource needs.
  - A reappropriation of 2020 funds will be required to complete this project.
Table 1 summarizes a range of energy values contained in plastics often used to make single-use items.

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<td>35.7</td>
<td>38.4</td>
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Note: Average does not include #7 resin category as it is highly variable and not uniformly characterized.

Fees in the Context of Plastic and Paper Bags

Bottom Line:

1. The City could require vendors to charge customers a disposable bag fee, rather than permitting them to give disposable bags away. If such a fee is not shared with or remitted to the City, it would not be a fee (or a tax) charged by the City. The City could include acceptable uses of the fee by the vendor in its ordinance.

2. To support a disposable bag fee that is paid to the City in whole or in part, the fee would need to be imposed for the purpose of running education, mitigation and/or waste reduction programs and the City should:
   - Identify the police power basis for its imposition of the fee and its role in a larger regulatory scheme of activities to be funded by it;
   - Identify how the amount of the fee bears a reasonable relationship to the cost of the overall program/service (e.g. recycling costs) and/or regulatory scheme it is intended to support (e.g. education, outreach and awareness, mitigation, waste reduction programs – which may require a fee study).

Decision Points – Charging a Fee:

- Who collects the fee – vendor?
- Is any portion of the fee remitted to the City?
- What can the vendor and the City use the fee for (if City, must be used to offset cost of service provided such as education/mitigation related to waste reduction programs for example)?
- Is the fee reasonably related to and not more than the cost of the programs and/or regulatory structure it is intended to support?

Fees v. Taxes: Fees are assessed to defray costs of providing specific services and cannot be used for another purpose. Taxes are assessed on the value of something (property, sale of goods, etc.) -- often referred to as ad valorem (added to and based on the value) and are used for general governmental purposes. New taxes cannot be imposed under TABOR without a vote.

Aspen Case: With these principles in mind, the relevant details of the Aspen case can be summarized as follows:

- In the Aspen case, a $.20 fee (waste reduction fee) is imposed by Ordinance for each disposable paper bag provided to a customer (it also banned plastic bags). The grocer retained a portion of the waste reduction fee (up to a monthly cap) to be used for specific costs (educational information to customers, staff training, infrastructure improvement/alternation and administration of the fee). The remaining amount was paid into the City Waste Reduction and Recycling Account to be used to fund specified waste reduction and recycling activities and projects.
- The issue that the Colorado Supreme Court in the Aspen case addressed directly was whether the fee was a really tax (which required a TABOR vote), and the Court held that it was not a tax requiring a vote under TABOR.
• The Court found the purpose of Aspen's charge was not to raise revenue to fund general governmental expenses so it was not a tax (and not based on the legislative power to tax). Instead, the Court found that the primary purpose of the charge was to “defray some of the costs of a comprehensive regulatory scheme aimed at improving environmental health and safety through a waste-reduction program” arising out of Aspen’s exercise of its regulatory police power focused on protection of health, safety, and welfare (which can be used to support “education and outreach on environmental sustainability”).

• The Court looked at the question of whether the charge was, “in fact, imposed to defray the direct or indirect costs of regulation and if the amount of the fee [was] reasonable in light of those costs. The Court found that the charge was only one part of a “larger regulatory scheme” to educate and promote waste reduction, recycling, and reduction of impact of disposable bags on the environment.

• The Court also found that the charge was “reasonable” based on “a San Francisco waste-reduction study that found the cost of subsidizing recycling costs for plastic and paper bags was $0.17 per bag” and (2) the City’s analysis of its recycling costs for such bags. On this basis, the Court held that a $0.20 fee per bag bears a reasonable relationship to the costs of the regulatory scheme it was assessed to fund and did not need to exactly match the cost of providing the service or regulating the activity (the cost of permitting the use of such bags).
Comprehensive Approach Case Study – Palo Alto

Population: 66,666

Disposable Bag Policy (2008)

The City of Palo Alto began addressing single-use plastics in 2008 with the adoption of its Retail and Food Service Establishment Checkout Bag Requirements Ordinance which banned the distribution of single-use plastic carry-out bags from grocery stores. After subsequent creek cleanup events showed that plastic bags were still prevalent in local creeks and on streets, the policy was updated in 2013 to include all retailers and food service establishments. The updated ordinance also required a 10-cent fee on all paper and reusable bags that were distributed to deter the use of single-use paper bags. In 2019, the policy was updated again to ban the distribution of single-use plastic bags for produce, meat, and bulk food bags and require these bags to be certified compostable (paper or bioplastic). The city’s policy is now one of the most comprehensive in the country because it affects many different business types, including all retailers and food service establishments, and many different types of single-use plastic bags, including carry-out bags as well as meat, produce and bulk food bags.

Key drivers for success

- **Other local policies**: Palo Alto’s plastic bag ban followed in the footsteps of other California cities including San Francisco and Santa Monica.
- **Store leadership**: Three of the city’s seven supermarkets had stopped distributing plastic bags as the city was exploring the policy.
- **Community support**: Public and City Council supported exploring policy options. Local nonprofits dedicated to the reduction of plastic pollution were helpful in garnering community support.

Effectiveness at meeting local goals

- City data from creek cleanups showed a 90% reduction in the amount of plastic bags in the creeks after ordinance went into effect.
- Compliance checks conducted by the city after implementation in 2008 found that over 90% of businesses complied with the policy. Future compliance checks will be conducted through the
Zero Waste group and will be scheduled after the next phase of the ordinance goes into effect in January 2020.

- Through a survey, Palo Alto saw a sharp decline in plastic bag use and an increase in the use of reusable bags following its plastic bag ban. However, paper bag use increased immediately in response to the plastic bag ban. Paper bag use sharply decreased once the city implemented a fee on paper bags in 2013, and this led to a further increase in reusable bags and customers not using any bags. From 2008-2015, overall plastic bag use has declined from over 50% of bags used to zero, and over 75% of bag use is now reusable bags or no bag.

Significant challenges faced

- **Opposition from plastics industry:** The American Chemistry Council and Dart Container Corp., one of the largest manufacturers of polystyrene foam food containers, lobbied against the policy and testified before the city council. The industry group SavethePlasticBag.com also threatened the city with a lawsuit. The California Restaurant Association also closely echoed the concerns of the plastic industry representatives.

- **Fee:** State law prohibits California cities from collecting a bag fee from retailers so retailers keep the entire 10-cent fee on all paper or reusable checkout bags sold.

Disposable Foodware Policy (2019)

In 2019, Palo Alto adopted the Disposable Foodware Reduction Plan, which is a three-phase program with the goal to eliminate the use of disposable foodware items and switch to reusable items in order to protect local watersheds and oceans, reduce litter, encourage Zero Waste, and reduce contamination in the composting program. The first phase of this plan was implemented in 2019 with the passage of the Disposable Foodware Items and Other Disposable Products Ordinance, which banned single-use plastic foodware accessory items including plastic straws, plastic utensils, plastic drink stirrers, plastic drink plugs, plastic food and drink picks, plastic drink accoutrements, and plastic produce bags. Businesses are required to provide only reusable or compostable alternatives, and these products must be offered only upon request or via a self-serve station. The policy applies to any business in Palo Alto that serves food, including restaurants, bars, delis, grocery stores, food trucks, hotels, convenience stores, and cafeterias. Hospitals were exempted from the program.

The goal of the Disposable Foodware Reduction Plan:

- Reduce the amount of single-use, disposable foodware generated in Palo Alto
- Encourage the use of reusable foodware
- Ensure that single-use disposable items are either recycled or composted

The plan has a phased approach:

- **Phase 1 – 2019:** Disposable Foodware Items and Other Disposable Products Ordinance
  - Bans single-use plastic foodware accessory items such as straws and stirrers.
Requires compostable or reusable alternatives are offered only upon request or via a self-serve station.

- Phase 2 – 2021
  - Charge for disposable cups and containers
  - Require reusable foodware for dine-in customers
  - Require all new construction for food service establishments to install a dishwasher

- Phase 3 – 2025
  - Ban all single-use disposable foodware for take-out
  - Require all food service establishments to have one of the following services to support reusable foodware:
    - Have a dishwasher on site
    - Sign-up for dishwasher service
    - Sign-up for reusable foodware service program
  - Require reusable foodware for take-out, including allowing residents to bring their own containers and/or implementing a citywide reusable food container rental/return program (see p. 59 for current pilot programs)

Key drivers for success

- Mitigate environmental impact: Palo Alto has a strong history of support for reducing waste, reducing the amount of plastics in oceans, decreasing litter in the community and reducing its climate impact.

- Support for compostables in business survey: The city’s survey of food businesses found ⅓ of food service establishments already utilized some form of compostable foodware and 52% reported it would be easy to switch to compostable products.

- Local community partners: The city partnered with Girl Scouts and a local high school biology class to conduct business surveys. Several nonprofits and community advocacy groups submitted a letter of support to the city and encouraged the city to take bolder action. Local stakeholders promoted not using plastic disposables and reducing use at local community events (i.e. farmer’s market).

- ReThink Disposable proves success stories at local businesses: The city signed a 3-year contract with ReThink, a technical assistance program provided by the City of Palo Alto Watershed Protection and Clean Water Action and Clean Water Fund. This program helps businesses, institutions, governments, and consumers reduce waste and associated costs by targeting disposable packaging items through outreach and education, and conducted local business case studies to show waste reduction and cost savings.

Effectiveness at meeting local goals

- The ordinance is expected to reduce waste by 290 tons per year and save 470 tons of carbon pollution once fully implemented.

- ReThink Disposables Report on how businesses in Palo Alto successfully reduced disposable foodware showed the effectiveness of minimizing disposable foodware: 111 businesses were
recruited and provided with outreach materials; 14 businesses were ReThink certified and found that 1,123,443 single-use foodware items were eliminated annually and had $32,023 combined total annual net-savings.

Significant challenges faced

- Council members were concerned with the availability of compostable foodware items.
- Businesses were primarily concerned about the additional cost of compostable items, the difficulty in finding replacements and that these products would still result in litter.

Supporting City Policies and Plans for Bags and Food Serviceware

- **Palo Alto’s Bag Ordinance** was adopted in 2008 to ban the distribution of single-use plastic bags at grocery stores. This was updated in 2013 to require a 10-cent fee on paper and reusable bags sold by the retailer, and to include all food service establishments. (There is no charge for customers to bring their own bags. However, retailers cannot provide reusable bags for free and must charge a minimum fee on any bags sold to the customer in order to reduce the distribution of any free bags of any type.) In 2019, the ordinance was updated again to include produce, meat, and bulk food bags, and require them to be reusable or certified compostable.

  - The **Expanded Polystyrene and Non-Recyclable Food Service Containers Ordinance** was adopted in 2009 and updated in 2016. The policy prohibits foodservice and retail establishments from distributing prepared food in plastic foam or other non-recyclable plastic food service containers.
    - City facilities and events are prohibited from using disposable food service containers made from plastic foam or non-recyclable plastic.

- In 2017, guidelines were updated to prohibit city staff from using Petty Cash and procurement cards to purchase polystyrene products, bottled water, and other plastic products.

- The 2018 **City of Palo Alto Zero Waste Plan** has a goal of 95% waste diversion by 2030.

- The **Disposable Foodware Reduction Plan** was put together in 2018 by the Zero Waste Group, which is a roadmap for the city to switch from disposable foodware items to reusable foodware.

- The **Disposable Foodware Items and Other Disposable Products Ordinance** was adopted in 2019, banning plastic: straws, utensils, stirrers, beverage plugs, and produce bags. Alternative products must be compostable and can only be provided upon request or at a self-serve station.

- The Municipal Regional Stormwater Permit requires the city to eliminate storm drain litter by 2022.
Ballot Timing Considerations

This attachment provides context for timing for a question included in the April or November election.

Descriptions include references to “submitting a ballot question” and “referring an ordinance” which are two different options for how Council may place a plastic policy on the ballot. More description and details on these options are presented in the Mechanisms section of the AIS.

April considerations

- Considerations by ballot mechanism:
  - If Council wants to submit a ballot question on the April 2021 ballot, it must do so by Resolution. In order to provide optimal time for preparation of the ballot, the preferred date to do so is February 2, 2021. The last possible date to do so is February 16, 2021.
  - If Council wants to adopt an ordinance and then refer it to the voters in April, second reading of the ordinance could occur no later than February 16. First reading could occur on February 2, or at an adjourned meeting on February 9.
- The cost to add an additional item to the April ballot is negligible, unless the total number and length of candidate races and ballot measures will not fit on a standard 8.5” x 11” ballot. An 8.5” by 14” ballot will increase material and mailing costs.

Staff support

- Ordinance development
- Online survey-based engagement between early December and January 31st
- City Clerk’s support for election-related matters
- City Attorney’s Office support for developing language

November considerations

- If Council determines it would rather target voter consideration at the November 2021 election, action to do so would need to occur no later than August 17.
- The cost to participate in a November election is based on three factors:
  - The number of entities participating in the election;
  - The number of registered voters in the City; and
  - Whether the City has any ballot issues required to be included in the TABOR notice.
- If the State of Colorado participates in the election, it pays $.80 per active voter in the County, thereby reducing the costs to be borne by all other participating entities.
- Until the participating entities for a November election are known, which can be as late as early September, there is really no way to estimate potential cost to the City to participate.
- The following table shows historical costs of November elections in which the City participated:

<table>
<thead>
<tr>
<th>Election Date</th>
<th>Cost</th>
<th>Questions on Ballot</th>
<th>TABOR Notice</th>
<th>In-City Voters</th>
<th>Ballots Cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov 2017</td>
<td>$68,690</td>
<td>Authorization to revise medical marijuana provisions and a Charter amendment relating to Broadband</td>
<td>No</td>
<td>118,082</td>
<td>38,097</td>
</tr>
<tr>
<td>Nov 2016</td>
<td>$129,436</td>
<td>Retention of excess KFCG revenue</td>
<td>Yes</td>
<td>123,641</td>
<td>85,570</td>
</tr>
<tr>
<td>Nov 2015</td>
<td>$ 61,425</td>
<td>Broadband</td>
<td>No</td>
<td>94,912</td>
<td>31,404</td>
</tr>
<tr>
<td>Nov 2013</td>
<td>$ 39,579</td>
<td>Fracking moratorium</td>
<td>No</td>
<td>96,824</td>
<td>43,562</td>
</tr>
<tr>
<td>Nov 2012</td>
<td>$292,276</td>
<td>Repeal of ban on medical marijuana</td>
<td>No</td>
<td>93,075</td>
<td>80,595</td>
</tr>
<tr>
<td>Nov 2011</td>
<td>$ 16,125</td>
<td>Ban on medical marijuana</td>
<td>NO</td>
<td>71,251</td>
<td>37,053</td>
</tr>
</tbody>
</table>

**Bold italics indicates a Presidential election year**

**Staff support**

- Ordinance development
- Online survey-based engagement
- Stakeholder meetings (pending COVID-19 developments may be possible by November, likely not possible in the April timeframe even if virtual)
Paths to April Election

Depending on the mechanism (Council initiative or referendum), the following dates reflect two possible paths to the April election.

**Council initiative.** Council may submit any question or proposed ordinance or resolution to the voters.

Dec 8 - Single Use plastics Ballot Item Discussion to gain clarity on policy elements and other logistics.

Dec 16 – Jan 31 – Online engagement around the elements of a plastic policy.

Dec 15 - Council resolution to pursue a ballot measure and direct staff to prepare the ballot language/ordinance with specific elements as discussed on December 8.

Jan 12 - Present ballot language and ordinance for feedback from Council aligned to the Dec 15 resolution.

Feb 2 - Council passes resolution to submit the ballot question to the April election via Council initiative.

After this point, Environmental Services staff can no longer engage in any engagement on the issue. City Clerk’s office manages the logistics of the ballot process.

**April election**

**Council referendum.** Council may refer any adopted ordinance or resolution to a vote of the people.

Dec 8 - Single Use plastics Ballot Item Discussion to gain clarity on policy elements and other logistics.

Dec 15 - Council resolution to pursue a ballot measure and direct staff to prepare the ballot language/ordinance with specific elements as discussed on December 8.

Dec 16 – Jan 31 – Online engagement around the elements of a plastic policy.

Jan 12 – Council work session to provide feedback on proposed plastic policy ordinance.

Feb 2

a) First reading of plastic policy ordinance.

Feb 16

a) Second reading of plastic policy ordinance.

b) Council resolution to refer the ordinance to the April ballot via Council referendum.
City Clerk’s office manages the logistics of the ballot process.

April election
Mitigating Plastics Pollution
Jacqueline Kozak Thiel and Molly Saylor
1. What are Councilmember preferences on the outlined decision points?
Plastics Pollution

COUNCIL PRIORITY
- Plastics Pollution
  - Microplastics
  - Macroplastics

STRATEGIC ALIGNMENT
- Environmental Health
  - 4.4 Zero waste
  - 4.9 Poudre River health

BUDGET
- Midcycle funding
  - $35K each for macroplastics and microplastics
<table>
<thead>
<tr>
<th>Type of policy</th>
<th>Businesses impacted</th>
<th>Mechanism</th>
<th>Other additions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ban</td>
<td>Large grocers</td>
<td>Initiative</td>
<td>Accessory items</td>
</tr>
<tr>
<td>Fee – plastic</td>
<td>All grocers</td>
<td>Referendum</td>
<td>Styrofoam</td>
</tr>
<tr>
<td>Fee – plastic and</td>
<td>All food service</td>
<td></td>
<td>Plates, cups, etc.</td>
</tr>
<tr>
<td>paper</td>
<td>All retailers</td>
<td></td>
<td>Future consideration - OCF</td>
</tr>
<tr>
<td>Hybrid</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Systems Approach

- Comprehensive approach
  - Trade-offs with alternatives

- Systems approach
  - Multiple systems changes needed to fully address plastic pollution

- Our Climate Future Big and Next Moves
  - Circular Economy
  - Cooperative Communities
## Type of Policy

<table>
<thead>
<tr>
<th>Policy Type</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fee:</strong> Small fee to plastic and/or paper bags</td>
<td>(Boulder) 70% reduction in paper and plastic bags</td>
</tr>
<tr>
<td><strong>Ban:</strong> No plastic bags allowed</td>
<td>(Palo Alto - initial) Reduced plastic bags, significantly increased paper bags</td>
</tr>
<tr>
<td><strong>Hybrid:</strong> Ban on plastic bags and fee on paper</td>
<td>(Palo Alto - revised) 100% reduction in plastic bags, reduced paper bags, increased reusable bags</td>
</tr>
</tbody>
</table>
## Type of Policy

<table>
<thead>
<tr>
<th>Outcomes</th>
<th>Ban</th>
<th>Fee</th>
<th>Ban/Fee Hybrid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduction in plastic bags</td>
<td>✔</td>
<td>✔</td>
<td></td>
</tr>
<tr>
<td>Shifts behavior to reusable bags, rather than more paper</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gives customers options</td>
<td></td>
<td></td>
<td>✔</td>
</tr>
</tbody>
</table>

- ![Best outcome](attachment:PowerPoint Presentation (9749 : Single Use Plastics Ballot Item Discussion))
- ✔ Good outcome
- ✗ No outcome
Businesses Impacted

Large grocers

All grocers

Food service

All retailers and food service
Engagement

- Online survey tools for engagement and comments on ballot language and related ordinance.
  - **Begin**: Mid-December
  - **End**: January 31

Attachment: PowerPoint Presentation (9749: Single Use Plastics Ballot Item Discussion)
**Council initiative.** Council may submit any question or proposed ordinance or resolution to the voters.

**Council referendum.** Council may refer any adopted ordinance or resolution to a vote of the people.
Other Additions

Polystyrene (Styrofoam)  Foodware  Accessory items
### Staff recommendation across ban, fee, or hybrid policy

<table>
<thead>
<tr>
<th>Implementation</th>
<th>Enforcement</th>
<th>Policy resilience*</th>
</tr>
</thead>
</table>
| May 2022 (One-year post election) | • Compliance audit & data collection  
• Civil penalties  
• Annual reporting | • Public health  
• Supply chain  
• Start date  
• Equity |

*Assumes Council initiative
# Decision Points

<table>
<thead>
<tr>
<th>Type of policy</th>
<th>Businesses impacted</th>
<th>Mechanism</th>
<th>Other additions</th>
</tr>
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<tr>
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<td>All grocers</td>
<td>Referendum</td>
<td>Styrofoam</td>
</tr>
<tr>
<td>Fee – plastic and paper</td>
<td>All food service</td>
<td></td>
<td>Plates, cups, etc.</td>
</tr>
<tr>
<td>Hybrid</td>
<td>All retailers</td>
<td></td>
<td>Future consideration - OCF</td>
</tr>
</tbody>
</table>

Packet Pg. 124
1. What are Councilmember preferences on the outlined decision points?
DATE: December 8, 2020

STAFF: Meaghan Overton, City Planner
Lindsay Ex, Interim Housing Manager
Caryn Champine, Director of PDT
Jackie Kozak-Thiel, Chief Sustainability Officer

WORK SESSION ITEM
City Council

SUBJECT FOR DISCUSSION

Housing Strategic Plan Update

EXECUTIVE SUMMARY

The purpose of this item is to:

1. Briefly summarize progress on the Housing Strategic Plan since the August 2020 Work Session;
2. Share community feedback to date on the greatest challenges and possible solutions to improve housing affordability;
3. Introduce the initial list of potential strategies to be considered in the Housing Strategic Plan;
4. Provide an overview of the draft evaluation criteria for assessing these strategies;
5. Update Council on the direction provided by the Ad Hoc Housing Council Committee; and
6. Share next steps.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. What feedback do Councilmembers have on the following:
   - Engagement to date?
   - Strategies identified?
   - Draft evaluation criteria?
2. Do Councilmembers support bringing forward an off-cycle appropriation to initiate the Land Use Code (LUC) work?

BACKGROUND / DISCUSSION

As outlined at the April 14, 2020 Work Session on Affordable Housing Priorities and the August 25, 2020 Work Session on the Housing Strategic Plan, the City developed its first Affordable Housing Strategic Plan in 1999 to stimulate housing production for the City’s low-wage earners (under 80% of the area median income, or AMI). The current update to the Housing Strategic Plan has expanded this scope to include the entire housing spectrum, recognizing the gap between peoples’ incomes and the cost of housing continues to widen, and current resources are insufficient to meet our adopted goals for affordable housing production. (Attachment 1) Staff expects to share the plan with Council for consideration of adoption on February 16, 2021. The graphic below outlines the progression of the Housing Strategic Plan process:\n
1 Note: In the timeline graphic, the * symbol in each of the steps indicates community engagement opportunities.
December 8, 2020

Housing Strategic Plan - Progress to Date

At the December 8, 2020 Work Session, staff will briefly revisit Step 1 (Vision) and outline actions to date on Steps 2-4 (Greatest Challenges, Community Engagement, Strategy Identification and Draft Criteria for Strategy Evaluation). At the January 26, 2021 Work Session, staff will share the outcome of the Strategy Evaluation (Step 5), discuss strategy prioritization (Step 6), and share the draft Plan, including indicators and metrics to evaluate plan success as well as guiding principles for adaptive implementation. Below, the elements that will be highlighted at the December Work Session are further described.

Step 1: Develop a Vision for the Plan (August)

As discussed at the August 25, 2020 Work Session, the first step in the Housing Strategic Plan process was to establish a universal vision that will guide the selection and prioritization of strategies for the Plan. Based on the extensive community feedback and engagement to date, the draft vision for the Plan is as follows:

Draft Vision: Everyone has stable, healthy housing they can afford

Step 2: Identify the Greatest Challenges (September)

To answer the questions of “what is the problem we’re trying to solve” and “what are our greatest challenges to achieving the vision,” staff compiled an Existing Conditions Assessment to summarize the current state of housing in Fort Collins.

Six key challenges were identified:

- **Challenge #1:** Price escalation impacts everyone and disproportionately impacts BIPOC (Black, Indigenous, and People of Color) and low-income households.
- **Challenge #2:** There aren't enough affordable places available for people to rent or purchase, or what is available and affordable isn't the kind of housing people need.
- **Challenge #3:** The City does have some tools to encourage affordable housing, but the current amount of funding and incentives for affordable housing are not enough to meet our goals.
- **Challenge #4:** Housing is expensive to build, and the cost of building new housing will likely continue to increase over time.
- **Challenge #5:** It is difficult to predict the lasting effects of COVID-19 and the impacts of the pandemic.
- **Challenge #6:** Housing policies have not consistently addressed housing stability and healthy housing, especially for people who rent. (Attachment 2)

The full report is available at www.fcgov.com/housing.

Step 3: Engage the Community (October/November)

With the vision and greatest challenges identified, City staff and Home2Health partners engaged nearly 450 participants in the Housing Strategic Plan process in the months of October and November. A range of safe and accessible engagement opportunities were designed, including Community Guide discussions led by the Center for Public Deliberation, in-person (distanced and masked) focus groups led by the Partnership for Age-Friendly Communities, City-led virtual workshops, and an online, asynchronous “At Your Own Pace” survey module. Preliminary demographics show that these engagement approaches and partnerships successfully reached historically underrepresented groups including BIPOC households, low-income households, mobile home park residents, renters, and older adults.

Specific groups engaged. Overall, 35 workshops and small-group discussions were held during October and November. In addition to the extensive community engagement through Home2Health and other efforts noted above, staff has also engaged the following entities on the Housing Strategic Plan in small-group discussions:

- Affordable Housing Board
- Affordable Housing Providers (monthly)
- Banking community
- Homeward 2020
- Housing Catalyst
- Larimer County
Values, themes and strategies identified. Building on the feedback provided prior to the start of the Housing Strategic Plan, engagement focused on the greatest challenges identified in the Existing Conditions Assessment and on brainstorming potential strategies to address those challenges. In general, participants responded positively to the draft vision and felt that the challenges accurately reflected their knowledge of housing in Fort Collins. Community values of equity, choice, and collaboration were key themes noted across the different modes of engagement.

Specific community-recommended strategies identified included the following:

- Revamp the housing we have: Remove or relax occupancy restrictions; relax restrictions on density in existing neighborhoods; make it easier for homeowners and developers to modify existing homes; ensure all neighborhoods have access to amenities; explore options for “housing swaps” between older and younger residents
- Increase the amount and type of new housing available: Incentivize developers to build affordable housing; explore new housing types, including tiny homes and cooperative housing; build more duplexes and small multifamily units; relax restrictions on density and building height for new buildings
- Ensure housing stability for renters and homeowners: Caps on rent prices or annual increases; explore rental licensing to promote safe and healthy housing; preserve manufactured housing communities; explore opportunities for resident-owned manufactured housing communities; explore opportunities to reduce cost burden of HOAs, condominium associations, and metro districts
- Leverage funding for housing stability and sustainability: Provide rental assistance and emergency bill pay assistance; provide financial incentives (ex: reduced fees) for developers providing affordable housing; consider opportunities to use City land for affordable housing projects; continue to support nonprofits providing supportive housing services

An executive summary of Home2Health fall engagement findings is included. (Attachment 3) A full analysis and report of fall engagement will be available in early 2021.

Engagement next steps. Community engagement will continue in 2021 with opportunities to provide input on strategy prioritization and comment on the draft Housing Strategic Plan. Staff is currently drafting educational “Policy 101” materials to support effective community involvement in the plan adoption process and the spring community summit.
Step 4: Identify Strategies & Draft Criteria for Evaluation (November)

Includes two components:

- Summation of strategies identified during community engagement in addition to strategies identified through review of peer cities, leading authors, previous City reports, and support from the project’s consultant team, Root Policy Research; and
- The development of criteria that will be used to evaluate the individual strategies, in preparation for Step 5 (Evaluate Strategies) and Step 6 (Prioritize Strategies).

It is important to note that staff is mid-way through this step - these components (strategies and criteria) will continue to be refined through December and January in staff workshops, as well as through City Council feedback and community engagement. Additional details regarding implementation (specific action steps, beneficiaries, financial resources, responsible parties, etc.) will be incorporated after initial evaluation of each strategy. An initial list of more than 50 strategies is included. (Attachment 4)

Strategy organization. Housing policy is first and foremost a community issue and as such, the city’s list of more than 50 draft strategies is organized around community participants in the housing system: builders/developers, landlords, homeowners associations, special districts and government entities, financial institutions, manufactured housing neighborhoods, homeowners, renters, people experiencing homelessness, residents vulnerable to displacement, historically disadvantaged populations, and other community partners. This identification metric fosters broad access to the plan by allowing all participants, businesses, and residents to see where they “fit” in the city’s approach to housing.

A secondary categorization is also used to describe the type of strategy being used: education/information, revenue generation, financing, direct assistance, or policy (preservation, new construction, incentives, accessibility, housing diversity).

Draft Evaluation Criteria. A number of factors are important considerations in evaluating and prioritizing specific strategies for inclusion in the Housing Strategic Plan. Not only should strategies be equitable, effective, and financially feasible, they should also directly contribute to progress on the City’s current affordability goal (10% of units affordable to 80% of AMI by 2040) and the City’s vision for housing, “Everyone has healthy, stable housing they can afford.” Over a dozen criteria have been identified that assess whether a strategy advances the vision and the overall feasibility of the strategy. The draft criteria and initial framework is illustrated in the Figure below. (Attachment 5)

Additional criteria can be added to capture City priorities as desired and/or clarified (e.g., unit quantity vs depth of affordability, priority populations, housing balance across the spectrum vs targeted approach of city funds, etc.).
Figure 1. Evaluation Framework

Housing Strategic Plan - Remaining Steps

Step 5: Evaluate Strategies (December/January)

Strategy evaluation will be initiated in December, after Council’s feedback on the draft criteria. Root, the City’s consultant, will be facilitating an evaluation of all preliminary strategies over a series of workshops in December and January.

First, each strategy will be evaluated across a series of questions to confirm feasibility and alignment with City vision: (response options are yes/no/maybe). Next, strategies will be rated for efficacy and relative cost to the city (on a scale of 1 to 5). A final product, with all of the evaluated strategies, will be included in the final plan and in the information provided to Council and the community for the next step in the planning process “Prioritize Strategies” (Step 6).

Step 6: Prioritize Strategies (January 2021)

One of the early themes from community engagement before the planning process officially kicked off was that priorities should be established to guide this work, especially given that there are so many areas where the housing system can be influenced. In alignment with that feedback, once individual strategies are evaluated, City staff will engage the community, the Ad Hoc Housing Committee, and City Council at the January 26, 2021 Work Session to prioritize strategies. While the design for community and Council engagement on prioritization will be developed in December, the intention is to identify high priority strategies for the community and the City to move forward in implementation (Step 8).
**Step 7: Consider Plan Adoption (February/March 2021)**

The draft plan is scheduled to be released in early January to facilitate community feedback and strategy prioritization. Staff will make revisions based on Council and community feedback and will bring forward the final plan for adoption consideration by Council at the February 16, 2021 meeting (Ordinance First Reading).

**Step 8: Implementation**

In many ways, the final step in the planning process is just the beginning of the work to ensure that everyone has stable, healthy housing they can afford. Implementation is when community, Council and staff will transition from "what" to "how" we achieve this vision. While specific implementation planning is still underway, the following are slated for the spring of 2021:

- **Community Summit (April or May):** To support moving from the plan to implementation with the community, staff is working with Home2Health partners to design a community summit that will focus on mapping out implementation of the prioritized strategies in the Plan. More details on the design of this summit will come in 2021.
- **Council Work Session (Late Spring 2021):** After the Community Summit, staff will bring forward the outcome of the Summit and a roadmap for implementation and ongoing tracking to City Council in a Work Session. This is anticipated to be in May or June of 2021 (depending on the timing of the Community Summit).

**Ad Hoc Housing Council Committee**

In parallel with the Housing Strategic Plan update, the Ad Hoc Housing Council Committee continues to meet monthly to explore housing-specific topics and provide recommendations to City staff and to the entire City Council. Members of the Ad-Hoc Committee have requested pre-work before each meeting to allow time for in-depth discussion and exploration. Meeting materials including pre-work, minutes, and recordings are available at <https://www.fcgov.com/council/ad-hoc-housing-committee>. Committee members have also heard from community members via question and answer periods during the September and November meetings.

**Committee Meetings and Areas of Focus to Date**

Committee topics have included the following:

<table>
<thead>
<tr>
<th>Month</th>
<th>Focus</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>August</td>
<td>Overall Focus and Prioritization</td>
<td>Clarified focus of the Committee on the plan’s development and diving deeply on 14 topics, as time allows.</td>
</tr>
<tr>
<td>September</td>
<td>Existing Conditions and Greatest Challenges</td>
<td>Clarity around the &quot;problem we’re trying to solve.” Encouragement to test the greatest challenges with the community.</td>
</tr>
<tr>
<td>October</td>
<td>Housing Types and Zoning</td>
<td>Initial list of strategies to pursue to support greater diversity of housing types and LUC changes.</td>
</tr>
<tr>
<td>November</td>
<td>Review: Housing Types and Zoning Strategies Identified in October Explore: Strategies for Anti-displacement and Housing Stability</td>
<td>Housing Types &amp; Zoning: Refined list of strategies to pursue as quick(er) wins, leading to a recommendation that an off-cycle appropriation for advancing the LUC audit be brought to the full Council. Anti-displacement: Identification of three potential quick(er) wins to discuss further at the December meeting.</td>
</tr>
</tbody>
</table>

**Committee Process**

At the September and October meetings, the Committee heard from community members and peer communities regarding their perspectives on greatest challenges, opportunities, and solutions. Beginning in October, Councilmembers have used the following framework to discuss strategies and solutions:
Quick(er) Wins Identified Thus Far

At the November meeting, the Committee reviewed the Housing Types and Zoning Discussion from October and identified the following quick(er) wins:

- Adopt the Housing Strategic Plan to guide implementation and future efforts;
- Evaluate opportunities to increase and recalibrate affordable housing incentives in the LUC;
- Bring forward an off-cycle appropriation to prioritize housing-related LUC changes.

The December meeting will review the strategies explored for anti-displacement and housing stability at the November meeting, and additional quick(er) wins are anticipated to be identified. These quick(er) wins and any additional items identified at the January Ad Hoc Meeting will be shared at the January 26, 2021 Work Session.

Additional information for the Land Use Code off-cycle appropriation. As recommended by the Ad Hoc Committee at the November meeting, staff is seeking Council support for an off-cycle appropriation to initiate the housing-related LUC changes outlined in the Land Use Code Audit. Staff proposes a sequence of LUC work as outlined in a memo included in the November 12 Ad Hoc Committee packet.

This proposed sequence is summarized below:

- **Quick(er) Wins (current Council):**
  - Initiate comprehensive LUC changes
  - Scoping and SFO offers

- **Transition (mid-2021 to 2022):**
  - Complete housing LUC changes
  - Code restructuring
  - Initiate comprehensive LUC updates

- **Transformation (2023-2025):**
  - Comprehensive LUC updates
  - Complete Code graphics

The current update to the Housing Strategic Plan is leading the way for prioritization of LUC changes. Staff anticipates that the Housing Strategic Plan will include recommendations for high priority LUC changes that can then be initiated by this off-cycle appropriation. Initiating this work now, instead of delaying until January of 2022, means that the full sequence of work associated with this LUC update could be completed in the next full budget cycle.

Staff estimates that an appropriation of approximately $250,000-$350,000 is needed to initiate this first phase of the Land Use Code Audit, specifically the housing-related LUC work in Q2 2021. This appropriation will be enhanced with the addition of approximately $50,000-$60,000 in funding through Home2Health to support analysis of high-priority housing-related code changes and community engagement. A final determination of the scope and cost will be finalized after the January Work Session. This appropriation is expected to resource the following:

- Identification of priority housing-related LUC changes as determined in the Housing Strategic Plan (e.g. affordable housing incentives, changing uses or housing types allowed, encouraging missing middle housing types, updating regulations for accessory dwelling units, etc.)
- Modeling, visualization, and analysis of potential code changes
- Drafting and legal review of code language
- Restructuring the LUC with an emphasis on chapter restructuring, consolidation, simplification
Upcoming Ad Hoc Committee meetings

Upcoming meetings have the following focus area, subject to change based on the Committee’s direction:

- December: Reviewing the anti-displacement and housing stability strategies identified in November and exploring two topics: (1) funding and financing for Affordable Housing, and (2) rental regulations, including exploring existing regulations (occupancy) and approaches from other cities.
- January: Review of the strategies identified in the two December “explore” topics; Deep dive into the evaluation of the strategies identified in the Housing Strategic Plan and initial prioritization discussion prior to the January 26 Work Session.
- February: Deep dive on the Housing Strategic Plan prior to First Reading on February 16, 2021.
- March/April: Transition to implementation, end-of-term report, and additional topics TBD.

Next Steps

- December - Strategy evaluation, prioritization
- January 7 - Draft plan completed
- January 7-21 - Draft plan public comment period
- January 26 - Council Work Session
- February 16 - Plan adoption, first reading
- March 2 - Plan adoption, second reading
- Spring - Community summit, implementation, and alignment

ATTACHMENTS

1. Work Session Summary, August 25, 2020  (PDF)
2. Existing Conditions Assessment - Greatest Challenges  (PDF)
3. Home2Health Fall Engagement - Executive Summary  (PDF)
4. Housing Draft List of Strategies  (PDF)
5. Draft Evaluation Framework and Criteria  (PDF)
6. Powerpoint Presentation  (PDF)
MEMORANDUM

DATE: August 28, 2020
TO: Mayor and City Council
THRU: Darin Atteberry, City Manager
Affordable Housing Executive Team1
FROM: Lindsay Ex, Interim Housing Manager
Meaghan Overton, Senior City Planner
RE: August 25, 2020 Work Session Summary: Housing Strategic Plan Update

The purpose of this item was to provide a Housing Strategic Plan update, including the draft vision, community engagement plan, and Ad Hoc Committee scope. All Councilmembers were present.

**General Feedback**

**Vision:** Support for the draft vision that “Everyone has stable and healthy housing they can afford,” noting it was concise, comprehensive, and durable.

**Community engagement plan**
- Overall support for the engagement plan, including engaging community members with lived experience
- Critical to engage builders, developers and entrepreneurs as well as the faith community
- Encouragement to explore engaging in additional languages
- Support for engaging Boards and Commissions, including the Economic Advisory Commission, in the plan’s development
- Encouragement to include data where possible about barriers arising due to COVID

**Ad Hoc Committee Scope**
- Support for the overall scope, the desire to learn from other communities and experts in these fields, and support for exploring demand-side strategies, e.g., earning capacity
- Noted how complex this issue is and the need to focus on the greatest challenges, why they exist, and what the community can do to address these. A suggestion was made to synthesize the work into 4-5 priorities to aid in focus for future action.

**Additional feedback**
- Support for bringing the plan forward for adoption in February 2021
- Support to establish target dates, quantified goals, and measures of success to illustrate if the work is on/off track within the Strategic Plan.

---

1 Jackie Kozak Thiel, Chief Sustainability Officer; Theresa Connor, Utilities Executive Director; Caryn Champine, Planning, Development, and Transportation (PDT) Director; Julie Brewen, Housing Catalyst Executive Director; Dave Lenz, Finance Planning and Analysis Director; Beth Sowder, Social Sustainability Director
• Support to continue the plan and taking action at the same time, and the importance for the plan to include prioritized action steps. The housing needs in our community are urgent and require both planning for the future and strategic action now. Support to continue connecting housing and health, including stress associated with affordability, the home’s interior, and the neighborhood scale, e.g., walkability, access to transit, feeling safe, etc.
• Continue emphasizing the plan’s focus on the entire housing spectrum, with strategies for all income levels to achieve the vision, e.g., addressing strategies for seniors such as accessibility and community members who are lower income and leaving the community, supporting home ownership, wealth management, and consumer education, etc.
• Recognition that community members’ needs change over time and that a range of housing choices and availability of those housing types is important, e.g., for renters, first-time homebuyers, those who want to age in place.

Follow-up Questions
• Question: Councilmembers asked if the data provided on slide 6 illustrating the growing gap between median income and median house price was adjusted for inflation
  o Response: the data are not adjusted for inflation, as this reflects the experiences of families and community members during those years. Staff will add this footnote to the chart and would highlight that if the numbers were adjusted for inflation, the chart would show that adjusted median incomes would actually decline in most years, contributing to less available purchasing power for housing today.
• Question: What is the relationship between the City’s policy that supports primary job retention and the impact on who is able to afford a home?
  o Response: this will be further explored via the Ad Hoc Committee in association with the topic “nexus between economic policies and housing affordability.”
• Question: For the graphic on slide 7 in the presentation that illustrated Fort Collins had lost nearly 3,000 households that earn less than $25K and had gained nearly 4,000 households earning greater than $75K, Councilmembers asked staff to confirm why these gains and losses occurred.
  o Response: Staff is still analyzing this question and will include this information in the Existing Conditions Assessment, set to be complete in September. Staff also will include this information in an upcoming monthly memo to City Council.

Next Steps
• The Ad Hoc Committee meetings will be scheduled through April of 2021. The full materials will be shared with City Council via the Thursday packets the week before.
• Monthly memos are planned to Council with progress updates. These memos will also be shared with Boards and Commissions, such as Planning and Zoning, Affordable Housing, Economic Advisory Commission, and Community Development Block Grant (CDBG) Commission
• Council Work Session scheduled for December 8. Tentative focus is on revising the goals, strategies, and guiding principles that will support the overall plan, as well as an overview of the plan that will be released for public review in January 2021.
• Community engagement September thru November on the draft vision, goals, strategy identification, and guiding principles discussion.
**OUR BIGGEST CHALLENGES**

*Price escalation impacts everyone, and disproportionately impacts BIPOC households*

Data clearly indicate BIPOC communities are disproportionately low-income, have smaller net worth, and are less likely to be homeowners. While structural racism is evident across the United States and more locally, more work is needed to establish the exact cause of these disparate outcomes here in Fort Collins.

Latinx, Black or African American, and Native American households make up a disproportionate share of low-income households in Fort Collins. While the wages of many low-income occupations have climbed faster than wages overall, they still have not kept up with the increase in housing prices. Since 2010, rents have increased 40%, single-family detached homes have increased in value by 125%, townhome and condo values have risen 158%, while wages have increased by just 25%. With an ever-widening gap between housing prices and incomes, and without further review into possible causes and explanations for that gap, BIPOC households could continue to be further marginalized by our housing system and suffer from the continued effects of a gap that may be caused, at least in part, by effects of institutionalized racism, which is further as outlined in the Equity and Inclusion Section beginning on page 3.

*Current incentives and financial resources are insufficient for meeting our affordable housing goals*

While the City has a number of affordable housing incentives and $1,500,000 – $3,000,000 in direct subsidy funding every year, these resources are not enough to meet the City’s affordable housing goals. The City is currently 708 affordable units behind in meeting its goals. Assuming a $38,970 investment by the City yields one unit of affordable housing, it would take roughly $27,590,000 of investment to catch up. $27,590,000 of direct subsidy represents 9 – 18 years of resources at current funding levels. This also assumes LIHTC prices remain steady, there is ample PAB allocation for each project, and private developers have the ability to deliver projects. In addition, recommendations from the Land Use Code Audit indicate that current land use incentives (e.g. increased density, parking reductions) for affordable housing need to be revised and recalibrated. Every year that passes where the City does not meet its affordable housing goals means current and future generations must make up the difference.

*Job growth continues to outpace housing growth*

Jobs grew at 2.8% per year from 2010 to 2019. The Fort Collins population only grew by 1.6% annually during the same timeframe. While the housing stock of Fort Collins grew by 1.73% from 2010 – 2019, this is still a slower pace of growth than experienced by the job market. Unemployment initially fell from 7% to 3% between 2012 and 2015 and has held steady below 3% since 2015. All of these factors indicate that most new jobs find someone to fill these positions. If new housing supply cannot keep up with the pace of job growth, people are likely forced to live in surrounding communities. Timnath, Wellington, and Windsor grew by 18, 8.7, and 7 percent, respectively from 2015 – 2018. These communities amongst others are turning into bedroom communities for Fort Collins. As of 2015, 18,799 car trips started in communities with cheaper home prices than Fort Collins. Some of these commuters live in nearby communities by choice. It is likely, however, that many of these commuters cannot afford to live in Fort Collins and must live in surrounding communities. This is an example of the “drive till you qualify” effect.
This runs counter to the inclusive vision outlined by City Plan and the City’s climate action goals amongst others, e.g., the City’s goals include reducing VMT (vehicle miles travelled); when individuals have to drive further to meet their housing needs, VMTs are increasing instead of decreasing.

**The cost of development continues to rise**

In isolation, housing regulations help deliver the kind of development and community desired by the Fort Collins community. Developers pay for the impact their developments have on the community through various fees, and regulations help ensure consistency across all kinds of new housing development. The unintended consequence of regulations on housing coupled with impact fees in Fort Collins is that new housing ends up being unattainable for most households. Fees for infrastructure, water, and development review continue to rise as resources become scarcer and developments become more complex. Whereas in 2015 the average cost to build a unit of housing was around $278,000, today it costs close to $330,000. Median income households can only afford a home priced at around $330,000. Developers build housing for a profit and thus cannot build new homes for sale below $330,000 without some form of subsidy. In addition, the Land Use Code Audit identified many places where existing regulations could be revised or clarified to better encourage a wide range of housing options. However, rewriting the Land Use Code is a complex, resource-intensive task that will require funding to complete. Complicating this picture is the finite natural resources and land in Fort Collins. Water will only continue to be scarcer and more expensive. Within our GMA, Fort Collins has a limited supply of land. This all means it will only become more expensive to develop in Fort Collins. A dollar spent today on housing will go further than a dollar spent on housing in ten years.

**Addressing the entire housing spectrum will require new tools and processes**

Previous housing plans in Fort Collins have been focused on subsidized, deed-restricted affordable housing for residents making 80% AMI or less. City incentives, regulations and processes target the construction, expansion, and preservation of affordable housing that meets this definition. As this Existing Conditions document outlines, however, our existing tools are not enough to achieve our affordable housing goals. Federal funding like Low Income Housing Tax Credits (LIHTC), HOME, and CDBG funds only support units targeted at households earning less than 80% AMI. Further, escalation in housing prices and rents means that it is increasingly difficult for many to afford housing in Fort Collins, even if they make more than 80% AMI. City policies and regulations also do not address housing stability and health in a systematic way. A key challenge for this Housing Strategic Plan will be to determine the appropriate incentives, regulatory frameworks, and processes needed to fully achieve the vision for stable, healthy housing that people across the housing spectrum can afford. Implementation of these new tools will likewise be a critical challenge. Fort Collins will have some important decisions to make about whether and how to dedicate additional funding to housing incentives, implement changes to the Land Use Code, and adjust our processes to fully support the vision of the Housing Strategic Plan.
REMAINING QUESTIONS
What will the lasting effects of COVID-19 be?

COVID-19 has cast a shadow of uncertainty over many facets of life. Unemployment has soared into double digits, leaving many without a stable income for the time being. While the CARES Act did provide enhanced unemployment benefits and a one-time stimulus to households earning less than $100,000, it is unclear what the medium and long-term financial prospects are for households impacted by COVID-19. Previous recessions have seen increased rates of foreclosures and evictions. Recovery is also uncertain since this current recession is in direct response to a pandemic. Recovery will depend on the availability of a viable vaccine, continued physical distancing, how fast businesses recover, and many other factors. This makes predicting the lasting effects of COVID-19 difficult.

How will housing policies evolve to address health and stability - particularly for renters - in addition to affordability?

What does it mean for all residents to have healthy and stable housing? With only 1 in 10 renters being able to afford the median home price is Fort Collins, how will the City support its nearly 50% of households that are renters? Today, the City has several programs available to support households, e.g., income-qualified programs, Healthy Homes, Landlord and Tenant Information, and more, and has recently supported increased rights for manufactured homeowners (who own the home but rent or lease the land). Since fewer households in Fort Collins own homes than in the past, housing policies also need to evolve to better support renters in our community.

As noted on page 50, the current zoning does not meet demand for housing supply. Further, Fort Collins limits the number of unrelated people that can occupy a home (referred to as U+2). While many consider U+2 to be essential and a success story in preserving neighborhood character, it is unclear to what extent U+2 impacts the housing market. More study would shed light on how U+2 impacts the local housing market and how it might be modified to meet its intent without impacting the affordability of housing.

The Housing Strategic Plan will include the entire spectrum of housing and will recognize the critical role of rental housing within the housing system. This will require careful consideration of new policies that could improve housing stability and health for renters.
HOW WE GOT HERE

The City is updating the Housing Strategic Plan. This plan sets housing goals and guides City decisions on policy and funding for the housing system. While previous plans have focused on income-qualified Affordable Housing, this update to the Housing Strategic Plan will address the entire spectrum of housing needs in our community. The draft vision – *Everyone has stable, healthy housing they can afford* – reflects this shift.

The City reviewed data on housing in Fort Collins and community feedback gathered through the Home2Health project and identified six key challenges related to housing. These included not enough affordable housing, high building costs, and unequal outcomes for BIPOC (Black, Indigenous, and People of Color) and low-income households.

The Housing Strategic Plan team designed safe and accessible engagement opportunities to gather feedback on the challenges and ideas for overcoming them. This included Community Guide discussions, in-person (distanced and masked) focus groups, virtual workshops, and a survey. Through these approaches, the City was able to gather feedback from over 440 participants in October and November of 2020. Preliminary demographics show that these activities helped reach BIPOC households, low-income households, mobile home park residents, renters, and older adults.

Over the last few months many people have been working diligently on gathering community feedback on this new plan. However, it is important to note that this summary is also built on the shoulders of many engagement efforts conducted over the past two years. Community members have consistently talked about the importance of housing to a healthy environment, an equitable community, and to the physical and mental health of individuals.

COMMUNITY VALUES FOR HOUSING

Community members responded positively to the draft vision: “Everyone has healthy, stable housing they can afford.” Responses from community members also highlighted important values that should be included in plans for addressing housing challenges in our community.

**Equity.** Folks want a diverse community where teachers, hairdressers, and essential workers can afford to live, and where BIPOC households do not face discrimination. People discussed the importance of creating specialized, “wraparound” support systems so people can find and keep homes. Many also highlighted the need for more accessible housing for seniors.

**Choice.** People recognized that different households have different housing needs. They prioritized having options for the types of housing they rent or buy. This includes different types,
sizes, and prices of “market housing” (non-subsidized) and different types of subsidized and/or supportive housing. Many also highlighted the importance of neighborhood amenities (transportation, outdoor spaces) in making their housing choices.

**Collaboration.** Folks recognized that a challenge like housing requires community-wide action. Many of the ideas for addressing housing challenges would require changes to local or statewide policies. However, responses also highlighted the importance of bringing in nonprofits, developers, and local employers. Respondents also recognized the need for public awareness and education to build community-wide support for doing things differently.

**Community Recommendations for Housing Strategies**

Community members generally felt that the six housing challenges reflected their experience of housing in Fort Collins. Participants suggested a variety of strategies to overcome these challenges and help everyone in Fort Collins have healthy, stable housing they can afford. These strategies are grouped into four categories—Revamp the housing we have, Increase the amount and types of new homes, Ensure housing stability and safety for renters and homeowners, and Leverage funding for housing stability and sustainability. Under each heading is a list of recommended actions from the community. These will be further explored in the full report in early 2021.

**Revamp the housing we have**

**Who:** Local government agencies, builders/developers, nonprofits, homeowners’ associations (HOAs), landlords, community members

**Community Recommendations:** Remove or relax occupancy restrictions ♦ Relax restrictions on density in existing neighborhoods ♦ Make it easier to modify homes ♦ Ensure all neighborhoods have access to amenities ♦ Explore options for “housing swaps” between residents

Participants saw zoning and occupancy restrictions as a significant barrier to having enough housing, and to having housing that is affordable for all residents. Many folks supported repealing “U+2”, which limits the number of unrelated people who can live in a house. This was seen as a potential benefit for people of all ages living on single incomes, and an opportunity to “free up” additional homes for rental or purchase.

Community members also suggested relaxing restrictions on density (or the number of homes in an area) and removing other limitations in the Land Use Code to allow homeowners and developers to renovate or add to existing homes. This includes adding Accessory Dwelling Units (carriage houses, in-law apartments, etc.) or converting single-family houses into duplexes.

Another suggestion was to institute “housing swaps” between older individuals looking to downsize and young families looking for more space. Finally, community members shared the importance of ensuring that all neighborhoods have access to quality amenities, including outdoor spaces and convenient public transportation.
Increase the amount and types of new homes available

**Who:** State and local government agencies, builders/developers, financial institutions, nonprofits

**Community Recommendations:** Incentivize developers to build affordable housing ✧ Explore new housing types, including tiny homes and cooperative housing ✧ Build more duplexes and small multifamily units ✧ Relax restrictions on density and building height for new buildings

Community members emphasized the need for new housing options that people can afford on a typical salary, rather than “luxury” homes or apartments. Some also expressed a desire for options that go beyond the “traditional” single-family home, including more duplexes, small multi-family developments, tiny houses, and cooperative housing.

Folks discussed strategies to encourage developers to build more affordable, diverse types of housing, including waiving fees, providing other financial incentives, or requiring that a certain percentage of all new developments be affordable. Policies to allow more density or higher buildings (with elevators) were also suggested to increase the supply of housing in town.

Ensure housing stability and safety for renters and homeowners

**Who:** State and local government agencies

**Community Recommendations:** Caps on rent prices or annual increases ✧ Explore rental licensing to promote safe and healthy housing ✧ Preserve manufactured housing communities ✧ Explore opportunities for resident-owned manufactured housing communities ✧ Explore opportunities to reduce cost burden of HOAs, condominium associations, and metro districts

There was a strong desire among community members to reduce the burden of housing costs on households in Fort Collins. Participants expressed frustration that landlords could set and increase prices without any oversight, and suggested regulations at the state or local level that would limit maximum rent prices, reduce extra fees, and/or limit maximum annual increases. Folks also expressed concern about the monthly fees from HOAs, condominium associations, mobile home parks, and metro districts inflating the cost of home ownership.

People also shared negative experiences with landlords who did not maintain their homes. Some expressed fear that asking landlords to maintain homes would invite retaliation or encourage the landlord to raise the rent. A rental licensing program was suggested as an option to put housing protections in place and ensure housing is safe and healthy.

Residents of manufactured housing communities also discussed the need for park preservation, and the desire to work towards more resident control and ownership of communities. Many owners of manufactured housing discussed struggling with costs despite owning their home because of perpetual increases in lot rent, costly utility bills, and frequent fees.
Leverage funding for housing stability and sustainability

**Who:** Local government agencies, nonprofits

**Community Recommendations:** Provide rental assistance and emergency bill assistance
Provide financial incentives (ex: reduced fees) for developers providing affordable housing
Consider opportunities to use City land for affordable housing projects.
Continue to support nonprofits providing supportive housing services

Folks recognized that current funding levels were not adequate to meet the housing needs in our community, and discussed the importance of balancing the very immediate need to keep people’s housing stable with the longer-term need to fund the housing options people want and need in our community. In general, community members prioritized “gap funds” for low-income folks needing assistance to make ends meet and subsidized housing for low-income households. Assistance for middle-income earners was suggested through financial incentives to developers to provide housing at a lower cost. There was some support for City-led development of subsidized housing or “tiny home” sites, but largely folks did not see the City as a major supplier or manager of affordable housing. Participants praised the hard work of nonprofits in this arena, and expressed support for bolstering their funding and expanding services to meet the needs of specialized populations, including seniors raising grandchildren, immigrant and refugee families, and people who were incarcerated.

**Next Steps**

In Fort Collins, our vision for housing – everyone has safe, stable housing they can afford – is not a reality for everyone. Realizing this vision and overcoming the complex challenges of our housing system will require big, community-wide solutions. Overall, these responses suggest that the community is ready to do things differently.

Several of these suggestions still require investigation and conversation. For example, there was a perception among participants that “investment buyers” were unfairly driving up prices and reducing opportunities for home ownership by buying homes to rent out. More data is needed on the impact of investment buying in Fort Collins to understand the right balance between promoting home ownership and increasing rental supply. People also recognized that removing U+2 and/or increasing density in neighborhoods may be a challenging transition and could be unpopular with some homeowners. Community dialogue will be necessary to negotiate any potential changes.

These community voices, values, and ideas have provided a starting point for the Housing Strategic Plan’s efforts. Community voices—particularly those of BIPOC and low-income households—should continue to be a fundamental part of the evaluation of strategies to ensure that the transition from feedback to policy is as smooth as possible.
MEMORANDUM

To: Fort Collins HSP Team
From: Mollie Fitzpatrick, Root Policy Research
Re: Preliminary Strategy Review
Date: November 19, 2020; Revised November 23, 2020

This memo describes the structure of preliminary strategies recommended for consideration as part of Fort Collins’ plan to address the full spectrum of housing needs.

**Strategies will continue to be refined through December and January in staff workshops, City Council feedback, and community engagement.**

**Strategy toolkit.** The following toolkit of strategies reflects preliminary recommendations for consideration as part of the Fort Collins Housing Strategic Plan. Preliminary strategies are based on findings and recommendations in previous City reports, best practices in peer and leading communities, stakeholder and resident outreach, as well as the research and expertise of city staff. Additional details regarding implementation (specific action steps, beneficiaries, financial resources, responsible parties, etc.) will be incorporated after initial evaluation of each strategy.

**Strategy “buckets.”** Housing policy is first and foremost a community issue and as such, the city’s strategies are organized around community participants in the housing system: builders/developers, landlords, homeowners associations, special districts and government entities, financial institutions, manufactured housing neighborhoods, homeowners, renters, people experiencing homelessness, residents vulnerable to displacement, historically disadvantaged populations, and other community partners. This identification metric fosters broad access to the plan by allowing all participants, businesses, and residents to see where they “fit” in the city’s approach to housing.

A secondary categorization is also used to describe the type of strategy being used: education/information, revenue generation, financing, direct assistance, or policy (preservation, new construction, incentives, accessibility, housing diversity).

Figure 1 (beginning on the following page) shows the organizational structure, along with the preliminary strategies proposed for evaluation.

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1 2020 Land Use Code Audit, 2020 Analysis of Impediments to Fair Housing Choice, Homeward 2020
**Figure 1. Preliminary Strategy Recommendations**

**Proposed Strategy**

<table>
<thead>
<tr>
<th>Proposed Strategy</th>
<th>HOAs</th>
<th>Landlords</th>
<th>Builders/Developers</th>
<th>Finc. Institutions</th>
<th>Special Districts &amp; Gov’t Entities</th>
<th>Manufactured Housing Neighborhoods</th>
<th>Home-owners</th>
<th>Renters</th>
<th>People Experiencing Homelessness</th>
<th>Residents Vulnerable to Displacement</th>
<th>Historically Disadvantaged Populations</th>
<th>Other Partners</th>
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<td><strong>Education, Communication, and Information</strong></td>
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<td>1. Refine local affordable housing goal.</td>
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<td>The City has already adopted a broad goal of 10% affordable at 80% AMI.</td>
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<td>Consider formal adoption of subgoals (e.g., 10% of rental units affordable to 60% AMI; 5% of owner units deed restricted and affordable to 100% AMI) to help set expectations for developers as they negotiate agreements with the city and establish more specific targets for the city to monitor progress.</td>
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<td>2. Improve resident access to housing information and resources.</td>
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<td>Language access plan; tenant rights/responsibilities; fair housing rights and complaint process; affordable housing goal/policy tracker; housing equity; resource/program information; affordable housing database and/or search engine; partner agencies housing services.</td>
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<td>3. Promote inclusivity, housing diversity, and affordability as community values.</td>
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<td>PR campaign and/or communications related to density, structural racism, need for affordable housing, myths about affordable housing, etc. Could also use “tactical urbanism” strategies as part of this effort.</td>
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<td>4. Support community organizing efforts in manufactured home communities and access to resident rights information.</td>
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<td>5. Assess displacement and gentrification risk.</td>
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<td>City staff can use the work other communities do in this space as a guide for building our own index for displacement and gentrification risk using readily available data (Census, American Community Survey, etc.). This information can be used to help promote and target anti-displacement resources/programs, pair such resources with major capital investments, and guide community partnerships.</td>
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<td>6. Conduct a condition review and ownership survey of existing aging multi-family housing stock. Identify building rehab needs, rental trends, which buildings have opportunities to leverage historic property funding, etc.</td>
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<td>7. Conduct economic productivity analysis of selective case study neighborhoods based on date of development (e.g. Old Town North with Harvest Park and an example from the lower end of LMN density spectrum)</td>
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<td><strong>Community Partnerships, Governance, Equity-Centered Implementation</strong></td>
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<td>8. Regularly assess existing housing policies and programs to ensure they are effective, equitable, and aligned with vision. Begin with a comprehensive review of current programs/policies using the Government Alliance on Race &amp; Equity Racial Equity Toolkit. All strategies proposed in this Housing Strategic Plan will also be evaluated through an equity and efficacy lens.</td>
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<td>9. Consider extending the city’s affordability term. The City’s current affordability term for projects receiving City funding or incentives is 20 years but many cities use longer terms, commonly 30 up to 60 years. (Affordability term refers to the period over which affordable housing is income restricted, after which its deed restriction expires and it can convert to market-rate).</td>
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10 Conduct a formal Disparity Study to evaluate the prevalence of inequities in the housing system in Fort Collins. In collaboration with the City Attorney’s Office, this study could research current and historic documents, e.g., deeds, subdivision plats, policies and programs, to understand the root causes of inequities and disparities in Fort Collins.

11 Provide staff and those involved in the housing process with unconscious bias training to ensure all community members are treated equally in processes.

12 Create an anti-displacement committee, which would review opportunities to pair anti-displacement strategies with major public investments to mitigate the unintended consequences of such investments on residential displacement.

13 Improve access to interpreters/translator services and City programs, especially in Spanish and consider other languages.

14 Embed partnerships and associated funding into all housing strategies to adequately compensate for expertise.

15 Identify opportunities for communities to be decision makers, e.g., participatory budgeting.

### Dedicated Revenue Stream(s) for Affordable Housing

16 Extend sales tax dedicated to Affordable Housing Capital Fund (due to sunset in 2025).

17 Create a new dedicated revenue stream to fund the Affordable Housing Fund. Trust funds have grown immensely in popularity with reductions in federal funding for housing coupled with rising needs across communities. Local funds can support a variety of affordable housing activities, have fewer restrictions and are easier to deploy than federal or state dollars. Revenue sources are varied and include:

17a Linkage fees (commercial and/or residential) or impact fees (paid by new development). A linkage fee policy was reviewed by City Council in 2020 and was suggested to move forward in the next fee review and update (est. 2021).

17b General Obligation Bonds

17c Cash in Lieu fees from inclusionary housing buyouts (if implement IH)

17d Dedicated property or sales tax

17e Demolition tax

18 Consider affordable housing requirements/funding as part of metro districts. The city is already working on a specific recommendation for this strategy.

19 Consider affordable housing requirements/funding as part of TIF districts in Urban Renewal Areas.

20 Explore funding options through linked, but non-traditional sources, such as health agencies/foundations and/or social impact bonds. These innovative financing strategies are becoming more common and aim to leverage the savings created by stable, affordable housing but realized in other sectors (lower medical, social service, and justice costs).

### Financing for New Construction and Preservation

21 Partner with local Community Development Financial Institution (CDFI) to offer gap financing and low cost loan pool for affordable housing development.

22 Continue to pursue public-private partnerships and consider a dedicated staff member who would focus on cultivating such opportunities.
<table>
<thead>
<tr>
<th></th>
<th>Work with developers to better understand the financing barriers to missing middle projects and consider partnerships with financial institutions (CDFI, credit unions, and banks) to address such barriers.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Consider formation or partnership opportunities for a socially conscious Real Estate Investment Trust (REIT) to fund projects aligned with the city’s housing vision and goals.</td>
</tr>
<tr>
<td></td>
<td>Technical/Direct Assistance</td>
</tr>
<tr>
<td></td>
<td>Increase funding for financial literacy, credit building, and homebuyer education for residents. Some CDBG funding is allocated to supporting nonprofits that are providing this service but additional funding would increase capacity. Opportunities should be available in both English and Spanish and should be affirmatively marketed to historically disadvantaged populations and demographic groups with disproportionately low rates of homeownership.</td>
</tr>
<tr>
<td></td>
<td>Foreclosure and eviction prevention and legal representation. Housing Counseling generally takes the form of providing assistance with mortgage debt restructuring and mortgage and/or utilities payments to avoid foreclosure; short-term emergency rent and utilities assistance for renters. Cities often partner with local nonprofits experienced in foreclosure counseling. Landlord-tenant mediation is similar but generally conducted by local Legal Aid for more involved disputes between the landlord and tenant. CARES Act funding is currently dedicated to a legal defense fund for renters but additional resources are necessary to carry this strategy beyond the duration that CARES resources allow.</td>
</tr>
<tr>
<td></td>
<td>Home rehabilitation. Grants or loans to assist low income homeowners and (less common) multfamily property owners with needed repairs. Can be emergency repairs or maintenance needed to preserve homes.</td>
</tr>
<tr>
<td></td>
<td>Consider a mandated rental license program for long-term rentals and pair with best practice rental regulations. Having a rental registration or license program (a program in which landlords are required to obtain a license from the city) makes it easier to implement and enforce a variety of renter protections, promote best practices to landlords, and identify problem landlords. Specific efforts promoted through such programs include landlord education (fair housing or other), standardized lease agreements in English and Spanish, application fee reasonableness requirements, “just cause” evictions, source of income protection enforcement, housing quality standards, etc. Can include a modest fee to cover program cost, e.g., recent research suggests these fees range from approximately $0 to $110/unit, though fee frequency, determination, etc. varies by jurisdiction.</td>
</tr>
<tr>
<td></td>
<td>Policies</td>
</tr>
<tr>
<td></td>
<td>Preserve Existing Affordable Housing and Naturally Occurring Affordable Housing</td>
</tr>
<tr>
<td></td>
<td>Public Sector Right of First Refusal for Affordable Developments. Typically requires owners of affordable housing notify the public sector of intent to sell or redevelop property and allow period of potential purchase by public sector or nonprofit partner.</td>
</tr>
</tbody>
</table>

Attachment: Housing Draft List of Strategies (9744: Housing Strategic Plan Update)
### 30 Tenant right of first refusal for cooperative ownership of multifamily or manufactured housing community.

Laws that give tenants the right to purchase a rental unit or complex (including a manufactured housing community) before the owner puts it on the market or accepts an offer from another potential buyer. Laws typically allow residents to assign their "right of first refusal" to other entities, such as nonprofit partners that help the residents form a limited equity cooperative, or affordable housing providers that agree to maintain the property as affordable rental housing for a set period of time. Note that this provision already exists for manufactured housing communities under the Colorado Mobile Home Park Residents Opportunity to Purchase (HB20-1201 passed in June 2020).

| X | X | X | X |

### 31 Acquisition/ rehabilitation of naturally occurring affordable housing.

In this strategy nonprofits or for-profit affordable housing developers purchase privately-owned but low-priced housing options, or subsidized units with affordability periods ending ("at risk" affordable housing). Owners make needed improvements and institute long-term affordability. At-risk housing stock may include private rentals with rising rents, manufactured housing parks, or lower-cost single-family homes and real estate owned (REO) properties. Rental properties can be maintained as rental or convert to cooperative ownership. Ownership properties can be resold to lower-income families or leased as affordable rentals. City role in this strategy could include acquisition, capital to subsidize non-profit purchase, or rehabilitation loans.

| X | X | X | X |

### 32 Small landlord incentives.

Public sector incentives that encourage small landlords to keep units affordable for a period of time in exchange for subsidized rehabilitation or tax or fee waivers. Requires identification of properties through rental registration. Could also be applied to current vacation rentals for conversion to longer term permanent rentals.

| X | X | X | X |

### Support New Construction of Affordable Housing

#### 33 Bolster city land bank activity by allocating additional funding to the program (contingent on adopting additional revenue stream policy).

Begin with inventory and feasibility of publicly owned land in city limits and growth management area. Also consider underutilized commercial properties that could be used for affordable housing. Continue effective disposition of existing parcels to affordable housing developers and land trust partners.

| X |

#### 34 Inclusionary Housing.

Policies that require or incentivize the creation of affordable housing when new development occurs, either within same the development or off-site. Some inclusionary housing ordinances allow the developer to pay fees "in lieu" of developing the affordable units. Colorado state law currently prohibits Inclusionary Housing for rental but it is an option for owner-occupied developments; and the state will be considering repealing the prohibition on inclusionary rental ordinances in the 2021 session.

| X |

#### 35 Evaluate opportunities for affordable housing components in Capital Improvement Projects.

Could be achieved through land donations, development agreements, and/or partnerships with affordable housing developers. If adopt an anti-displacement committee (see #10 above), involve that committee in this process.

| X | X | X |

#### Incentivize Private Development to Create Affordable Housing and Other Community Benefits

#### 36 Community Benefit Agreements.

Agreements negotiated among community groups, a municipality and a developer that require specific terms in exchange for local support and/or planning approvals. CBAs aim to mitigate impacts of the

| X | X | X | X | X | X | X |
| 37 | Incentivize energy efficiency, water conservation, and other green building practices in alignment with Our Climate Future Big and Next Moves. Incentives can include fee waivers, variances, density bonuses, etc. | X |
| 38 | Recalibrate existing incentives to reflect current market conditions (existing incentives include fee waivers, fee deferral, height bonus, density bonus, reduced landscaping, priority processing). Conduct a detailed review of the current financial benefit of existing incentives relative to their requirements and evaluate applicability by income level and geography. Based on that analysis, recommend changes to incentive structure and applicability to increase efficacy. | X |
| 39 | Create additional development incentives for affordable housing. Development incentives are tied to a commitment to produce an agreed-upon share of affordable units (can be rental or owner). Most policies mandate set-asides of between 10 and 30 percent, depending on the market, and set affordability periods between 15 and 99 years. Incentives can take many forms; see below: |
| 39a | Expand density bonus program to apply in other zone districts (currently limited to LMN zone). Program would need to be calibrated for a variety of zones. | X |
| 39b | Annexation approval tied to development of affordable housing. | X |
| 39c | Building variances (can apply to setbacks, lot coverage, parking requirements, design standards, open space dedication, etc.) | X |

### Increase Supply of Accessible Housing

| 40 | Buydown of ADA/accessible units. Provide subsidies to persons with disabilities who cannot afford market-rate accessible rentals, most of which are in multifamily developments built after 1990 (post Americans with Disabilities Act, or ADA). | X |
| 41 | Visitability policy. Require or incentive developers to make a portion of developments “visitable,” meeting design standards that allow easy visitation by mobility impaired residents (one zero step entrance, 32-inch doorways, and bathroom on the main floor that is wheelchair accessible). Visitable design has been shown to add no additional cost to developers; it can be incentivized using a variety of incentives similar to affordability incentives (e.g., fee waivers/deferrals, priority processing, density bonuses, variances, etc.). | X |

### Allow the market to respond to a variety of housing preferences

<p>| 42 | Remove barriers to the development of Accessory Dwelling Units. Allow by right in all residential zone districts (in process per the 2020 LUC audit); reduced (or waived) tap fees and other development fees; consider development of a grant program for low and moderate income owners; evaluate feasibility of ADUs by lot to determine if there are overly burdensome standards related to lot coverage, setbacks, alley access, etc. and address those barriers as necessary. | X |
| 43 | Revise occupancy limits and family definitions. Occupancy limits and narrow family definitions often create unintended constraints on housing choice and options, including cooperative housing opportunities for seniors and people with disabilities desiring to live with unrelated adults in a single family home setting. Occupancy limits can also pose fair housing liabilities to the extent that they have a disparate impact on people with disabilities. Current best practices are to allow up to 8 unrelated or to base occupancy on building code requirements instead of family definitions. | X |</p>
<table>
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<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>44</td>
<td>Calibrate tap fees and other development fees to encourage product diversity and the production of smaller footprint homes (which are more likely to carry market-rate affordability). Per unit and per tap fees incentivize large and/or luxury development so that developers can recover fee costs through higher market prices. Fees can be scaled in tiers and/or by square footage, making it easier for developers to recover the cost of the lower fees of smaller homes with lower market prices. The city currently scales fees by bedroom and lot size and consideration of additional granularity is currently in process.</td>
</tr>
<tr>
<td>45</td>
<td>Remove barriers to allowed densities through code revisions. As noted in the 2020 LUC Audit, barriers to fully realizing allowed densities include multifamily unit number maximums, square footage thresholds for secondary or non-residential buildings, and height limitations that restrict the ability to maximize compact sites using tuck-under parking. Such requirements should be recalibrated or removed entirely.</td>
</tr>
<tr>
<td>46</td>
<td>Assess how metering and tap requirements may impact housing type diversity. Reasonableness considerations for ADUs, missing middle, manufactured housing communities, etc.</td>
</tr>
<tr>
<td>47</td>
<td>Increase awareness &amp; opportunities for collaboration across water districts and other regional partners around the challenges with water costs and housing.</td>
</tr>
</tbody>
</table>

### 2020 Land Use Code Audit Recommendations
- Create more opportunities for a range of housing choices.
- Define a range of options between two-family and multi-family housing.
- Clarify definition of and opportunities for Accessory Dwelling Units (ADUs).
- Remove barriers to allowed densities.
- Incentivize affordable housing projects.
- Clarify and simplify development standards.
- Consolidate like standards and definitions and make them more broadly applicable.
- Increase flexibility.
- Recalibrate incentives to reflect current market conditions.
- Align Design Manual with updated development standards.

### 2020 Analysis of Fair Housing Choice Action Steps
1. Strengthen fair housing information, educational and training opportunities.
2. Improve the housing environment for people with disabilities.
3. Support efforts to improve residents’ establishment and building of credit.
4. Support programs, projects, and organizations that improve housing access and affordability.
5. Continue to pursue infrastructure and public amenity equity.
6. Pursue public engagement activities to inform Land Use Code and policy updates through Home 2 Health.

### Homeward 2020 (TBD upon release of report, intent is to align the strategies from the 10-year Homeward 2020 effort within the Housing Strategic Plan)

### Continue to align housing work with other departmental plans and programs to leverage more funding resources and achieve citywide goals.

Source: City of Fort Collins and Root Policy Research.

Attachment: Housing Draft List of Strategies (9744 : Housing Strategic Plan Update)
This memo describes the evaluation framework of preliminary strategies recommended for consideration as part of Fort Collins’ plan to address the full spectrum of housing needs.

Criteria will continue to be refined through December and January in staff workshops, City Council feedback, and community engagement.

**Evaluation framework.** A number of factors are important considerations in evaluating and prioritizing specific strategies for inclusion in the Housing Strategic Plan. Not only should strategies be effective and financially feasible, they should also directly contribute to progress on the city’s current affordability goal (10% of units affordable to 80% of AMI by 2040) and the city’s vision for housing, “Everyone has healthy, stable housing they can afford.” Root will be facilitating a staff evaluation of all preliminary strategies over a series of workshops in December and January.

First, each strategy is evaluated across a series of questions to confirm feasibility and alignment with City vision: (response options are yes/no/maybe). Next, strategies are rated for efficacy and relative cost to the city (on a scale of 1 to 5). Root recommends that strategies be re-evaluated every 3 years in concert with evaluating outcomes (i.e., are the strategies working?).

Figure 1, on the following page, illustrates the evaluation framework.
Figure 1. Evaluation Framework

<table>
<thead>
<tr>
<th>Evaluation Framework</th>
<th>Yes</th>
<th>Maybe</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does this strategy create/preserve housing affordable to 80% AMI or less (City-adopted goal for affordability)?</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does this strategy enhance housing stability?</td>
<td></td>
<td>maybe</td>
<td></td>
</tr>
<tr>
<td>Does this strategy promote healthy neighborhoods/housing?</td>
<td></td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Does this strategy increase equity in the following ways…</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address housing disparities?</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase accessibility?</td>
<td></td>
<td>no</td>
<td></td>
</tr>
<tr>
<td>Increase access to areas of opportunity?</td>
<td></td>
<td>maybe</td>
<td></td>
</tr>
<tr>
<td>Promote investment in disadvantaged neighborhoods?</td>
<td></td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Mitigate residential displacement?</td>
<td></td>
<td>yes</td>
<td></td>
</tr>
<tr>
<td>Does this strategy address highest priority needs (to be defined by sub-goal development)?</td>
<td></td>
<td>maybe</td>
<td></td>
</tr>
<tr>
<td>Does the city have necessary resources (financial and staff capacity) to implement administer and monitor?</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Does this strategy have community support?</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Can the city lead implementation of this strategy (or does it require state/regional leadership and/or non-profit or partner action)?</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If no, are partnerships in place to lead implementation?</td>
<td></td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Does this strategy help advance other community goals (e.g., climate action, water efficiency, etc.)?</td>
<td>yes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Additional criteria can be added to capture city priorities as desired and/or clarified (e.g., unit quantity vs depth of affordability, priority populations, housing balance across the spectrum vs targeted approach of city funds, etc.).

Source: City of Fort Collins and Root Policy Research
Questions for Consideration

What feedback do Councilmembers have on the following:

• Engagement to date?
• Strategies identified?
• Draft evaluation criteria?

Do Councilmembers support bringing forward an off-cycle appropriation to initiate the LUC work?
STRATEGIC OBJECTIVES

Neighborhood Livability & Social Health
- **NLSH 1.1** Improve and increase...housing...affordable to a broad range of income levels.

COUNCIL PRIORITIES

- Affordable and Achievable Housing Strategies
- Equity and Inclusion
- Reimagining Community Engagement

CITY PLAN

- **Principle LIV 5**: Create more opportunities for housing choices
- **Principle LIV 6**: Improve access to housing...regardless of their race, ethnicity, income, age, ability, or background
Housing Strategic Plan Process

Step 1: Vision (Aug)
Step 2: Greatest Challenges (Sep)
Step 3: Engage Community (Oct/Nov)
Step 4: ID Strategies, Criteria (Nov/Dec)
Step 5: Evaluate Strategies (Dec)
Step 6: Prioritize Strategies* (Jan)
Step 7: Consider Adoption* (Feb/Mar)
Step 8: Implement* (Spring +)

Progress to Date

Everyone has healthy, stable housing they can afford

Attachment: Powerpoint Presentation (9744 : Housing Strategic Plan Update)
Step 1: Draft Vision

Everyone has healthy, stable housing they can afford
Challenge #1: Price escalation impacts everyone & disproportionately impacts BIPOC* and low-income households.

Challenge #2: There aren’t enough affordable places available for people to rent or purchase, or what is available and affordable isn’t the kind of housing people need.

Challenge #3: The City does have some tools to encourage affordable housing, but the current amount of funding and incentives for affordable housing are not enough to meet our goals.

Challenge #4: Housing is expensive to build, and the cost of building new housing will likely continue to increase over time.

Challenge #5: It is difficult to predict the lasting effects of COVID-19 and the pandemic’s impacts.

Challenge #6: Housing policies have not consistently addressed housing stability and healthy housing, especially for people who rent.

*Black, Indigenous, and People of Color
Step 3: Community Engagement

City-led virtual workshops + presentations (24)

Partner-led engagement (12)

Previous City engagement efforts

Community Guide Discussions

Nearly 450 community members engaged in just over two months!

“At your own pace” module

City of Fort Collins

Packet Pg. 158

Attachment: PowerPoint Presentation (9744: Housing Strategic Plan Update)
Step 3: Community Engagement

What We’ve Heard:
- Overall support for draft vision
- Challenges accurately reflect people's knowledge and experience
- Key values – Equity, Choice, Collaboration
- Themes:
  - Revamp the housing we have
  - Increase the amount and type of new housing available
  - Ensure housing stability for renters and homeowners
  - Leverage funding for housing stability and sustainability

"My apartment is rising in rent every year, and the living conditions don't match the price. I have many maintenance issues and the condition of the apartment is old and under taken care of... not to mention they like to add miscellaneous fees."

"I think it is important that workers are able to afford living in or near the city they work in, especially teachers and frontline workers."

"There are many people who do not desire the traditional house with a 20-30 year mortgage... There are so many people (both young and old) who want to live smaller, and we are ready for these options to be available in our city."
50+ Strategies Identified Thus Far

Step 4: Identify Strategies & Draft Evaluation Criteria

Initial Strategy Categories:
1. Education, Communication & Information
2. Community Partnerships, Governance, and Equity-Centered Implementation
3. Dedicated Revenue Stream(s) for AH
4. Financing for New Construction & Preservation
5. Technical/Direct Assistance
6. Policies
   - Preserve Existing Affordable Housing and Naturally Occurring Affordable Housing
   - Support New Construction of Affordable Housing
   - Incentivize Private Development to Create Affordable Housing and Other Community Benefits
   - Increase Supply of Accessible Housing
   - Allow the market to respond to a variety of housing preferences
7. Continue efforts to implement recommendations from current housing-related studies and other City efforts
### Proposed Strategy

**Education, Communication, and Information**

5. **Assess displacement and gentrification risk.** City staff can use the work other communities do in this space as a guide for building our own index for displacement and gentrification risk using readily available data (Census, American Community Survey, etc.). This information can be used to help promote and target anti-displacement resources/programs, pair such resources with major capital investments, and guide community partnerships.

---

### Overarching Category:

- Education, Communication, and Information

### Specific Action: Assess displacement and gentrification risk

### Who Is Impacted: Renters, residents vulnerable to displacement, historically disadvantaged populations

<table>
<thead>
<tr>
<th>Impacted Players in the Housing System</th>
<th>HOAs</th>
<th>Landlords</th>
<th>Builders/Developers</th>
<th>Finc. Institutions</th>
<th>Special Districts &amp; Gov’t Entities</th>
<th>Manufactured Housing Nhbds</th>
<th>Homeowners</th>
<th>Renters</th>
<th>People Experiencing Homelessness</th>
<th>Residents vulnerable to displacement</th>
<th>Historically disadvantaged populations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renters</td>
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</tbody>
</table>
### Step 4: Identify Strategies & Draft Evaluation Criteria

#### Does the strategy help achieve the vision and support equity?
- Yes

#### Is the strategy feasible to implement?
- Yes

#### What level of impact will the strategy likely have?
- Yes

#### What level of resources will be required?
- Yes

<table>
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<td><strong>Does this strategy address high/low priority needs (to be defined by sub goal development)?</strong></td>
<td>yes</td>
<td>maybe</td>
</tr>
<tr>
<td><strong>Does this strategy increase housing type and price-point diversity in the city?</strong></td>
<td>yes</td>
<td>yes</td>
</tr>
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**Rating scales for efficacy and cost**

<table>
<thead>
<tr>
<th>Efficacy</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

**Note:** Step 5 is individual strategy evaluation; Step 6 is strategy prioritization with community and Council in January (process in design)
Council Ad Hoc Housing Committee

Discussion Framework:
- Quick(er) wins – before April
- Transitional Strategies – next Council
- Transformational – more than 2+ years

Quick(er) wins identified thus far
- Evaluate opportunities to increase and recalibrate affordable housing incentives in the Land Use Code (*existing resources*)
- Off-cycle appropriation to advance Land Use Code audit (*additional resources required*)

Additional “quick(er) wins” may be brought forth at the January Work Session
Off-cycle appropriation to advance Phase One of the Land Use Code (LUC) Audit

- **What:** Housing specific LUC Changes (2021-2022)
- **Responds to the greatest challenges by:**
  - Addresses the entire housing spectrum with new tools and processes
    - Defines additional housing types; creates opportunity to increase overall supply
    - Recalibrates incentives for affordable housing production, identifies opportunities to add to existing incentives
    - Refines and simplifies development processes
- **When:** Could bring forward Q1 2021, begin work Q2 2021
- **Resources Required for Phase One:** $250-350K for housing-specific changes, $50-$60k matching funds from Home2Health (analysis & engagement)
Next Steps & Implementation

2020 Next Steps:
- Incorporate remaining strategies
- Begin strategy evaluation
- Design process for strategy prioritization
- Draft plan for January release

Key 2021 Dates:
- January 7, 2021 - Draft Plan released
- Jan 7 - Jan 21 - Community review
- Jan 21 - Feb 3 - Staff Revisions
- Jan 26 – Council Work Session – Strategy Prioritization, Plan Indicators, & Guiding Principle
- Feb 16 – Adoption (1st Reading)
Questions for Consideration

What feedback do Councilmembers have on the following:

- Engagement to date?
- Strategies identified?
- Draft evaluation criteria?

Do Councilmembers support bringing forward an off-cycle appropriation to initiate the LUC work?