

ORDINANCE NO. 109, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION OF HOME INVESTMENT
PARTNERSHIP PROGRAM - AMERICAN RESCUE PLAN ACT FUNDING FROM THE
FEDERAL DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, on March 11, 2021, President Biden signed the American Rescue Plan Act (ARPA), enabling over \$1.9 trillion in relief to address the continued impact of the COVID-19 pandemic on the economy, public health, state and local governments, individuals and businesses; and

WHEREAS, ARPA appropriated \$5 billion to help communities provide housing, shelter, and services for people experiencing homelessness and other qualifying populations, to be administered by the Department of Housing and Urban Development (HUD) through the HOME Investment Partnership Program – American Rescue Plan (HOME-ARP); and

WHEREAS, populations qualifying for assistance from HOME-ARP funds include persons who are homeless or at-risk of homelessness, fleeing or attempting to flee domestic violence, dating violence, sexual assault, stalking or human trafficking, other populations where provision of assistance would prevent homelessness or would serve those with the greatest risk of housing instability, and veterans; and

WHEREAS, as a HOME program participating jurisdiction, the City received a HOME-ARP Award of \$2,628,410 to benefit qualifying populations in our community, in addition to the annual allocation of HOME funds the City receives from HUD; and

WHEREAS, once appropriated, HOME-ARP funds will be allocated through a Competitive Process according to the HOME-ARP Allocation Plan, with funding recommendations for specific projects and programs presented to City Council by the Human Services and Housing Funding Board in 2023; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of providing additional financial capacity to address critical housing needs for persons experiencing homelessness and persons at risk of homelessness; and

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

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the HOME Investment Partnership Grant Fund and will not cause the total amount appropriated in the HOME Invest Partner Grant Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year; and

WHEREAS, Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation; and

WHEREAS, the City Council wishes to designate the appropriation herein of HOME-ARP grant funds from the Federal American Recovery Plan Act as an appropriation that shall not expire until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

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

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from grant revenue in the HOME Investment Partnership Fund the sum of TWO MILLION SIX HUNDRED TWENTY-EIGHT THOUSAND FOUR HUNDRED TEN DOLLARS (\$2,628,410) to be expended in the HOME Investment Partnership Fund for production or preservation of affordable housing, tenant-based rental assistance, provision of supportive services including homeless prevention services, and acquisition and development of non-congregate shelter.

Section 3. That the appropriation herein of HOME-ARP grant funds from the Federal American Recovery Plan Act is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading, and ordered published this 18th day of October, A.D. 2022, and to be presented for final passage on the 1st day of November, A.D. 2022.

Mayor

ATTEST:

Chief Deputy City Clerk

Passed and adopted on final reading on the 1st day of November, A.D. 2022.

Mayor

ATTEST:

City Clerk