

RESOLUTION 2024-118  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
ALTERNATIVE SENTENCING DEPARTMENT OF LARIMER COUNTY, COLORADO,  
FOR USE OF ALTERNATIVE SENTENCING IN MUNICIPAL COURT

A. The City of Fort Collins Municipal Court (the "Court") has the authority under City Code to sentence offenders in misdemeanor criminal cases to jail sentences. The Alternative Sentencing Department ("ASD") through Larimer County has multiple alternative sentencing programs available that provide an option for the Court to utilize in addition to a traditional jail setting.

B. The ASD alternative sentencing programs provide a sentencing tool and option for judges in court and for the prosecutors in developing plea agreements. In some cases, traditional incarceration is the appropriate and consistent sentence given the facts of the case and criminal history of a defendant. However, if a defendant is gainfully employed or wishes to seek employment or is enrolled in an educational program, alternative sentencing is a tool that allows the sentence to be carried out in a less restrictive manner that will not impact those positive factors.

C. The Court has had longstanding agreements with ASD for years to allow Municipal Court offenders to utilize the Work Release program. The purpose of this item is to authorize an intergovernmental agreement (the "IGA") with the ASD of Larimer County so that Court can continue to utilize the Work Release program in addition to the intermittent Midweek and Weekend programs, and Useful Public Service in cases that have extended community service requirements (collectively the "Programs".)

D. Under the IGA the City would pay the cost for each City offender sentenced to the programs. The Residential Work Release Program is \$20 per day, the intermittent Midweek or Weekender Program is \$25 per weekend or midweek, or Useful Public Service is \$120 per case.

E. Historically, the program costs have been less than \$2500 annually. With the upcoming addition of starting a Municipal Drug Court, the utilization of these programs will likely increase.

F. The availability of alternative jail programs provides a great benefit to our community, offer paths to rehabilitation, and allows those serving a jail sentence the ability to remain in the community, working, or with their families, while still being able to serve their imposed sentences or meeting agreed upon plea conditions.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Mayor is hereby authorized to enter into the IGA, in substantially the form attached hereto as Exhibit "A," together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary

and appropriate to protect the interests of the City or to effectuate the purposes of this Resolution.

Passed and adopted on September 17, 2024.

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Mayor

ATTEST:

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City Clerk

Effective Date: September 17, 2024  
Approving Attorney: Dawn Downs