Adjourned Meeting
October 8, 2019
6:00 p.m.

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

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

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

• CALL MEETING TO ORDER

• ROLL CALL

1. Consideration of a motion to adjourn into executive session.

   “I move that the City Council go into executive session for the purpose of meeting with City staff to discuss real property acquisitions for the Natural Areas Department, as permitted under Article II, Section 11(a) of the City Charter, Section 2-31(a)(3) of the City Code and Colorado Revised Statutes Section 24-6-402(4)(a).”

• OTHER BUSINESS

• ADJOURNMENT
City Council Work Session
October 8, 2019
After the Adjourned Council Meeting, which begins at 6:00 p.m.

CALL TO ORDER.

1. Oil and Gas Operations - Overview and Options. (staff: Cassie Archuleta, Jeff Mihelich, Kelly Smith; 20 minute staff presentation; 45 minute discussion)

   The purpose of this item is to describe staff’s current actions managing impacts of oil and gas development in City limits, describe the land use authority granted by new state legislation (Senate Bill 19-181), and discuss potential regulatory options.

2. Equity and Inclusion. (staff: Janet Freeman, Jackie Kozak-Thiel, DeAngelo Bowden; 20 minute staff presentation; 45 minute discussion)

   The purpose of this item is to share with Council the City’s equity inclusion efforts to date and seek feedback.

3. 2019 Fee Update. (staff: Jennifer Poznanovic, Lance Smith; 10 minute staff presentation; 20 minute discussion)

   The purpose of this item is to review fee updates associated with Electric Capacity Fees, Water Supply Requirement Fees, Wet Utility Plant Investment Fees (PIFs) and Step III of the 2017 Capital Expansion Fees (CEFs). Coordination of Council approved fees began in 2016 to provide a more holistic view of the total cost impact. Previously, fee updates were presented to Council on an individual basis. After the 2019 fee update, fee phasing will be complete with regular two and four-year cadence updates beginning in 2021.

Staff proposes the following fee changes:

- Wet Utility PIFs as proposed
- Electric Capacity Fees as proposed
- Water Supply Requirement Fee as proposed
- 100% of proposed 2017 Capital Expansion Fees (Step III)
- Transportation Capital Expansion Fees (inflation only)

Development Review/Building Fees were initially planned to be part of the 2019 update but have been decoupled and will come forward once finalized.

- **ANNOUNCEMENTS.**

- **ADJOURNMENT.**
SUBJECT FOR DISCUSSION

Oil and Gas Operations - Overview and Options.

EXECUTIVE SUMMARY

The purpose of this item is to describe staff’s current actions managing impacts of oil and gas development in City limits, describe the land use authority granted by new state legislation (Senate Bill 19-181), and discuss potential regulatory options.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Which option would Council like to pursue for oil and gas development?

- Option #1: Continue current efforts; reevaluate in a year
- Option #2: Develop new regulatory framework now; consider moratorium

BACKGROUND / DISCUSSION

The City of Fort Collins has an active oil field in the northeast part of the City that was first discovered in 1924 and continues to produce oil. As is common with older, once remote, oil and gas developments around the state, urban growth has encroached upon the field. In the past decade, advances in oil and gas development technologies have led to increased production in the state, and an evolving regulatory environment. Most recently, the State adopted Senate Bill 19-181 (SB181), which allows for more local government authority in oil and gas regulation. One of the Council priorities, as adopted on July 2, 2019 per Resolution 2019-076, states:

- Mitigate impacts of oil and gas encroachment into the Growth Management Area
  - Understand current and potential surface impacts of oil and gas production within the Growth Management Area and consider strategies to mitigate those impacts. Evaluate the impact and needed/desired changes as a result of Senate Bill 19-181 through a robust public engagement process

Related to this priority, background on oil and gas operations and current regulatory status is provided here. This is followed by potential options for next steps in evaluating and exercising new local government authority as granted through SB181.

Background on Oil and Gas Operations

Oil and gas development in northeast Fort Collins occurs in a small oil field. Currently, there is one operator and 10 active wells within city limits, with no new wells drilled since 1992. These wells are currently developing in a geological formation called the Muddy Sandstone, where the oil is characterized as “dead oil,” meaning it has low volatility (very little gas) and requires water injection to bring the oil to the surface. Well depth varies between around 4,800 and 5,600 feet and produce a product that has been characterized as about 97% water, 3% oil, and no salable gas.

While there is relatively little oil and gas activity within city limits, there is continuing urban land development interest, and interest in further developing mineral resources at existing oil and gas wells. Specifically, the oil and
gas operator (Prospect Energy) has proposed converting non-producing wells into producing wells near a new residential development. This new production would target a different geological formation (the Codell), which may have a different mix of water, oil and gas.

On a larger scale, eastern Colorado has experienced an oil and gas development boom since around 2008, largely due to advancements in horizontal drilling and hydraulic fracturing techniques in a formation called the Wattenberg field. Currently, Weld County is the top producer of both oil and gas in Colorado, with 21,032 active wells. Well depths average 8,000-10,000 feet, and most new wells are horizontally drilled, which means they can extend up to 2 miles horizontally through a formation from a single well pad location. Emissions related to these wells have been demonstrated to contribute to ozone non-attainment issues in Fort Collins.

State Regulations

Oil and gas operations in Colorado are regulated by the Colorado Oil and Gas Conservation Commission (COGCC), while the Air Quality Control Commission (AQCC) regulates air pollution impacts associated with operations. On April 16, 2019, the State adopted Senate Bill 19-181 (SB181), which changed the scope of local authority for oil and gas development. Key elements of SB181 include:

- A mission change for the COGCC, which elevates public health, safety and environmental concerns over mineral development interests
- Increased local authority to reasonably regulate the siting of oil and gas locations to minimize adverse impacts to public safety, health, welfare and the environment
- Increased local authority to reasonably regulate land use and surface impacts, inspect oil and gas facilities; impose fines for leaks, spills and emissions; and impose fees to cover costs of permitting, regulation, monitoring and inspection.

Adoption of SB181 has triggered new rulemaking activity for the COGCC and the AQCC, which will proceed into 2020. Staff is actively monitoring these rulemakings, and the nature and extent of new rules is still uncertain.

County Regulations

Larimer County has formed an oil and gas task force to explore a comprehensive set of regulations that supplement State regulations. Meetings began in June 2019, and the County expects a draft of proposed regulations by October 2019. This would be followed by a public process, prior to consideration of adoption. (<https://www.larimer.org/planning/oil-and-gas-task-force/task-force>)

Local Agreements, Regulations and Programs

Prior to adoption of SB181, local authority was limited by the COGCC. In 2013, Fort Collins adopted a voter-initiated 5-year ban on hydraulic fracturing, but this was overturned by the Colorado Supreme Court in 2016, in part, because it was preempted by State law. Ways that the City currently regulates oil and gas operations include:

- An Operator Agreement between the City and Prospect Energy which was implemented in 2013 and structured to renew in 5-year increments (last renewed in 2018). This agreement goes above and beyond State and Federal requirements for air sampling and other Best Management Practices (BMPs) for new wells drilled within City limits.
- The City’s Land Use Code, which includes setback requirements for new development around existing wells and other oil and gas infrastructure (called reciprocal setbacks). These rules were updated in 2018. Conversely, the COGCC regulations include setbacks for proximity of new wells to existing development.

The City also provides input to the COGCC through the COGCCs Local Governmental Designee (LGD) program. Counties, municipalities and special districts designate one representative to serve as the main point of contact with the COGCC. The program provides several benefits, including:
• Free training to local designees
• A point of contact between the local government and COGCC
• Notification from COGCC of comment periods for permits and approvals
• Notification from operators on applications and operations
• Consultation and comment opportunities

Near-term Development Interest

As noted above, Prospect Energy is the only oil and gas operator within City limits, with 10 wells in northeast Fort Collins considered “active”; which means they are either currently or capable of producing an oil and gas product. Of these active wells, three produce oil, five are used to inject water to bring oil to the surface, and two are considered “shut-in” or drilled and capable of producing, but not currently in use.

Of these wells, four active wells and one inactive well are in the proposed Country Club Reserve residential development, which is in the final stages of City approval. Considerations for housing setbacks from existing wells, per 2013 Land Use Code requirements (plan submission pre-dated 2018 Land Use Code updates), include:

• 350-foot reciprocal setback (proximity of new homes to existing O&G infrastructure) for the four active wells. Three of these active wells are not currently producing oil or gas and have minimal infrastructure, including access roads and small sheds.
• 150-foot reciprocal setback for the inactive, or plugged and abandoned, well. Plugged and abandoned wells are considered reclaimed or restored to natural conditions by the COGCC and are not typically visible on the surface.

Prospect Energy has recently submitted a permit application to the COGCC to “re-complete” one well on the Country Club Reserve property. A recompletion process would involve converting a non-producing “shut-in” well, where the well-head is housed in a shed-like structure, to a producing well. This would include hydraulically fracturing a new formation (1-2 day process), and subsequent installation of a pump jack or plunger lifts on site to bring oil and gas product to the surface.

In August 2019, staff convened the operator and landowner to discuss concerns related to the proposed recompletion and potential mitigation options. Results of the meeting included:

• The landowner expressed interest in minimizing surface impacts and sharing the burden of accommodating existing and future oil and gas operations.
• The operator expressed interest in working cooperatively with the City and the landowner, while preserving access to mineral rights.
• The operator and landowner discussed ways to minimize land use impacts, including use of existing pipelines rather than on-site storage or flaring.
• The operator and the landowner agreed to draft a Surface Use Agreement, which would guide future surface development in this area.
• Preliminary interest was expressed in exploring the financial trade-offs of compensating the operator to plug and abandon the wells.

The COGCC is currently reviewing completeness requirements for this permit application before releasing for public comment.

Current Efforts

Council priorities, per Resolution 2019-076, include a reduction or elimination of surface impacts in the Growth Management Area (GMA) and evaluation of implications of SB181. Per this direction, current efforts include:

• Near Term Development Interest - Per the potential well development in the County Club Reserve area, staff will continue to work with the operator and the landowner to facilitate development of a Surface Use Agreement. Additionally, in anticipation of new rulemakings per SB181, the COGCC has committed to
reviewing any application within a municipality in accordance with the intent of SB181, and the City will provide comments for consideration.

- **Updates to the Operator Agreement** - Staff will explore potential updates to this agreement, which may include removing requirements that were one-time or no longer relevant, updating BMPs, and considering new requirements for facility and operation expansions at existing wells.

- **Emergency Management Planning** - The City’s Office of Emergency Management (OEM) is working with the operator and Poudre Fire Authority (PFA) to update emergency and spill response plans, and to set up regular coordination and training opportunities.

- **County Regulations** - The City is actively monitoring the County’s development of draft regulations and participating in discussions with County staff.

- **Regional Regulations** - The City is staying informed on regulations being developed by other Front Range communities by regularly participating in roundtable discussions with local governments.

- **State Regulations** - The City is actively monitoring a series of rulemakings by the COGCC and AQCC that will better define local authority and gaps to be filled through local requirements. Joining party status for these rulemakings may be considered per the City’s Legislative Policy Agenda (LPA).

**Current Land Use Code for New Oil and Gas Development**

Apart from buffer and setback standards, the Land Use Code contains few oil and gas specific procedures or standards. In fact, oil and gas extraction is not listed as an allowed use in any zone district. Prior to 2019, the City’s application of its land use authority was limited by the COGCC’s authority. With adoption of SB181, the City would process an application for a new oil and gas well by means of the Addition of Permitted Use (“APU”) process to allow the use on a particular property. Presuming the use request were allowed, approval of a Project Development Plan (PDP) and Final Plan would also be required. It should be noted that the existing Operator Agreement may limit application of the Land Use Code to Prospect Energy’s oil and gas activities.

**OPTIONS FOR COUNCIL CONSIDERATION**

Options for Council consideration are described below, follow by a table comparing the pros and cons for each option.

**Option #1: Continue current efforts, reevaluate in a year**

Staff would continue with current efforts and application of Land Use Code standards as described above. Following adoption of final rules by State and County, staff would determine regulatory gaps, BMPs, opportunities for increased standards, and monitor legal challenges to local regulations adopted since SB181. Staff would return to Council approximately one year from now for further discussion.

**Option #2: Develop new regulatory framework now; consider moratorium**

Develop local regulations now to fill gaps and expand standards for new wells. This would require a robust outreach process that engages the public, stakeholders and technical experts to adopt consistent requirements applied across all oil and gas development. These standards could replace the Operator Agreement after it expires in 2023 and would give the City the most autonomy in managing land use and surface impacts. If desired, this option could include a moratorium on new oil and gas permits with operators other than Prospect Energy until the regulatory framework is adopted (12 months). Potential elements within the framework could include, but are not limited to:

- Zoning restrictions;
- Setback requirements for new wells;
- Impact and maintenance fines and fees;
- Tiered development review process based on development type;
- Environmental protection standards beyond State requirements;
- Additional monitoring, testing and reporting requirements for air, water, odor; and
- Local permit requirement.
Comparison of Options

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<th>OPTION</th>
<th>PROS</th>
<th>CONS</th>
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| #1: CONTINUE CURRENT EFFORTS | • Allows time to align with State, County and other jurisdictions  
• New drilling within City limits unlikely  
• Allows time to monitor legal challenges against local regulations adopted during State rulemaking process | • Limited clarity on City development standards for new operators applying to drill new wells within City limits. |
| #2: NEW REGULATORY FRAMEWORK | • Could address full authority of SB181  
• Could apply to all operators  
• Could replace existing Operator Agreement once it expires in 2023  
• Provides greatest clarity of standards to operators | • COGCC rulemakings will conclude in spring 2020; will not know regulatory gaps and full authority until then  
• Unsure of legal challenges to regulations adopted by other local communities  
• Larimer County regulations in progress; may want to align City standards with County  
• Extensive staff time dedicated toward developing regulations within a changing regulatory landscape  
• Limited ability to leverage BMPs that may be (or have been) established through other community models since majority are still in progress  
• Potential need for additional resources for consulting support |

NEXT STEPS

Staff is seeking direction on whether to re-evaluate regulatory needs at a later date or act immediately to begin developing new regulations related to oil and gas.

Option #1: Continue current efforts; reevaluate in a year

Continue to explore updates to the Operator Agreement, partner with Larimer County, collaborate with COGCC, and monitor the changing regulatory landscape statewide on oil and gas development. Staff would provide Council with periodic updates via memoranda for the next year, after which staff would bring the subject of developing a regulatory framework before Council for further discussion.

Option#2: Develop new regulatory framework now; consider moratorium

Begin developing a new comprehensive regulatory framework for oil and gas development. If staff were to pursue this option additional resources would be evaluated to support the measure. Thereafter, staff would develop a scope and public outreach plan. At project milestones staff would provide Council with updates. Draft regulations would go before Planning and Zoning Board for recommendation, with final approval by Council via ordinance within 12-18 months. Council could also consider a moratorium as regulations are being developed.
ATTACHMENTS

1. Powerpoint presentation  (PDF)
Council Discussion

Which option would Council like to pursue for oil and gas development?

- Option #1: Continue current efforts; reevaluate in a year
- Option #2: Develop new regulatory framework now; consider moratorium
Why We Are Here

COUNCIL PRIORITY
Oil and Gas
- Reduce or eliminate surface impacts

STRATEGIC ALIGNMENT
Neighborhood Livability
- 1.7 Guide Development

BUDGET
- Planning and Environmental Services 2019-2020 Ongoing Offers

Attachment: Powerpoint presentation (8339: Oil and Gas Operations - Overview and Options)
Oil and Gas Wells by the Numbers

- Colorado: 52,692 Active Wells
- Weld County: 21,032 Active Wells
- Larimer County: 272 Active Wells
- City of Fort Collins
  - One Operator
    - Prospect Energy
  - 10 Active Wells
    - 3 Producing
    - 5 Injecting
    - 2 Shut-In
First well drilled in Fort Collins field (1924)

Most recent well drilled (1992)

5-year ban on fracking (2013)

Operator Agreement

Land Use Code updates – reciprocal setbacks (2016)

Colorado Supreme Court decision – ban rejected

Land Use Code updates – increase reciprocal setbacks (2018)

Senate Bill 19-181 adopted (2019)
Current Efforts

• **Colorado Oil and Gas Conservation Commission (COGCC)**
  - Regulate all stages of oil and gas development
  - New rulemakings

• **Colorado Department of Public Health and Environment (CDPHE)**
  - Air regulations, health response
  - New rulemakings

• **Larimer County**
  - Evaluating new comprehensive code

• **City of Fort Collins**
  - Operator Agreement (OA)
  - Land Use Code
  - Local Governmental Designee (LGD)
Reciprocal Setbacks

Example: Hearthfire
Northeast Fort Collins
O&G Development Interest
Producing
Injecting
Shut-In
Abandoned
City Limits

Well Status
- Producing
- Injecting
- Shut-In
- Abandoned
- City Limits

Packet Pg. 16
1. Change in COGCC Mission from fostering responsible, balanced development to regulating in a manner that protects public health, safety & environment

2. Expands local authority

COMMUNITY RESPONSE:

- 10+ Developing Regulations
- 8 Adopted Moratoria
- 1 Adopted Regulations
OPTION#1
Continue Current Efforts

- Actively monitor regional and State rules
- Evaluate gaps and legal challenges
- Report back in 1 year
Pursue Regulatory Framework Now

- Develop regulations now
- Consider moratorium
## Option Comparison

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<th>PROS</th>
<th>CONS</th>
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| #1: Continue Current Efforts; Reevaluate in a Year | - Understand gaps at State level  
- Align with county regs  
- New drilling unlikely | - Limited clarity on City development standards for new operators |
| #2: Develop Regulatory Framework Now; Consider Moratorium | - Addresses full authority  
- Provides greatest clarity to new operators | - May not align with the State and County  
- Few precedents to measure legal challenges |
Council Discussion

Which option would Council like to pursue for oil and gas development?

• Option #1: Continue current efforts; reevaluate in a year
• Option #2: Develop new regulatory framework now; consider moratorium
SUBJECT FOR DISCUSSION

Equity and Inclusion.

EXECUTIVE SUMMARY

The purpose of this item is to share with Council the City’s equity inclusion efforts to date and seek feedback.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

1. Overview of City’s equity and inclusion efforts.
2. Council feedback on staff’s efforts.

BACKGROUND / DISCUSSION

History

Through various indices and available data sets, it has become apparent there are existing equity disparities within our community.

While more analysis is needed to comprehensively capture all available information and determine the root causes of any and all inequities, since 2015 the City has been actively reengaged with the work of equity and inclusion. The goal for the work is to achieve an equitable and inclusive community where all people feel they belong and are valued. Social Sustainability is also leading efforts to increase equity and inclusion in the City workplace.

Strategic Alignment

The City’s Strategic Plan has three equity and inclusion objectives:

- **Neighborhood Livability & Social Health 1.4**: Co-create a more inclusive and equitable community that promotes unity and honors diversity.
- **Neighborhood Livability & Social Health 1.3**: Improve accessibility to City and community programs and services to low- and moderate-income populations.
- **High Performing Government 7.3**: Broaden methods of community engagement with additional consideration to diverse backgrounds, languages and needs.

In addition, Social Sustainability’s Strategic Plan has an Equity and Inclusion focus, with four main objectives:

- Expand the City’s diversity, inclusion and equity goals.
- Support programs that enable all residents to have equal access to meet basic needs.
- Promote and maintain a welcoming, inclusive community where people feel connected.
- Promote inclusive transportation options.
Other City strategic plans that have embedded equity considerations include City Plan, Transportation Master Plan, FOCO Creates, and the Climate Action update.

**Definitions**

The organization uses the following working definitions for equity and inclusion:

- **Inclusion**: An intention or policy of including people who might otherwise be excluded or marginalized based on ethnicity, familial status, gender identity, age, marital status, national origin, geographic background, race, religious and spiritual beliefs, sexual orientation, socioeconomic status, disability, or veteran status.

- **Equity**: A process and outcome both. Process by which policies, programs and tools are developed to ensure the elimination of existing disparities and includes inclusive engagement that leverages diversity. It becomes an outcome once a person’s identity or identities no longer impacts their ability to thrive.

In addition, the City has anchored its equity work to the following relevant definitions that are aligned with usage from other cities engaged in equity and inclusion work:

- **Diversity**: Diversity is how we identify along lines of culture, ethnic origin, race, age, gender, gender identity, physical ability, religious beliefs, sexual orientation, marital status, political viewpoints, language abilities, socioeconomic status, and more.

- **Systemic Racism**: The various policies, practices and programs of differing institutions within a community that can lead to adverse outcomes for communities of color compared to white communities.

- **Institutional Racism**: Policies, practices, and programs within one organization that, most often unintentionally and unconsciously, work to the benefit of white people and the detriment of people of color.

**Trainings**

Over the past five years, the City has offered internal and external trainings on topics related to equity, inclusion and diversity. Recent trainings include:

- **National League of Cities’ Race Equity and Leadership (REAL) 101 Training** - September 2018
  - Attended by Councilmembers, City leadership, managers and other staff (70 total attendees)
  - Helped strengthen mutual understanding of role of local government in advancing racial equity
  - Explored historical and current influences pertaining to race-based inequities resulting from institutional and systemic racism
  - REAL 201, a follow-up training to 101, was attended by City manager Darin Atteberry and some Councilmembers

- **Diversity Solutions Group Multicultural Community Retreat: Race! Let’s Talk About It (2019)**
  - Attended by City staff and community members (70 total attendees)
  - Explored conducting anti-racist work and mitigating impacts of systemic racism
  - The Multicultural Community Retreat has been offered since 2015
  - A workshop will be held on October 14 and 15, 2019
  - A one-day workshop on this topic was given to Utilities’ senior staff, IES, SSA and Finance

- **Government Alliance on Race and Equity (GARE)**
  - City staff attended national conference (April 2019)
  - Role of local government in advancing racial equity and equitable outcomes for all
  - Applying a racial equity lens

- **Unconscious Bias**
  - Multiple trainings offered past 5 years
Currently embedded in Managing at the City curriculum

Some City staff have undergone additional equity trainings, including:

- Power and privilege
- Decentering whiteness
- Stakeholder mapping
- Cross-cultural communication
- Inclusion strategies, and more

Moreover, some staff have engaged in learning opportunities on topics such as:

- Inclusion of transgender employees
- Impacts of poverty
- Immigration justice
- Medical racism
- Environmental justice
- Economic inclusion, and more

**Current Policies**

**Title VI**

Title VI of the Civil Rights Act of 1964 requires that no person in the United States of America shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination under any program or activity provided by the recipient of federal assistance.

**Americans With Disabilities Act and Section 504**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Fort Collins will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City’s programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, disabled individuals with service animals are permitted in City offices, even where pets are generally prohibited.

Neither the ADA nor Section 504 of the Rehabilitation Act of 1973 require the City to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

**Police Services**

Fort Collins Police Services (FCPS) maintains fair and equitable practices in its dealings with residents. This is done through policies and practices, participation in boards and committees, and training.

Policies guide specific activities of FCPS employees in this area. They are:

- Code of Ethics
- Mission Statement
- Bias-Motivated Crimes
- Racial and Bias-Based Profiling
Immigration Violations
Detentions, Contacts, and Photographing Detainees
Expectations of Conduct
Investigation and Prosecution
Limited English Proficiency
Administrative Investigations

Membership and Participation on Boards, Committees, and Commissions

- Multi-Level: Work with the Human Relations Commission and the Citizen Review Board
- Multi-Level: Participation in robust and growing Spanish-language team which trains employees through Spanish immersion courses.
  - Agency members host and participate regularly in Cafecitos, cookouts, and cultural events.
- Management-Level: Participation in the City’s LGBTQ committee
- Executive and Management-Level: Deputy Chief of Police and Public Relations Manager serve as integral members of the Community Trust committee.
- Executive-Level: Deputy Chief of Police serves on the DU Daniels Fund Law Enforcement Ethics Committee

FCPS personnel participated/will participate in seminars and training including:

- Multicultural Community Retreat (Diversity Solutions Group)
- No Way But Through: Reframing Our Work, Developing Allies, & Rebuilding Trust (Diversity); (DeEtta Jones and Associates)
- Diversity Symposium (Colorado State University)
- Inclusivity and Anti-Prejudice course (Diversity Solutions Group)
- The Honor of Ethics program (DU Daniels Fund)
- Implicit Bias - Train the Trainer (Fair and Impartial Policing)
  - Agency training in Q1 2020
- Naturalization/Immigration Process (TBD; Q2 2020)
- Ethics - Train the Trainer (The Center for American & International Law)
  - Agency training in Q2-Q3 2020

Purchasing

Procedure No. 38
Legal Code Reference:
Article IV, Chapter 8

Subject: Civil Rights - Equal Employment Opportunity and Prohibition of Unlawful Discrimination

Purpose: To establish, and advise City employees of, the City’s policy regarding City vendors’ compliance with civil rights requirements, including equal employment practices and the prohibition of unlawful discrimination and retaliation.

Scope: Applies to procurements by all City departments and to all City vendors

General: The City is committed to a policy of equal employment opportunity for all applicants for employment and employees. Further, the City requires its vendors to comply with the City’s policy for civil rights, including providing the opportunity for equal employment opportunity and the prohibition of unlawful discrimination and retaliation.
**Procedure:** All formal competitive sealed bids, competitive sealed proposals and proposals for negotiated agreements solely utilizing local funds and/or Federal Highway Administration (FHWA) funds shall incorporate the following statement:

The City of Fort Collins, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The City strictly prohibits unlawful discrimination based on an individual's gender (regardless of gender identity or gender expression), race, color, religion, creed, national origin, ancestry, age 40 years or older, marital status, disability, sexual orientation, genetic information, or other characteristics protected by law. For the purpose of this policy “sexual orientation” means a person's actual or perceived orientation toward heterosexuality, homosexuality, and bisexuality. The City also strictly prohibits unlawful harassment in the workplace, including sexual harassment. Further, the City strictly prohibits unlawful retaliation against a person who engages in protected activity. Protected activity includes an employee complaining that he or she has been discriminated against in violation of the above policy or participating in an employment discrimination proceeding.

The City requires its vendors to comply with the City’s policy for equal employment opportunity and to prohibit unlawful discrimination, harassment and retaliation. This requirement applies to all third-party vendors and their subcontractors at every tier.

In addition, all contracts solely utilizing local funds and/or FHWA funds for services, professional services, materials and construction will incorporate the following provision:

The City of Fort Collins, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The City of Fort Collins, Colorado (the “City”) strictly prohibits unlawful discrimination based on an individual’s gender (regardless of gender identity or gender expression), race, color, religion, creed, national origin, ancestry, age 40 years or older, marital status, disability, sexual orientation, genetic information, or other characteristics protected by law. For the purpose of this policy “sexual orientation” means a person’s actual or perceived orientation toward heterosexuality, homosexuality, and bisexuality. The City also strictly prohibits unlawful harassment in the workplace, including sexual harassment. Further, the City strictly prohibits unlawful retaliation against a person who engages in protected activity. Protected activity includes an employee complaining that he or she has been discriminated against in violation of the above policy or participating in an employment discrimination proceeding.

The City requires its’ vendors to comply with the City’s policy for equal employment opportunity and to prohibit unlawful discrimination, harassment, and retaliation. This requirement applies to all third-party vendors and their subcontractors at every tier.

For projects funded in whole or in part by grants such as Federal Transportation Administration (FTA) and other sources of non-local funds, formal competitive sealed bids, competitive sealed proposals, proposals for negotiated agreements and contracts must incorporate the civil rights requirements stated in the applicable grant. The City will require the provisions stated in this policy be included in formal competitive sealed bids, competitive sealed proposals, proposals for negotiated agreements and contracts in the event the applicable grant does not
contain a specific provision and/or contract clause for equal employment, anti-discrimination and retaliation, and civil rights.

City Council Action

City Council prioritized equity and inclusion in its May 2019 retreat, with 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

The previous City Council prioritized community trust as well in 2017.

Staff Capacity

The City currently has one .75 FTE Equity and Inclusion coordinator position who coordinates the work across the organization. One aspect of the job is managing the City’s internal equity teams, comprised of approximately 75+ volunteer staff and community members.

In addition, the City has a 1.0 FTE Equal Employment and Opportunity Compliance Manager and an Urban Sustainability Directors Network Equity Fellow serving from May - December 2019.

The City’s Communications and Public Involvement Office also has 1.0 FTE dedicated to civic engagement which is integral to our efforts as we seek new and more effective ways of engaging with historically underserved community members.

Government Alliance on Race and Equity (GARE)

In 2017, the City of Fort Collins became the first Colorado jurisdiction to join the Government Alliance on Race and Equity (GARE). GARE works with diverse member cities to share best practices to achieve racial equity and advance opportunities for all through peer learning. They offer a logic model that is helping cities with a roadmap for the work and they also work closely with the National League of Cities. (Attachment 2)

GARE’s logic model is as follows:

<table>
<thead>
<tr>
<th>Actions</th>
<th>Outcomes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normalize</td>
<td>Develop</td>
</tr>
<tr>
<td>Organize</td>
<td>Implement</td>
</tr>
<tr>
<td>Operationalize</td>
<td>Sustain</td>
</tr>
</tbody>
</table>

GARE also recommends starting by collecting data and providing an analysis disaggregated by race:

1. Develop comprehensive race-based disparities data sets
2. Set desired results
3. Analyze the data - who’s furthest from our desired results, who’s closest
4. Co-create strategies with community (including determining root cause)

Recently the City of Boulder, Boulder County, and the City of Denver have also joined GARE, and all four jurisdictions are in the process of creating a regional cohort to maximize impact.

Accomplishments

Highlights of the City’s equity and inclusion work includes, as aligned to the GARE model:
**Normalize**

- Staff trainings
- Multicultural Community Retreat
- Facilitated workgroup dialogues about how the City can maintain an inclusive, respectful culture
- Diversity appreciation banners
- Proclamations

**Organize**

- Internal equity team that includes community member participation
- Four equity subcommittees formed: Transportation, Public Participation, LGBTQIA+ and Education and Tools
- Staff participation on the Community Equity Consortium (CEC)
- Staff participation on stakeholder groups working to eliminate bias
- Internal Women FoCus group

**Operationalize**

- Equity and inclusion considerations incorporated into the Triple Bottom Line scan
- Equity considerations embedded into some recent planning processes, such as CityPlan and Arts and Culture Master Plan
- Identified gaps in representation on boards and commissions
- Expanded discrimination language in the City’s purchasing policies
- Minority and women-owned businesses listening session
- Community Trust Resolution and Initiative
- Income-qualified Utility Rate
- Recreation pass sliding fee
- Equity and inclusion component of ClimateWise social badge
- Work underway to diversify BFO teams
- USDN grant to lead mitigation and resiliency CAP updates with equity lens
- Elevating the City’s Municipal Equality Index score from 60/100 to 83

**Considerations leading to staff conclusions**

The GARE framework focuses on addressing racial disparity in order to elevate equitable outcomes for all. The City has centered its work on the premise we are striving to create equity for all by leading with race.

Our ability to advance equity and inclusion, however, in a systemic and meaningful way has been challenging in that the systems we seek to change are historic and designed to maintain the status quo. Because of this, while we have had many accomplishments, the work has yet to fully embed across the organization in a consistent manner.

Becoming a GARE member has helped us learn how other municipal jurisdictions are carrying out the work. The more successful cities deploy a common language, analysis, framework and methodology across all departments. The city is working to increase its capacity and competency to move the needle on disparities and follow GARE’s roadmap.

In addition, efforts are underway to increase our workforce diversity, and Boards and Commissions continue to present challenges to advancing equitable outcomes for all. Some work is being done in Human Resources to increase workforce diversity, and current gaps on our boards and commissions are being examined by staff as they work towards creating a potential new structure.
How will we measure success?

Data Collection

The analysis we seek is community data, disaggregated by race, and other identities as much as possible, that shows what inequities community members are experiencing, as well as our own capacity for addressing those disparities. The data will accurately represent the impact of inequity on people’s lives to 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.

Gathering and analyzing the data should be done in a culturally competent manner, and in partnership with community, so that we mitigate impact on marginalized communities. Engaging with historically underserved populations at both the beginning stages of selecting data sets and subsequent analysis is integral to the process.

In addition, there will need to be consideration given to privacy concerns that might arise in terms of where the data is being housed, who has access to it, and more.

While many data sets are currently available in Fort Collins, most are not disaggregated by race. Disaggregating the data by race is a critical component to the work, as it enables us to see how an individual’s racial or ethnic identity is impacting the level of inequities they may be facing. As racial disparities are the most pervasive and impactful, attending to those who experience them enables us to elevate equitable outcomes for all people.

Equity Indicators/Dashboard

Once the data has been analyzed, we will partner with community to develop a set of equity indicators based on the information we have collected. These indicators would show what aspects of lived experience we’re trying to positively impact on; the baseline for where we are currently; and, in aggregate, tell the story of inequities people are experiencing in Fort Collins among multiple topics.

Sample indicators

- Social and economic inclusion
- Poverty rate
- Graduation rate
- Criminal justice
- Mental health burden
- Affordability
- Delivery of City services

The information would then be uploaded into a dashboard (examples below), with a score assigned to for the equitability of each category, allowing for full transparency and accountability so community members, and City staff, can track progress. Data would 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.

Examples of promising equity dashboards from other jurisdictions are provided as Attachment 4.

Concurrent to the data work is a need to define with community what an equitable Fort Collins looks like. In addition, creating principles of community for the City would help anchor our work to a set of guidelines that are meaningful for a municipal organization looking to center its work in equity.

Next Steps

For the remainder of 2019, the City plans to focus its equity efforts on the following areas:

- Public Engagement
- Anti-Discrimination Resolution
Proposed work plan for 2020:

- Address Council priorities/Seek feedback (includes launching data work and engagement for principles of community)
- Strengthen staff capacity/Council training
- Further embed equity into all outcome areas
- Multicultural Community Retreat
- Regional cohort work
- Budget Offer: Equity lens deployment and training

ATTACHMENTS

1. GARE Racial Equity Toolkit (PDF)
2. GARE Theory of Change (PDF)
3. Health Equity Index (PDF)
4. Website Links for Asheville, Tacoma and Oakland Equity Indicators and Dashboards (PDF)
5. Powerpoint presentation (PDF)
Racial Equity Toolkit
An Opportunity to Operationalize Equity
This toolkit is published by the Government Alliance on Race and Equity, a national network of government working to achieve racial equity and advance opportunities for all.

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GARE IS A JOINT PROJECT OF

GARE is a joint project of:

Haas Institute for a Fair and Inclusive Society

Center for Social Inclusion

RACIALEQUITYALLIANCE.ORG
Updated Dec 2016
ABOUT THE GOVERNMENT ALLIANCE ON RACE & EQUITY

The Government Alliance on Race and Equity (GARE) is a national network of government working to achieve racial equity and advance opportunities for all. Across the country, governmental jurisdictions are:

• making a commitment to achieving racial equity;
• focusing on the power and influence of their own institutions; and,
• working in partnership with others.

When this occurs, significant leverage and expansion opportunities emerge, setting the stage for the achievement of racial equity in our communities.

GARE provides a multi-layered approach for maximum impact by:

• supporting jurisdictions that are at the forefront of work to achieve racial equity. A few jurisdictions have already done substantive work and are poised to be a model for others. Supporting and providing best practices, tools and resources is helping to build and sustain current efforts and build a national movement for racial equity;
• developing a “pathway for entry” into racial equity work for new jurisdictions from across the country. Many jurisdictions lack the leadership and/or infrastructure to address issues of racial inequity. Using the learnings and resources from jurisdictions at the forefront will create pathways for the increased engagement of more jurisdictions; and,
• supporting and building local and regional collaborations that are broadly inclusive and focused on achieving racial equity. To eliminate racial inequities in our communities, developing a “collective impact” approach firmly grounded in inclusion and equity is necessary. Government can play a key role in collaborations for achieving racial equity, centering community, and leveraging institutional partnerships.

To find out more about GARE, visit www.racialequityalliance.org.
I. What is a Racial Equity Tool?

Racial equity tools are designed to integrate explicit consideration of racial equity in decisions, including policies, practices, programs, and budgets. It is both a product and a process. Use of a racial equity tool can help to develop strategies and actions that reduce racial inequities and improve success for all groups.

Too often, policies and programs are developed and implemented without thoughtful consideration of racial equity. When racial equity is not explicitly brought into operations and decision-making, racial inequities are likely to be perpetuated. Racial equity tools provide a structure for institutionalizing the consideration of racial equity.

A racial equity tool:

• proactively seeks to eliminate racial inequities and advance equity;
• identifies clear goals, objectives and measurable outcomes;
• engages community in decision-making processes;
• identifies who will benefit or be burdened by a given decision, examines potential unintended consequences of a decision, and develops strategies to advance racial equity and mitigate unintended negative consequences; and,
• develops mechanisms for successful implementation and evaluation of impact.

Use of a racial equity tool is an important step to operationalizing equity. However, it is not sufficient by itself. We must have a much broader vision of the transformation of government in order to advance racial equity. To transform government, we must normalize conversations about race, operationalize new behaviors and policies, and organize to achieve racial equity.

For more information on the work of government to advance racial equity, check out GARE’s “Advancing Racial Equity and Transforming Government: A Resource Guide for Putting Ideas into Action” on our website. The Resource Guide provides a comprehensive and holistic approach to advancing racial equity within government. In addition, an overview of key racial equity definitions is contained in Appendix A.

II. Why should government use this Racial Equity Tool?

From the inception of our country, government at the local, regional, state, and federal level has played a role in creating and maintaining racial inequity. A wide range of laws and policies were passed, including everything from who could vote, who could be a citizen, who could own property, who was property, where one could live, whose land was whose and more. With the Civil Rights movement, laws and policies were passed that helped to create positive changes, including making acts of discrimination illegal. However, despite progress in addressing explicit discrimination, racial inequities continue to be deep, pervasive, and persistent across the country. Racial inequities exist across all indicators for success, including in education, criminal justice, jobs, housing, public infrastructure, and health, regardless of region.

Many current inequities are sustained by historical legacies and structures and systems that repeat patterns of exclusion. Institutions and structures have continued to create and perpetuate inequities, despite the lack of explicit intention. Without intentional intervention, institutions and structures will continue to perpetuate racial inequities. Government has the ability to implement policy change at multiple levels and across multiple sectors to drive larger systemic change. Routine use of a racial equity tool explicitly integrates racial equity into governmental operations.

Local and regional governmental jurisdictions that are a part of the GARE are using a racial equity tool. Some, such as the city of Seattle in Washington, Multnomah County in Oregon, and...
the city of Madison in Wisconsin have been doing so for many years:

- The Seattle Race and Social Justice Initiative (RSJI) is a citywide effort to end institution-laized racism and race-based disparities in City government. The Initiative was launched in 2004. RSJI includes training to all City employees, annual work plans, and change teams in every city department. RSJI first started using its Racial Equity Tool during the budget process in 2007. The following year, in recognition of the fact that the budget process was just the “tip of the ice berg,” use of the tool was expanded to be used in policy and program decisions. In 2009, Seattle City Council included the use of the Racial Equity Tool in budget, program and policy decisions, including review of existing programs and policies, in a resolution (Resolution 31164) affirming the City’s Race and Social Justice Initiative. In 2015, newly elected Mayor Ed Murray issued an Executive Order directing expanded use of the Racial Equity Tool, and requiring measurable outcomes and greater accountability.

See Appendix B for examples of how Seattle has used its Racial Equity Tool, including legislation that offers protections for women who are breastfeeding and use of criminal background checks in employment decisions.

Multnomah County’s Equity and Empowerment Lens is used to improve planning, decision-making, and resource allocation leading to more racially equitable policies and programs. At its core, it is a set of principles, reflective questions, and processes that focuses at the individual, institutional, and systemic levels by:

- deconstructing what is not working around racial equity;
- reconstructing and supporting what is working;
- shifting the way we make decisions and think about this work; and,
- healing and transforming our structures, our environments, and ourselves.

Numerous Multnomah County departments have made commitments to utilizing the Lens, including a health department administrative policy and within strategic plans of specific departments. Tools within the Lens are used both to provide analysis and to train employers and partners on how Multnomah County conducts equity analysis.

Madison, Wisconsin is implementing a racial equity tool, including both a short version and a more in-depth analysis. See Appendix D for a list of the types of projects on which the city of Madison has used their racial equity tool.

For jurisdictions that are considering implementation of a racial equity tool, these jurisdictions examples are powerful. Other great examples of racial equity tools are from the Annie E. Casey Foundation and Race Forward.

In recognition of the similar ways in which institutional and structural racism have evolved across the country, GARE has developed this Toolkit that captures the field of practice and commonalities across tools. We encourage jurisdictions to begin using our Racial Equity Tool. Based on experience, customization can take place if needed to ensure that it is most relevant to local conditions. Otherwise, there is too great of a likelihood that there will be a significant investment of time, and potentially money, in a lengthy process of customization without experience. It is through the implementation and the experience of learning that leaders and staff will gain experience with use of a tool. After a pilot project trying out this tool, jurisdictions will have a better understanding of how and why it might make sense to customize a tool.

For examples of completed racial equity analyses, check out Appendix B and Appendix D, which includes two examples from the city of Seattle, as well as a list of the topics on which the city of Madison has used their racial equity tool.
III. Who should use a racial equity tool?

A racial equity tool can be used at multiple levels, and in fact, doing so, will increase effectiveness.

- **Government staff**: The routine use of a racial equity tool by staff provides the opportunity to integrate racial equity across the breadth, meaning all governmental functions, and depth, meaning across hierarchy. For example, policy analysts integrating racial equity into policy development and implementation, and budget analysts integrating racial equity into budget proposals at the earliest possible phase, increases the likelihood of impact. Employees are the ones who know their jobs best and will be best equipped to integrate racial equity into practice and routine operations.

- **Elected officials**: Elected officials have the opportunity to use a racial equity tool to set broad priorities, bringing consistency between values and practice. When our elected officials are integrating racial equity into their jobs, it will be reflected in the priorities of the jurisdiction, in direction provided to department directors, and in the questions asked of staff. By asking simple racial equity tool questions, such as “How does this decision help or hinder racial equity?” or “Who benefits from or is burdened by this decision?” on a routine basis, elected officials have the ability to put theory into action.

- **Community based organizations**: Community based organizations can ask questions of government about use of racial equity tool to ensure accountability. Elected officials and government staff should be easily able to describe the results of their use of a racial equity tool, and should make that information readily available to community members. In addition, community based organizations can use a similar or aligned racial equity tool within their own organizations to also advance racial equity.

IV. When should you use a racial equity tool?

The earlier you use a racial equity tool, the better. When racial equity is left off the table and not addressed until the last minute, the use of a racial equity tool is less likely to be fruitful. Using a racial equity tool early means that individual decisions can be aligned with organizational racial equity goals and desired outcomes. Using a racial equity tool more than once means that equity is incorporated throughout all phases, from development to implementation and evaluation.

V. The Racial Equity Tool

The Racial Equity Tool is a simple set of questions:

1. **Proposal**: What is the policy, program, practice or budget decision under consideration? What are the desired results and outcomes?
2. **Data**: What’s the data? What does the data tell us?
3. **Community engagement**: How have communities been engaged? Are there opportunities to expand engagement?
4. **Analysis and strategies**: Who will benefit from or be burdened by your proposal? What are your strategies for advancing racial equity or mitigating unintended consequences?
5. **Implementation**: What is your plan for implementation?
6. **Accountability and communication:** How will you ensure accountability, communicate, and evaluate results?

The following sections provide a description of the overall questions. Once you are ready to jump into action, please check out the worksheet that can be found in Appendix C.

**STEP #1**

**What is your proposal and the desired results and outcomes?**

While it might sound obvious, having a clear description of the policy, program, practice, or budget decision (for the sake of brevity, we refer to this as a “proposal” in the remainder of these steps) at hand is critical.

**We should also be vigilant in our focus on impact.**

The terminology for results and outcomes is informed by our relationship with Results Based Accountability™. This approach to measurement clearly delineates between community conditions / population accountability and performance accountability / outcomes. These levels share a common systematic approach to measurement. This approach emphasizes the importance of beginning with a focus on the desired “end” condition.

- **Results** are at the community level are the end conditions we are aiming to impact. Community indicators are the means by which we can measure impact in the community. Community indicators should be disaggregated by race.
- **Outcomes** are at the jurisdiction, department, or program level. Appropriate performance measures allow monitoring of the success of implementation of actions that have a reasonable chance of influencing indicators and contributing to results. Performance measures respond to three different levels:
  a. **Quantity**—how much did we do?
  b. **Quality**—how well did we do it?
  c. **Is anyone better off?**

We encourage you to be clear about the desired end conditions in the community and to emphasize those areas where you have the most direct influence. When you align community indicators, government strategies, and performance measures, you maximize the likelihood for impact. To ultimately impact community conditions, government must partner with other institutions and the community.

You should be able to answer the following questions:

1. Describe the policy, program, practice, or budget decision under consideration?
2. What are the intended results (in the community) and outcomes (within your organization)?
3. What does this proposal have an ability to impact?

- Children and youth
- Community engagement
- Contracting equity
- Criminal justice
- Economic development
- Education
- Environment
- Food access and affordability
- Government practices
- Health
- Housing
- Human services
- Jobs
- Planning and development
- Transportation
- Utilities
- Workforce equity
STEP #2

What's the data? What does the data tell us?

Measurement matters. When organizations are committed to racial equity, it is not just an aspiration, but there is a clear understanding of racial inequities, and strategies and actions are developed and implemented that align between community conditions, strategies, and actions. Using data appropriately will allow you to assess whether you are achieving desired impacts.

Too often data might be available, but is not actually used to inform strategies and track results. The enormity of racial inequities can sometimes feel overwhelming. For us to have impact in the community, we must partner with others for cumulative impact. The work of government to advance racial equity is necessary, but not sufficient. Nevertheless, alignment and clarity will increase potential impact. We must use data at both levels; that is data that clearly states 1) community indicators and desired results, and 2) our specific program or policy outcomes and performance measures.

Performance measures allow monitoring of the success of implementation of actions that have a reasonable chance of influencing indicators and contributing to results. As indicated in Step 1, performance measures respond to three different levels:

Quantity—how much did we do?
Quality—how well did we do it?
Is anyone better off?

Although measuring whether anyone is actually better off as a result of a decision is highly desired, we also know there are inherent measurement challenges. You should assess and collect the best types of performance measures so that you are able to track your progress.

In analyzing data, you should think not only about quantitative data, but also qualitative data. Remember that sometimes missing data can speak to the fact that certain communities, issues or inequities have historically been overlooked. Sometimes data sets treat communities as a monolithic group without respect to subpopulations with differing socioeconomic and cultural experience. Using this data could perpetuate historic inequities. Using the knowledge and expertise of a diverse set of voices, along with quantitative data is necessary (see Step #3).

You should be able to answer the following questions about data:

1. Will the proposal have impacts in specific geographic areas (neighborhoods, areas, or regions)? What are the racial demographics of those living in the area?
2. What does population level data tell you about existing racial inequities? What does it tell you about root causes or factors influencing racial inequities?
3. What performance level data do you have available for your proposal? This should include data associated with existing programs or policies.
4. Are there data gaps? What additional data would be helpful in analyzing the proposal? If so, how can you obtain better data?

Data Resources

Federal

- **American FactFinder**: The US Census Bureau’s main site for online access to population, housing, economic and geographic data. http://factfinder.census.gov
- **US Census Quick Facts**: http://quickfacts.census.gov/qfd/index.html
- **Center for Disease Control (CDC)** http://wonder.cdc.gov
State

- **American FactFinder** and the **US Census** website also have state data.
  http://factfinder.census.gov
- Other sources of data vary by state. Many states offer data through the Office of Financial Management. Other places to find data include specific departments and divisions.

Local

- **American FactFinder** and the **US Census** website also have local data.
  http://factfinder.census.gov
- Many jurisdictions have lots of city and county data available. Other places to find data include specific departments and divisions, service providers, community partners, and research literature.

**STEP #3**

**How have communities been engaged?**

**Are there opportunities to expand engagement?**

It is not enough to consult data or literature to assume how a proposal might impact a community. Involving communities impacted by a topic, engaging community throughout all phases of a project, and maintaining clear and transparent communication as the policy or program is implemented will help produce more racially equitable results.

It is especially critical to engage communities of color. Due to the historical reality of the role of government in creating and maintaining racial inequities, it is not surprising that communities of color do not always have much trust in government. In addition, there is a likelihood that other barriers exist, such as language, perception of being welcome, and lack of public transportation, or childcare. For communities with limited English language skills, appropriate language materials and translation must be provided.

Government sometimes has legal requirements on the holding of public meetings. These are often structured as public hearings, with a limited time for each person to speak and little opportunity for interaction. It is important to go beyond these minimum requirements by using community meetings, focus groups, and consultations with commissions, advisory boards, and community-based organizations. A few suggestions that are helpful:

- When you use smaller groups to feed into a larger process, be transparent about the recommendations and/or thoughts that come out of the small groups (e.g. Have a list of all the groups you met with and a summary of the recommendations from each. That way you have documentation of what came up in each one, and it is easier to demonstrate the process).
- When you use large group meetings, provide a mix of different ways for people to engage, such as the hand-held voting devices, written comments that you collect, small groups, etc. It is typical, both because of structure and process, for large group discussions to lead to the participation of fewer voices. Another approach is to use dyads where people “interview” each other, and then report on what their partner shared. Sometimes people are more comfortable sharing other people’s information.
- Use trusted advocates/outreach and engagement liaisons to collect information from communities that you know are typically underrepresented in public processes. Again, sharing and reporting that information in a transparent way allows you to share it with...
others. For communities that have concerns about documentation status and interaction with government in general, this can be a particularly useful strategy.

Here are a few examples of good resources for community engagement:

- The City of Seattle Inclusive Outreach and Public Engagement Guide
- The City of Portland’s Public Engagement Guide

You should be able to answer the following questions about community engagement and involving stakeholders:

1. Who are the most affected community members who are concerned with or have experience related to this proposal? How have you involved these community members in the development of this proposal?
2. What has your engagement process told you about the burdens or benefits for different groups?
3. What has your engagement process told you about the factors that produce or perpetuate racial inequity related to this proposal?

**STEP #4**

**Who benefits from or will be burdened by your proposal? What are your strategies for advancing racial equity or mitigating unintended consequences?**

Based on your data and stakeholder input, you should step back and assess your proposal and think about complementary strategies that will help to advance racial equity.

Governmental decisions are often complex and nuanced with both intended and unintended impacts. For example, when cities and counties face the necessity of making budget cuts due to revenue shortfalls, the goal is to balance the budget and the unintended consequence is that people and communities suffer the consequences of cut programs. In a situation like this, it is important to explicitly consider the unintended consequences so that impacts can be mitigated to the maximum extent possible.

We often tend to view policies, programs, or practices in isolation. Because racial inequities are perpetuated through systems and structures, it is important to also think about complementary approaches that will provide additional leverage to maximize the impact on racial inequity in the community. Expanding your proposal to integrate policy and program strategies and broad partnerships will help to increase the likelihood of community impact. Here are some examples:

- Many excellent programs have been developed or are being supported through health programs and social services. Good programs and services should continue to be supported, however, programs will never be sufficient to ultimately achieve racial equity in the community. If you are working on a program, think about policy and practice changes that can decrease the need for programs.

- Many jurisdictions have passed “Ban-the-Box” legislation, putting limitations on the use of criminal background checks in employment and/or housing decisions. While this is a policy that is designed to increase the likelihood of success for people coming out of incarceration, it is not a singular solution to racial inequities in the criminal justice system. To advance racial equity in the criminal justice system, we need comprehensive strategies that build upon good programs, policies, and partnerships.

You should be able to answer the following questions about strategies to advance racial equity:

1. Given what you have learned from the data and stakeholder involvement, how will the
proposal increase or decrease racial equity? Who would benefit from or be burdened by your proposal?

2. What are potential unintended consequences? What are the ways in which your proposal could be modified to enhance positive impacts or reduce negative impacts?

3. Are there complementary strategies that you can implement? What are ways in which existing partnerships could be strengthened to maximize impact in the community? How will you partner with stakeholders for long-term positive change?

4. Are the impacts aligned with your community outcomes defined in Step #1?

STEP #5

What is your plan for implementation?

Now that you know what the unintended consequences, benefits, and impacts of the proposal and have developed strategies to mitigate unintended consequences or expand impact, it is important to focus on thoughtful implementation.

You should be able to answer the following about implementation:

1. Describe your plan for implementation.

2. Is your plan:
   - realistic?
   - adequately funded?
   - adequately resourced with personnel?
   - adequately resourced with mechanisms to ensure successful implementation and enforcement?
   - adequately resourced to ensure ongoing data collection, public reporting, and community engagement?

If the answer to any of these questions is no, what resources or actions are needed?

STEP #6

How will you ensure accountability, communicate, and evaluate results?

Just as data was critical in analyzing potential impacts of the program or policy, data will be important in seeing whether the program or policy has worked. Developing mechanisms for collecting data and evaluating progress will help measure whether racial equity is being advanced.

Accountability entails putting processes, policies, and leadership in place to ensure that program plans, evaluation recommendations, and actions leading to the identification and elimination of root causes of inequities are actually implemented.

How you communicate about your racial equity proposal is also important for your success. Poor communication about race can trigger implicit bias or perpetuate stereotypes, often unintentionally. Use a communication tool, such as the Center for Social Inclusion’s Talking About Race Right Toolkit to develop messages and a communications strategy.

Racial equity tools should be used on an ongoing basis. Using a racial equity tool at different phases of a project will allow new opportunities for advancing racial equity to be identified and implemented. Evaluating results means that you will be able to make any adjustments to maximize impact.

You should be able to answer the following questions about accountability and implementation:
1. How will impacts be documented and evaluated? Are you achieving the anticipated outcomes? Are you having impact in the community?

2. What are your messages and communication strategies that are will help advance racial equity?

3. How will you continue to partner and deepen relationships with communities to make sure your work to advance racial equity is working and sustainable for the long haul?

VI. What if you don’t have enough time?

The reality of working in government is that there are often unanticipated priorities that are sometimes inserted on a fast track. While it is often tempting to say that there is insufficient time to do a full and complete application of a racial equity tool, it is important to acknowledge that even with a short time frame, asking a few questions relating to racial equity can have a meaningful impact. We suggest that the following questions should be answered for “quick turn around” decisions:

- What are the racial equity impacts of this particular decision?
- Who will benefit from or be burdened by the particular decision?
- Are there strategies to mitigate the unintended consequences?

VII. How can you address barriers to successful implementation?

You may have heard the phrase, “the system is perfectly designed to get the outcomes it does.” For us to get to racially equitable outcomes, we need to work at the institutional and structural levels. As a part of institutions and systems, it is often a challenge to re-design systems, let alone our own individual jobs. One of the biggest challenges is often a skills gap. Use of a racial equity tool requires skill and competency, so it will be important for jurisdictions to provide training, mentoring, and support for managers and staff who are using the tool. GARE has a training curriculum that supports this Toolkit, as well as a “train-the-trainer” program to increase the capacity of racial equity advocates using the Toolkit.

Other barriers to implementation that some jurisdictions have experienced include:

- a lack of support from leadership;
- a tool being used in isolation;
- a lack of support for implementing changes; and,
- perfection (which can be the enemy of good).

Strategies for addressing these barriers include:

- building the capacity of racial equity teams. Training is not just to cultivate skills for individual employees, but is also to build the skill of teams to create support for group implementation and to create a learning culture;
- systematizing the use of the Racial Equity Tool. If the Racial Equity Tool is integrated into routine operations, such as budget proposal forms or policy briefing forms, then management and staff will know that it is an important priority;
- recognizing complexity. In most cases, public policy decisions are complex, and there are numerous pros, cons and trade-offs to be considered. When the Racial Equity Tool is used on an iterative basis, complex nuances can be addressed over time; and,
- maintaining accountability. Build the expectation that managers and directors routinely use the Racial Equity Tool into job descriptions or performance agreements.

Institutionalizing use of a racial equity tool provides the opportunity to develop thoughtful, realistic strategies and timelines that advance racial equity and help to build long-term commitment and momentum.

**VIII. How does use of a racial equity tool fit with other racial equity strategies?**

Using a racial equity tool is an important step to operationalizing equity. However, it is not sufficient by itself. We must have a much broader vision of the transformation of government in order to advance racial equity. To transform government, we must normalize conversations about race, operationalize new behaviors and policies, and organize to achieve racial equity.

GARE is seeing more and more jurisdictions that are making a commitment to achieving racial equity, by focusing on the power and influence of their own institutions, and working in partnership across sectors and with the community to maximize impact. We urge you to join with others on this work. If you are interested in using a racial equity tool and/or joining local and regional government from across the country to advance racial equity, please let us know.
**APPENDIX A**

**Glossary of Frequently Used Terms**

**Bias**
Prejudice toward one group and its members relative to another group.

**Community Indicator**
The means by which we can measure socioeconomic conditions in the community. All community indicators should be disaggregated by race, if possible.

**Contracting Equity**
Investments in contracting, consulting, and procurement should benefit the communities a jurisdiction serves, proportionate to the jurisdiction’s demographics.

**Equity Result**
The condition we aim to achieve in the community.

**Explicit Bias**
Biases that people are aware of and that operate consciously. They are expressed directly.

**Implicit Bias**
Biases people are usually unaware of and that operate at the subconscious level. Implicit bias is usually expressed indirectly.

**Individual Racism**
Pre-judgment, bias, or discrimination based on race by an individual.

**Institutional Racism**
Policies, practices, and procedures that work better for white people than for people of color, often unintentionally.

**Performance Measure**
Performance measures are at the county, department, or program level. Appropriate performance measures allow monitoring of the success of implementation of actions that have a reasonable chance of influencing indicators and contributing to results. Performance measures respond to three different levels: 1) Quantity—how much did we do?; 2) Quality—how well did we do it?; and 3) Is anyone better off? A mix of these types of performance measures is contained within the recommendations.

**Racial Equity**
Race can no longer be used to predict life outcomes and outcomes for all groups are improved.

**Racial Inequity**
Race can be used to predict life outcomes, e.g., disproportionality in education (high school graduation rates), jobs (unemployment rate), criminal justice (arrest and incarceration rates), etc.

**Structural Racism**
A history and current reality of institutional racism across all institutions, combining to create a system that negatively impacts communities of color.

**Workforce Equity**
The workforce of a jurisdiction reflects the diversity of its residents, including across the breadth (functions and departments) and depth (hierarchy) of government.
APPENDIX B

City of Seattle Racial Equity Toolkit

On the following pages you will find an excerpt of the racial equity tool used by the City of Seattle as an example of what such tools can look like in practice. As discussed in Section 3 of the Resource Guide, the Seattle City Council passed an ordinance in 2009 that directed all City departments to use the Racial Equity Toolkit, including in all budget proposals made to the Budget Office. This directive was reaffirmed by an executive order of Mayor Ed Murray in 2014.

The Racial Equity Tool is an analysis applied to City of Seattle's policies, programs, and budget decisions. The City of Seattle has been applying the Racial Equity Toolkit for many years but as the City’s Race and Social Justice Initiative (RSJI) becomes increasingly operationalized, the expectation and accountabilities relating to its use are increasing. In 2015, Mayor Murray required departments to carry out four uses of the toolkit annually. This will also become a part of performance measures for department heads.
Racial Equity Toolkit

to Assess Policies, Initiatives, Programs, and Budget Issues

The vision of the Seattle Race and Social Justice Initiative is to eliminate racial inequity in the community. To do this requires ending individual racism, institutional racism and structural racism. The Racial Equity Toolkit lays out a process and a set of questions to guide the development, implementation and evaluation of policies, initiatives, programs, and budget issues to address the impacts on racial equity.

When Do I Use This Toolkit?

Early. Apply the toolkit early for alignment with departmental racial equity goals and desired outcomes.

How Do I Use This Toolkit?

With Inclusion. The analysis should be completed by people with different racial perspectives.

Step by step. The Racial Equity Analysis is made up of six steps from beginning to completion:

**Step 1. Set Outcomes.**
Leadership communicates key community outcomes for racial equity to guide analysis.

**Step 2. Involve Stakeholders + Analyze Data.**
Gather information from community and staff on how the issue benefits or burdens the community in terms of racial equity.

**Step 3. Determine Benefit and/or Burden.**
Analyze issue for impacts and alignment with racial equity outcomes.

**Step 4. Advance Opportunity or Minimize Harm.**
Develop strategies to create greater racial equity or minimize unintended consequences.

**Step 5. Evaluate. Raise Racial Awareness. Be Accountable.**
Track impacts on communities of color overtime. Continue to communicate with and involve stakeholders. Document unresolved issues.

**Step 6. Report Back.**
Share information learned from analysis and unresolved issue with Department Leadership and Change Team.
### APPENDIX B: CITY OF SEATTLE RACIAL EQUITY TOOLKIT

#### Racial Equity Toolkit Assessment Worksheet

| Title of policy, initiative, program, budget issue: ________________ |
| Description: ____________________________________________________________________________ |
| Department: ___________________________ Contact: ___________________________ |

**Step 1. Set Outcomes.**

1a. What does your department define as the most important racially equitable **community outcomes** related to the issue? *(Response should be completed by department leadership in consultation with RSJI Executive Sponsor, Change Team Leads and Change Team. Resources on p. 4)*

1b. Which racial equity **opportunity area(s)** will the issue primarily impact?

- [ ] Education
- [ ] Community Development
- [ ] Health
- [ ] Environment
- [ ] Criminal Justice
- [ ] Jobs
- [ ] Housing

1c. Are there impacts on:

- [ ] Contracting Equity
- [ ] Workforce Equity
- [ ] Immigrant and Refugee Access to Services
- [ ] Inclusive Outreach and Public Engagement

Please describe:

**Step 2. Involve stakeholders. Analyze data.**

2a. Are there impacts on geographic areas? [ ] Yes  [ ] No 

Check all neighborhoods that apply *(see map on p.5)*:

- [ ] All Seattle neighborhoods
- [ ] Ballard
- [ ] North
- [ ] NE
- [ ] Central
- [ ] Lake Union
- [ ] Southwest
- [ ] Southeast
- [ ] Delridge
- [ ] Greater Duwamish
- [ ] East District
- [ ] King County (outside Seattle)
- [ ] Outside King County

Please describe:

2b. What are the racial demographics of those living in the area or impacted by the issue? *(See Stakeholder and Data Resources p. 5 and 6)*

2c. How have you involved community members and **stakeholders**? *(See p.5 for questions to ask community/staff at this point in the process to ensure their concerns and expertise are part of analysis.)*
2d. What does data and your conversations with stakeholders tell you about existing racial inequities that influence people’s lives and should be taken into consideration? (See Data Resources on p. 6. King County Opportunity Maps are good resource for information based on geography, race, and income.)

2e. What are the root causes or factors creating these racial inequities?
Examples: Bias in process; Lack of access or barriers; Lack of racially inclusive engagement

Step 3. Determine Benefit and/or Burden.
Given what you have learned from data and from stakeholder involvement...

3. How will the policy, initiative, program, or budget issue increase or decrease racial equity? What are potential unintended consequences? What benefits may result? Are the impacts aligned with your department’s community outcomes that were defined in Step 1?

Step 4. Advance Opportunity or Minimize Harm.
4. How will you address the impacts (including unintended consequences) on racial equity? What strategies address immediate impacts? What strategies address root causes of inequity listed in Q.6? How will you partner with stakeholders for long-term positive change? If impacts are not aligned with desired community outcomes, how will you re-align your work?

Program Strategies?
Policy Strategies?
Partnership Strategies?

5a. How will you evaluate and be accountable? How will you evaluate and report impacts on racial equity over time? What is your goal and timeline for eliminating racial inequity? How will you retain stakeholder participation and ensure internal and public accountability? How will you raise awareness about racial inequity related to this issue?

5b. What is unresolved? What resources/partnerships do you still need to make changes?

Share analysis and report responses from Q.5a. and Q.5b. with Department Leadership and Change Team Leads and members involved in Step 1.
Creating Effective Community Outcomes

Outcome = the result that you seek to achieve through your actions.

Racially equitable community outcomes = the specific result you are seeking to achieve that advances racial equity in the community.

When creating outcomes think about:

- What are the greatest opportunities for creating change in the next year?
- What strengths does the department have that it can build on?
- What challenges, if met, will help move the department closer to racial equity goals?

Keep in mind that the City is committed to creating racial equity in seven key opportunity areas: Education, Community Development, Health, Criminal Justice, Jobs, Housing, and the Environment.

Examples of community outcomes that increase racial equity:

<table>
<thead>
<tr>
<th>OUTCOME</th>
<th>OPPORTUNITY AREA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase transit and pedestrian mobility options in communities of color.</td>
<td>Community Development</td>
</tr>
<tr>
<td>Decrease racial disparity in the unemployment rate.</td>
<td>Jobs</td>
</tr>
<tr>
<td>Ensure greater access to technology by communities of color.</td>
<td>Community Development, Education, Jobs</td>
</tr>
<tr>
<td>Improve access to community center programs for immigrants, refugees and communities of color.</td>
<td>Health, Community Development</td>
</tr>
<tr>
<td>Communities of color are represented in the City’s outreach activities.</td>
<td>Education, Community Development, Health, Jobs, Housing, Criminal Justice, Environment</td>
</tr>
<tr>
<td>The racial diversity of the Seattle community is reflected in the City’s workforce across positions.</td>
<td>Jobs</td>
</tr>
<tr>
<td>Access to City contracts for Minority Business Enterprises is increased.</td>
<td>Jobs</td>
</tr>
<tr>
<td>Decrease racial disparity in high school graduation rates</td>
<td>Education</td>
</tr>
</tbody>
</table>

Additional Resources:

Identifying Stakeholders + Listening to Communities of Color

Identify Stakeholders

Find out who are the stakeholders most affected by, concerned with, or have experience relating to the policy, program or initiative? Identify racial demographics of neighborhood or those impacted by issue. (See District Profiles in the Inclusive Outreach and Public Engagement Guide or refer to U.S. Census information on p.7)

Once you have identified your stakeholders ....

Involve them in the issue.
Describe how historically underrepresented community stakeholders can take a leadership role in this policy, program, initiative or budget issue.

Listen to the community. Ask:
1. What do we need to know about this issue? How will the policy, program, initiative or budget issue burden or benefit the community? (concerns, facts, potential impacts)
2. What factors produce or perpetuate racial inequity related to this issue?
3. What are ways to minimize any negative impacts (harm to communities of color, increased racial disparities, etc) that may result? What opportunities exist for increasing racial equity?

Tip: Gather Community Input Through...
- Community meetings
- Focus groups
- Consulting with City commissions and advisory boards
- Consulting with Change Team

Examples of what this step looks like in practice:
- A reduction of hours at a community center includes conversations with those who use the community center as well as staff who work there.
- Before implementing a new penalty fee, people from the demographic most represented in those fined are surveyed to learn the best ways to minimize negative impacts.

For resources on how to engage stakeholders in your work see the Inclusive Outreach and Public Engagement Guide: http://inweb1/neighborhoods/outreachguide/
APPENDIX C

Racial Equity Tool Worksheet

Step #1
What is your proposal and the desired results and outcomes?

1. Describe the policy, program, practice, or budget decision (for the sake of brevity, we refer to this as a “proposal” in the remainder of these steps)

2. What are the intended results (in the community) and outcomes (within your own organization)?

3. What does this proposal have an ability to impact?

<table>
<thead>
<tr>
<th>Children and youth</th>
<th>Health</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community engagement</td>
<td>Housing</td>
</tr>
<tr>
<td>Contracting equity</td>
<td>Human services</td>
</tr>
<tr>
<td>Criminal justice</td>
<td>Jobs</td>
</tr>
<tr>
<td>Economic development</td>
<td>Parks and recreation</td>
</tr>
<tr>
<td>Education</td>
<td>Planning / development</td>
</tr>
<tr>
<td>Environment</td>
<td>Transportation</td>
</tr>
<tr>
<td>Food access and affordability</td>
<td>Utilities</td>
</tr>
<tr>
<td>Government practices</td>
<td>Workforce equity</td>
</tr>
<tr>
<td>Other _____________________</td>
<td></td>
</tr>
</tbody>
</table>

Step #2
What’s the data? What does the data tell us?

1. Will the proposal have impacts in specific geographic areas (neighborhoods, areas, or regions)? What are the racial demographics of those living in the area?

2. What does population level data, including quantitative and qualitative data, tell you about existing racial inequities? What does it tell you about root causes or factors influencing racial inequities?

3. What performance level data do you have available for your proposal? This should include data associated with existing programs or policies.

4. Are there data gaps? What additional data would be helpful in analyzing the proposal? If so, how can you obtain better data?
APPENDIX C: RACIAL EQUITY TOOL WORKSHEET

Step #3
How have communities been engaged? Are there opportunities to expand engagement?

1. Who are the most affected community members who are concerned with or have experience related to this proposal? How have you involved these community members in the development of this proposal?
2. What has your engagement process told you about the burdens or benefits for different groups?
3. What has your engagement process told you about the factors that produce or perpetuate racial inequity related to this proposal?

Step #4
What are your strategies for advancing racial equity?

1. Given what you have learned from research and stakeholder involvement, how will the proposal increase or decrease racial equity? Who would benefit from or be burdened by your proposal?
2. What are potential unintended consequences? What are the ways in which your proposal could be modified to enhance positive impacts or reduce negative impacts?
3. Are there complementary strategies that you can implement? What are ways in which existing partnerships could be strengthened to maximize impact in the community? How will you partner with stakeholders for long-term positive change?
4. Are the impacts aligned with your community outcomes defined in Step #1?

Step #5
What is your plan for implementation?

1. Describe your plan for implementation.
2. Is your plan:
   - Realistic?
   - Adequately funded?
   - Adequately resourced with personnel?
   - Adequately resources with mechanisms to ensure successful implementation and enforcement?
   - Adequately resourced to ensure on-going data collection, public reporting, and community engagement?

If the answer to any of these questions is no, what resources or actions are needed?
Step #6
How will you ensure accountability, communicate, and evaluate results?

1. How will impacts be documented and evaluated? Are you achieving the anticipated outcomes? Are you having impact in the community?

2. What are your messages and communication strategies that are will help advance racial equity?

3. How will you continue to partner and deepen relationships with communities to make sure your work to advance racial equity is working and sustainable for the long-haul?
### Appendix D

**Applications of a Racial Equity Tool in Madison, WI**

<table>
<thead>
<tr>
<th>Agency/Organization</th>
<th>Project</th>
<th>Tool(s) Used</th>
<th>Purpose &amp; Outcomes (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clerk’s Office</td>
<td>2015–2016 work plan</td>
<td>Equity &amp; Empowerment Lens (Mult. Co.)</td>
<td>Adopted new mission, vision, work plan, and evaluation plan with racial equity goals</td>
</tr>
<tr>
<td>Streets Division</td>
<td>Analysis of neighborhood trash pickup</td>
<td>RESJI analysis (comprehensive)</td>
<td>Recommendations to adjust large item pickup schedule based on neighborhood &amp; seasonal needs</td>
</tr>
<tr>
<td>Madison Out of School Time (MOST) Coalition</td>
<td>Strategic planning</td>
<td>RESJI analysis (fast-track)</td>
<td>Adopted strategic directions, including target populations, informed by racial equity analysis</td>
</tr>
<tr>
<td>Public Health Madison &amp; Dane County</td>
<td>Dog breeding &amp; licensing ordinance</td>
<td>RESJI analysis (comprehensive)</td>
<td>Accepted recommendation to table initial legislation &amp; develop better policy through more inclusive outreach; updated policy adopted</td>
</tr>
<tr>
<td>Fire Department</td>
<td>Planning for new fire station</td>
<td>RESJI analysis (comprehensive)</td>
<td>Recommendations for advancing racial equity and inclusive community engagement; development scheduled for 2016–2017</td>
</tr>
<tr>
<td>Metro Transit</td>
<td>Succession planning for management hires</td>
<td>RESJI equitable hiring checklist</td>
<td>First woman of color promoted to Metro management position in over 20 years</td>
</tr>
<tr>
<td>Human Resources Department</td>
<td>2015 &amp; 2016 work plans</td>
<td>RESJI analysis (fast-track &amp; comprehensive)</td>
<td>2015 plan reflects staff input; 2016 work plan to include stakeholder input (est. 10/15)</td>
</tr>
<tr>
<td>Economic Development Division</td>
<td>Public Market District project</td>
<td>RESJI analysis (comprehensive)</td>
<td>10 recommendations proposed to Local Food Committee for incorporation into larger plan</td>
</tr>
<tr>
<td>Public Health Madison &amp; Dane County</td>
<td>Strategic planning</td>
<td>RESJI analysis (fast-track)</td>
<td>Incorporation of staff &amp; stakeholder input, racial equity priorities, to guide goals &amp; objectives (est. 11/15)</td>
</tr>
</tbody>
</table>
## APPENDIX D: APPLICATIONS OF A RACIAL EQUITY TOOL IN MADISON, WI

<table>
<thead>
<tr>
<th>Agency/Organization</th>
<th>Project</th>
<th>Tool(s) Used</th>
<th>Purpose &amp; Outcomes (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning, Community &amp; Econ. Devel.</td>
<td>Judge Doyle Square development (public/private, TIF-funded)</td>
<td>RESJI analysis (fast-track); ongoing consultation</td>
<td>Highlight opportunities for advancement of racial equity; identify potential impacts &amp; unintended consequences; document public-private development for lessons learned and best practices</td>
</tr>
<tr>
<td>Parks Division</td>
<td>Planning for accessible playground</td>
<td>TBD</td>
<td>Ensure full consideration of decisions as informed by community stakeholders, with a focus on communities of color and traditionally marginalized communities, including people with disabilities.</td>
</tr>
<tr>
<td>Fire Department</td>
<td>Updates to promotional processes</td>
<td>TBD</td>
<td>Offer fair and equitable opportunities for advancement (specifically Apparatus Engineer promotions)</td>
</tr>
</tbody>
</table>
The Center for Social Inclusion's mission is to catalyze grassroots community, government, and other institutions to dismantle structural racial inequity. We apply strategies and tools to identify and challenge the barriers to an inclusive, just, and sustainable society and create transformative change. The Institute serves as a national hub of a vibrant network of researchers and community partners and takes a leadership role in translating, communicating, and facilitating research, policy, and strategic engagement. The Haas Institute advances research and policy related to marginalized people while essentially touching all who benefit from a truly diverse, fair, and inclusive society.

CENTERFORSOCIALINCLUSION.ORG  /  212.248.2785
## GARE Logic Model

<table>
<thead>
<tr>
<th>CONDITIONS that affect implementation of actions in each phase</th>
<th>Actions</th>
<th>Outcomes:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Normalize</td>
<td></td>
<td>Developing stage........</td>
</tr>
<tr>
<td>• Establish clear vision and mission</td>
<td>• Clear vision &amp; mission about RE</td>
<td>• Improved knowledge of RE concepts among gov. employees (ability to identify root causes)</td>
</tr>
<tr>
<td>• Develop &amp; deliver introductory RE training curriculum</td>
<td>• Improved understanding of gov’t’s role in addressing RE among core team</td>
<td>• Increased skills to deal with and communicate about RE among government employees</td>
</tr>
<tr>
<td>• Develop a cadre of skilled internal trainers</td>
<td>• Improved knowledge of RE concepts among core team</td>
<td>• RE is integrated into routine operations</td>
</tr>
<tr>
<td>• Create additional RE training &amp; modules</td>
<td>• Identification of opportunities to integrate RE into routine operations</td>
<td>• A cadre of peer trainers</td>
</tr>
<tr>
<td>• Conduct biennial employee survey on RE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Organize</td>
<td>• Improved capacity of local gov’t to implement RE Action Plan (knowledgeable &amp; skilled teams within department)</td>
<td>• Partnerships are developed across departments to address cross-cutting issues</td>
</tr>
<tr>
<td>• Create RE organizational structure, including Action Teams within and between depts and with community</td>
<td>• Groundwork established for inclusive engagement</td>
<td>• Partnerships with CBOs to address RE</td>
</tr>
<tr>
<td>• Conduct community RE survey</td>
<td></td>
<td>• Input is sought from communities</td>
</tr>
<tr>
<td>• Establish RE fund to build capacity to address structural racism</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Convene regional collaborations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operationalize</td>
<td>• Accountability mechanisms begin to be established</td>
<td>Across departments, accountability mechanisms are in place to increase and sustain RE focus; to community outcomes are identified</td>
</tr>
<tr>
<td>• Develop RE Plans within &amp; across depts and in four areas (workforce, contracting, community engagement, communications)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Develop RE Plans with community and external partners</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## IMPACT

Moving the needle

- Having impact that decreases racial inequity and improves success for all groups

## ATTACHMENT 2

- GARE Theory of Change (8334 : Equity and Inclusion)

## CONDITIONS that affect outcomes in your city and/or region (e.g., political landscape, community incidents, local and state economy)
HEALTH & EQUITY INDEX

The Health & Equity Index was developed by the Larimer County Department of Health and Environment, and is a tool to identify potentially vulnerable areas of the community. It is a weighted index, made up of two calculated scores to determine geographic areas of highest needs. The first component includes an Equity Score, comprised of socioeconomic factors using the most recent American Community Survey (U.S. Census) estimates:

**Equity Indicators**
- Population under 18
- Population over 65
- Households at or below the federal poverty level
- Hispanic/Latino population
- Non-white (minority) population
- Households without a vehicle
- Disability status

The second component, the Health Score, is comprised of health indicators from 500 Cities Data (Center for Disease Control):

**Health Indicators**
- Adult obesity
- Adults with no leisure time physical activity
- Adults who experienced poor mental health for more than 14 days

Final scores range from 0 to 100, with 100 indicating the highest priority.

---

Health & Equity Index Scores
Fort Collins, 2016

The health equity index analysis shows that factors related to health equity are not equal in all parts of Fort Collins. Generally, Census block groups with low index values (i.e., less vulnerable or disadvantaged populations) are clustered around downtown, while block groups with high index values are clustered north of the Poudre River.
Website Links for Asheville, Tacoma and Oakland Equity Indicators and Dashboards

https://avl.maps.arcgis.com/apps/Cascade/index.html?appid=10d222eb75854cba994b9a0083a40740
https://caimaps.info/tacomaequitymap/
City of Fort Collins’ Equity and Inclusion Efforts

DeAngelo Bowden, Janet Freeman, Jackie Kozak Thiel
What feedback does Council have on the planned equity and inclusion efforts?
Presentation Flow

Strategic Alignment

Historical Timeline

Definitions & Framework

Current Structure, Challenges & Efforts to Date

Government Alliance on Race and Equity (GARE)

2019/2020 Council Priorities Workplan
Strategic Alignment

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

BUDGET
.75 FTE
Multicultural Community Retreat $10,000
Revision Offer: $120,000
### Timeline

#### Pre-2005
- Human Relations Commission
- Office of Human Rights
- Diversity trainings
- Multicultural Community Retreat (MCR)

#### 2012 – Present

**2012:** Social Sustainability Department formed

**2015:** Equity objectives in City and Social’s strategic plans

**2015:** MCR reinstated
- City’s equity team formed

**2016:** Art of Belonging Community forum

**2017:** .75 FTE in Social Sustainability
- Council priority and resolution on Community Trust
- City joined Government Alliance on Race and Equity (GARE)

**2018:** CityPlan equity focus
- Council and City Leaders trained on historical impacts of racism

**2019:** Council priority
Equity & Inclusion

**Equity**: Process and outcome

**Process** = Policies, tools and programs that ensure equal access.

**Outcome** = Everyone has what they need to thrive.

**Inclusion**: An intention or policy of including people who might otherwise be excluded or marginalized.

EQUITY IS ACHIEVED WHEN A PERSON'S IDENTITY NO LONGER PREDICTS OUTCOME.
We strive to provide **inclusive** and **equitable** service to all community members.

We acknowledge American institutional systems carry important and **documented inequities** based on **race**, **income**, **gender**, and **more**.

We understand **individuals** or **communities** may need different levels of **support** to gain **equitable outcomes**.
Embedding Equity
# Disparity Examples in Fort Collins

<table>
<thead>
<tr>
<th>434 people experiencing homelessness</th>
<th>30% of Latinx mortgage applicants denied</th>
<th>68% of White residents believe Fort Collins accepts people of diverse backgrounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>22% are people of color</td>
<td>8% of White applicants denied</td>
<td>61% of Latinx residents feel this way</td>
</tr>
</tbody>
</table>

Sources: Fair Housing Report, Community Survey
Poudre School District: Graduation Rates

Graduation Rate Gaps

Student Group
- Hispanic Students
- White Students

<table>
<thead>
<tr>
<th>Year</th>
<th>Hispanic Students</th>
<th>White Students</th>
<th>Graduation Gap</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016</td>
<td>84.9%</td>
<td>67.0%</td>
<td>-17.9%</td>
</tr>
<tr>
<td>2017</td>
<td>81.7%</td>
<td>64.7%</td>
<td>-17.0%</td>
</tr>
<tr>
<td>2018</td>
<td>86.5%</td>
<td>70.7%</td>
<td>-15.8%</td>
</tr>
</tbody>
</table>

Packet Pg. 72
Attachment: Powerpoint presentation (8334 : Equity and Inclusion)
City of Fort Collins’ Role in Advancing Equity

Interpersonal: 1:1 interactions

Institutional: Programs, policies and projects

Systemic: Interplay with other Fort Collins institutions
How Our Efforts are Structured

**Dedicated Staff:**
- .75 FTE Equity and Inclusion Coordinator
- Urban Sustainability Directors Network Fellow: six-month appointment

**Cross-Functional Teams:**
- 75+ staff and community partners

**Advisory Groups:**
- Boards and Commissions, community partners

**Supporting Staff**
Systemic Impacts: Community Partners

Existing
- Community members
- Colorado State University
- Community Equity Consortium
- Faith communities
- Larimer County
- Local experts
- Poudre School District

Opportunities for strengthened/deeper engagement
- Private-sector business owners
- Nonprofits
- Front Range Community College
- Underserved community members
- Seniors and youth
- Immigrant communities
## Accomplishment Highlights

<table>
<thead>
<tr>
<th>Enhanced Internal Capacity</th>
<th>Equitable City Processes, Programs and Policies</th>
<th>Welcoming, Inclusive Community</th>
</tr>
</thead>
<tbody>
<tr>
<td>Create Shared Understanding</td>
<td>Boards and Commissions Report</td>
<td>Municipal Equality Index</td>
</tr>
<tr>
<td>Trainings: Frontline staff - Council and Leadership</td>
<td>Community Trust Resolution</td>
<td>Multicultural Community Retreat</td>
</tr>
<tr>
<td>Respectful Workplace Training</td>
<td>Expanded Purchasing Policy</td>
<td>ClimateWise: Equity and Inclusion in Social Badge</td>
</tr>
<tr>
<td>Respect Campaign</td>
<td>Our Climate Future</td>
<td>Diversity Appreciation Banners</td>
</tr>
</tbody>
</table>
Challenges

- Systems of inequity are deep and pervasive
- Despite many great accomplishments, limited success embedding across organization
- Lack of shared language, analysis and framework create inconsistency
- Opportunities for greater workforce diversity
The Government Alliance on Race and Equity (GARE) is a national network of government working to achieve racial equity and advance opportunities for all.
GARE Jurisdictions

- Technical assistance
- Free tools
- Learning opportunities
Equity Framework

Equity for all, leading with race
GARE Logic Model

**Actions**

- Establish clear vision and mission
- Develop & deliver introductory RE training curriculum
- Develop a cadre of skilled internal trainers
- Create additional RE training & modules
- Conduct biennial employee survey on RE

- Create RE organizational structure, including Action Teams within and between departments and with community
- Establish RE fund to build capacity to address structural racism
- Convene regional collaborations

- Develop RE Plans within & across departments and in four areas (workforce, contracting, community engagement, communications)
- Develop RE Plans with community and external partners

**Outcomes:**

<table>
<thead>
<tr>
<th>Developing stage</th>
<th>Implementing stage</th>
<th>Sustaining stage</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Clear vision &amp; mission about RE</td>
<td>- Improved knowledge of RE concepts among government employees</td>
<td>- Mechanisms are in place for continued and ongoing staff orientation and professional development about RE</td>
</tr>
<tr>
<td>- Improved understanding of government’s role in addressing RE among core team</td>
<td>- Increased skills to deal with and communicate about RE among government employees</td>
<td>- Mechanisms to track and gauge impact of RE efforts</td>
</tr>
<tr>
<td>- Improved knowledge of RE concepts among core team</td>
<td>- RE is integrated into routine operations</td>
<td></td>
</tr>
<tr>
<td>- Identification of opportunities to integrate RE into routine operations</td>
<td>- A cadre of peer trainers</td>
<td></td>
</tr>
</tbody>
</table>

**Normalization**

- Improved capacity of local government to implement RE actions
- Groundwork established for inclusive engagement

**Organization**

- Partnerships are developed across departments to address cross-cutting issues
- Partnerships with CBOs to address RE
- Input is sought from communities

**Operationalize**

- Accountability mechanisms begin to be established

**Conditions**

- In all departments and local government as a whole:
  - Implementation of RE Tool
  - Reputation for addressing RE
  - Data-informed decision-making processes
  - Community engagement mechanisms in place
  - Work to improve community outcomes

**Impact**

- Moving the needle: 
  - Decrease racial inequity and improve success for all groups

**Attachment:** Powerpoint presentation (6334: Equity and Inclusion)
1. Co-create principles of community
2. Develop indicators and metrics
3. Implement the usage of an equity lens (including staff and Council training)
4. Consider a resolution regarding anti-discrimination
Principles of Community

INCLUSION
We create and nurture inclusive environments and welcome, value and affirm all members of our community, including their various identities, skills, ideas, talents and contributions.

INTEGRITY
We are accountable for our actions and will act ethically and honestly in all our interactions.

RESPECT
We honor the inherent dignity of all people within an environment where we are committed to freedom of expression, critical discourse, and the advancement of knowledge.

SERVICE
We are responsible, individually and collectively, to give of our time, talents, and resources to promote the well-being of each other and the development of our local, regional, and global communities.

SOCIAL JUSTICE
We have the right to be treated and the responsibility to treat others with fairness and equity, the duty to challenge prejudice, and to uphold the laws, policies and procedures that promote justice in all respects.
Equity Metrics and Dashboard

Tacoma, Washington

Asheville, North Carolina
Deploying an Equity Lens

Set vision → Gather data → Analyze data & develop strategies

Implement solutions → Evaluate and communicate the impact

Community engagement happens at every step
Deploying an Equity Lens: Our Climate Future

1. Set vision
   - Process
   - Outcome

2. Gather data
   - Stakeholder Mapping
   - Community Leading Engagement

Debriefing with City Plan Community Partners & Plan Ambassadors
Deploying an Equity Lens

3. Analyze data & develop strategies
   - Identifying gaps
   - Co-create strategies with community
   - Institutionalizing equity tools
   - Building workforce capacity
   - Maintaining accountability

4. Implement solutions

5. Evaluate / communicate the impact
   - Quantity
   - Quality
   - Is anyone better off
Workplan: Remainder of 2019

Public Engagement
- New Sr. Engagement Specialist onboarding and community introductions
- Continued IAP2 training and application

Anti-Discrimination Resolution

Equity Team Restructuring
- Align to Council priority
- Further embed across organization

Budgeting for Outcomes: Revision Offer
- Gaps Analysis
- Metrics / Equity Indicators
- Dashboard
- Principles of Community
2020 Workplan

- Address Council priorities / Seek feedback
- Strengthen staff capacity / Council training
- Further embed equity into all outcome areas
- Multicultural Community Retreat
- Regional cohort
- Budget Offer: Equity lens deployment and training
Council Direction

What feedback does Council have on the planned equity and inclusion efforts?

2019:
- Public Engagement
- Anti-Discrimination Resolution
- Equity Team Restructuring
- Budgeting for Outcomes: Revision Offer (data, dashboard, principles)

2020:
- Address council priorities / Seek feedback
- Strengthen staff capacity / Council training
- Further embed equity into all outcome areas
- Multicultural Community Retreat
- Regional cohort
- Budget Offer: Equity lens deployment and training
SUBJECT FOR DISCUSSION

2019 Fee Update.

EXECUTIVE SUMMARY

The purpose of this item is to review fee updates associated with Electric Capacity Fees, Water Supply Requirement Fees, Wet Utility Plant Investment Fees (PIFs) and Step III of the 2017 Capital Expansion Fees (CEFs). Coordination of Council approved fees began in 2016 to provide a more holistic view of the total cost impact. Previously, fee updates were presented to Council on an individual basis. After the 2019 fee update, fee phasing will be complete with regular two and four-year cadence updates beginning in 2021.


Staff proposes the following fee changes:

- Wet Utility PIFs as proposed
- Electric Capacity Fees as proposed
- Water Supply Requirement Fee as proposed
- 100% of proposed 2017 Capital Expansion Fees (Step III)
- Transportation Capital Expansion Fees (inflation only)

Development Review/Building Fees were initially planned to be part of the 2019 update but have been decoupled and will come forward once finalized.

GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED

Does Council support fee updates to come forward for consideration in November (effective January 1, 2020)?

BACKGROUND / DISCUSSION

Since October 2016, staff has worked to coordinate the process for updating all new development related fees that require Council approval. Development related fees that are approved by Council are six Capital Expansion Fees, five Utility Fees and Building Development Fees.
Previously, fee updates were presented to Council on an individual basis. However, it was determined that updates should occur on a regular two and four-year cadence and fees updates should occur together each year to provide a more holistic view of the impact of any fee increases.

Fee coordination includes a detailed fee study analysis for Capital Expansion Fees (CEFs), Transportation Capital Expansion Fees (TCEFs) and Development Review/Building Fees every four years. This requires an outside consultant through a request for proposal (RFP) process where data is provided by City staff. Findings by the consultant are also verified by City staff. For Utility Fees, a detailed fee study is planned every two years. These are internal updates by City staff with periodic consultant verification. In the future, fee study analysis will be targeted in the odd year before Budgeting for Outcomes (BFO). In years without an update, an inflation adjustment occurs.

Below is the current fee timeline:

<table>
<thead>
<tr>
<th>Type of Fee</th>
<th>Fee Name</th>
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<tbody>
<tr>
<td>Capital Expansion</td>
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<td>General Government</td>
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</tr>
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</table>

Phase I of the fee updates included CEFs, TCEFs, Electric Capacity Fees, and Raw Water/CIL and were adopted in 2017. Phase II included Wet Utility PIFs and step II of CEFs and TCEFs, which were approved in 2018. Development review and building permit fees were originally included in Phase II but were decoupled from the 2018 update.

Due to the concern in the development and building community around fee changes, Council asked for a fee working group to be created to foster a better understanding of fees prior to discussing further fee updates. In August of 2017, the Fee Working Group commenced comprised of a balanced group of stakeholders – citizens,
business-oriented individuals, City staff and a Council liaison. The Fee Working Group met 14 times and was overall supportive of the fee coordination process and proposed fee updates.


Development Review/Building Fees were initially planned to be part of the 2019 update but have been decoupled and will come forward once finalized. The 2019 Fee Working Group is focused on Development Review/Building Fees only and has met four times as of mid-September. The 2019 Fee Working Group consists of a balanced group of stakeholders – citizens, business-oriented individuals and City staff.

2019 Utility Fee Updates

The proposed changes to Utility Fees for a single-family, residential home include a 1.7% increase to the Electric Capacity Fee (ECF) and increases to the three Wet Utility Fees ranging between 1.5% and 6.7%. The Water Plant Investment Fee (PIF) is proposed to increase 6.7%, the Wastewater PIF is proposed to increase 1.5% and the Stormwater PIF is proposed to increase 3.3% from current fee levels.

The chart below summarizes the proposed Utility Fees for a single-family home, assuming an 8,600 square feet lot and 4 bedrooms:

<table>
<thead>
<tr>
<th>Utility Fee</th>
<th>Current Charge</th>
<th>2020 Charge</th>
<th>$ Change</th>
<th>% Change</th>
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<td>Water Supply Requirement</td>
<td>$11,160</td>
<td>$13,838</td>
<td>$2,678</td>
<td>24.0%</td>
</tr>
</tbody>
</table>

2019 Capital Expansion Fee Updates

The chart below shows the current and proposed fee updates for CEFs:
Step III fees are a 12.6% increase from current fee levels (Step II). CEF fee increases are 100% of full fee levels recommended in 2017. The CPI-U index for Denver-Aurora-Lakewood is used for CEF inflation. The Engineering News Record for TCEFs.

Comparison Charts

Fort Collins proposed fees are in the upper-middle of the pack:

The following chart shows neighboring cities across water districts with and without raw water. Fort Collins fees are in line with neighboring cities:
Fort Collins fees and the cost of code is leveling as a percentage of median new home sales price:

Community Outreach

In an effort towards better communication, outreach and notification of impact fee changes, staff met with nine organizations across the City in the summer 2019.

<table>
<thead>
<tr>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Housing Board</td>
</tr>
<tr>
<td>Building Review Board</td>
</tr>
<tr>
<td>Economic Advisory Commission</td>
</tr>
<tr>
<td>Fort Collins Board of Realtors</td>
</tr>
<tr>
<td>Local Legislative Affairs Committee</td>
</tr>
<tr>
<td>Northern Colorado Homebuilder's Association</td>
</tr>
<tr>
<td>Super Issues Forum</td>
</tr>
<tr>
<td>Energy Board</td>
</tr>
<tr>
<td>Water Board</td>
</tr>
</tbody>
</table>

Overall, organizations were supportive of the approach and cadence. There was acknowledgement that regular fee updates are necessary.

Staff also heard:

- Supportive of 2018 fee group recommendations
  - Progressive fees/ if where possible
  - Investigate revenue alternatives to support parks refresh & maintenance
  - Explore stronger support for affordable housing
- Concerns about attainable housing - it may be less desirable to live here
- Policy questions - development standards going forward, alignment on total cost (including operations and maintenance)
Below is the 2019 fee roadmap:

<table>
<thead>
<tr>
<th></th>
<th>May</th>
<th>June/July</th>
<th>August</th>
<th>October</th>
<th>November</th>
<th>1/1/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expansion Fees</td>
<td>CFC</td>
<td>Outreach</td>
<td>CFC</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
<tr>
<td>Transportation CEFs</td>
<td>CFC</td>
<td>Outreach</td>
<td>CFC</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
<tr>
<td>Electric Capacity Fees</td>
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<td>Outreach</td>
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<td>CFC</td>
<td>Council</td>
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<td>Effective</td>
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<tr>
<td>Wet Utility Fees</td>
<td>CFC</td>
<td>Outreach</td>
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<td>Council</td>
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<td>Effective</td>
</tr>
<tr>
<td>Building Development Fees</td>
<td>CFC</td>
<td>Working Group</td>
<td>Working Group</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
</tbody>
</table>

**ATTACHMENTS**

1. 2019 Capital Expansion Fee Update Memo, July 24, 2019 (PDF)
2. Powerpoint presentation (PDF)
On July 17, the Economic Advisory Commission (EAC) received a presentation from Jennifer Poznanovic, and Randy Reuscher, on the current progress of the 2019 Capital Expansion and Utilities Fee Review and update. The purpose of this memorandum is to support currently proposed fee review and suggest methodologies for systematizing future fee review.

Summary of Discussion:
The Commission and its members noted the following:

- Proposed fees appear to be in line with surrounding cities and that fees as a percentage of median home sales price seem reasonable methodology.
  - The Commission noted home size classification used should be updated in the future.
- Noted the Water Supply Requirement charge of ~24% was an outlier among the other fee adjustments.
  - The Commission questioned whether the CPI for the Denver-Aurora-Lakewood was suitable and if other measures should be considered in order to smooth any future adjustments.
- The changes required for funding continued park maintenance should be given a degree of priority in future updates. The staff responded that such consideration was outside the scope of this study. The Council is aware of the matter, and the changes are being considered for future studies.
- The presenters stated that addressing infrastructure need to meet the peak demand continues to be an important factor, of the fee review and for utilities in particular.
  - The staff responded that the current primary mechanism for addressing user behavior is education while possible technological solutions or incentive structures have not been rigorously explored.
  - The Commission believes that investigating the role of technology or incentives would be meaningful. An incentive program could encourage adoption of more efficient technologies during the design/construction stage or induce to participate in conservation practices by offering specific rewards for adopting desired use behaviors (installing xeriscaping instead of turf, for example).
  - The Commissions encourages staff to incorporate a study of technological or incentive solutions as part of future fee reviews.
Agenda

- Fee Scope, Timeline & Background
- Proposed 2019 Fee Updates – Effective in 2020
- Comparison Charts
- Community Outreach Feedback
- Council Direction
Fee Coordination

**Objective:**

- Review fee updates together to provide a holistic view of the total cost impact
- Bring impact fees forward per a defined cadence..... 2 - 4 years

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<td>Water Plant Investment</td>
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<td>Development Review, Building</td>
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<td>Building Development</td>
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</tbody>
</table>
### Fee Timeline

**Detailed fee studies:**
- 4 years for CEF, TCEFs & Development fees
- 2 years for Utility fees

*In years without updates, an annual inflation adjustment occurs*

**2019 Fee Group – Development Review/Building Fees only**
- Four meetings as of early September
- Decoupled from 2019 fee update
- Plan to bring forward updates once finalized

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expansion Fees</td>
<td>Update</td>
<td>Step II</td>
<td>Step III</td>
<td>Update</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transportation CEFs</td>
<td>Update</td>
<td>Step II</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
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<td>Update</td>
<td></td>
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<tr>
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<td></td>
<td></td>
<td>Update</td>
<td></td>
</tr>
<tr>
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<td></td>
<td></td>
<td></td>
<td>Update</td>
<td></td>
</tr>
<tr>
<td>Fee Working Group</td>
<td>Active</td>
<td>Active</td>
<td>Active</td>
<td>Update</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Phase 1**
- 2019 Fee Group – Development Review/Building Fees only

**Phase 2**
- Four meetings as of early September
- Decoupled from 2019 fee update
- Plan to bring forward updates once finalized

**Phase 3**
- Following updates in years without updates, annual inflation adjustment occurs

Attachment: Powerpoint presentation (8360 : 2019 Fee Update)
Utility Fees

- Assumes residential, single-family home with an 8,600 square feet lot and 4 bedrooms

<table>
<thead>
<tr>
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<th>2020 Charge</th>
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</tr>
</tbody>
</table>

*Charges for going over annual water allotment are tied to increase in Water Supply Requirement
## WATER Plant Investment Fees

<table>
<thead>
<tr>
<th>Customer Class</th>
<th>Criteria</th>
<th>Current Charge</th>
<th>2020 Charge</th>
<th>$ Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family</td>
<td>8,600 sq ft</td>
<td>3,826</td>
<td>4,084</td>
<td>$ 258</td>
<td>6.7%</td>
</tr>
<tr>
<td>Duplex &amp; Multi-family</td>
<td>3,435 sq ft</td>
<td>1,423</td>
<td>1,546</td>
<td>$ 123</td>
<td>8.6%</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3/4&quot; by tap size</td>
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<td>8,790</td>
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<td></td>
</tr>
<tr>
<td>1&quot; by tap size</td>
<td>20,960</td>
<td>23,060</td>
<td>$ 2,100</td>
<td>10.0%</td>
<td></td>
</tr>
<tr>
<td>1 1/2&quot; by tap size</td>
<td>43,510</td>
<td>45,610</td>
<td>$ 2,100</td>
<td>4.8%</td>
<td></td>
</tr>
<tr>
<td>2&quot; by tap size</td>
<td>72,450</td>
<td>78,820</td>
<td>$ 6,370</td>
<td>8.8%</td>
<td></td>
</tr>
</tbody>
</table>
## Wastewater Plant Investment Fees

<table>
<thead>
<tr>
<th>Customer Class</th>
<th>2018 Volume</th>
<th>2020 Volume</th>
<th>Change in Volume</th>
<th>Proposed PIF $</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>GPD</td>
<td>GPD</td>
<td>GPD</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Single family residential</td>
<td>230</td>
<td>229</td>
<td>-0.4%</td>
<td>3,590</td>
<td>1.5%</td>
</tr>
<tr>
<td>Duplex and Multi-family</td>
<td>170</td>
<td>165</td>
<td>-2.9%</td>
<td>2,590</td>
<td>0.1%</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meter Size - inches</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3/4</td>
<td>490</td>
<td>492</td>
<td>0.4%</td>
<td>7,710</td>
<td>2.6%</td>
</tr>
<tr>
<td>1</td>
<td>1,080</td>
<td>1,096</td>
<td>1.5%</td>
<td>17,190</td>
<td>3.8%</td>
</tr>
<tr>
<td>1.5</td>
<td>2,070</td>
<td>2,063</td>
<td>-0.3%</td>
<td>32,350</td>
<td>2.0%</td>
</tr>
<tr>
<td>2</td>
<td>4,300</td>
<td>4,281</td>
<td>-0.4%</td>
<td>67,120</td>
<td>2.0%</td>
</tr>
</tbody>
</table>
### Stormwater Plant Investment Fee

<table>
<thead>
<tr>
<th>Rate Class</th>
<th>2019</th>
<th>2020</th>
<th>$ Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Area Developed (sq ft)</td>
<td>8,600</td>
<td>8,600</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Common Area Allocation (sq ft)</td>
<td>6,156</td>
<td>6,156</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Rate (per acre*)</td>
<td>$9,142</td>
<td>$9,447</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Runoff Coefficient</td>
<td>0.5</td>
<td>0.5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Fee</td>
<td>$1,548</td>
<td>$1,600</td>
<td>$52</td>
<td>3.3%</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gross Area Developed (sq ft)</td>
<td>43,560</td>
<td>43,560</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Base Rate (per acre*)</td>
<td>$9,142</td>
<td>$9,447</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Runoff Coefficient</td>
<td>0.8</td>
<td>0.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Fee</td>
<td>$7,314</td>
<td>$7,558</td>
<td>$244</td>
<td>3.3%</td>
</tr>
</tbody>
</table>

*Rate Class: Residential, Commercial*
**Capital Expansion Fees**

**Step III**

- Step III fees are an 12.6% increase from current fee levels (Step II)
- CEF fee increases are 100% of full fee levels recommended in 2017
- Inflation: CPI-U index for Denver-Aurora-Lakewood, Engineering News Record for TCEFs

<table>
<thead>
<tr>
<th>Land Use Type</th>
<th>Unit</th>
<th>N’hood Park</th>
<th>Comm. Park</th>
<th>Fire</th>
<th>Police</th>
<th>Gen. Gov’t</th>
<th>Step III Total w Inflation</th>
<th>% Increase w Inflation</th>
<th>TCEF Total w Inflation</th>
<th>Total % Increase w Inflation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential, up to 700 sq. ft.</td>
<td>Dwelling</td>
<td>$1,855</td>
<td>$2,619</td>
<td>$454</td>
<td>$254</td>
<td>$619</td>
<td>$5,801</td>
<td>12.6%</td>
<td>$2,336</td>
<td>8.9%</td>
</tr>
<tr>
<td>Residential, 701-1,200 sq. ft.</td>
<td>Dwelling</td>
<td>$2,483</td>
<td>$3,506</td>
<td>$614</td>
<td>$344</td>
<td>$834</td>
<td>$7,782</td>
<td>12.6%</td>
<td>$4,338</td>
<td>8.0%</td>
</tr>
<tr>
<td>Residential, 1,201-1,700 sq. ft.</td>
<td>Dwelling</td>
<td>$2,712</td>
<td>$3,828</td>
<td>$668</td>
<td>$374</td>
<td>$911</td>
<td>$8,493</td>
<td>12.6%</td>
<td>$5,632</td>
<td>7.5%</td>
</tr>
<tr>
<td>Residential, 1,701-2,200 sq. ft.</td>
<td>Dwelling</td>
<td>$2,740</td>
<td>$3,868</td>
<td>$679</td>
<td>$379</td>
<td>$925</td>
<td>$8,591</td>
<td>12.6%</td>
<td>$6,586</td>
<td>7.1%</td>
</tr>
<tr>
<td>Residential, over 2,200 sq. ft.</td>
<td>Dwelling</td>
<td>$3,053</td>
<td>$4,312</td>
<td>$756</td>
<td>$423</td>
<td>$1,029</td>
<td>$9,573</td>
<td>12.6%</td>
<td>$7,059</td>
<td>7.2%</td>
</tr>
<tr>
<td>Commercial</td>
<td>1,000 sq. ft</td>
<td>0</td>
<td>0</td>
<td>$572</td>
<td>$320</td>
<td>$1,564</td>
<td>$2,456</td>
<td>12.6%</td>
<td>$8,594</td>
<td>3.1%</td>
</tr>
<tr>
<td>Office and Other Services</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>$572</td>
<td>$320</td>
<td>$1,564</td>
<td>$2,456</td>
<td>12.6%</td>
<td>$6,331</td>
<td>3.7%</td>
</tr>
<tr>
<td>Industrial/Warehouse</td>
<td>1,000 sq. ft</td>
<td>0</td>
<td>0</td>
<td>$134</td>
<td>$74</td>
<td>$369</td>
<td>$577</td>
<td>12.6%</td>
<td>$2,043</td>
<td>3.1%</td>
</tr>
</tbody>
</table>
Fee Comparison: For Median New Home Sales Price $488K*

**Excludes raw water and all non-municipal fees**

Fort Collins Proposed Fees in the Upper-Middle of the Pack
Fort Collins Fees are Inline with Neighboring Cities
Fort Collins Fee Stack
Median New Home Sales

Fort Collins Fees & Code Cost Impact is Leveling %
of Median New Home Sales Price
# Summer 2019 Outreach

<table>
<thead>
<tr>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affordable Housing Board</td>
</tr>
<tr>
<td>Building Review Board</td>
</tr>
<tr>
<td>Economic Advisory Commission</td>
</tr>
<tr>
<td>Fort Collins Board of Realtors</td>
</tr>
<tr>
<td>Local Legislative Affairs Committee</td>
</tr>
<tr>
<td>Northern Colorado Homebuilder's Association</td>
</tr>
<tr>
<td>Super Issues Forum</td>
</tr>
<tr>
<td>Energy Board</td>
</tr>
<tr>
<td>Water Board</td>
</tr>
</tbody>
</table>
Overall supportive of approach and cadence

We also heard:

• Acknowledgement that regular fee updates are necessary
• Supportive of 2018 fee group recommendations
  • Progressive fees/if where possible
  • Investigate revenue alternatives to support parks refresh & maintenance
  • Explore stronger support for affordable housing
• Concerns about attainable housing - it may be less desirable to live here
• Policy questions - development standards going forward, alignment on total cost (including operations and maintenance)
### 2019 Roadmap

<table>
<thead>
<tr>
<th>Fee Category</th>
<th>May</th>
<th>June/July</th>
<th>August</th>
<th>October</th>
<th>November</th>
<th>1/1/2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expansion Fees</td>
<td>CFC</td>
<td>Outreach</td>
<td>CFC</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
<tr>
<td>Transportation CEFs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electric Capacity Fees</td>
<td>CFC</td>
<td>Outreach</td>
<td>CFC</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
<tr>
<td>Water Supply Requirement</td>
<td>CFC</td>
<td>Outreach</td>
<td>CFC</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
<tr>
<td>Wet Utility Fees</td>
<td>CFC</td>
<td>Outreach</td>
<td>CFC</td>
<td>Council</td>
<td>Ordinance</td>
<td>Effective</td>
</tr>
<tr>
<td>Building Development Fees</td>
<td></td>
<td></td>
<td></td>
<td>Working Group</td>
<td>Working Group</td>
<td></td>
</tr>
</tbody>
</table>

- All fee categories initially planned to update in 2019 except for Transportation CEFs.
- Phasing complete after 2019 with regular two and four-year cadence beginning in 2021.
- Building Development Fees decoupled from the 2019 update.
Direction Sought

Does Council support fee updates to come forward for consideration in November (effective January 1, 2020)?
Backup
Why Do We Have Impact Fees

The concept of growth paying for the impact of growth is a policy decision that City Council made and continues to support.

**Capital Expansion Fees**
- New developments pays a proportionate share of infrastructure costs to “buy-in” to the level of service
- Fee revenue used to build new service capacity
- In place since 1996

**Development Review Fees**
- Fees are intended to recoup the cost to the City for ensuring compliance with:
  - Planning, zoning and architectural/design standards
  - Adopted master plans
  - Building codes / resident safety

**Utility Plant Investment Fees**
- Provides a mechanism for new development to reimburse existing utility customers for existing infrastructure
- Fee revenue used to build additional infrastructure

Fee Revenue Used to Add Infrastructure Needed Because of Growth
Different methodologies used across fee categories:

- **Level of Service or Buy-in**: Fees are set by assessing City’s capitalized assets or “level of service” and who’s using the assets. Development “buys in” to that level of service.

- **Plan-based**: Fees are set based on a capital improvement plan and development pays a portion of their impact on that plan.

- **Hybrid**: Fees assessed using aspects of plan and level of service.

- **Cost Recovery**: Fees are assessed based on recovering all or a portion of the cost of administering a particular program.
## Overview of Fees

<table>
<thead>
<tr>
<th>Fee</th>
<th>Methodology</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Expansion (CEFs)</td>
<td>Level of Service</td>
<td>Asset Value/ Who’s Using</td>
</tr>
<tr>
<td>Transportation Capital Expansion (TCEFs)</td>
<td>Plan-based</td>
<td>Capital Improvement Plan &amp; Vehicle Miles Travelled, Type of Land Use</td>
</tr>
<tr>
<td>Utility Plant Investment: <em>Electric PIFs, Stormwater</em></td>
<td>Level of Service</td>
<td>Asset Value/ Who’s Using</td>
</tr>
<tr>
<td>Raw Water/ Cash-in-Lieu</td>
<td>Hybrid (recommended)</td>
<td>Future water storage + Value of current assets</td>
</tr>
<tr>
<td>Utility Plant Investment: <em>Water, Wastewater</em></td>
<td>Hybrid</td>
<td>Capital Improvement Plan &amp; Current Asset Values</td>
</tr>
<tr>
<td>Development Review</td>
<td>Cost Recovery</td>
<td>Cost Recovery at 100% per code</td>
</tr>
</tbody>
</table>
2017 Recap

Council directed stepped implementation for CEF & TCEF in 2017

<table>
<thead>
<tr>
<th>Fee</th>
<th>Status as of October 2017</th>
<th>Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEFs</td>
<td>• 75% of fees implemented</td>
<td>• Phased in approach - three steps</td>
</tr>
<tr>
<td>TCEFs</td>
<td>• 80% of fees implemented</td>
<td>• Phased in approach - two steps</td>
</tr>
<tr>
<td>Electric Capacity</td>
<td>• 100% of fees implemented</td>
<td>• Every two years</td>
</tr>
<tr>
<td>Raw Water</td>
<td>• 100% of fees implemented</td>
<td>• Every two years</td>
</tr>
</tbody>
</table>

Lessons Learned:
- Fee increase recommendations were significant, caused confusion in the community
- Difficult to explain with different methodologies and qualitative aspect

Success Factors:
- Bringing fees together was good for understanding the full impact of fees
- Formed citizen/staff working group
2017 – Drivers of Fee Increases

**Capital Expansion Fees** *(2017 proposed increase 71% to 79%):*
- Fee based on replacement cost of existing infrastructure
- Cost of construction, land, water up significantly since last fee revision

**Transportation Capital Expansion Fees** *(2017 proposed changes -32% to 114%):*
- Cost of construction up since last fee revision
- Current transportation plan & calculation shift

**Electric Capacity Fees** *(2017 changes approximately -50% to 40%):*
- Change in methodology from plan-based to “buy-in”

**Raw Water Fees** *(effective 1/1/2018):*
- New fee model - value of the existing water rights portfolio & growth related capital expenses

**Large Increase Created Significant Business Community Concern**
### 2018 Recap

#### Fee Status as of January 2019

<table>
<thead>
<tr>
<th>Fee</th>
<th>Status as of January 2019</th>
<th>Next Steps</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEFs</td>
<td>• 90% of fees implemented</td>
<td>• Phased in approach - three steps</td>
</tr>
<tr>
<td>TCEFs</td>
<td>• 100% of fees implemented</td>
<td>• Phased in approach - two steps complete</td>
</tr>
<tr>
<td>Utility PIFs</td>
<td>• 100% of fees implemented</td>
<td>• Every two years</td>
</tr>
</tbody>
</table>

#### Fee Group overall supportive of the fee coordination process and proposed fee updates

- Council asked for a fee working group to foster a better understanding of fees prior to further fee updates
- Balanced group of stakeholders – citizens, business-oriented individuals, City staff and a Council liaison
- Met 14 times
Key Findings

- Review of impact fees together is beneficial for understanding the full impact of fee updates
- Overall, sound methodologies, calculations and inputs
- The third-party fee audit revealed how the City spends and collects impact fees is sound
- Impact fee amenities add to property value, but views differ as to what extent they impact housing costs
- Impact fees are complicated and difficult to communicate across the community
- Park impact fees are the only category where impact fees pay for 100 percent of what is built
- Need to identify new revenue sources for park refresh and maintenance in the future
- If less than recommended is approved, alternative revenue sources will be needed
**Recommendations**

1. Better Communication/Outreach & Notice of Fee Changes
2. Repayment of the $130k Identified in the Impact Fee Audit
3. Progressive Fees if/where Possible
4. Explore Additional Revenue Sources for Parks Buildout
5. Investigate Revenue Alternatives to Support Parks Refresh & Maintenance
6. Explore Stronger Supports for Affordable Housing Fee Waivers

**Recommendations Reviewed with Council Finance in September.... Implemented as Appropriate Over Time**