AGENDA
1385th Regular Meeting of the
CITY COUNCIL
November 25, 2014
7:00 p.m.

1. CALL TO ORDER

2. INVOCATION – Assistant Pastor Allan Stroupe, Church of God Seventh Day

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL OF COUNCIL

5. APPROVAL OF AGENDA

6. AUDIENCE PARTICIPATION

DURING THIS PORTION OF THE MEETING, ANYONE MAY SPEAK ON ANY SUBJECT WHICH DOES NOT LATER APPEAR ON THE AGENDA AS A PUBLIC HEARING. SPEAKING TIME WILL BE LIMITED TO FIVE MINUTES PER INDIVIDUAL/TOPIC WITH A ONE HOUR LIMIT ON THIS SEGMENT OF THE AGENDA. IF YOU WISH TO SPEAK, PLEASE SIGN UP ON THE REGISTER LOCATED INSIDE THE COUNCIL CHAMBERS, PRIOR TO THE MEETING.

A. Presentations
   1) A resolution naming field three at the Northern Lights Baseball complex as the Jacob H. Wykstra Field. [560AG]

B. Audience Participation

C. Staff Reports

7. COUNCIL COMMENTS/COMMUNICATIONS

8. CONSENT CALENDAR

ITEMS OF A ROUTINE AND NON-CONTROVERSIAL NATURE ARE PLACED ON THE CONSENT CALENDAR TO ALLOW THE CITY COUNCIL TO SPEND ITS TIME AND ENERGY ON THE IMPORTANT ITEMS ON A LENGTHY AGENDA. ANY COUNCILMEMBER MAY REQUEST THAT AN ITEM BE "PULLED" FROM THE CONSENT CALENDAR AND CONSIDERED SEPARATELY. AGENDA ITEMS PULLED FROM THE CONSENT CALENDAR WILL BE PLACED ON THE AGENDA AT THE END OF THE MATTERS LISTED UNDER "BUSINESS - ACTION ITEMS."

8. CONSENT CALENDAR - Continued

B. An ordinance approving an extension of the Franchise Agreement between United Power, Inc. of Colorado and the City of Thornton from November 28, 2014, to April 1, 2015. (Second Reading) [240-AG]

C. An ordinance providing for the tax levy upon all taxable property in the City of Thornton, Colorado, for municipal purposes. (Second Reading) [380-TX]

D. A resolution adopting the 2015 City Council meeting schedule for the City of Thornton, Colorado, and changing the dates for certain regular City Council meetings. [220-GE]

E. A resolution authorizing the City of Thornton to become a party to the Colorado Information Sharing Consortium (CISC) intergovernmental agreement. [400-AG]

F. A resolution approving temporary and perpetual easements to DCP Midstream on Thornton’s Farms 4, 13, 35, 50, 58, 61-15, and 75. [880-PR]

G. A resolution approving the First Amendment to an intergovernmental agreement between the Colorado Department of Transportation, Adams County, Broomfield City and County, Weld County, and the Cities of Thornton, Federal Heights, Northglenn and Westminster to provide a portion of the North I-25 managed lanes project from U.S. 36 to 120th Avenue. [640-AG]

H. A resolution accepting the 2014 Housing Needs Assessment. [600-AG]

9. PUBLIC HEARINGS

IN ORDER TO SCHEDULE THE TIMING AND LENGTH OF PUBLIC HEARINGS FOR THE CONVENIENCE OF THE COUNCIL, THE GENERAL PUBLIC, AND INTERESTED PARTIES, THE FIRST PUBLIC HEARING WILL BEGIN AT OR BEFORE 7:30 P.M., OR AS SOON THEREAFTER AS POSSIBLE. THIS SEGMENT OF THE AGENDA WILL LAST NO MORE THAN 2 HOURS. PROPONENTS AND OPPONENTS WHO WISH TO SPEAK ARE REQUESTED TO SIGN UP, PRIOR TO THE BEGINNING OF THE MEETING, ON THE REGISTER LOCATED INSIDE THE COUNCIL CHAMBERS, AND LIMIT THEIR REMARKS TO 5 MINUTES. GROUPS OF CITIZENS BROUGHT TOGETHER BY A COMMON INTEREST ARE REQUESTED TO CHOOSE A SPOKESPERSON WHOSE TIME TO COMMENT WILL BE EXTENDED TO 10 MINUTES. SPEAKERS MAY BE ASKED TO BE SWORN IN BY THE CITY CLERK IF THEY WISH TO SUBMIT FACTS RATHER THAN OPINIONS.

A. A public hearing regarding the rezoning request from Single-Family Detached (SFD) to Planned Development to reduce the interior side yard setbacks for the Morrison Subdivision located at the northeast corner of East 160th Avenue and York Street (Morrison Subdivision). (Continued from the October 28, 2014, meeting) [600-PR] [Public Hearing]

B. A public hearing regarding an ordinance amending Thornton City Code Section 18-772 regarding temporary signs and enacting a new Section 18-775 pertaining to banners and a new Section 18-776 pertaining to feather flags to provide for additional temporary signage options for Thornton businesses. (First Reading) [500-CA] [Public Hearing]
10. ACTION ITEMS

A. A resolution approving an agreement for Economic Development Incentives between the City of Thornton and Goldthom, LLC. [340-AG]

B. An ordinance adopting the sixth amendment to the 2014 Budget amending section one of Ordinance 3267, making appropriations for the City of Thornton, Colorado for the fiscal year 2014 for all funds except that appropriations for certain individual projects shall not lapse at year end but continue until the project is completed or cancelled. [First Reading] [380-BD]

C. An ordinance adding Section 18-370, and amending Sections 18-160 and 18-901 of the Thornton City Code to allow temporary donation collection bins. [Second Reading] [500-CA]

D. A resolution adopting the Vision, Mission, Values and Guiding Principles for the Thornton Water Project. [220-GE]

11. ADJOURNMENT

Agenda prepared by Nancy A. Vincent, City Clerk
for Jack Ethredge, City Manager
### COUNCIL COMMUNICATION

**Meeting Date:** November 25, 2014  
**Agenda Item:** 6A-1  
**Agenda Location:** Presentations  
**Work Plan #:**  
**Legal Review:**  

<table>
<thead>
<tr>
<th>1st Reading</th>
<th>2nd Reading</th>
</tr>
</thead>
</table>

**Subject:** A resolution naming field three at the Northern Lights Baseball complex as the Jacob H. Wykstra Field.

**Recommended by:** Mike Soderberg  
**Approved by:** Jack Ethridge  
**Presenter(s):** City Council

**Ordinance previously introduced by:**  

### SYNOPSIS:

On July 8, 2014 City Council honored Jacob Wykstra who died in a tragic aircraft accident in Kandahar, Afghanistan on May 28, 2014. At the ceremony honoring PFC Wykstra, the family asked City Council to consider naming a baseball field after PFC Wykstra at the Northern Lights Baseball complex where young Jacob Wykstra once played.

### RECOMMENDATION:

Staff recommends approval of the resolution to honor Jacob Wykstra by naming field three at the Northern Lights Baseball complex "Jacob Wykstra Field."

### BUDGET/STAFF IMPLICATIONS:

None.

### BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The naming of City facilities is done pursuant to City Council Policy which allows City Council to name facilities in memory of service men or women in the community.

Northern Lights Little League has agreed to the name change and is planning to buy a scoreboard and place Jacob's name on it. The Wykstra family has requested that the field be named on opening day of the 2015 little league baseball season.
RESOLUTION

A RESOLUTION NAMING FIELD THREE AT THE NORTHERN LIGHTS BASEBALL COMPLEX AS THE JACOB H. WYKSTRA FIELD.

WHEREAS, Private First Class (PFC) Jacob H. Wykstra grew up in Thornton attending Eagleview Elementary School, Rocky Top Middle School and Horizon High School participating in the sports he loved – baseball, football and rugby; and

WHEREAS, PFC Wykstra tragically died on May 28, 2014 in an aircraft accident in Kandahar, Afghanistan while bravely serving our country; and

WHEREAS, PFC Wykstra’s family has requested, and the City and leadership of Northern Lights Little League have agreed to name field three at the Northern Lights Little League complex “Jacob H. Wykstra Field” in honor of PFC Wykstra’s service and sacrifice to our country and our community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That the Thornton City Council wishes to honor the memory of Private First Class Jacob H. Wykstra by naming a baseball field after him.

2. That pursuant to City Council Policy, field three at the Northern Lights Little League baseball complex shall be named Jacob H. Wykstra Field at a ceremony on opening day of Little League baseball in 2015.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on _________________, 2014.

CITY OF THORNTON, COLORADO

________________________________________________________________________
Heidi K. Williams, Mayor

ATTEST:

________________________________________________________________________
Nancy A. Vincent, City Clerk
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: 60-1
Agenda Location: Staff Reports
Work Plan #: N/A
Legal Review: ___ 1st Reading ___ 2nd Reading


Recommended by: Chuck Seest
Approved by: Jack Ethridge
Presenter(s): Chuck Seest, Finance Director
Robb Kolstad, Management and Budget Director

SYNOPSIS:
Chuck Seest, Finance Director, and Robb Kolstad, Management and Budget Director, will report on the financial report for the 9-month period ending September 30, 2014 (attached).

RECOMMENDATION:
For informational purposes only.

BUDGET/STAFF IMPLICATIONS:
None.

ALTERNATIVES:
For informational purposes only.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)
None.
Report Overview

- General Fund
- Governmental Capital Fund
- Special Revenue Funds
- Golf Course Fund

- Water Fund
- Sewer Fund
- Environmental Services Fund

- Thornton Development Authority (TDA) Funds
- Other City Funds
- Internal Service Funds
- Debt Service Fund
## Revenue Forecast (as of 9/30/2014)

### General Government Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$96,918,592</td>
<td>$104,337,043</td>
<td>$7,418,451</td>
</tr>
<tr>
<td>Governmental Capital Fund</td>
<td>13,524,481</td>
<td>22,290,242</td>
<td>8,765,761</td>
</tr>
<tr>
<td>Golf Course Fund</td>
<td>1,877,218</td>
<td>1,877,218</td>
<td>0</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>112,320,291</strong></td>
<td><strong>128,504,503</strong></td>
<td><strong>16,184,212</strong></td>
</tr>
</tbody>
</table>

### Special Revenue Funds

**Community Services**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Open Space Fund</td>
<td>1,912,302</td>
<td>1,535,302</td>
<td>(377,000)</td>
</tr>
<tr>
<td>Parks Fund</td>
<td>1,778,929</td>
<td>2,360,048</td>
<td>581,119</td>
</tr>
<tr>
<td>Open Space Fund</td>
<td>2,261,449</td>
<td>2,393,323</td>
<td>131,874</td>
</tr>
<tr>
<td>Parks and Open Space Fund</td>
<td>1,778,929</td>
<td>1,910,803</td>
<td>131,874</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>1,005,000</td>
<td>1,177,500</td>
<td>172,500</td>
</tr>
<tr>
<td>Cash In Lieu Fund</td>
<td>-</td>
<td>7,500</td>
<td>7,500</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>8,736,609</strong></td>
<td><strong>9,384,476</strong></td>
<td><strong>647,867</strong></td>
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</tbody>
</table>

**Adams County Road and Bridge Fund**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,415,000</td>
<td>2,676,000</td>
<td>261,000</td>
<td></td>
</tr>
</tbody>
</table>

### Enterprise Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Fund</td>
<td>$43,825,048</td>
<td>$51,479,000</td>
<td>$7,653,952</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>14,034,449</td>
<td>14,029,000</td>
<td>(5,449)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>57,859,497</strong></td>
<td><strong>65,508,000</strong></td>
<td><strong>7,648,503</strong></td>
</tr>
</tbody>
</table>

**Environmental Services Fund**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,057,755</td>
<td>5,033,000</td>
<td></td>
<td>(24,755)</td>
</tr>
</tbody>
</table>

### Other Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thornton Development Authority</td>
<td>$14,192,885</td>
<td>$14,749,326</td>
<td>$556,441</td>
</tr>
<tr>
<td>Other City Funds</td>
<td>1,098,598</td>
<td>1,099,098</td>
<td>500</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>15,291,483</strong></td>
<td><strong>15,848,424</strong></td>
<td><strong>556,941</strong></td>
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</tbody>
</table>

**Internal Service Funds (75% General Fund)**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>15,299,339</td>
<td>15,299,339</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>

**Debt Service Fund - Parks/OS Bonds**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenues</th>
<th>Projected Revenues</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,806,950</td>
<td>1,806,950</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>17,106,289</strong></td>
<td><strong>17,106,289</strong></td>
<td>-</td>
</tr>
</tbody>
</table>

*Budgeted revenues are based on the amended budget, which includes all changes outlined in approved budget amendments. Revenue projections are based on year-to-date experience and historic trends.*
## General Government Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$ 97,082,169</td>
<td>$ 95,642,129</td>
<td>$ 1,440,040</td>
</tr>
<tr>
<td>Governmental Capital Fund</td>
<td>17,281,792</td>
<td>16,916,462</td>
<td>365,330</td>
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<tr>
<td>Golf Course Fund</td>
<td>2,394,013</td>
<td>2,343,670</td>
<td>50,343</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>116,757,974</strong></td>
<td><strong>114,902,261</strong></td>
<td><strong>1,855,713</strong></td>
</tr>
</tbody>
</table>

## Special Revenue Funds

### Community Services

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Open Space Fund</td>
<td>1,598,000</td>
<td>1,578,000</td>
<td>20,000</td>
</tr>
<tr>
<td>Parks Fund</td>
<td>2,026,821</td>
<td>1,955,688</td>
<td>71,133</td>
</tr>
<tr>
<td>Open Space Fund</td>
<td>1,002,203</td>
<td>984,203</td>
<td>18,000</td>
</tr>
<tr>
<td>Parks and Open Space Fund</td>
<td>552,975</td>
<td>517,975</td>
<td>35,000</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>1,541,700</td>
<td>1,522,950</td>
<td>18,750</td>
</tr>
<tr>
<td>Cash In Lieu Fund</td>
<td>57,275</td>
<td>57,275</td>
<td>-</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td><strong>6,778,974</strong></td>
<td><strong>6,616,091</strong></td>
<td><strong>162,883</strong></td>
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</tbody>
</table>

Adams County Road and Bridge Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Road and Bridge Fund</td>
<td>2,230,361</td>
<td>2,161,247</td>
<td>69,114</td>
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</table>

## Enterprise Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Fund</td>
<td>$ 40,877,181</td>
<td>$ 40,214,749</td>
<td>$ 662,432</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>13,250,916</td>
<td>13,178,756</td>
<td>72,160</td>
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<tr>
<td><strong>Subtotal</strong></td>
<td><strong>54,128,097</strong></td>
<td><strong>53,393,505</strong></td>
<td><strong>734,592</strong></td>
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</table>

Environmental Services Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Services Fund</td>
<td>5,184,261</td>
<td>5,032,376</td>
<td>151,885</td>
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</table>

## Other Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thornton Development Authority</td>
<td>$ 15,066,031</td>
<td>$ 15,425,877</td>
<td>$ (359,846)</td>
</tr>
<tr>
<td>Other City Funds</td>
<td>1,098,598</td>
<td>1,082,844</td>
<td>15,754</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>16,164,629</strong></td>
<td><strong>16,508,721</strong></td>
<td><strong>(344,092)</strong></td>
</tr>
</tbody>
</table>

Internal Service Funds (75% General Fund)

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Expenditures</th>
<th>Projected Expenditures</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal Service Funds</td>
<td>17,595,161</td>
<td>17,327,187</td>
<td>267,974</td>
</tr>
<tr>
<td>Debt Service Fund - Parks/OS Bonds</td>
<td>1,804,950</td>
<td>1,804,950</td>
<td>-</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td><strong>19,400,111</strong></td>
<td><strong>19,132,137</strong></td>
<td><strong>267,974</strong></td>
</tr>
</tbody>
</table>

*Budgeted expenditures are based on the amended budget, which includes all changes outlined in approved budget amendments. Expenditure projections use the 2014 Budget as a guide and take into account historic spending levels and year-to-date experience.*
## Net Position Forecast (as of 9/30/2014)

### General Government Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$104,337,043</td>
<td>$95,642,129</td>
<td>$8,694,914</td>
</tr>
<tr>
<td>Governmental Capital Fund</td>
<td>22,290,242</td>
<td>16,916,462</td>
<td>5,373,780</td>
</tr>
<tr>
<td>Golf Course Fund</td>
<td>1,877,218</td>
<td>2,343,670</td>
<td>(466,452)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$128,504,503</td>
<td>$114,902,261</td>
<td>$13,602,242</td>
</tr>
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</table>

### Special Revenue Funds

<table>
<thead>
<tr>
<th>Community Services</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Open Space Fund</td>
<td>1,535,302</td>
<td>1,578,000</td>
<td>(42,698)</td>
</tr>
<tr>
<td>Parks Fund</td>
<td>2,360,048</td>
<td>1,955,688</td>
<td>404,360</td>
</tr>
<tr>
<td>Open Space Fund</td>
<td>2,393,323</td>
<td>984,203</td>
<td>1,409,120</td>
</tr>
<tr>
<td>Parks and Open Space Fund</td>
<td>1,910,803</td>
<td>517,975</td>
<td>1,392,828</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>1,177,500</td>
<td>1,522,950</td>
<td>(345,450)</td>
</tr>
<tr>
<td>Cash In Lieu Fund</td>
<td>7,500</td>
<td>57,275</td>
<td>(50,275)</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$9,384,476</td>
<td>$6,616,091</td>
<td>$2,768,385</td>
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### Other Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thornton Development Authority</td>
<td>$14,749,326</td>
<td>$15,425,877</td>
<td>(676,551)</td>
</tr>
<tr>
<td>Other City Funds</td>
<td>1,099,098</td>
<td>1,082,844</td>
<td>16,254</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$15,848,424</td>
<td>$16,508,721</td>
<td>(660,297)</td>
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</table>

### Enterprise Funds

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Fund</td>
<td>$51,479,000</td>
<td>$40,214,749</td>
<td>$11,264,251</td>
</tr>
<tr>
<td>Sewer Fund</td>
<td>14,029,000</td>
<td>13,178,756</td>
<td>850,244</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$65,508,000</td>
<td>$53,393,505</td>
<td>$12,114,495</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Services Fund</td>
<td>$5,033,000</td>
<td>$5,032,376</td>
<td>624</td>
</tr>
</tbody>
</table>

### Internal Service Funds (75% General Fund)

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal Service Funds</td>
<td>15,299,339</td>
<td>17,327,187</td>
<td>(2,027,848)</td>
</tr>
<tr>
<td>Debt Service Fund - Parks/OS Bonds</td>
<td>1,806,950</td>
<td>1,804,950</td>
<td>2,000</td>
</tr>
<tr>
<td><strong>Subtotal</strong></td>
<td>$17,106,289</td>
<td>$19,132,137</td>
<td>(2,025,848)</td>
</tr>
</tbody>
</table>
Overview of Funds

General Fund (page 8)

Revenues
- Sales and Use Tax, Property Tax, Charges For Services, Franchise Fees, Licenses and Permits

Expenditures (Operating)
- Public Safety, Community Services, City Development, Street Maintenance, Legislative, Administration

Governmental Capital Fund (page 9)

Revenues
- Sales and Use Tax, Intergovernmental, Grants

Expenditures (Capital)
- Contractual Obligations, Maintenance Capital, Expansion Capital

Golf Course Fund (page 10)

Revenues
- Charges for Services (Green Fees)

Expenditures (Operating and Capital)
- Operating and maintaining Thorncreek Golf Course

Special Revenue Funds (page 11)

Revenues
- Sales and Use Tax, Adams County Open Space Tax, Adams County Road and Bridge Tax, Lottery Proceeds, Grants

Expenditures (Capital)
- Parks and Open Space, Adams County Open Space, Adams County Road and Bridge, Conservation Trust, Cash-in-Lieu
### Revenue Highlights

<table>
<thead>
<tr>
<th></th>
<th>Budgeted Revenue</th>
<th>Forecasted Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax</td>
<td>$ 51.8 M</td>
<td>$ 54.7 M</td>
</tr>
<tr>
<td>Vehicle Use Tax</td>
<td>6.9 M</td>
<td>7.7 M</td>
</tr>
<tr>
<td>Building Revenues</td>
<td>5.5 M</td>
<td>8.3 M</td>
</tr>
<tr>
<td>Ambulance Revenues</td>
<td>2.0 M</td>
<td>2.1 M</td>
</tr>
<tr>
<td>Fines and Forfeitures</td>
<td>3.1 M</td>
<td>2.6 M</td>
</tr>
<tr>
<td>Lodging Tax</td>
<td>0.5 M</td>
<td>1.0 M</td>
</tr>
</tbody>
</table>

- Sales Tax revenue budget is based on a 3.9% increase over 2013. As of the end of 3rd Quarter sales tax is up 7.8% and is forecast to finish the year around 8% greater than 2013.
- Vehicle Use Tax is up 7.5% year to date over very strong 2013 year to date returns and is projected to maintain at near 8% growth for the year.
- Building Revenues for 2014 are based on 425 single-family permits, 250 multi-family units, and $35M in Commercial/Other development.
- Residential development year to date is slightly ahead of 2013 (280 single-family permits in 2014 vs. 272 single-family permits in 2013); however, overall building revenues are projected to finish nearly $2.8M over budgeted expectations due to commercial construction and multi-family development.
- Ambulance revenues have eclipsed 2013 levels year to date and look to continue to improve through the remainder of 2014 as billings are up over 10% year to date.
- Fines and Forfeitures are lagging 2013 year to date by 1.8% ($36K) and are projected to finish short of the 2014 Budgeted amount by $500K.
- Lodging Tax is up 28.5% ($161K) year to date due in large part to major businesses moving into the 120th Avenue and Interstate 25 corridor as well as continued activity due to oil and gas. As a result, this revenue is projected to finish 2014 $500K over budget.
Expenditure Highlights

Expenditure Performance

- Year to date spending in the General Fund, Governmental Capital Fund, Special Revenue Funds, and Golf Course Fund is on track with the 2014 Budget.
- It is anticipated that there will be personnel savings in the General Fund as a result of normal employee turnover.
- Overtime expenditures in the General Fund are projected to be over budget due to staffing shortages in the Police Department and Fire Department.
- Lower than anticipated fuel prices and parks water usage will result in additional savings.
- Spending on general supplies is expected to come in under budget and expenditures for snow and ice supplies will be monitored through the fourth quarter.
- Vehicle replacement resulted in a small amount of savings in relationship to the budget.
- Spending on capital project in the Governmental Capital Fund and Special Revenue Funds lags the calendar year but are anticipated to be within budget with some marginal savings.

Budget Amendments

- Budget Amendment 1: Additional funding in the Parks Fund for the design of improvements at Thorncreek Golf Course, as well as additional funding in the Golf Course Fund for 7.0 additional positions at Thorncreek Golf Course and investments in replacement maintenance equipment.
- Budget Amendment 2: Additional funding in the General Fund for project review and management costs related to construction of the Regional Transportation District (RTD) FasTracks North Metro Line.
- Budget Amendment 3: Additional funding in the Governmental Capital Fund for replacement of the Hansen software system, as well as additional funding for the purchase of golf course maintenance equipment in the Golf Course Fund.
- Budget Amendment 4: Additional funding in the Governmental Capital Fund for additional Community Development Block Grant (CDBG) projects, and additional funding in the Adams County Open Space Fund for grant-funded trail connections and concrete replacement.
- Budget Amendment 5: Additional funding in the General Fund for new positions (3.5 full-time equivalent positions) in the City Development Department to support increased demand in development review and inspection.
### General Fund - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sales and Use</td>
<td>$34,824,362</td>
<td>$40,491,772</td>
<td>$58,495,257</td>
</tr>
<tr>
<td>Property</td>
<td>8,804,720</td>
<td>9,018,693</td>
<td>9,200,000</td>
</tr>
<tr>
<td>Franchise</td>
<td>3,429,217</td>
<td>3,589,258</td>
<td>5,422,897</td>
</tr>
<tr>
<td>Other</td>
<td>1,141,153</td>
<td>1,388,076</td>
<td>1,456,742</td>
</tr>
<tr>
<td>Licenses and Permits</td>
<td>1,697,156</td>
<td>2,618,156</td>
<td>2,221,800</td>
</tr>
<tr>
<td>Intergovernment</td>
<td>3,644,994</td>
<td>4,172,079</td>
<td>5,121,501</td>
</tr>
<tr>
<td>Governmental Grants</td>
<td>382,333</td>
<td>419,536</td>
<td>476,500</td>
</tr>
<tr>
<td>Charges for Services</td>
<td>6,611,746</td>
<td>6,432,111</td>
<td>8,917,833</td>
</tr>
<tr>
<td>Fines and Forfeitures</td>
<td>1,954,335</td>
<td>1,918,750</td>
<td>3,072,000</td>
</tr>
<tr>
<td>Interest</td>
<td>198,944</td>
<td>263,480</td>
<td>267,000</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>1,605,622</td>
<td>1,636,128</td>
<td>2,267,062</td>
</tr>
<tr>
<td>General Fund Revenues</td>
<td>$64,294,582</td>
<td>$71,948,039</td>
<td>$96,918,592</td>
</tr>
</tbody>
</table>

### General Fund - Expenditure Summary

<table>
<thead>
<tr>
<th>Department</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Department</td>
<td>$18,907,449</td>
<td>$19,825,497</td>
<td>$29,339,764</td>
</tr>
<tr>
<td>Community Services</td>
<td>12,323,818</td>
<td>13,182,706</td>
<td>18,727,124</td>
</tr>
<tr>
<td>Fire Department</td>
<td>8,380,804</td>
<td>9,607,038</td>
<td>13,847,926</td>
</tr>
<tr>
<td>Infrastructure</td>
<td>8,036,691</td>
<td>7,979,206</td>
<td>11,809,075</td>
</tr>
<tr>
<td>City Development</td>
<td>4,435,676</td>
<td>4,834,376</td>
<td>7,187,771</td>
</tr>
<tr>
<td>Management Services</td>
<td>3,971,657</td>
<td>4,210,123</td>
<td>6,210,672</td>
</tr>
<tr>
<td>General Fund Non-Departmental</td>
<td>1,460,933</td>
<td>1,780,602</td>
<td>2,725,608</td>
</tr>
<tr>
<td>Finance</td>
<td>1,442,605</td>
<td>1,438,453</td>
<td>2,158,418</td>
</tr>
<tr>
<td>Legislative and Legal</td>
<td>1,202,336</td>
<td>1,359,076</td>
<td>2,052,152</td>
</tr>
<tr>
<td>City Manager's Office</td>
<td>1,389,243</td>
<td>1,424,471</td>
<td>2,010,851</td>
</tr>
<tr>
<td>Economic Development</td>
<td>491,656</td>
<td>730,993</td>
<td>1,012,808</td>
</tr>
<tr>
<td>General Fund Expenditures</td>
<td>$62,042,868</td>
<td>$66,372,541</td>
<td>$97,082,169</td>
</tr>
</tbody>
</table>

### General Fund - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$104,337,043</td>
<td>$95,642,129</td>
<td>$8,694,914</td>
</tr>
</tbody>
</table>
## General Government

### Fund Summary: Governmental Capital Fund

#### Governmental Capital - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales and Use</td>
<td>$5,386,393</td>
<td>$3,610,465</td>
<td>$5,215,755</td>
</tr>
<tr>
<td>Intergovernmental</td>
<td>$2,544,595</td>
<td>$2,694,699</td>
<td>$2,560,240</td>
</tr>
<tr>
<td>Governmental Grants</td>
<td>$338,977</td>
<td>$2,096,604</td>
<td>$2,709,125</td>
</tr>
<tr>
<td>Lease</td>
<td>$30,177</td>
<td>$27,508</td>
<td>$100,000</td>
</tr>
<tr>
<td>Interest</td>
<td>$199,479</td>
<td>$206,585</td>
<td>$298,000</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td></td>
<td>$1,699,031</td>
<td>$2,641,361</td>
</tr>
</tbody>
</table>

**Governmental Capital Fund Revenues** $8,499,621 $10,334,892 $13,524,481

**Governmental Capital Fund Revenue Forecast (9/30/2014)** $22,290,242

#### Governmental Capital - Expenditure Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual Obligations</td>
<td>$994,006</td>
<td>$949,461</td>
<td>$6,158,791</td>
</tr>
<tr>
<td>Maintenance Capital</td>
<td>$870,358</td>
<td>$1,318,535</td>
<td>$3,130,498</td>
</tr>
<tr>
<td>Expansion Capital</td>
<td>$139,714</td>
<td>$843,774</td>
<td>$4,270,043</td>
</tr>
<tr>
<td>Use of Fund Balance</td>
<td></td>
<td>$882,506</td>
<td>$3,722,460</td>
</tr>
</tbody>
</table>

**Governmental Capital Fund Expenditures** $2,004,078 $3,994,276 $17,281,792

**Governmental Capital Fund Expenditure Forecast (as of 9/30/2014)** $16,916,462

#### Governmental Capital Fund - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Governmental Capital Fund</td>
<td>$22,290,242</td>
<td>$16,916,462</td>
<td>$5,373,780</td>
</tr>
</tbody>
</table>
## Golf Course Fund - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charges for Services</td>
<td>1,129,491</td>
<td>1,184,142</td>
<td>1,350,000</td>
</tr>
<tr>
<td>Interest/Other Revenues</td>
<td>205,923</td>
<td>67,524</td>
<td>527,218</td>
</tr>
<tr>
<td><strong>Golf Course Fund Revenues</strong></td>
<td><strong>$1,335,414</strong></td>
<td><strong>$1,251,666</strong></td>
<td><strong>$1,877,218</strong></td>
</tr>
</tbody>
</table>

### Golf Course Fund Revenue Forecast (9/30/2014) $1,877,218

## Golf Course Fund - Expenditure Summary

<table>
<thead>
<tr>
<th>Division</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Operations</td>
<td>$477,354</td>
<td>$589,449</td>
<td>$723,234</td>
</tr>
<tr>
<td>Golf Maintenance</td>
<td>437,786</td>
<td>1,233,942</td>
<td>1,670,779</td>
</tr>
<tr>
<td><strong>Golf Course Fund Expenditures</strong></td>
<td><strong>$915,140</strong></td>
<td><strong>$1,823,391</strong></td>
<td><strong>$2,394,013</strong></td>
</tr>
</tbody>
</table>

### Golf Course Fund Expenditure Forecast (as of 9/30/2014) $2,343,670

## Golf Course Fund - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golf Course Fund</td>
<td>$1,877,218</td>
<td>$2,343,670</td>
<td>($466,452)</td>
</tr>
</tbody>
</table>

### Golf Course Fund Net Position Forecast (as of 9/30/2014) ($466,452)
## Special Revenue Funds - Revenue Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Road and Bridge Fund</td>
<td>$1,580,825</td>
<td>$1,460,330</td>
<td>$2,415,000</td>
</tr>
<tr>
<td>Adams County Open Space Fund</td>
<td>1,276,421</td>
<td>484,002</td>
<td>1,912,302</td>
</tr>
<tr>
<td>Parks Fund</td>
<td>1,136,194</td>
<td>1,265,460</td>
<td>1,778,929</td>
</tr>
<tr>
<td>Open Space Fund</td>
<td>2,052,729</td>
<td>1,269,722</td>
<td>2,261,449</td>
</tr>
<tr>
<td>Parks and Open Space Fund</td>
<td>1,132,582</td>
<td>1,251,279</td>
<td>1,778,929</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>965,142</td>
<td>888,567</td>
<td>1,005,000</td>
</tr>
<tr>
<td>Cash In Lieu Fund</td>
<td>6,131</td>
<td>7,046</td>
<td>-</td>
</tr>
<tr>
<td><strong>Special Revenue Funds Revenues</strong></td>
<td><strong>8,150,024</strong></td>
<td><strong>6,626,406</strong></td>
<td><strong>11,151,609</strong></td>
</tr>
</tbody>
</table>

**Special Revenue Funds Revenue Forecast (9/30/2014)** $12,060,477

## Special Revenue Funds - Expenditure Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Road and Bridge Fund</td>
<td>$1,255,648</td>
<td>$982,750</td>
<td>$2,230,361</td>
</tr>
<tr>
<td>Adams County Open Space Fund</td>
<td>53,288</td>
<td>35,016</td>
<td>1,598,000</td>
</tr>
<tr>
<td>Parks Fund</td>
<td>817,638</td>
<td>857,739</td>
<td>2,026,821</td>
</tr>
<tr>
<td>Open Space Fund</td>
<td>1,302,323</td>
<td>480,945</td>
<td>1,002,203</td>
</tr>
<tr>
<td>Parks and Open Space Fund</td>
<td>554,029</td>
<td>517,975</td>
<td>552,975</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>242,863</td>
<td>327,294</td>
<td>1,541,700</td>
</tr>
<tr>
<td>Cash In Lieu Fund</td>
<td>-</td>
<td>20,783</td>
<td>57,275</td>
</tr>
<tr>
<td><strong>Special Revenue Funds Expenditures</strong></td>
<td><strong>$4,225,789</strong></td>
<td><strong>$3,222,501</strong></td>
<td><strong>$9,009,335</strong></td>
</tr>
</tbody>
</table>

**Special Revenue Funds Expenditure Forecast (as of 9/30/2014)** $9,009,335

## Special Revenue Funds - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams County Road and Bridge Fund</td>
<td>$2,676,000</td>
<td>$2,161,247</td>
<td>$514,753</td>
</tr>
<tr>
<td>Adams County Open Space Fund</td>
<td>1,535,302</td>
<td>1,578,000</td>
<td>(42,698)</td>
</tr>
<tr>
<td>Parks Fund</td>
<td>2,360,048</td>
<td>1,955,688</td>
<td>404,360</td>
</tr>
<tr>
<td>Open Space Fund</td>
<td>2,393,323</td>
<td>984,203</td>
<td>1,409,120</td>
</tr>
<tr>
<td>Parks and Open Space Fund</td>
<td>1,910,803</td>
<td>517,975</td>
<td>1,392,828</td>
</tr>
<tr>
<td>Conservation Trust Fund</td>
<td>1,177,500</td>
<td>1,522,950</td>
<td>(345,450)</td>
</tr>
<tr>
<td>Cash In Lieu Fund</td>
<td>7,500</td>
<td>57,275</td>
<td>(49,775)</td>
</tr>
</tbody>
</table>
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Overview of Funds

**Water Fund (page 16)**

*Revenues*
  → Rate Revenue, Tap Fees, Bulk Water Sales, Northern Leases

*Expenditures (Operating and Capital)*
  → Building, operating, and maintaining the Water Utility

**Sewer Fund (page 17)**

*Revenues*
  → Rate Revenue, Tap Fees, Federal Heights Revenue

*Expenditures (Operating and Capital)*
  → Building, operating, and maintaining the Sewer Utility

**Environmental Services Fund (page 18)**

*Revenues*
  → Solid Waste Revenue, Recycling Revenue

*Expenditures (Operating and Capital)*
  → Solid Waste and Recycling Services
Revenue Highlights

<table>
<thead>
<tr>
<th></th>
<th>Budgeted Revenue</th>
<th>Forecasted Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Water Rate Revenue</strong></td>
<td>$ 26.8 M</td>
<td>$ 25.8 M</td>
</tr>
<tr>
<td><strong>Water Tap Fees</strong></td>
<td>10.0 M</td>
<td>8.5 M</td>
</tr>
<tr>
<td><strong>Water—Oil &amp; Gas /Northern Land Sale</strong></td>
<td>0.0 M</td>
<td>9.0 M</td>
</tr>
<tr>
<td><strong>Sewer Rate Revenue</strong></td>
<td>12.2 M</td>
<td>12.2 M</td>
</tr>
<tr>
<td><strong>Solid Waste Revenues</strong></td>
<td>4.8 M</td>
<td>4.8 M</td>
</tr>
<tr>
<td><strong>Recycle Revenues</strong></td>
<td>126 K</td>
<td>59 K</td>
</tr>
</tbody>
</table>

**Water Fund**
- Rate revenue for the month of September is down 10.5% over September 2013 and is down 2.2% year to date. 2014 rate revenues are forecasted to come in $1.0M lower than budgeted.
- Water Tap Fees collected year to date are up $449K over 2013 year to date but are forecast to come in lower than budget in 2014.
- Unbudgeted oil & gas revenues along with the sale of land & mineral rights in Northern Colorado are forecast to yield one-time revenues of $9M in 2014.

**Sewer Fund**
- Rate revenue for the month of September is up 2.7% over September 2013 and is up 4.1% year to date.
- All billing cycles starting February 2014 reflect a 3.5% increase due to corresponding Metro Wastewater rate increases.
- New Average Winter Consumption (AWC) for 2014 billings are down slightly and are reflected in all billing cycles starting April 2014.

**Environmental Services Fund**
- Solid waste revenue is up less than 1% year to date over 2013.
- Recycling revenue was budgeted for 2015 based on a $25/ton rate for recycled materials. Due to a highly volatile recycling market, the Utility has received a variable rate which has averaged closer to $13/ton year to date.
Expenditure Highlights

Expenditure Performance
- Year to date spending in the Water Fund, Sewer Fund, and Environmental Services Fund is on track with the 2014 Budget.
- Anticipating some savings in the Water Fund, Sewer Fund, and Environmental Services Fund as a result of normal employee turnover.
- Year to date water treatment costs for supplies and energy have been lower than 2013 and are expected to be within budget.
- The Water Fund has experienced a higher level of spending on repairing water line breaks in 2014.
- It is anticipated that there will be some vehicle replacement savings in the Environmental Services Fund due to a trash truck trade-in program.
- Spending on capital projects in the Enterprise Funds lags the calendar year but are anticipated to be within budget.

Budget Amendments
- Budget Amendment 3: The third budget amendment of 2014 includes additional funding for replacement of the Hansen software system in the Water Fund, Sewer Fund, and Environmental Services Fund.
# Fund Summary: Water Fund

## Water Fund - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Rate Revenue</td>
<td>$18,549,037</td>
<td>$18,134,090</td>
<td>$26,800,000</td>
</tr>
<tr>
<td>Bulk Water Sales</td>
<td>1,541,588</td>
<td>1,517,955</td>
<td>2,200,000</td>
</tr>
<tr>
<td>Northern Leases</td>
<td>1,555,653</td>
<td>1,506,329</td>
<td>1,325,000</td>
</tr>
<tr>
<td>Water Tap Fees</td>
<td>6,027,284</td>
<td>6,476,297</td>
<td>10,000,000</td>
</tr>
<tr>
<td>Interest Income</td>
<td>873,186</td>
<td>984,886</td>
<td>1,095,000</td>
</tr>
<tr>
<td>Oil and Gas Revenues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Revenue</td>
<td>2,104,425</td>
<td>2,699,207</td>
<td>2,405,048</td>
</tr>
</tbody>
</table>

**Water Fund Revenues** $31,022,526 $35,297,775 $43,825,048

## Water Fund - Expenditure Summary

<table>
<thead>
<tr>
<th>Division</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility Billing</td>
<td>$898,943</td>
<td>$809,557</td>
<td>$1,158,657</td>
</tr>
<tr>
<td>Utilities Operations</td>
<td>2,484,638</td>
<td>2,398,769</td>
<td>3,397,410</td>
</tr>
<tr>
<td>Water Resources</td>
<td>2,962,264</td>
<td>3,134,161</td>
<td>4,511,990</td>
</tr>
<tr>
<td>Farm Management</td>
<td>739,343</td>
<td>741,195</td>
<td>963,728</td>
</tr>
<tr>
<td>Water Quality</td>
<td>582,545</td>
<td>627,011</td>
<td>973,655</td>
</tr>
<tr>
<td>Water Treatment</td>
<td>4,129,870</td>
<td>3,665,750</td>
<td>5,134,166</td>
</tr>
<tr>
<td>Real Estate Management</td>
<td>99,118</td>
<td>112,782</td>
<td>194,422</td>
</tr>
<tr>
<td>Water Legal</td>
<td>101,390</td>
<td>104,512</td>
<td>159,748</td>
</tr>
<tr>
<td>Water Operating General Expenses</td>
<td>4,604,004</td>
<td>3,514,585</td>
<td>13,890,287</td>
</tr>
</tbody>
</table>

**Water Operating** $16,602,115 $15,108,322 $30,384,063

## Water Fund - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Fund</td>
<td>$51,479,000</td>
<td>$40,214,749</td>
<td>$11,264,251</td>
</tr>
</tbody>
</table>
### Sewer Fund - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Rate Revenue</td>
<td>$8,406,176</td>
<td>$8,736,683</td>
<td>$12,175,000</td>
</tr>
<tr>
<td>Tap Fees</td>
<td>655,477</td>
<td>620,487</td>
<td>940,000</td>
</tr>
<tr>
<td>Federal Heights Revenue</td>
<td>633,347</td>
<td>566,596</td>
<td>728,000</td>
</tr>
<tr>
<td>Interest Income</td>
<td>96,662</td>
<td>112,696</td>
<td>135,000</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>22,313</td>
<td>111,233</td>
<td>56,449</td>
</tr>
<tr>
<td><strong>Sewer Fund Revenues</strong></td>
<td><strong>$9,813,975</strong></td>
<td><strong>$10,147,695</strong></td>
<td><strong>$14,034,449</strong></td>
</tr>
</tbody>
</table>

**Sewer Fund Revenue Forecast (9/30/2014)**

### Sewer Fund - Expenditure Summary

<table>
<thead>
<tr>
<th>Division</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utilities Operations</td>
<td>$1,101,085</td>
<td>$1,310,885</td>
<td>$1,827,718</td>
</tr>
<tr>
<td>Metro Wastewater Reclamation</td>
<td>5,378,329</td>
<td>6,243,547</td>
<td>8,324,729</td>
</tr>
<tr>
<td>Sewer Operating General Expenses</td>
<td>1,350,105</td>
<td>1,345,565</td>
<td>1,805,622</td>
</tr>
<tr>
<td><strong>Sewer Operating</strong></td>
<td><strong>$7,829,519</strong></td>
<td><strong>$8,899,997</strong></td>
<td><strong>$11,958,069</strong></td>
</tr>
<tr>
<td>Sewer Capital</td>
<td>$531,555</td>
<td>$372,856</td>
<td>$1,292,847</td>
</tr>
<tr>
<td><strong>Sewer Fund Expenditures</strong></td>
<td><strong>$8,361,074</strong></td>
<td><strong>$9,272,853</strong></td>
<td><strong>$13,250,916</strong></td>
</tr>
</tbody>
</table>

**Sewer Fund Expenditure Forecast (as of 9/30/2014)**

### Sewer Fund - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewer Fund</td>
<td>$14,029,000</td>
<td>$13,178,756</td>
<td>$850,244</td>
</tr>
</tbody>
</table>
# Environmental Services Fund Summary

## Environmental Services Fund - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solid Waste Revenue</td>
<td>$3,359,929</td>
<td>$3,384,746</td>
<td>$4,764,000</td>
</tr>
<tr>
<td>Special Pickups</td>
<td>18,926</td>
<td>24,666</td>
<td>25,000</td>
</tr>
<tr>
<td>Recycling Revenue</td>
<td>73,204</td>
<td>51,972</td>
<td>126,000</td>
</tr>
<tr>
<td>Interest Income</td>
<td>45,885</td>
<td>44,976</td>
<td>65,000</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>21,491</td>
<td>79,792</td>
<td>77,755</td>
</tr>
<tr>
<td><strong>Environmental Services Fund Revenues</strong></td>
<td>$3,519,435</td>
<td>$3,586,152</td>
<td>$5,057,755</td>
</tr>
</tbody>
</table>

## Environmental Services Fund - Expenditure Summary

<table>
<thead>
<tr>
<th>Division</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Services</td>
<td>$2,557,575</td>
<td>$3,153,574</td>
<td>$4,381,299</td>
</tr>
<tr>
<td>Environmental Services General Expenses</td>
<td>427,672</td>
<td>400,286</td>
<td>649,737</td>
</tr>
<tr>
<td><strong>Environmental Services Operating</strong></td>
<td>$2,985,247</td>
<td>$3,553,860</td>
<td>$5,031,036</td>
</tr>
<tr>
<td>Environmental Services Capital</td>
<td>-</td>
<td>69,704</td>
<td>$153,225</td>
</tr>
<tr>
<td><strong>Environmental Services Fund Expenditures</strong></td>
<td>$2,985,247</td>
<td>$3,623,564</td>
<td>$5,184,261</td>
</tr>
</tbody>
</table>

## Environmental Services Fund - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental Services Fund</td>
<td>$5,033,000</td>
<td>$5,032,376</td>
<td>$624</td>
</tr>
</tbody>
</table>
Overview of Funds

Thornton Development Authority (TDA) Funds

Revenues

→ Sales and Use Tax, Property Tax

Expenditures (Capital)

→ Three active urban renewal plan areas including: TDA North (Larkridge), TDA 144th (The Grove), and TDA South

Other City Funds (page 23)

Revenues

→ TASHCO (Thornton Arts, Sciences, and Humanities) Registration and Ticket Fees, Grants, E-911 Authority Tax, 136th General Improvement District (GID) Property Tax

Expenditures (Operating and Transfers)

→ TASHCO Operational Programming, E-911 Authority Transfer to General Fund, and 136th GID Transfer to General Fund

Internal Service Funds and Debt Service Fund

Revenues

→ Charges for Services, Transfers

Expenditures (Operating and Debt Service)

→ Risk Management, Information Technology, Reprographics, Maintenance Services, Consolidated Service Center (CSC), and Debt Service
## Other Funds

### Revenue Highlights

<table>
<thead>
<tr>
<th></th>
<th>Budgeted Revenue</th>
<th>Forecasted Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>TDA Sales Tax</strong></td>
<td>$10.7 M</td>
<td>$11.2 M</td>
</tr>
<tr>
<td><strong>TDA Property Tax</strong></td>
<td>3.0 M</td>
<td>3.0 M</td>
</tr>
</tbody>
</table>

**Thornton Development Authority (TDA) Funds**

- Of the 3 active plan areas, only TDA-North and TDA-144th currently have sales tax activity.
  - Overall, TDA sales tax collections are up 20.6% year to date and are forecast to finish $500K over budget for 2014.
  - Sales tax collections in TDA-N are up 7.8% year to date due in large part to positive performance by several large and medium box retailers and restaurants within Larkridge.
  - Beginning in September 2013, sales tax collections include the newly opened Cabela’s store within the TDA-144th area.
- All 3 plan areas are currently reporting property tax collections.

**Internal Service Funds and Debt Service Fund**

- Revenues for the internal service funds and debt service fund are based on budgeted amounts to be charged to/transferred from various City funds.
- Budgeted charges/transfers occur quarterly for the Internal Service Funds and prior to bond payments for the Debt Service Fund.

**Other City Funds**

- All revenues year to date are performing according to budgeted expectations.
Expenditure Highlights

**Expenditure Performance and Budget Amendments**

- Year to date spending in the TDA Funds, Internal Service Funds, Debt Service Fund, and Other City Funds are on track with the 2014 Budget.
- Spending on capital projects in the TDA-North Fund lags the calendar year.
- TDA-144th: Anticipating a larger revenue sharing payment to the City of Westminster due to higher than estimated performance at The Grove Shopping Center.
- Budget Amendment 3: Includes additional funding in the Risk Management Fund, Information Technology Fund, Reprographics Fund, and Maintenance Services Fund for an inter-fund transfer of unappropriated fund balance. The funds will be transferred to the Government Capital Fund, Water Fund, Sewer Fund, and Environmental Services Fund to offset a portion of the Hansen software system replacement.
## TDA - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sales Tax</td>
<td>$6,015,152</td>
<td>$7,254,125</td>
<td>$10,727,885</td>
</tr>
<tr>
<td>Audit Assessments</td>
<td>509,675</td>
<td>63,767</td>
<td>-</td>
</tr>
<tr>
<td>Property Tax</td>
<td>2,808,226</td>
<td>2,904,786</td>
<td>2,992,000</td>
</tr>
<tr>
<td>Interest/Other Revenues</td>
<td>202,375</td>
<td>459,562</td>
<td>473,000</td>
</tr>
<tr>
<td><strong>TDA Revenues</strong></td>
<td>$9,535,428 $10,682,240 $14,192,885</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TDA Funds Revenue Forecast (9/30/2014)** $14,749,326

## Thornton Development Authority - Expenditure Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>TDA-South</td>
<td>$32,481</td>
<td>$21,152</td>
<td>$28,202</td>
</tr>
<tr>
<td>TDA-North</td>
<td>5,612,758</td>
<td>6,133,105</td>
<td>14,258,829</td>
</tr>
<tr>
<td>TDA-144th</td>
<td>306,590</td>
<td>699,491</td>
<td>779,000</td>
</tr>
<tr>
<td><strong>TDA Expenditures</strong></td>
<td>$5,951,829</td>
<td>$6,853,747</td>
<td>$15,066,031</td>
</tr>
</tbody>
</table>

**TDA Expenditure Forecast (as of 9/30/2014)** $15,425,877

## TDA - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>TDA Funds</td>
<td>$14,749,326</td>
<td>$15,425,877</td>
<td>$(676,551)</td>
</tr>
</tbody>
</table>
## Other City Funds - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>TASHCO</td>
<td>67,935</td>
<td>51,270</td>
<td>93,598</td>
</tr>
<tr>
<td>136th Avenue GID</td>
<td>5,387</td>
<td>5,473</td>
<td>5,000</td>
</tr>
<tr>
<td>E-911 Authority</td>
<td>676,721</td>
<td>711,803</td>
<td>1,000,000</td>
</tr>
<tr>
<td><strong>Other City Funds Revenues</strong></td>
<td><strong>750,043</strong></td>
<td><strong>768,546</strong></td>
<td><strong>1,098,598</strong></td>
</tr>
</tbody>
</table>

**Debt Service Fund Revenue Forecast (9/30/2014)** $1,099,098

## Other City Funds - Expenditure Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>TASHCO</td>
<td>$69,673</td>
<td>$49,733</td>
<td>$93,598</td>
</tr>
<tr>
<td>136th Avenue GID</td>
<td>6,000</td>
<td>5,000</td>
<td>5,000</td>
</tr>
<tr>
<td>E-911 Authority</td>
<td>500,000</td>
<td>500,000</td>
<td>1,000,000</td>
</tr>
<tr>
<td><strong>Other City Funds Expenditures</strong></td>
<td><strong>575,673</strong></td>
<td><strong>554,733</strong></td>
<td><strong>1,098,598</strong></td>
</tr>
</tbody>
</table>

**Other City Funds Expenditure Forecast (as of 9/30/2014)** $1,082,844

## Other City Funds - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>TASHCO, 136th Avenue GID, E-911</td>
<td>$1,099,098</td>
<td>$1,082,844</td>
<td>$16,254</td>
</tr>
</tbody>
</table>
## Internal Service Funds - Revenue Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Management</td>
<td>$2,207,600</td>
<td>$2,274,821</td>
<td>$2,976,816</td>
</tr>
<tr>
<td>Information Technology</td>
<td>3,929,467</td>
<td>4,197,553</td>
<td>5,574,488</td>
</tr>
<tr>
<td>Reprographics</td>
<td>540,432</td>
<td>580,516</td>
<td>763,825</td>
</tr>
<tr>
<td>Consolidated Service Center</td>
<td>525,519</td>
<td>520,638</td>
<td>790,368</td>
</tr>
<tr>
<td>Maintenance Services</td>
<td>3,130,519</td>
<td>3,910,321</td>
<td>5,193,842</td>
</tr>
</tbody>
</table>

### Internal Service Funds Revenues

| Internal Service Funds Revenues | $10,333,536 | $11,483,849 | $15,299,339 |

### Internal Service Funds Revenue Forecast (9/30/2014)

## Internal Service Funds - Expenditure Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Management</td>
<td>$2,908,579</td>
<td>$3,681,267</td>
<td>$3,827,291</td>
</tr>
<tr>
<td>Information Technology</td>
<td>4,145,941</td>
<td>4,578,515</td>
<td>6,289,017</td>
</tr>
<tr>
<td>Reprographics</td>
<td>489,805</td>
<td>1,086,214</td>
<td>1,376,717</td>
</tr>
<tr>
<td>Consolidated Service Center</td>
<td>524,907</td>
<td>519,190</td>
<td>790,368</td>
</tr>
<tr>
<td>Maintenance Services</td>
<td>2,600,378</td>
<td>3,138,088</td>
<td>5,311,768</td>
</tr>
</tbody>
</table>

### Internal Service Funds Expenditures

| Internal Service Funds Expenditures | $10,669,609 | $13,003,273 | $17,327,187 |

### Internal Service Funds Expenditure Forecast (as of 9/30/2014)

## Internal Service Funds - Net Position Forecast

<table>
<thead>
<tr>
<th>Fund</th>
<th>Projected Revenues</th>
<th>Projected Expenditures</th>
<th>Projected Net Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Risk Management</td>
<td>$2,976,816</td>
<td>$3,818,977</td>
<td>(842,161)</td>
</tr>
<tr>
<td>Information Technology</td>
<td>5,574,488</td>
<td>6,237,750</td>
<td>(663,262)</td>
</tr>
<tr>
<td>Reprographics</td>
<td>763,825</td>
<td>1,359,657</td>
<td>(595,832)</td>
</tr>
<tr>
<td>Consolidated Service Center</td>
<td>790,368</td>
<td>731,654</td>
<td>58,714</td>
</tr>
<tr>
<td>Maintenance Services</td>
<td>5,193,842</td>
<td>5,179,149</td>
<td>14,693</td>
</tr>
</tbody>
</table>
## Debt Service Fund - Revenue Summary

<table>
<thead>
<tr>
<th>Description</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest, Transfers, and Other</td>
<td>$1,831,677</td>
<td>$1,805,825</td>
<td>$1,806,950</td>
</tr>
<tr>
<td><strong>Debt Service Revenues</strong></td>
<td>$1,831,677</td>
<td>$1,805,825</td>
<td>$1,806,950</td>
</tr>
<tr>
<td><strong>Debt Service Fund Revenue Forecast (9/30/2014)</strong></td>
<td>$1,806,950</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Debt Service Fund - Expenditure Summary

<table>
<thead>
<tr>
<th>Fund</th>
<th>YTD 2013</th>
<th>YTD 2014</th>
<th>Budget 2014</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt Service Fund</td>
<td>$1,805,150</td>
<td>$1,801,950</td>
<td>$1,804,950</td>
</tr>
<tr>
<td><strong>Debt Service Fund Expenditures</strong></td>
<td>$1,805,150</td>
<td>$1,801,950</td>
<td>$1,804,950</td>
</tr>
<tr>
<td><strong>Debt Service Fund Expenditure Forecast (as of 9/30/2014)</strong></td>
<td>$1,804,950</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Debt Service Fund - Net Position Forecast

<table>
<thead>
<tr>
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COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: 8A
Agenda Location: Consent Calendar
Work Plan #: N/A
Legal Review: ___ 1st Reading ___ 2nd Reading

Subject: A Motion approving the Minutes of the October 21, 2014 Special, October 28, 2014 Regular, and November 5, 2014 Special City Council meetings. [220-BC]

Recommended by: Jack Ethredge
Presenter(s): Nancy Vincent, City Clerk

SYNOPSIS:
The official Minutes of the October 21, 2014 Special, October 28, 2014 Regular, and November 5, 2014 Special City Council meetings have been prepared by the City Clerk's Office and are hereby submitted for Council's approval.

RECOMMENDATION:
Staff recommends approval of Minutes as requested.

BUDGET/STAFF IMPLICATIONS:
None

ALTERNATIVES:
1. Approve the minutes as submitted.
2. Approve the minutes with corrections requested by Council.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)
None
MINUTES
THORNTON CITY COUNCIL
SPECIAL MEETING
OCTOBER 21, 2014

1. CALL TO ORDER - By Mayor Williams at 7:30 p.m. in the Training Room of the Thornton City Hall.

2. ROLL CALL OF COUNCIL - Those Present were: Mayor Heidi K. Williams, Mayor Pro Tem Val Vigil, and Councilmembers Jenice “JJ” Dove, Mack Goodman, Beth Martínez Humenik, Eric Montoya, and Sam Nizam. Absent were Councilmembers Jan Kulmann, and Eric Tade.

STAFF MEMBERS PRESENT - Jack Ethredge, City Manager; Margaret Emerich, City Attorney; Jeff Coder, Deputy City Manager of City Development; and Kristen Rosenbaum, Acting City Clerk.

3. ACTION ITEMS

Executive Session pursuant to CRS 24-6-402(4)(b), to receive legal advice regarding Xcel Energy application for substation and transmission lines.

MOTION WAS MADE BY MAYOR PRO TEM VAL VIGIL AND SECONDED BY COUNCILMEMBER ERIC MONTOYA TO RECESS EXECUTIVE SESSION. MOTION PASSED UNANIMOUSLY.

THE MEETING RECESSED INTO EXECUTIVE SESSION AT 7:30 P.M. AND RECONVENEDED AT 8:42 P.M.

4. ADJOURNMENT

MOTION WAS MADE BY MAYOR PRO TEM VAL VIGIL AND SECONDED BY COUNCILMEMBER ERIC MONTOYA TO ADJOURN THE MEETING AT 8:43 P.M. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

[Signature]

Kristen Rosenbaum, Acting City Clerk

ATTEST:

[Signature]

Mayor at time of approval

Approved at the November 25, 2014, City Council meeting.
MINUTES
THORNTON CITY COUNCIL
1384TH REGULAR MEETING
OCTOBER 28, 2014

1. CALL TO ORDER – By Mayor Heidi K. Williams at 7:00 p.m. in the Council Chambers of the Thornton City Hall.

2. INVOCATION - By Pastor Glenn Gilpin, Village Baptist Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL OF COUNCIL - Those Present were: Mayor Heidi K. Williams, Mayor Pro Tem Val Vigil, and Councilmembers Jenice "JJ" Dove, Mack Goodman, Jan Kulmann, Beth Martinez Humenik, Eric Montoya, Sam Nizam and Eric Tade.

STAFF MEMBERS PRESENT - Jack Ethredge, City Manager; Joyce Hunt, Assistant City Manager; Margaret Emerich, City Attorney; Charles Long, Deputy City Manager for Management Services; Jeff Coder, Deputy City Manager for City Development; Bud Elliot, Deputy City Manager for Infrastructure; Mike Soderberg, Executive Director for Community Services; Police Chief; Glenn Duran, Acting Fire Chief; Leroy Cross – Deputy Police Chief – Patrol; Chuck Sæst, Finance Director; Chris Molison, Development Director; John Cody, Economic Development Director; Robb Kolstad, Management and Budget Director; Mike Mallon, Current Planning Manager; Jay Ruchti, Senior Planner; Kristen Rosenbaum, Acting City Clerk; and Karren Werft, Deputy City Clerk.

5. APPROVAL OF THE AGENDA

The City Manager requested two Executive Sessions prior to Adjournment.

The City Attorney explained that the first Executive Session is being called pursuant to C.R.S. 24-6-402(4)(e) to determine positions relative to negotiations, develop strategy for negotiations and instruct negotiators regarding the Northern Water Project; and the second Executive Session is being called pursuant to C.R.S. 24-6-402(b) and (e) to receive legal advice and to determine positions relative to negotiations, develop strategy for negotiations and instruct negotiators regarding the Verizon Wireless Department of Revenue decision.

MOTION WAS MADE BY COUNCILMEMBER ERIC TADE AND SECONDED BY COUNCILMEMBER JENICE "JJ" DOVE TO APPROVE THE AGENDA AS AMENDED WITH THE ADDITION OF THE TWO EXECUTIVE SESSIONS. MOTION PASSED UNANIMOUSLY.

6. AUDIENCE PARTICIPATION

A. Presentations

None
B. **Audience Participation**

Jeremy Rodriguez, 12600 W. Colfax Avenue, Lakewood, CO, Constituent Service Representative from Congressman Ed Perlmutter's office, addressed Council regarding a couple of events they will be hosting, a Senior Resource Fair and an open house.

Council asked that staff place these events on their calendar.

C. **Staff Reports**

1) **Presentation of 3rd Quarter Economic Development Report.**

John Cody, Economic Development Director, presented highlights of the 3rd Quarter Economic Development Report and responded to questions by Council concerning the former Hunter Douglas building, construction at Ultimate Electronics, and the Miller International site.

7. **COUNCIL COMMENTS/COMMUNICATIONS**

Mayor pro tem Val Vigil reported that he was invited to speak at some classrooms this morning at McElwain Elementary.

Councilmember Goodman reminded everyone of the Ward 1 meeting on October 30 at the Thornton Arts and Culture Center.

Councilmember Kulmann thanked everyone who attended the Ward 4 meeting on October 16.

Councilmember Martinez Humenik thanked everyone who attended the Ward 3 meeting. She reported that bagged leaves will be picked up by the City. She stated that Centura Health held an open house last Thursday. She reported on Trunk or Treat and thanked those who attended. She reminded drivers to watch out for the small kids on Halloween. She noted that mail ballots have been sent out and can be dropped off at City Hall or the Recreation Center. She asked everyone to remember first responders and U.S. troops.

Mayor Williams thanked staff for the Trunk or Treat event. She reported that on Thursday she attended a fundraiser celebration for the Link and described some of the services provided by the Link.

8. **CONSENT CALENDAR**

MOTION WAS MADE BY MAYOR PRO TEM VAL VIGIL AND SECONDED BY COUNCILMEMBER MACK GOODMAN TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

Councilmember Kulmann noted that she will be abstaining on the October 14, 2014, Council Minutes and second reading of the ordinance for the Monkey Sports rezoning due to her absence at the October 14, 2014, Council meeting.
The Acting City Clerk read into the record the title of the ordinance contained on the Consent Calendar.

**MOTION PASSED UNANIMOUSLY.**

**THE FOLLOWING COUNCIL DOCUMENTS WERE APPROVED ON THE CONSENT CALENDAR:**

A. Approval of Minutes - October 7, 2014, Special and October 14, 2014, Regular City Council Meetings.

B. An ordinance approving the rezoning of approximately 3.3 acres from Business Park (BP) to Community Retail (CR) and amending the Official Zoning Map for property generally located on the west side of Interstate 25 and south of West 83rd Place (Falk Industrial Monkey Sports). (Second Reading)

C. A resolution approving temporary and perpetual easements to the Town of Ault on Thornton’s Farm 118-11.

D. A resolution appointing four members to the Thornton Arts, Sciences and Humanities (TASHCO) Board of Directors.

**9. PUBLIC HEARINGS**

At this time, individuals wishing to provide testimony during the public hearing were sworn in by the Clerk.

A. A public hearing regarding the rezoning request from Single-Family Detached (SFD) to Planned Development to reduce the interior side yard setbacks for the Morrison Subdivision located at the northeast corner of East 160th Avenue and York Street (Morrison Subdivision).

The public hearing was opened at 7:28 p.m. The City Manager gave the opening remarks.

Mike Mallon, Current Planning Manager, stated that he was previously sworn. He entered into the record the notice of hearing published in the Northglenn-Thornton Sentinel and the notice mailed to property owners within 1,500 feet which were marked as City’s Exhibits #1 and #2, respectively. He also entered into the record the Affidavit of Posting and Posting Log which was marked as Applicant’s Exhibit A.

Mr. Mallon presented slides of a vicinity map showing the location of the property, an aerial photo of the site and surrounding area, a history of the property, the proposed rezoning request, zoning map, and Overall Development Plan (ODP). These were later marked as City’s Exhibit #3. He gave the history of the property and explained that the rezoning request is Single-Family Detached (SFD) to Planned Development (PD). He stated that the Applicant is requesting the PD zoning to reduce the interior side yard setback from 10 feet, which is the minimum required under the SFD zoning, to 7.5 feet. He said that the number of lots and project density under the current Conceptual Site Plan will remain the same. He also noted that the ODP is substantially the same as the approved CSP. He
pointed out that there are lots within the subdivision that are currently wide enough to accommodate a 3-car garage and that the rezoning request is to allow more lots within the subdivision to accommodate 3-car garages.

Mr. Mallon reported on the community meeting held in September and noted that staff's recommendation is for denial of the rezoning. He gave the reasons for denial which were outlined in the Council Communication.

Chris Elliott, 7353 S. Alton Way, Centennial, CO, stated that he was previously sworn. He reviewed the history of the project and showed slides of an illustrative site plan of the Morrison Subdivision, and 2-car and 3-car floor plans. These were later marked as Applicant's Exhibit B. He explained that a number of improvements have been made since the original plat in 2008. He said those included additional open spaces, a pocket park, and an upgraded neighborhood park. He stated that the lots do not accommodate the opportunity for an optional 3-car garage. He pointed out that it would only be for that portion of the garage that encroaches into the side yard setback and is an inexpensive way of adding space. He stated that he believes this will accelerate sales in the community and elevate the values of the homes.

In response to a question by Council, Mr. Elliot stated that there were upgrades to the plat. He explained that the pocket park wasn't there previously and the trails along the south end were added. He also said that the neighborhood park was to be a City park and it was changed to a metro district park.

Mr. Mallon stated that typically when there is a PD zoning there is a trade-off to get the reduced setback. He said that as part of this rezoning request there are no additional enhancements or offsetting trades to reduce the setback. He explained that the current CSP is an amendment to the original CSP and that is where the additional parkland, trails and open space were added. He noted that those additional open spaces were required because the CSP amendment increased the number of lots from the original CSP. He added that the number of parkland dedication the City receives is based on the number of lots. He also pointed out that as proposed in the PD standards the 7.5 foot setbacks would apply to all homes not just homes that have 3-car garages. He said it would apply to the entire house and not just the garage portion of the house.

In response to a question by Council, Mr. Elliot stated that he does not have a problem with the reduced setback for just the lots that have 3-car garages. He said they would be glad to consider other options as well.

In response to a question by Council, Mr. Mallon stated that they can work with the developer to write the PD standards so that the 7.5 foot setback would only apply if the home included a 3-car garage and the 10 foot setback on the homes with 2-car garages. He added that there are some subdivisions throughout the City that have PD standards written that way.

Mr. Elliot stated that he would be willing to meet with staff and come back with a satisfactory proposal.

No one signed up nor wished to speak in support of or in opposition to the proposed rezoning.
MOTION WAS MADE BY COUNCILMEMBER ERIC TADE AND SECONDED BY COUNCILMEMBER BETH MARTINEZ HUMENIK TO CONTINUE THE PUBLIC HEARING TO THE NOVEMBER 25, 2014 COUNCIL MEETING. MOTION PASSED UNANIMOUSLY.

10. ACTION ITEMS

A. An ordinance approving an extension of the term of the Franchise Agreement between United Power, Inc. of Colorado and the City of Thornton from November 28, 2014, to April 1, 2015. (First Reading)

Joyce Hunt, Assistant City Manager, explained that the current franchise expires November 28, 2014. She stated that staff is requesting an extension of the franchise agreement to April 1, 2015 in order to allow more time to negotiate a new agreement.

COUNCILMEMBER BETH MARTINEZ HUMENIK INTRODUCED, READ BY TITLE AND MOVED TO APPROVE AN EXTENSION OF THE TERM OF THE FRANCHISE AGREEMENT BETWEEN UNITED POWER, INC. OF COLORADO AND THE CITY OF THORNTON FROM NOVEMBER 28, 2014, TO APRIL 1, 2015. MOTION WAS SECONDED BY MAYOR PRO TEM VAL VIGIL AND PASSED UNANIMOUSLY.

B. An ordinance providing for the tax levy upon all taxable property in the City of Thornton, Colorado, for municipal purposes. (First Reading)

The City Manager explained that the proposed mill levy for City property taxes is 10.21 mills. He noted that the last time this was increased was in 1989.

MAYOR PRO TEM VAL VIGIL INTRODUCED, READ BY TITLE AND MOVED TO APPROVE AN ORDINANCE PROVIDING FOR THE TAX LEVY UPON ALL TAXABLE PROPERTY IN THE CITY OF THORNTON, COLORADO, FOR MUNICIPAL PURPOSES. MOTION WAS SECONDED BY COUNCILMEMBER MACK GOODMAN AND PASSED UNANIMOUSLY.

Paul DesRocher, Smart Commute, addressed Council regarding a new program to encourage people who drive alone to use an alternative commuting method. He stated that they have developed the Concierge Commuting Program, which is traditionally known as van pooling. He said they are offering a brand new 2014 Chevy Traverse for lease at $100 per month, per person, which pays for the cost of the vehicle, insurance, maintenance, and gas.

MOTION WAS MADE BY MAYOR PRO TEM VAL VIGIL AND SECONDED BY COUNCILMEMBER JAN KULMANN TO RECESS INTO EXECUTIVE SESSION. MOTION PASSED UNANIMOUSLY.

THE MEETING RECESSED INTO EXECUTIVE SESSION AT 8:03 P.M. AND RECONVENED AT 9:32 P.M.
11. ADJOURNMENT

MOTION WAS MADE BY COUNCILMEMBER JENICE "JJ" DOVE AND SECONDED BY COUNCILMEMBER BETH MARTINEZ HUMENIK TO ADJOURN THE MEETING AT 9:32 P.M. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

[Signature]
Karren Werft, Deputy City Clerk

ATTEST:

Mayor at time of approval

Approved at the November 25, 2014, City Council meeting.
MINUTES
THORNTON CITY COUNCIL
SPECIAL MEETING
NOVEMBER 5, 2014

1. CALL TO ORDER - By Mayor Williams at 7:18 p.m. in the Training Room of the Thornton City Hall.

2. ROLL CALL OF COUNCIL - Those Present were: Mayor Heidi K. Williams, Mayor Pro Tem Val Vigil, and Councilmembers Jenice “JJ” Dove, Mack Goodman, Jan Kulmann, Beth Martinez Humenik, Eric Montoya, Sam Nizam, and Eric Tade.

MOTION WAS MADE BY COUNCILMEMBER MACK GOODMAN AND SECONDED BY COUNCILMEMBER JENICE “JJ” DOVE TO RECESS THE MEETING. MOTION PASSED UNANIMOUSLY.

THE MEETING RECESSED AT 7:19 P.M. AND RECONVENED AT 8:06 P.M.

MOTION WAS MADE BY COUNCILMEMBER BETH MARTINEZ HUMENIK AND SECONDED BY COUNCILMEMBER ERIC MONTOYA TO RECESS INTO EXECUTIVE SESSION. MOTION PASSED UNANIMOUSLY.

THE MEETING RECESSED INTO EXECUTIVE SESSION AT 8:06 P.M.

3. ACTION ITEMS

a) An Executive Session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice on an investigation related to the Veterans Memorial.

STAFF MEMBERS PRESENT - Jack Ethredge, City Manager; Margaret Emerich, City Attorney; Mike Soderberg, Executive Director – Community Services; Randy Nelson, Executive Director – Police Chief; and Kristen Rosenbaum, Acting City Clerk.

b) An Executive Session pursuant to C.R.S. 24-6-402(4)(b) and (e) to determine positions relative to matters that are subject to negotiations, develop strategy for negotiations, and instruct negotiators and receive legal advice regarding Applehans v. City of Thornton litigation.

STAFF MEMBERS PRESENT - Jack Ethredge, City Manager; Margaret Emerich, City Attorney; Charles Long, Deputy City Manager for Management Services; Bill Rush, Director of Risk Management; and Kristen Rosenbaum, Acting City Clerk.

THE MEETING RECONVENED AT 8:44 P.M.

4. ADJOURNMENT

MOTION WAS MADE BY COUNCILMEMBER MACK GOODMAN AND SECONDED BY COUNCILMEMBER ERIC MONTOYA TO ADJOURN THE MEETING AT 8:44 P.M. MOTION PASSED UNANIMOUSLY.
Respectfully submitted,

Kristen Rosenbaum, Acting City Clerk

ATTEST:

Mayor at time of approval

Approved at the November 25, 2014, City Council meeting.
## Subject:
An ordinance approving an extension of the Franchise Agreement between United Power, Inc. of Colorado and the City of Thornton from November 28, 2014 to April 1, 2015.

**Recommended by:** Joyce Hunt  
**Presenter(s):** Joyce Hunt, Assistant City Manager

### SYNOPSIS:
This ordinance extends the utility franchise between the City and United Power, Inc. of Colorado to provide electricity to properties within the corporate boundaries of the City from November 28, 2014 to April 1, 2015. The negotiations are continuing and this extension will provide additional time to meet the public hearing and other requirements provided in the Charter related to granting a franchise.

### RECOMMENDATION:
Staff recommends Alternative #1, approval of the ordinance to provide additional time to complete negotiations, schedule the public hearing, and action on the ordinance.

### BUDGET/STAFF IMPLICATIONS:
None.

### ALTERNATIVES:
1. Approve the ordinance as recommended.  
2. Do not approve the ordinance.

### BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)
City Council adopted Ordinance No. 2357 on November 28, 1994 granting a nonexclusive franchise by the City of Thornton to United Power, Inc. of Colorado to furnish, sell and distribute electricity within the City.

The City has engaged Ken Fellman to assist the City in drafting and negotiating a new franchise agreement and negotiations are proceeding.
INTRODUCED BY:  Martinez-Humenik


WHEREAS, United Power Inc. of Colorado ("UP") holds a Franchise Agreement ("Franchise") with the City of Thornton ("City") that was approved on November 28, 1994 by Ordinance No. 2357; and

WHEREAS, Section 2-6 of the Franchise Ordinance provides that the Franchise will expire by its own terms twenty (20) years from the effective date which is estimated to be November 28, 2014; and

WHEREAS, UP has initiated negotiations with the City to renew its Franchise and UP and the City agree that the time required to conclude the negotiations will require an extension of the Franchise; and

WHEREAS, pursuant to the City of Thornton Charter Section 15-2(a) an extension of a Franchise Agreement must be by Ordinance; and

WHEREAS, because the City and United are negotiating in good faith, it is in the public interest of both Parties to extend the term of the Franchise to April 1, 2015, so that the Parties can successfully negotiate renewal and so that services to the public will not be interrupted during the renewal process.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The City of Thornton hereby grants an extension of the current Franchise from November 28, 2014 to and including April 1, 2015.

2. Except as specifically modified herein, the Franchise and its terms and conditions shall remain in full force and effect.

3. Neither Party intends to waive any rights which they enjoy under law as a result of agreeing to this extension of Franchise.

4. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.

5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portions hereof are hereby repealed to the extent of such inconsistency or conflict.
6. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

7. This ordinance shall take effect upon final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on October 28, 2014.

PASSED AND ADOPTED on second and final reading on ____________, 2014.

CITY OF THORNTON, COLORADO

____________________________
Heidi K. Williams, Mayor

ATTEST:

____________________________
Nancy A. Vincent, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK’S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

____________________________
Margaret Emerich, City Attorney

PUBLICATION:

Posted in six (6) public places after first and second readings.

Published in the Northglenn-Thornton Sentinel after first reading on November 6, 2014, and after second and final reading on _________________, 2014.
**COUNCIL COMMUNICATION**

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<td>November 25, 2014</td>
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Subject: An ordinance providing for the tax levy upon all taxable property in the City of Thornton, Colorado, for municipal purposes.

Recommended by: Chuck Seest

Presenter(s): Chuck Seest, Finance Director

Approved by: Jack Ethridge

Ordinance previously introduced by: 

**SYNOPSIS:**

The City's property tax mill levy for collection in 2015 will remain at 10.21 mills, as it has since 1989.

**RECOMMENDATION:**

Staff recommends Alternative #1, approval of the attached ordinance because the property tax revenue is necessary to maintain appropriate service levels for the public as discussed during the budget Planning Sessions. Pursuant to State statutes, the City is required annually to certify its property tax mill levy to Adams County.

**BUDGET/STAFF IMPLICATIONS:**

Revenue of approximately $9.24 million for budget year 2015, an increase of approximately 0.5% from 2014.

**ALTERNATIVES:**

1. Approve the ordinance certifying the City's mill levy to Adams County.
2. Do not approve the ordinance.

**HISTORY:**

The City's mill levy has not changed since 1989.
AN ORDINANCE PROVIDING FOR THE TAX LEVY UPON ALL TAXABLE PROPERTY IN THE CITY OF THORNTON, COLORADO, FOR MUNICIPAL PURPOSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. There is hereby levied a tax of 10.21 mills upon each dollar of the total valuation for assessment of all taxable property within the limits of the City of Thornton, Colorado, for the year 2014 to be collected in 2015.

2. The Finance Director of the City of Thornton is hereby authorized and directed to certify to the Board of County Commissioners of Adams County, Colorado, the levy described herein.

3. This Ordinance shall take effect upon final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on October 28, 2014.

PASSED AND ADOPTED on second and final reading on __________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

Nancy A. Vincent, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK’S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

Margaret Emerich, City Attorney

PUBLICATION:

Posted in six (6) public places after first and second readings.

Published in the Northglenn-Thornton Sentinel after first reading on November 6, 2014, and after second and final reading on __________________, 2014.
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: BD
Agenda Location: Consent Calendar
Work Plan #: Legal Review: 

Subject: A resolution adopting the 2015 City Council meeting schedule for the City of Thornton, Colorado, and changing the dates for certain regular City Council meetings. [220-GE]

Recommended by: Jack Ethredge
Presenter(s): Nancy Vincent, City Clerk
Approved by: Jack Ethredge

SYNOPSIS:

This resolution: 1) reschedules the March 10 and March 24 regular City Council meetings to March 17 and March 31 due to the National League of Cities (NLC) Congressional City Conference, March 7-11, 2015; 2) reschedules the November 10 regular City Council meeting to November 17 and cancels the November 24 regular City Council meeting due to the City election on November 3; 3) reschedules the December 8 and December 22 regular City Council meetings to December 1 and December 15 due to the Christmas holidays.

RECOMMENDATION:

Staff recommends Alternative #1 adopting the 2015 City Council Meeting Schedule and changing the date for certain regular City Council meetings because the annual preparation of a meeting schedule assists Council in scheduling their calendars for the upcoming year.

BUDGET/STAFF IMPLICATIONS:

None

ALTERNATIVES:

1. Approve resolution adopting the 2015 meeting schedule.
2. Approve resolution with amendments to the meeting schedule.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

Pursuant to the City Charter and City Code, the City Council meeting schedule is established by resolution. The standard practice of City Council has been to establish the second and fourth Tuesday of each month for City Council meetings and Council Updates; and the first, third and fifth Tuesday of each month for Planning Sessions. City Council has, by resolution, adopted an annual meeting schedule since 1988.

The annual meeting schedule includes City Council meetings; Council Updates; Planning Sessions; Council Advance; Budget Review; evaluations for City Manager, City Attorney and Municipal Judge; Municipal Election; and festivals plus the 4th of July celebration.
RESOLUTION

A RESOLUTION ADOPTING THE 2015 CITY COUNCIL MEETING SCHEDULE FOR THE CITY OF THORNTON, COLORADO, AND CHANGING THE DATES FOR CERTAIN REGULAR CITY COUNCIL MEETINGS.

WHEREAS, Section 4.10 of the Thornton City Charter provides that the City Council may by resolution change the time and place of any regular meeting; and

WHEREAS, the City Council recognizes the importance of establishing a 2015 schedule for City Council Meetings, Planning Sessions and other such meetings to enable Council to schedule their time accordingly; and

WHEREAS, the standard practice of City Council has been to establish the second and fourth Tuesday of each month for City Council meetings and Council Updates and the first, third, and fifth Tuesday of each month for Planning Sessions; and

WHEREAS, the regularly scheduled meeting of March 10, 2015 conflicts with the National League of Cities Congressional City Conference, March 7-11, 2015; and

WHEREAS, the regularly scheduled meeting of November 10, 2015, does not allow sufficient time to certify the results of the 2015 Regular Municipal Election to be held on November 3, 2015; and

WHEREAS, the regularly scheduled meeting of December 22, 2015 conflicts with the Christmas holidays; and

WHEREAS, the City Council realizes it may be necessary to schedule additional Planning Sessions, joint meetings and Executive Sessions from time to time which cannot be appropriately scheduled in advance due to unforeseen circumstances, which meetings will be addressed by special action of the Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The March 10 and March 24 regular City Council meetings are rescheduled to March 17 and March 31 due to the National League of Cities Congressional City Conference, March 7-11, 2015.

2. The November 10 regular City Council meeting is rescheduled to November 17 and the November 24 regular City Council meeting is cancelled due to the City election on November 3.

3. The December 8 and December 22 regular City Council meetings are rescheduled to December 1 and December 15 due to the Christmas holiday.

4. That the attached 2015 City Council Meeting Schedule marked as "Attachment A" is hereby approved.
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on ________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

Nancy A. Vincent, City Clerk
## 2015 CITY COUNCIL MEETING SCHEDULE

### TUESDAY PLANNING SESSIONS

- January 6
- January 20
- February 3
- February 17
- March 3
- March 24
- April 7
- April 21
- May 5
- May 19
- June 2
- June 30
- July 7
- July 21
- August 18
- September 1
- September 15
- September 29
- October 6
- October 20
- November 10
- November 24
- December 8
- December 29

### COUNCIL UPDATES AND COUNCIL MEETINGS

- January 13
- January 27
- February 10
- February 24
- March 17
- March 31
- April 14
- April 28
- May 12
- May 26
- June 9
- June 23
- July 14
- July 28
- August 11
- August 25
- September 8
- September 22
- October 13
- October 27
- November 17
- December 1
- December 15
- February 6, 7, and 8
- May 16
- July 4
- July 28
- August 11
- August 27
- August 29
- September 12
- November 3
- December 11-13

1) scheduled to begin at 5:45 p.m. (Training Room)

2) scheduled to begin at 7:00 p.m. (Council Chambers)
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: 8E
Agenda Location: Consent Calendar
Work Plan #: Legal Review:

Subject: A resolution authorizing the City of Thornton to become a party to the Colorado Information Sharing Consortium (CISC) Intergovernmental Agreement.

Recommended by: Randy Nelson, Police Chief
Approved by: Jack Ethridge
Presenter(s): Randy Nelson, Police Chief

SYNOPSIS:

Colorado Information Sharing Consortium (CISC) was formed in 2008 through the use of a memorandum of understanding to create a mechanism for law enforcement agencies to share criminal justice information more effectively and efficiently. The Thornton Police Department has been an active participant since its inception.

With the reorganization of CISC as a legal entity, participation could only be accomplished through the use of an intergovernmental agreement (IGA). It is now a requirement that the IGA be signed in order to continue participation as a party to the IGA.

RECOMMENDATION:

Staff recommends Alternative #1, approval of the resolution authorizing participation in the CISC. Approval will allow the police department to continue using this investigative tool which the City has been using since 2008.

BUDGET/STAFF IMPLICATIONS:

Costs associated with participation in the CISC through an IGA will not change from current costs which were established through a Memorandum of Understanding. Costs were budgeted in the 2014 budget in the amount of $9,340.00.

ALTERNATIVES:

1. Approve the resolution authorizing participation in the CISC.
2. Do not approve the resolution which would eliminate the use of this investigative tool.
BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The CISC was formed on April 14, 2008 through a Memorandum of Understanding between governmental agencies providing law enforcement services in order to establish a statewide law enforcement information and criminal justice record sharing network between member agencies.

The CISC has grown from approximately eleven (11) agencies to approximately ninety (90) agencies, making the informal arrangement difficult to manage.

The CISC has now been formalized through an Intergovernmental Agreement among the founding parties to the original MOU forming the CISC, recreating the CISC as a separate legal entity.

The CISC has requested that the City become a party to the Intergovernmental Agreement in order to benefit from the services provided by the CISC under this new organizational structure.
RESOLUTION

A RESOLUTION AUTHORIZING THE CITY OF THORNTON TO BECOME A PARTY TO THE COLORADO INFORMATION SHARING CONSORTIUM (“CISC”) INTERGOVERNMENTAL AGREEMENT.

WHEREAS, the CISC was formed on April 14, 2008 through a Memorandum of Understanding between governmental agencies providing law enforcement services in order to establish a statewide law enforcement information and criminal justice record sharing network between member agencies; and

WHEREAS, CISC has grown from approximately eleven (11) agencies to approximately ninety (90) agencies, making the informal arrangement difficult to manage; and

WHEREAS, CISC has now been formalized through an Intergovernmental Agreement among the founding parties to the original MOU forming the CISC, recreating the CISC as a separate legal entity; and

WHEREAS, CISC has requested that the City become a party to the Intergovernmental Agreement in order to benefit from the services provided by the CISC under this new organizational structure; and

WHEREAS, pursuant to Article XIV, Section 18(2) of the Constitution of the State of Colorado and Section 29-1-201, et seq., C.R.S. cooperation between political subdivisions is encouraged and authorized; and

WHEREAS, the City will benefit from this Intergovernmental Agreement by being able to share and receive important criminal justice information between law enforcement agencies across the State.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The Intergovernmental Agreement forming the CISC as a legal entity, in the form attached, is hereby approved.

2. The City Manager is hereby authorized to execute and the City Clerk to attest, on behalf of the City, this Intergovernmental Agreement forming the CISC and thereby allowing the City to become a Party, in the form attached.
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on ________________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

Nancy A. Vincent, City Clerk
INTERGOVERNMENTAL AGREEMENT
OF THE
COLORADO INFORMATION SHARING CONSORTIUM
# Table of Contents

## Recitals

### Definitions

01. Definitions ........................................................................................................ 2

## Creation of the Colorado Information Sharing Consortium

02. Creation of the CISC ............................................................................................ 2
03. Principal Place of Business .................................................................................. 2
04. CISC Purpose ........................................................................................................ 3

## Data Sharing Agreement

05. Data Sharing ......................................................................................................... 3
06. Data Use .................................................................................................................. 3
07. Personnel Authorized to Access Data ...................................................................... 3
08. Data Security ........................................................................................................... 3
09. Data Custody and Control ...................................................................................... 3
10. Data Accuracy ......................................................................................................... 3
11. Intelligence Information .......................................................................................... 3

## Powers of the Colorado Information Sharing Consortium

12. Powers of the CISC ............................................................................................... 4
13. Restrictions on Powers of the CISC ........................................................................ 4

## Board of Directors

14. Board of Directors .................................................................................................. 5
15. Number of Directors, Term, and Term Limits ....................................................... 5
16. Eligibility, Appointment, Removal, and Vacancies ................................................ 5
17. Compensation .......................................................................................................... 5
18. Action of the Board at a Meeting ........................................................................... 5
19. Committees ............................................................................................................... 6
20. Alternates and Absentee Voting ............................................................................. 6
21. Representative’s Right to Attend Meetings ............................................................ 6

## Management of the CISC

22. CISC Manager ........................................................................................................ 6
23. Additional Assistance from Assigned Employees ................................................... 7

## Financial

24. Deposits and Expenditures ...................................................................................... 8
25. Fiscal Agent ............................................................................................................. 8
26. Fiscal Year ................................................................................................................. 8
27. No Multiple Year Fiscal Obligations ........................................................................ 8

## Rights of Parties

28. No Duty to Pay Membership, Annual, or Other Fees ............................................ 8
29. Voluntary Assumption of Debts ............................................................................. 8
30. Financial Responsibility .......................................................................................... 8
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>31.</td>
<td>Examination of Records</td>
<td>8</td>
</tr>
<tr>
<td>32.</td>
<td>Addition of New Parties</td>
<td>9</td>
</tr>
<tr>
<td>33.</td>
<td>Right to Terminate Participation</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td><strong>GENERAL PROVISIONS</strong></td>
<td></td>
</tr>
<tr>
<td>34.</td>
<td>Amendments</td>
<td>9</td>
</tr>
<tr>
<td>35.</td>
<td>Construction and Interpretation</td>
<td>9</td>
</tr>
<tr>
<td>36.</td>
<td>Duplicate Counterparts</td>
<td>9</td>
</tr>
<tr>
<td>37.</td>
<td>Entire Agreement</td>
<td>10</td>
</tr>
<tr>
<td>38.</td>
<td>Governing Law</td>
<td>10</td>
</tr>
<tr>
<td>39.</td>
<td>Indemnification</td>
<td>10</td>
</tr>
<tr>
<td>40.</td>
<td>Mediation</td>
<td>10</td>
</tr>
<tr>
<td>41.</td>
<td>No Third-Party Beneficiaries</td>
<td>10</td>
</tr>
<tr>
<td>42.</td>
<td>Severability</td>
<td>10</td>
</tr>
<tr>
<td>43.</td>
<td>Term</td>
<td>10</td>
</tr>
<tr>
<td>44.</td>
<td>Termination</td>
<td>10</td>
</tr>
</tbody>
</table>
INTergovernmental Agreement
OF THE
COLORado Information Sharing CONSOrtiuM

This Intergovernmental Agreement (the “Agreement”) is effective as of the [______] day of [____________________], 2014 (the “Effective Date,” as further defined below) by and between the Adams County Sheriff’s Office, the Arapahoe County Sheriff’s Office, the City of Aurora, the Colorado Department of Public Safety of the State of Colorado, the City of Colorado Springs, the City of Commerce City, the City and County of Denver, the Douglas County Sheriff’s Office, the City of Grand Junction, the Board of County Commissioners of the County of Jefferson, the Board of County Commissioners of the County of Mesa, and all other entities or agencies that sign this Agreement consistent with the requirements herein (individually a “Party” and collectively the “Parties”).

REcITALs

WHEREAS, the Parties are each authorized to lawfully provide, establish, maintain, and operate law enforcement services;

WHEREAS, Part 2 of Article 1, Title 29 of the Colorado Revised Statutes (the “C.R.S.”) encourages and authorizes intergovernmental agreements for the joint and cooperative provision of public services;

WHEREAS, C.R.S. § 29-1-203 authorizes governments to cooperate and contract with one another to provide any function, service, or facility lawfully authorized to each and to establish a separate legal entity to do so;

WHEREAS, 21 U.S.C. § 873 and regulations promulgated thereunder authorize certain agencies within the Federal government to cooperate with local, state, tribal, and Federal agencies for the purpose of exchanging certain information;

WHEREAS, the Parties, along with other Colorado law enforcement entities, have previously entered into a nonbinding and voluntary memorandum of understanding (the “MOU”) to jointly develop the statewide Colorado Information Sharing Consortium (the “CISC”) with the purpose and intent of sharing law enforcement information, primarily through a software product known as COPLINK;

WHEREAS, the Parties, along with the other signatories of the MOU, have determined that it is in the public’s best interest to formalize the CISC into a legal entity in order to permit the CISC to enter into contracts and utilize economies of scale for the purchase of future services, products, and maintenance and to enter into information sharing agreements with jurisdictions outside the State of Colorado;

WHEREAS, the Parties and other signatories of the MOU have agreed to organize and operate a separate legal entity pursuant to C.R.S. § 29-1-203(4), which shall be known as the Colorado Information Sharing Consortium; and
WHEREAS, the Parties intend for other entities or agencies to join as Parties to this Agreement by signing a separate signature page to this Agreement consistent with the requirements herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

**DEFINITIONS**

1. **Definitions.** In addition to the above defined terms, the following terms shall have the meaning ascribed to them.

   a. “Assigned Employee” shall mean a Party’s employee assigned to work full- or part-time on behalf of the CISC.

   b. “Board” shall mean the Board of Directors of the CISC.

   c. “Data” shall mean facts, detailed information, police report narratives, supplemental report narratives, other text-related information as determined and released by each Party’s internal information sharing policy, and other materials provided by a Party to the CISC. “Data” shall not mean Intelligence Information (defined below).

   d. “Director” shall mean a director on the Board of the CISC.

   e. “Effective Date” shall be the date written in the preamble, which shall be the date on which the sixth Party signed this Agreement.

   f. “Intelligence Information” shall mean evaluated data relevant to the identification of criminal activity engaged in by an individual or organization reasonably suspected of involvement in criminal activity that meets criminal intelligence system submission criteria as set forth in Part 23 of Title 28 of the Code of Federal Regulations. Intelligence Information is a criminal justice record pursuant to C.R.S. § 24-72-302(4).

   g. “Manager” shall mean a person who is assigned to manage the day-to-day operations of the CISC.

   h. “Representative” shall mean the chief law enforcement officer of each Party or the person designated by the chief law enforcement officer of each Party.

**CREATION OF THE COLORADO INFORMATION SHARING CONSORTIUM**

2. **Creation of the CISC.** Pursuant to C.R.S. § 29-1-203(4), the Parties hereby create a separate legal entity known as the Colorado Information Sharing Consortium, or CISC, which shall have the powers, authorities, duties, privileges, immunities, rights, and responsibilities as set forth herein.

3. **Principal Place of Business.** The principal place of business of the CISC shall be 15001 East Alameda Parkway, Aurora, CO 80012, unless and until otherwise established from time to time by the Board.
4. **CISC Purpose.** The purpose of the CISC is to facilitate the sharing of Data and Intelligence Information between the Parties and non-Party governmental entities and agencies authorized by the Board.

**DATA SHARING AGREEMENT**

5. **Data Sharing.** Each Party shall share Data with the Parties and with non-Party governmental entities or agencies authorized by the Board.

6. **Data Use.** Shared Data shall only be used for law enforcement purposes consistent with the welfare and protection of the general public.

7. **Personnel Authorized to Access Data.** Only the Parties’ employees and employees of non-Party governmental entities or agencies authorized by the Board shall be allowed to access the Data. All persons with access to the Data must first pass an adequate background screen. The Board shall determine what constitutes an adequate background screen for the purpose of access to Data.

8. **Data Security.** The Parties and any non-Party governmental entities or agencies authorized by the Board shall maintain, enforce, and follow security requirements for the Data as specified by the Board, including requirements on network configuration and network access.

9. **Data Custody and Control.** Each Party shall retain custody and control and shall remain the official custodian of any Data shared by that Party. The CISC shall not have custody and control and shall not be the official custodian of any Data. The CISC shall not release any Data pursuant to a request under Part 2 or Part 3 of Article 72, Title 24, C.R.S. or pursuant to a subpoena unless specifically ordered to do so by a court of competent jurisdiction.

10. **Data Accuracy.** The Parties understand that the Data shared by the Parties may not be accurate. The Board may set standards and requirements for Parties to correct inaccurate Data.

11. **Intelligence Information.**

   a. **No Obligation to Share.** No Party shall be required to share Intelligence Information and may deny a request to share Intelligence Information for any reason.

   b. **Standard for Sharing.** When Intelligence Information is disseminated through the CISC, it shall be disseminated consistent with Part 23 of Title 28 of the Code of Federal Regulations.

   c. **Policies and Procedures.** The Board may set policies and procedures regarding Intelligence Information use, receipt, maintenance, security, and dissemination not inconsistent with Part 23 of Title 28 of the Code of Federal Regulations.

   d. **Intelligence Information Custody and Control.** All Intelligence Information shall remain the sole proprietary information of the Party contributing that Intelligence Information. Each Party shall retain custody and control and shall remain the official custodian of any Intelligence Information shared by that Party. The CISC shall not have custody and control and shall not be the official custodian of any Intelligence Information. The CISC shall not release any Intelligence Information pursuant to a...
Powers of the CISC. In order to enable the CISC to carry out its functions and provide the services described herein, the CISC shall have the power:

a. **Acquire Property.** To acquire, hold, lease (as lessor or lessee), sell, or otherwise dispose of any legal or equitable interest in real or personal property;

b. **Add Parties.** To approve other governmental entities or agencies authorized to lawfully provide, establish, maintain, or operate law enforcement services to join the CISC on the conditions determined by the Board;

c. **Adopt Rules and Regulations.** To adopt rules and regulations regarding the exercise of its powers and the carrying out of its purposes;

d. **Apply for Grants.** To apply for and receive grants in its own name;

e. **Conduct Business.** To conduct its business and affairs for the benefit of the Parties and their residents;

f. **Contract.** To enter into, make, and perform contracts of every kind;

g. **Engage Agents.** To engage, employ, or appoint agents, including but not limited to accountants, architects, attorneys, consultants, employees, engineers, and managers and to pay the direct and indirect reasonable costs of such agents for services rendered to the CISC;

h. **Fees and Charges.** To assess, fix, maintain, and revise fees and charges for functions, services, or facilities provided by the CISC or to cover the cost of operating and managing the CISC; however, pursuant to paragraph 28, neither the CISC nor any Party shall have the power to compel a Party to pay any fees, rates, or charges;

i. **Incur Debt.** To incur debts and obligations, deliver bonds or notes for monies borrowed or other obligations of the CISC, and to secure the payment of such bonds or obligations, except that no party shall be liable for any debts or obligations of the CISC;

j. **Legal Process.** To litigate, arbitrate, or mediate in its own name;

k. **Receive Contributions.** To receive contributions of gifts, grants, or services; and

l. **Terminate a Party’s Participation in this Agreement.** To terminate or limit a Party’s participation in this Agreement.

Restrictions on Powers of the CISC. The CISC shall not have the power:

a. **Eminent Domain.** To take property by eminent domain;
b. **Obligate Payment.** To obligate a Party to pay any money to the CISC or to another Party, except that the CISC may enter into contracts with Parties for the payment of money; or

c. **Tax.** To impose taxes.

**BOARD OF DIRECTORS**

14. **Board of Directors.** The governing body of the CISC shall be the Board, in which all administrative and legislative power of the CISC is vested. The purpose of the Board is to set policy for the CISC and decide important issues of the CISC.

15. **Number of Directors, Term, and Term Limits.** There shall be eleven (11) Directors on the Board. Six (6) Directors shall have terms that expire on March 31 of every even numbered year. Five (5) Directors shall have terms that expire on March 31 of every odd numbered year. There shall be no limit to the number of terms an individual may serve as a Director.

16. **Eligibility, Appointment, Removal, and Vacancies.** Each Director must be an employee of a Party. If a Director is no longer employed by a Party, the Director shall no longer be a Director. A Director may resign at any time and for any reason by giving two weeks prior written notice to the Board. A vacant Director position shall be filled by majority vote of the Representatives as soon as practicable.

   a. **Initial Appointment.** The initial Directors shall be appointed by the Representatives of the eleven named Parties listed in the preamble of this Agreement. The Representatives of the first six (6) named Parties that agree to and sign this Agreement shall each appoint one Director, whose terms shall expire on March 31, 2016. The Representatives of the next five (5) named Parties that agree to and sign this Agreement shall each appoint one Director, whose terms shall expire on March 31, 2015.

   b. **Subsequent Appointment.** After the initial Directors’ terms expire, all subsequent Directors shall be appointed by a majority vote of the Representatives.

17. **Compensation.** A Director shall not receive compensation for the Director’s service to the CISC. The Board may provide for reimbursement to a Director, Representative, or other person for actual and reasonable expenses incurred while performing duties for the CISC. At no time shall a Director or a Representative be considered an employee of the CISC.

18. **Action by the Board at a Meeting.** Meetings of the Board may be held at any place that a majority of the Directors on the Board may determine. Directors may attend the meeting in person or by conference telephone or similar communications equipment, and such participation at a meeting shall constitute attendance. The following rules shall apply.

   a. **Quorum.** The attendance of at least a majority of the Directors of the Board shall constitute a quorum for the transaction of business.

   b. **Voting.** The affirmative vote of a majority of the Directors on the Board that are present at any meeting at which there is a quorum shall be an act of the Board, unless a supermajority is specified herein or by rules adopted by the Board.
c. **Minutes.** Minutes of each meeting and a record of each decision shall be kept by the Board.

19. **Committees.** The Board may designate one or more committees that shall serve at the pleasure of the Board. Any committees shall have the powers and responsibilities granted by the Board to that committee.

20. **Alternates and Absentee Voting.** A Director may appoint an alternate who will have the same voting rights as the Director when participating in Board meetings in the absence of the Director. Alternates must be employed by a Party. Absentee voting, where a Director votes without attending a meeting (whether in person or by other communications equipment) or without appointing an alternate, is not allowed.

21. **Representative’s Right to Attend Meetings.** Each Representative, or an alternate, shall have the right to attend, whether in person or by conference telephone or similar communications equipment, any meeting of the Board and to voice opinions on any matter concerning the CISC.

**MANAGEMENT OF THE CISC**

22. **CISC Manager.**

a. **Appointment.** Upon request from the Board, the Representatives shall jointly nominate one or more persons to be the Manager and submit those persons’ names to the Board. Based on those nominations, the Board shall select one or more persons to be the Manager. The appointment of a Manager shall be contingent upon the approval of the Representative of the Party employing the Manager.

b. **CISC Manager.** The Manager shall manage the day-to-day operations of the CISC and undertake and execute the Board’s instructions and directions. The Manager shall have the administrative authority necessary to perform the tasks and responsibilities assigned pursuant to this Agreement. The Board may grant to the Manager any additional administrative authority as the Board deems necessary. The Manager shall attend all meetings of the Board and follow the Board’s instructions and directions.

c. **Eligibility and Employment.** The person(s) serving as the Manager must be an employee of a Party at all times during that person’s tenure as the Manager. The Manager shall not be considered an employee of the CISC. The Board may hire an employee of the CISC under terms written and negotiated by the Board to perform the duties of the Manager under the supervision and direction of the Board.

d. **Term.** The Manager’s term is expected to last for two (2) years, but the actual length (whether longer or shorter) shall be determined by agreement between the Board and the Representative of the Party employing the Manager. Whether the Manager works full- or part-time on CISC matters shall be determined by agreement between the Board and the Representative of the Party employing the Manager. The Board may remove the Manager at any time and for any reason. The Representative of the Party employing the Manager may recall the Manager at any time and for any reason by giving sixty (60) days prior written notice to the Board, unless the Representative and the Board agree to other notification requirements.
e. **Compensation.** The Party employing the Manager shall bear the full cost of the Manager. The CISC shall not be obligated to reimburse the Party employing the Manager for the cost of the Manager. However, the Board may assess an annual fee on the Parties to reimburse the Party employing the Manager (or the CISC, if the CISC hires an employee to perform the duties of the Manager) for all or part of the costs associated with employing the Manager. As is stated in paragraph 28 of this Agreement, and consistent with that paragraph, no Party is obligated to pay any annual fees but may be denied access to the CISC or face other non-monetary penalties.

23. **Additional Assistance from Assigned Employees.**

a. **Appointment.** The Board may seek an Assigned Employee from the Parties. Upon request from the Board, any Representative may volunteer one or more Assigned Employees to work full- or part-time on behalf of the CISC. The Board may accept or decline the person volunteered to become an Assigned Employee.

b. **Assigned Employees.** Each Assigned Employee shall work under the supervision and direction of the Manager. Each Assigned Employee shall have the administrative authority necessary to undertake and execute the tasks and responsibilities assigned by the Manager and the Board. The Board may grant to any Assigned Employee any additional administrative authority as the Board deems necessary. An Assigned Employee shall attend meetings of the Board if and when the Board or the Manager requests that Assigned Employee’s presence.

c. **Eligibility and Employment.** Any person serving as an Assigned Employee must be an employee of a Party at all times during that person’s tenure as an Assigned Employee. The Assigned Employee shall not be considered an employee of the CISC. The Board may hire one or more full- or part-time employees of the CISC under terms written and negotiated by the Board to work under the supervision and direction of the Manager and the Board.

d. **Term.** The Assigned Employee’s term shall be determined by agreement between the Board and the Representative of the Party employing the Assigned Employee. Whether the Assigned Employee works full- or part-time on CISC matters shall be determined by agreement between the Board and the Representative of the Party employing the Assigned Employee. The Board may remove the Assigned Employee at any time and for any reason. The Representative of the Party employing the Assigned Employee may recall the Assigned Employee at any time and for any reason by giving thirty (30) days prior written notice to the Board, unless the Representative and the Board agree to other notification requirements.

e. **Compensation.** The Party employing an Assigned Employee shall bear the full cost of that Assigned Employee. The CISC shall not be obligated to reimburse the Party employing the Assigned Employee for the cost of the Assigned Employee. However, the Board may assess an annual fee on the Parties to reimburse the Party employing the Assigned Employee (or the CISC, if the CISC employs an employee to perform the duties of the Assigned Employee) for all or part of the costs associated with employing the Assigned Employee. As is stated in paragraph 28 of this Agreement, and consistent
with that paragraph, no Party is obligated to pay any annual fees but may be denied access to the CISC or face other non-monetary penalties.

FINANCIAL

24. **Deposits and Expenditures.** All funds of the CISC shall be deposited to the credit of the CISC in an interest bearing account. No payments or withdrawals of such funds in an amount over five hundred dollars ($500) shall be allowed without prior approval of the Board and the written authorization of two (2) Directors. Payments or withdrawals of such funds in amounts up to and including five hundred dollars ($500) may be authorized by the Manager.

25. **Fiscal Agent.** The Board may request that a Party or other entity be the fiscal agent for the CISC.

26. **Fiscal Year.** The fiscal year of the CISC shall be January 1 through December 31 of each year.

27. **No Multiple Year Fiscal Obligations.** The Parties do not intend to create a multiple year fiscal obligation for any Party by virtue of this Agreement. The Parties acknowledge that any future monetary obligations of any Party are subject to sufficient appropriations by each Party and such appropriations are not guaranteed to be made.

RIGHTS OF PARTIES

28. **No Duty to Pay Membership, Annual, or Other Fees.** No Party shall be required by this Agreement to pay any membership, annual, or other fees or charges imposed by the Board. The sole remedy for the failure of a Party to pay any fees or charges shall be, at the Board’s discretion, (a) exclusion from the CISC, (b) denial of Data and Intelligence Information sharing with other Parties through the CISC, (c) loss of any or all of the privileges and rights of a Party, (d) termination of the non-paying Party’s participation in this Agreement, or (e) any combination of the foregoing as determined by the Board.

29. **Voluntary Assumption of Debts.** A Party may voluntarily elect to be liable, in whole or in part, for any or all of the debts, liabilities, or obligations of the CISC at the sole discretion of that Party.

30. **Financial Responsibility.** The CISC shall not be required to pay any Party’s costs associated with acquiring or maintaining any hardware or licensed software necessary for that Party to participate in the CISC. The Board may agree to pay for expenses incurred by a Party that, in furtherance of the CISC’s purposes, (a) maintains goods for use by other Parties or (b) provides services to other Parties.

31. **Examination of Records.** Any authorized agent of a Party, including an authorized auditor or his or her representative, has the right to access and the right to examine any pertinent fiscal books, documents, papers, and records of the CISC involving fiscal transactions for three (3) years after the date of the fiscal transaction.
32. **Addition of New Parties.**

   a. **Law Enforcement Requirement.** All Parties, and any entity or agency that becomes a Party, must be governmental entities or agencies that are authorized to lawfully provide, establish, maintain, and operate law enforcement services.

   b. **Signatories of the MOU.** All entities and agencies that signed the MOU prior to the Effective Date are vested with approval to become Parties by signing a separate signature page to this Agreement that states that the new Party agrees to the terms and conditions of this Agreement. Upon delivery of the signed signature page to the Manager, satisfaction of any conditions imposed by the Board, and payment of any CISC membership fees, if applicable, such entity or agency shall be a Party.

   c. **Non-Signatories of the MOU.** Any entity or agency that did not sign the MOU prior to the Effective Date may become a Party by (i) gaining approval of the Board and (ii) signing a separate signature page to this Agreement that states that the new Party agrees to the terms and conditions of this Agreement. Upon delivery of the signed signature page to the Manager, satisfaction of any conditions imposed by the Board, and payment of any CISC membership fees, if applicable, such entity or agency shall be a Party.

   d. **CISC Membership Fee.** Any entity or agency that signed the MOU prior to the Effective Date and paid a CISC membership fee at that time shall not be required to pay an additional membership fee in order to join the CISC. Any entity or agency that (i) signed the MOU prior to the Effective Date but did not pay a CISC membership fee at the time or (ii) did not sign the MOU prior to the Effective Date may be required to pay a CISC membership fee in an amount determined by the Board as a condition of becoming a Party.

33. **Right to Terminate Participation.** A Party may terminate its participation in this Agreement by giving written notice to the Board at least sixty (60) days prior to the date of termination, unless the Board and a specific Party have agreed on a different notice period.

**GENERAL PROVISIONS**

34. **Amendments.** This Agreement shall not be amended unless seventy-five percent (75%) of the Representatives approve such amendment in writing. The sole remedy for any Party that disagrees with any amendments is to terminate its participation in this Agreement.

35. **Construction and Interpretation.** The table of contents and the section and other headings and subheadings contained in this Agreement are solely for the purpose of reference, are not part of the agreement of the Parties, and shall not in any way affect the meaning or interpretation of this Agreement.

36. **Duplicate Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be considered an original. The signature of any Party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart.
37. **Entire Agreement.** This Agreement embodies the entire understanding and agreement among the Parties concerning the CISC and supersedes any and all prior negotiations, understandings, or agreements, including the MOU.

38. **Governing Law.** This Agreement shall be governed by and construed under the laws of the State of Colorado to the extent not inconsistent with Federal law.

39. **Indemnification.** Without waiving the protections, limitations, and requirements of the Colorado Governmental Immunity Act in Article 10, Title 24, C.R.S., each Director, Representative, Manager, Assigned Employee, officer, agent, and volunteer shall be provided with a legal defense and indemnification as provided by that person’s employer to the extent not inconsistent with Federal law.

40. **Mediation.** In the event of a dispute between the Parties regarding the interpretation of this Agreement or regarding any issue arising under this Agreement, the Parties hereby agree to the following mediation procedure. First, the disagreeing Parties will submit the issue to the Representatives, who will mediate the disagreement and try to devise an acceptable solution. If that process fails, the disagreeing Parties will submit the issue to the highest elected officials of each Party (e.g., the Mayor of a city or the County Commissioners of a county) who will mediate the disagreement and try to devise an acceptable solution. The highest elected official of each Party may approve a designee to mediate on behalf of that Party. The Parties agree to mediate in good faith. If any disagreeing Party requests a mediator, the disagreeing Parties shall jointly select a mediator and share the cost of the mediator equally. Decisions by the Board are not subject to mediation. This paragraph shall apply to the extent not inconsistent with Federal law.

41. **No Third-Party Beneficiaries.** Nothing in this Agreement shall be deemed to create any third-party benefits or beneficiaries or create a right or cause of action for the enforcement of this Agreement’s terms in any entity or person not a Party to this Agreement including any agents, employees, officers, or volunteers of any Party or any entity with whom the CISC contracts.

42. **Severability.** In the event that any of the terms, covenants, or conditions of this Agreement or their application shall be held invalid as to any Party, entity, or person by a court of competent jurisdiction, (a) the remainder of this Agreement shall not be affected thereby, (b) such determination shall not affect or impair the validity or enforceability of any other provision, and (c) the remaining provisions shall be interpreted and applied so far as possible to reflect the original intent and purpose of this Agreement.

43. **Term.** The term of this Agreement shall be unlimited and shall extend until terminated as provided herein.

44. **Termination.** This Agreement may be terminated upon agreement in writing of seventy-five percent (75%) of the Representatives. Upon termination of the CISC, any monetary funds held by the CISC shall be distributed, after paying the debts and obligations of the CISC, to the Parties proportionate with the number of sworn law enforcement officers employed by each Party. Additionally, upon termination of the CISC, any non-monetary assets shall become the property of the Party in possession of those assets.

[**SIGNATURE PAGES TO FOLLOW**]
IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the Effective Date.

The Adams County Sheriff's Office

By: [Signature]

Name: Doug Darr

Title: Adams County Sheriff

Date: April 14, 2014

Attest: __________________________

Name: __________________________

The Arapahoe County Sheriff's Office

By: __________________________

Name: David C. Walcher

Title: Arapahoe County Sheriff

Date: __________________________

Attest: __________________________

Name: __________________________
By signing this separate signature page to the Intergovernmental Agreement of the Colorado Information Sharing Consortium (the “Agreement”), the undersigned agrees to be bound by the terms and conditions of the Agreement. Consistent with paragraph 32 of the Agreement, upon delivery of this signed signature page to the Manager of the CISC, satisfaction of any conditions imposed by the Board, if applicable, and payment of any CISC membership fees, if applicable, the undersigned shall be a Party to the Agreement with all the rights and responsibilities thereunder. This signature page shall be appended to the Agreement and shall become part of the Agreement as of the date listed below.

Name of Entity: Arapahoe County Sheriff’s Office

By: ____________________________

Name: David C. Walcher

Title: Sheriff

Date: April 2, 2014

Attest: ____________________________

Name: Louie M. Perea
The City of Aurora

By: ___________________________
Name: _________________________
Title: __________________________
Date: __________________________

Attest: _________________________
Name: _________________________

The Colorado Department of Public Safety

By: ___________________________
Name: _________________________
Title: __________________________
Date: __________________________

Attest: _________________________
Name: _________________________
The City of Aurora

By: __________________________

Name: _________________________

Title: __________________________

Date: __________________________

Attest: _________________________

Name: _________________________

The Colorado Department of Public Safety

By: __________________________

Name: Kathy E. Sasak

Title: Interim Executive Director

Date: April 7, 2014

Attest: _________________________

Name: Karl W. Wilmot
The City of Colorado Springs

By: [Signature]

Name: Keith King

Title: City Council President

Date: 4/23/14

Attest: [Signature]

Name: Sarah B. Johnson, City Clerk

The City of Commerce City

By: [Signature]

Name: 

Title: 

Date: 

Attest: 

Name: 

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Page 13 of 16
The City of Colorado Springs

By: ____________________________

Name: __________________________

Title: __________________________

Date: __________________________

Attest: __________________________

Name: __________________________

The City of Commerce City

By: ____________________________

Name: Brian K. McBroom

Title: City Manager

Date: 3.10.14

Attest: __________________________

Name: Laura J. Baude
The City and County of Denver

By: [Signature]

Name: Robert C. White

Title: Chief of Police

Date: 3/5/2014

Attest: [Signature]

Name: Mary Beth Klee, Deputy Chief of Police

The Board of County Commissioners of the County of Douglas

By: [Signature]

Name:

Title:

Date:

Attest: [Signature]

Name:
The City and County of Denver

By: _____________________________________________
Name: ___________________________________________
Title: ____________________________________________
Date: ____________________________________________

Attest: __________________________________________
Name: ___________________________________________

The Douglas County Sheriff's Office

By: ____________________________
Name: David Weaver
Title: Douglas County Sheriff
Date: __/__/11

Attest: _________________________________________
Name: _________________________________________

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Page 14 of 16
The City and County of Denver

By: _______________________________

Name: _______________________________

Title: _______________________________

Date: _______________________________

Attest: _______________________________

Name: _______________________________

Colorado Information Sharing Consortium

By: _______________________________

Name: Daniel J. Oates

Title: Colorado Information Sharing Consortium MOU Chair

Date: 2/25/14

Attest: _______________________________

Name: Lorri Lynn Strain-Morales

The Douglas County Sheriff's Office

By: _______________________________

Name: David Weaver

Title: Douglas County Sheriff

Date: _______________________________

Attest: _______________________________

Name: _______________________________
The City of Grand Junction

By: [Signature]
Name: [Name]
Title: [Title]
Date: [Date]

Attest: [Signature]
Name: Mary Sparks

The Board of County Commissioners of the County of Jefferson

By: 
Name: 
Title: 
Date: 

Attest: 
Name: 

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Page 15 of 16
The City of Grand Junction

By: __________________________________________

Name: ________________________________________

Title: _________________________________________

Date: _________________________________________

Attest: _______________________________________

Name: ________________________________________

The Board of County Commissioners of the County of Jefferson

By: Faye Griffin

Name: Faye Griffin

Title: Chairman, Board of County Commissioners

Date: 5/06/14

Attest: ______________________________

Name: Teri Schmaedeke

Approved as to form: ______________________

Assistant County Attorney

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Page 15 of 16
The Board of County Commissioners of the County of Mesa

By: John Justman
Name: John Justman
Title: Chair
Date: 3-24-14

Attest: Sheila Reiner
Name: Sheila Reiner

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Page 16 of 16
SEPARATE SIGNATURE PAGE
TO THE
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COLORADO INFORMATION SHARING CONSORTIUM

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<table>
<thead>
<tr>
<th>Name of Entity</th>
<th>The City of Lakewood</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approved As to Form:</td>
<td>By</td>
</tr>
<tr>
<td>Name</td>
<td>Janet Young</td>
</tr>
<tr>
<td>Title</td>
<td>Deputy City Attorney</td>
</tr>
<tr>
<td>Date</td>
<td>8-11-14</td>
</tr>
<tr>
<td>Attest</td>
<td>Margy Greer, City Clerk</td>
</tr>
<tr>
<td>Date</td>
<td>08/25/2014</td>
</tr>
</tbody>
</table>
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Name of Entity: Town of Estes Park

By: 

Name: Wes Kufeld

Title: Chief of Police

Date: 8/11/14

Attest:

Name: Jackie Williamson, Town Clerk
The City of Westminster

By: [Signature]

Name: J Brent McFell

Title: City Manager

Date: 6/21/19

Attest: [Signature]

Name: Mary Joy Barajas

Intergovernmental Agreement of the Colorado Information Sharing Consortium
RESOLUTION NO. 74
(Series of 2014)


WHEREAS, there has been submitted to the City Council an intergovernmental agreement between the City of Aspen and various entities or agencies that sign this same intergovernmental agreement, a copy of which is annexed hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO:

Section 1

That the City Council of the City of Aspen hereby approves the intergovernmental agreement between the City of Aspen and various entities or agencies that sign this same intergovernmental agreement, copies of which are annexed hereto and incorporated herein, and does hereby authorize the Mayor of the City of Aspen to execute said intergovernmental agreement on behalf of the City of Aspen.

INTRODUCED, READ AND ADOPTED by the City Council of the City of Aspen on the day of June 23, 2014.

Steven Skadron, Mayor

I, Linda Manning, duly appointed and acting City Clerk do certify that the foregoing is a true and accurate copy of that resolution adopted by the City Council of the City of Aspen, Colorado, at a meeting held on the day hereinabove stated.

Linda Manning, City Clerk.
By signing this separate signature page to the Intergovernmental Agreement of the Colorado Information Sharing Consortium (the "Agreement"), the undersigned agrees to be bound by the terms and conditions of the Agreement. Consistent with paragraph 32 of the Agreement, upon delivery of this signed signature page to the Manager of the CISC, satisfaction of any conditions imposed by the Board, if applicable, and payment of any CISC membership fees, if applicable, the undersigned shall be a Party to the Agreement with all the rights and responsibilities thereunder. This signature page shall be appended to the Agreement and shall become part of the Agreement as of the date listed below.

Name of Entity: Town of Castle Rock

By: ____________________________

Name: Mark Stevens

Title: Town Manager

Date: July 23, 2014

Attest: ____________________________

Name: Sally Misare

Approved as to form:

TOWN AGENCY
By signing this separate signature page to the Intergovernmental Agreement of the Colorado Information Sharing Consortium (the “Agreement”), the undersigned agrees to be bound by the terms and conditions of the Agreement. Consistent with paragraph 32 of the Agreement, upon delivery of this signed signature page to the Manager of the CISC, satisfaction of any conditions imposed by the Board, if applicable, and payment of any CISC membership fees, if applicable, the undersigned shall be a Party to the Agreement with all the rights and responsibilities thereunder. This signature page shall be appended to the Agreement and shall become part of the Agreement as of the date listed below.

Name of Entity: City of Lone Tree

By: 

Name: James D. Gunning

Title: Mayor

Date: July 1, 2014

Attest:

Name: Jennifer Pettinger, CMC, City Clerk
By signing this separate signature page to the Intergovernmental Agreement of the Colorado Information Sharing Consortium (the “Agreement”), the undersigned agrees to be bound by the terms and conditions of the Agreement. Consistent with paragraph 32 of the Agreement, upon delivery of this signed signature page to the Manager of the CISC, satisfaction of any conditions imposed by the Board, if applicable, and payment of any CISC membership fees, if applicable, the undersigned shall be a Party to the Agreement with all the rights and responsibilities thereunder. This signature page shall be appended to the Agreement and shall become part of the Agreement as of the date listed below.

Name of Entity: Town of Erie

By: [Signature]

Name: Tina Harris

Title: Mayor

Date: July 8, 2014

Attest: [Signature]

Name: Nancy Parker, Town Clerk

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: City of Arvada

By: ____________

Name: Marc Williams
Title: Mayor
Date: May 5, 2014

Attest: ____________
Name: Kristen R. Rush, Deputy City Clerk

APPROVED AS TO FORM:

Name: ____________
Christopher K. Daly, City Attorney

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
SEPARATE SIGNATURE PAGE
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Name of Entity: Town of Vail

By: 

Name: Stan Zemler

Title: Town Manager

Date: Click here to enter text. 3/5/14

Attest: 

Name: Click here to enter text.
SEPARATE SIGNATURE PAGE
TO THE
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Name of Entity: Greenwood Village Police Department

By: Ron Rakowsky

Name: Ron Rakowsky

Title: Mayor

Date: April 7, 2014

Attest: City Clerk

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: CITY OF WHEAT RIDGE

By: [Signature]

Name: Joyce Jay

Title: Mayor

Date: April 14, 2014

Attest: [Signature]

Name: Janelle Shaver

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: Garfield County Sheriff's Office

By: ____________________________

Name: Lou Vallario

Title: Sheriff

Date: March 26, 2014

Attest: ____________________________

Name: Maira Contreras

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: City of Boulder

By: Jane S. Brautigam

Name: Jane Brautigam
Title: City Manager
Date: March 12, 2014

Attest: [Signature]
Name: [Click here to enter text]
For City Clerk

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: Boulder County Sheriff's Office

By:

Name: Joseph K. Pelle
Title: Sheriff
Date: 3/4/2014

Attest:

Name: Click here to enter text.

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
IN WITNESS WHEREOF, the Parties have executed this Agreement effective as of the Effective Date.

The Boulder County Sheriff's Office

By: [Signature]

Name: Joseph K. Pelle

Title: Boulder County Sheriff

Date: 02/11/14
By signing this separate signature page to the Intergovernmental Agreement of the Colorado Information Sharing Consortium (the "Agreement"), the undersigned agrees to be bound by the terms and conditions of the Agreement. Consistent with paragraph 32 of the Agreement, upon delivery of this signed signature page to the Manager of the CISC, satisfaction of any conditions imposed by the Board, if applicable, and payment of any CISC membership fees, if applicable, the undersigned shall be a Party to the Agreement with all the rights and responsibilities thereunder. This signature page shall be appended to the Agreement and shall become part of the Agreement as of the date listed below.

Name of Entity: Cherry Hills Village Police Department

By: ____________________________

Name: John Patterson

Title: City Manager

Date: March 3, 2014

Attest:

Name: Laura Smith, City Clerk

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: Loveland Police Department

By: 

Name: Luke Hecker

Title: Chief of Police

Date: 02-28-2014

Attest:

Name: Elizabeth Markham
By signing this separate signature page to the Intergovernmental Agreement of the Colorado Information Sharing Consortium (the "Agreement"), the undersigned agrees to be bound by the terms and conditions of the Agreement. Consistent with paragraph 32 of the Agreement, upon delivery of this signed signature page to the Manager of the CISC, satisfaction of any conditions imposed by the Board, if applicable, and payment of any CISC membership fees, if applicable, the undersigned shall be a Party to the Agreement with all the rights and responsibilities thereunder. This signature page shall be appended to the Agreement and shall become part of the Agreement as of the date listed below.

Name of Entity: City of Sheridan

By: [Signature]

Name: C. Devin Granbery

Title: City Manager

Date: March 3, 2014

Attest: [Signature]

Name: Click here to enter text.

Marilyn M. Backett

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
SEPARATE SIGNATURE PAGE
TO THE INTERGOVERNMENTAL AGREEMENT OF THE COLORADO INFORMATION SHARING CONSORTIUM

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Name of Entity: Timnath Police Department

By: April Getchius

Name: April Getchius

Title: Town Manager

Date: 03/12/2014

Attest: Milissa Peters, Town Clerk

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
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Name of Entity: University of Colorado Denver Police Department

By: __________________________

Name: Doug Abraham

Title: Chief of Police

Date: March 5, 2014

Attest: __________________________

Name: Rhonda Truesdale
SEPARATE SIGNATURE PAGE
TO THE
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Name of Entity: City of Thornton

By:

Name: Jack Ethredge

APPROVED AS TO FORM:

Title: City Manager

Date: 11/25/14

Margaret Emerich, City Attorney

Attest:

Name: Nancy A. Vincent, City Clerk

Intergovernmental Agreement of the Colorado Information Sharing Consortium
Separate Signature Page
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: 8F
Agenda Location: Consent Calendar
Work Plan #: Legal Review: MAE

Subject: A resolution approving temporary and perpetual easements to DCP Midstream on Thornton’s Farms 4, 13, 35, 50, 58, 61-15, & 75.

Recommended by: Bud Elliot
Approved by: Jack Ethridge
Presenter(s): Bud Elliot, Deputy City Manager - Infrastructure

SYNOPSIS:

DCP Midstream (DCP), a natural gas collection pipeline company, has requested easements from the City of Thornton (Thornton) in order to construct natural gas lines on Thornton’s Farms 4, 13, 35, 50, 58, 61-15, & 75, located in Weld County (see attached Vicinity Map). The gas lines will extend DCP’s natural gas collection facilities to locations where new and future oil wells are being drilled. The request includes temporary easements for construction which are approximately 19.7 acres, and perpetual easements of approximately 11.8 acres. The temporary construction easements will be for a one-year period. The requested easements are generally along the edges of the farms which will be less disruptive to existing and future uses.

RECOMMENDATION:

Staff recommends Alternative #1, approval of the resolution. Negotiating the easements with DCP will ensure the location and terms of the easements are on the City’s terms, whereas if DCP acquired easements through its eminent domain powers, the City would lose some of its negotiating powers. The location of the easements should have minimal impact on the Farm’s operation or future development potential.

BUDGET/STAFF IMPLICATIONS:

The City can expect compensation for the easement in the amount of $68,776.

ALTERNATIVES:

1. Approve the resolution granting the easement to DCP.
2. Do not approve the resolution granting the easements to DCP which may result in DCP exercising their rights of eminent domain, and could result in a lower easement price, and a delay in receiving oil and gas royalties from associated wells.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The proposed compensation from DCP for the temporary and perpetual easements is $68,776. The compensation for the easements is based on DCP’s offer of $4.00 per lineal foot. The estimated land value is between $4,000 and $6,000 per acre based on a regional farm value report conducted by an appraiser for Thornton in April 2012. A temporary easement is calculated at 10 percent of the fee value, and the permanent easement is calculated at 50 percent of the fee value. At these values and
rates, the calculated easement value would be approximately $39,350, which is less than the negotiated compensation. Because of the range of difference between the compensation amount, and the 2012 appraised amount, staff does not recommend incurring the expense of obtaining a formal appraisal for this transaction.

By working with DCP on the easement alignments, the City can negotiate the best terms for Thornton, and possibly avoid DCP exercising its powers of eminent domain. DCP is the predominant natural gas pipeline collection company in the area of the Thornton Farms, and these lines will serve existing and future wells drilled under the City’s oil and gas leasing program. The City has recently granted several easements to DCP under the same terms for wells drilled previously as part of the City’s oil and gas leasing program.

The City purchased the Farms in 1986 as part of Thornton’s Northern Project (TNP). The Farms have farmhouses and other various improvements. Most of the Farms are being leased to tenants and continue to produce irrigated crops. Some of the Farms have been dried up and revegetated and are no longer being leased to grow irrigated crops. Any damage or other impact to the farm will be corrected by DCP per the terms of the easement.
RESOLUTION

A RESOLUTION APPROVING TEMPORARY AND PERPETUAL EASEMENTS TO DCP MIDSTREAM ON THORNTON’S FARMS 4, 13, 35, 50, 58, 61-15, & 75.

WHEREAS, City Charter Section 4.22, requires that City Council pass a Resolution by majority vote to sell or otherwise dispose of City property; and

WHEREAS, the City of Thornton (City) owns farms in Weld County known as Farms 4, 13, 35, 50, 58, 61-15, & 75. The Farms are located in Township 7 North, Range 65 West, and Township 7 North, Range 66 West of the 6th PM in Weld County; and

WHEREAS, the City desires to grant Temporary Construction and Perpetual Easements on Farms 4, 13, 35, 50, 58, 61-15, & 75 to DCP Midstream (DCP) for the purpose of installing a natural gas collection line; and

WHEREAS, the subject Easements are described as Exhibit 1 and attached hereto by reference.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That the granting of Temporary Construction Easements and Perpetual Easements in exchange for compensation in the amount of $68,776 are hereby approved in accordance with City Charter Section 4.22.

2. That the City Manager is hereby authorized to execute, and City Clerk to attest said Easements along with any associated exhibits, attachments and other documents to facilitate the gas line Easements on Farms 4, 13, 35, 50, 58, 61-15, & 75.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on ________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

Nancy A. Vincent, City Clerk
TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is executed this _____ day of ______________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a “Party” and collectively referred to herein as “Parties.”

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 50’ temporary easement as particularly described in Exhibit “A”, attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the “Temporary Construction Easement”, for the sole purpose of constructing a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto (“Improvements”), on, over, under, and through the Temporary Construction Easement.

2. This Temporary Construction Easement shall commence upon the date of execution and shall expire and be of no further force and effect one year from the date of execution.

3. As a condition to the grant of this Temporary Construction Easement, the Grantee covenants and agrees to remain within the limits of the Temporary Construction Easement, to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation and to restore the Temporary Construction Easement, including landscaping, reseeding, fences, or other improvements to a condition comparable to its original condition.

4. During the term of this Temporary Construction Easement, Grantor shall not erect or construct, or allow to be erected or constructed any building or other structure within said Temporary Construction Easement, which may interfere with Grantee’s full enjoyment of the rights hereunder.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Temporary Construction Easement unless caused by the sole negligence of Grantor or its agents.
6. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

7. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

8. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

9. The Parties hereto agree that this Temporary Construction Easement is temporary in nature and as such it shall not be recorded at any County Clerk and Recorder's Office.

IN WITNESS WHEREOF, the Parties hereto have executed this Temporary Construction Easement to be effective as of the date first-above written.

[SIGNATURES ON THE FOLLOWING PAGES]
GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: ______________________
    Jack Ethredge, City Manager

ATTEST:

________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

________________________
Assistant City Attorney

GRANTEE

________________________
By: Lewis D. Hagenlock
    Its: Attorney In Fact

STATE OF COLORADO
COUNTY OF Weld

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagenlock.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054003501
MY COMMISSION EXPIRES MARCH 02, 2017

3026 4th Ave., Greeley, CO
Address 80631
EXHIBIT "A"
CITY OF THORNTON

TEMPORARY EASEMENT

A strip 50 feet wide in LOT B of AMENDED RECORDED EXEMPTION NO. 0707-14-4 AMRE1146 recorded August 10, 2006 at Reception No. 3410860 of the Weld County records, located in the northeast one-quarter of Section 14, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the center one-quarter corner of Section 14 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 7242 at the north one-quarter corner of said Section 14, bears N 00°03'40" E a distance of 2619.28 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the center one-quarter corner of said Section 14, a 2-1/2 inch aluminum cap stamped PLS 9644, bears S 84°47'01" W a distance of 25.11 feet; Thence N 00°03'40" E a distance of 44.34 feet; Thence S 89°56'20" E a distance of 45.78 feet to the POINT OF TERMINUS from which the north one-quarter corner of said Section 14, a 3-1/4 inch aluminum cap stamped PLS 7242, bears N 01°30'53" W a distance of 2573.60 feet.

The strip contains an area of 0.103 acres more or less.

Prepared by:
Paul A. Valdez
PLS 37068
For and on behalf of
Acklam, Inc.
195 Telluride Street, Suite 7
Brighton, CO 80601
1/4 CORNER
SEC 11/SEC 14
3.25' ALUM. CAP
PLS 7242
(SURVEY TIE TO P.O.T.
S 01°30'53" E 2573.60')

LINE TABLE
L1=N 0003'40" E 44.34'
L2=S.RP38'20" E 45.78'
TOTAL LENGTH 90.12'

LOT B AMENDED RECORDED EXEMPTION NO.
0707-14-4 AMRE1146
08/10/2006
REC. NO. 3410860
NE1/4 SECTION 14
T7N R66W 6TH PM

NOTES

1) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3) BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stumped PLS 9544 at the center one-quarter corner of Section 14 T7N R55W 5th PM and a 3-1/4 inch aluminum cap stumped PLS 7242 at the north one-quarter corner of said Section 14, bears N 0003'40" E a distance of 2519.28 feet, with all bearings contained herein relative thereto.

4) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

5) This Exhibit was prepared by Paul A. Valdez, PLS 37068, for and on behalf of Arkam, Inc., 105 Telluride Street Suite 7, Brighton CO 80601.

DCP ENERGY INC., THORNTON 14K-441
NW1/4 SEC. 14 T7N R66W 6TH PM
WELD COUNTY SHEET 2 OF 2
TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is executed this _____ day of ______________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a “Party” and collectively referred to herein as “Parties.”

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 50’ temporary easement as particularly described in Exhibit “A”, attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the “Temporary Construction Easement”, for the sole purpose of constructing a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto (“Improvements”), on, over, under, and through the Temporary Construction Easement.

2. This Temporary Construction Easement shall commence upon the date of execution and shall expire and be of no further force and effect one year from the date of execution.

3. As a condition to the grant of this Temporary Construction Easement, the Grantee covenants and agrees to remain within the limits of the Temporary Construction Easement, to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation and to restore the Temporary Construction Easement, including landscaping, reseeding, fences, or other improvements to a condition comparable to its original condition.

4. During the term of this Temporary Construction Easement, Grantor shall not erect or construct, or allow to be erected or constructed any building or other structure within said Temporary Construction Easement, which may interfere with Grantee’s full enjoyment of the rights hereunder.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Temporary Construction Easement unless caused by the sole negligence of Grantor or its agents.
6. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

7. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

8. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

9. The Parties hereto agree that this Temporary Construction Easement is temporary in nature and as such it shall not be recorded at any County Clerk and Recorder's Office.

IN WITNESS WHEREOF, the Parties hereto have executed this Temporary Construction Easement to be effective as of the date first-above written.

[SIGNATURES ON THE FOLLOWING PAGES]
GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: _________________________________________
    Jack Ethredge, City Manager

ATTEST:

___________________________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

Assistant City Attorney

GRANTEE

___________________________________________
By: Lewis D. Hageleck
Its: Attorney In Fact

STATE OF COLORADO )
COUNTY OF Weld ) ss.

Subscribed and acknowledged before me this 14th day of October 2014, by Lewis D. Hageleck.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
COMMISSION EXPIRES MARCH 02, 2017

Address 80631
TEMPORARY EASEMENT

A strip 50 feet wide in LOT B of RECORDED EXEMPTION NO. 0707-15-2-RE894 recorded September 3, 1986 at Reception No. 2067979 of the Weld County records, located in the northwest one-quarter of Section 15, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 10855 at the west one-quarter corner of Section 15 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 33642 at the northwest corner of said Section 15, bears N 00°38'17" W a distance of 2654.11 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the northwest corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 33642, bears N 09°19'24" W a distance of 430.45 feet, Thence S 00°38'17" E a distance of 223.50 feet to the POINT OF TERMINUS from which the west one-quarter corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 10855, bears S 01°13'07" W a distance of 2006.15 feet.

The strip contains an area of 0.257 acres more or less.
1. Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2. This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3. BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 10655 at the west one-quarter corner of Section 15 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 33642 at the northwest corner of said Section 15, bears N 00°38'17" W a distance of 2654.11 feet, with all bearings contained herein relative thence.

4. NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

5. This Exhibit was prepared by Paul A. Valdez, PLS 37068, for and on behalf of Acklom, Inc. 195 Telluride Street Suite 7, Brighton CO 80601.
TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is executed this _____ day of ____________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a "Party" and collectively referred to herein as "Parties."

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 50' temporary easement as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the "Temporary Construction Easement", for the sole purpose of constructing a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto ("Improvements"), on, over, under, and through the Temporary Construction Easement.

2. This Temporary Construction Easement shall commence upon the date of execution and shall expire and be of no further force and effect one year from the date of execution.

3. As a condition to the grant of this Temporary Construction Easement, the Grantee covenants and agrees to remain within the limits of the Temporary Construction Easement, to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation and to restore the Temporary Construction Easement, including landscaping, reseeding, fences, or other improvements to a condition comparable to its original condition.

4. During the term of this Temporary Construction Easement, Grantor shall not erect or construct, or allow to be erected or constructed any building or other structure within said Temporary Construction Easement, which may interfere with Grantee's full enjoyment of the rights hereunder.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Temporary Construction Easement unless caused by the sole negligence of Grantor or its agents.
6. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

7. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

8. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

9. The Parties hereto agree that this Temporary Construction Easement is temporary in nature and as such it shall not be recorded at any County Clerk and Recorder's Office.

IN WITNESS WHEREOF, the Parties hereto have executed this Temporary Construction Easement to be effective as of the date first-above written.

[SIGNATURES ON THE FOLLOWING PAGES]
GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: ________________________________
    Jack Ethridge, City Manager

ATTEST:

______________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

______________________________
Assistant City Attorney

GRANTEE

______________________________

By: ________________________________
    Lewis D. Hagenlock
    Its: Attorney In Fact

STATE OF COLORADO 
COUNTY OF Weld 

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagenlock.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
MY COMMISSION EXPIRES MARCH 02, 2017

Address: 80631
TEMPORARY EASEMENT

A strip 50 feet wide in the northeast one-quarter (NE1/4) of Section 15, Township 7 North, Range 66 West of the Sixth Principal Meridian and in LOT B of RECORDED EXEMPTION NO. 0707-15-4-RE888 recorded June 26, 1986 at Reception No. 2058736 of the Weld County records, located in the southeast one-quarter (SE1/4) of said Section 15, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 4392 at the southeast corner of Section 15 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 7242 at the east one-quarter corner of said Section 15, bears N 00°22'01" W a distance of 2648.88 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the east one-quarter corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 7242, bears S 00°22'01" E a distance of 96.64 feet; Thence S 00°22'01" E a distance of 1071.15 feet; Thence S 79°46'50" W a distance of 462.13 feet; Thence S 24°01'59" W a distance of 441.46 feet to the POINT OF TERMINUS from which the southeast corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 4392, bears S 31°07'25" E a distance of 1364.27 feet.

The strip contains an area of 2.267 acres more or less.
CITY OF THORNTON
09/10/1986
REC. NO. 2058736
NE1/4 SECTION 15
T7N R66W 6TH PM

LOT B RECORDED EXEMPTION NO.
07/07-15-4-RE888
06/26/1986
REC. NO. 2068943
SE1/4 SECTION 15
T7N R66W 6TH PM

NOTES
1) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.
2) This document is not a legal survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.
3) BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 4392 at the southeast corner of Section 15 T7N R66W 6TH PM and a 3-1/4 inch aluminum cap stamped PLS 7242 at the east one-quarter corner of said Section 15, bears N 00'22'01" W a distance of 2648.88 feet, with all bearings contained herein relative thereto.
4) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
5) This Exhibit was prepared by Paul A. Vorder, PLS 37066, for and on behalf of Asplom, Inc. 115 Telluride Street Suite 7, Brighton CO 80601.
TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is executed this ____ day of __________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a "Party" and collectively referred to herein as "Parties."

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 50' temporary easement as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the "Temporary Construction Easement", for the sole purpose of constructing a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto ("Improvements"), on, over, under, and through the Temporary Construction Easement.

2. This Temporary Construction Easement shall commence upon the date of execution and shall expire and be of no further force and effect one year from the date of execution.

3. As a condition to the grant of this Temporary Construction Easement, the Grantee covenants and agrees to remain within the limits of the Temporary Construction Easement, to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation and to restore the Temporary Construction Easement, including landscaping, reseeding, fences, or other improvements to a condition comparable to its original condition.

4. During the term of this Temporary Construction Easement, Grantor shall not erect or construct, or allow to be erected or constructed any building or other structure within said Temporary Construction Easement, which may interfere with Grantee's full enjoyment of the rights hereunder.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Temporary Construction Easement unless caused by the sole negligence of Grantor or its agents.
6. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

7. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

8. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

9. The Parties hereto agree that this Temporary Construction Easement is temporary in nature and as such it shall not be recorded at any County Clerk and Recorder's Office.

IN WITNESS WHEREOF, the Parties hereto have executed this Temporary Construction Easement to be effective as of the date first-above written.

[SIGNATURES ON THE FOLLOWING PAGES]
GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: ____________________________
    Jack Ethredge, City Manager

ATTEST:

______________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

______________________________
Assistant City Attorney

GRANTEE

______________________________

By: ____________________________
    Lewis D. Hagenloch
    Its: Attorney In Fact

STATE OF COLORADO
COUNTY OF Weld

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagenloch.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
MY COMMISSION EXPIRES MARCH 02, 2017

3
EXHIBIT “A”
CITY OF THORNTON

TEMPORARY EASEMENT NO. 1

A strip 50 feet wide in LOT B of RECORDED EXEMPTION NO. 0707-17-1-RE1194 recorded October 17, 1989 at Reception No. 2194775 of the Weld County records, located in the southeast one-quarter of Section 17, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 7242 at the south one-quarter corner of Section 17 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 10855 at the southeast corner of said Section 17, bears N 88°47'55" E a distance of 2646.36 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the south line of the southeast one-quarter of said Section 17 from which the south one-quarter corner of said Section 17, a 3-1/4 inch aluminum cap stamped PLS 7242, bears S 88°47'55" W a distance of 772.95 feet;
Thence N 01°12'05" W a distance of 77.73 feet to the POINT OF TERMINUS from which the southeast corner of said Section 17, a 3-1/4 inch aluminum cap stamped PLS 10855, bears S 88°49'31" E a distance of 1875.02 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the south line of the southeast one-quarter of said Section 17.

The strip contains an area of 0.089 acres more or less.

TEMPORARY EASEMENT NO. 2

A strip 50 feet wide in the northeast one-quarter of Section 20, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 7242 at the north one-quarter corner of Section 20 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 10855 at the northeast corner of said Section 17, bears N 88°47'55" E a distance of 2646.36 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the north line of the northeast one-quarter of said Section 20 from which the north one-quarter corner of said Section 20, a 3-1/4 inch aluminum cap stamped PLS 7242, bears S 88°47'55" W a distance of 772.95 feet;
Thence S 01°12'05" E a distance of 55.00 feet to a line 55 feet south of, when measured perpendicular to, and parallel with the north line of the northeast one-quarter of said Section 20;
Thence N 00°34'15" E, with said parallel line, a distance of 1153.45 feet;
Thence S 00°00'09" W a distance of 106.03 feet;
Thence S 30°54'55" E a distance of 153.67 feet;
Thence S 45°05'46" E a distance of 140.50 feet;
Thence S 01°45'47" W a distance of 2127.05 feet;
Thence N 89°24'32" E a distance of 430.78 feet;
Thence N 00°33'57" W a distance of 61.67 feet;

Prepared by:
Paul A. Valdez
PLS 37068
For and on behalf of
Acklam, Inc.
195 Telluride Street, Suite 7
Thornton, CO 80601
Thence S 89°31’33” E a distance of 3.78 feet;  
Thence S 26°48’54” E a distance of 101.89 feet to the north line of LOT A of AMENDED RECORDED EXEMPTION NO. 0707-20-1 2ND AMRE 1750 recorded March 4, 2005 at Reception No. 3265801 of the Weld County records and the POINT OF TERMINUS from which the northeast corner of said Section 20, a 3-1/4 inch aluminum cap stamped PLS 10855, bears N 00°06’55” W a distance of 2558.04 feet. 

The sidelines of said strip shall be extended or shortened as necessary to begin on the north line of the northeast one-quarter of said Section 20. The sidelines of said strip shall be extended or shortened as necessary to end on the east line of the northeast one-quarter of said Section 20, and to end on the north line of said LOT A of AMENDED RECORDED EXEMPTION NO. 0707-20-1 2ND AMRE 1750. The end lines of said strip shall be contiguous with said east and north line.

The strip contains an area of 4.943 acres more or less.

TEMPORARY EASEMENT NO. 3

A strip 50 feet wide in the southwest one-quarter of Section 21, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the west one-quarter corner of Section 21 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 26595 at the east one-quarter corner of said Section 21, bears N 88°58’48” E a distance of 5333.46 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the north line of the southwest one-quarter of said Section 21 from which the west one-quarter corner of said Section 21, a 2-1/2 inch aluminum cap stamped PLS 9644, bears S 88°58’48” W a distance of 27.79 feet; 
Thence S 26°48’54” E a distance of 62.71 feet;  
Thence N 75°30’34” E a distance of 38.01 feet to the POINT OF TERMINUS from which the east one-quarter corner of said Section 21, a 3-1/4 inch aluminum cap stamped PLS 26595, bears N 88°27’35” E a distance of 5241.63 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the north line of the southwest one-quarter of said Section 21.

The strip contains an area of 0.116 acres more or less.
LOT B RECORDED EXEMPTION NO. 0707-17-4-RE1194
10/17/1989
REC. NO. 2194775
SE1/4 SECTION 17
T7N R66W 6TH PM

LINE TABLE
L1=N 01'12'06" W 77.73'
TOTAL LENGTH 77.73'

NOTES
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and ore to be field located by others prior to excavation.
2.) This document is not a land survey plat or improvement survey plot. It is not to be relied upon for the establishment of any boundary, easement, fence, building, or other future improvement lines.
3.) BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 7242 at the south one-quarter corner of Section 17 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 10855 at the southeast corner of said Section 17, bears N 88'47'55" E a distance of 2646.36 feet, with all bearings contained herein relative thereto.
5.) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

Lot B

Midstream
PDC ENERGY INC., THORNTON 17T-421
SE1/4 SEC. 17 T7N R66W 6TH PM WELD COUNTY SHEET 3 OF 5
25' CENTERLINE (BASIS OF BEARINGS) N 88°58'49" E 5333.46'

LINE TABLE
L12=S 26°48'54" E 62.71'
L13=N 79°30'34" E 38.01'
TOTAL LENGTH 100.72'

NOTES
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations shown may not be accurate or complete. Other utilities may exist and are to be field located prior to excavation.
2.) This document is not a legal survey plats or improvement survey plats. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.
3.) BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the west one-quarter corner of Section 21 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 26595 at the east one-quarter corner of said Section 21, bears N 88°58'49" E a distance of 5333.46 feet, with all bearings contained herein relative thereto.
4.) NOTEC: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
5.) This exhibit was prepared by Paul A Valdez, PLS 37068, for and on behalf of Acklam, Inc. 195 Telluride Street Suite 7, Brighton CO 80601.
TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is executed this _____ day of ____________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a "Party" and collectively referred to herein as "Parties."

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 50' temporary easement as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the "Temporary Construction Easement", for the sole purpose of constructing a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto ("Improvements"), on, over, under, and through the Temporary Construction Easement.

2. This Temporary Construction Easement shall commence upon the date of execution and shall expire and be of no further force and effect one year from the date of execution.

3. As a condition to the grant of this Temporary Construction Easement, the Grantee covenants and agrees to remain within the limits of the Temporary Construction Easement, to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation and to restore the Temporary Construction Easement, including landscaping, reseeding, fences, or other improvements to a condition comparable to its original condition.

4. During the term of this Temporary Construction Easement, Grantor shall not erect or construct, or allow to be erected or constructed any building or other structure within said Temporary Construction Easement, which may interfere with Grantee's full enjoyment of the rights hereunder.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Temporary Construction Easement unless caused by the sole negligence of Grantor or its agents.
6. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

7. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

8. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

9. The Parties hereto agree that this Temporary Construction Easement is temporary in nature and as such it shall not be recorded at any County Clerk and Recorder’s Office.

IN WITNESS WHEREOF, the Parties hereto have executed this Temporary Construction Easement to be effective as of the date first-above written.

[SIGNATURES ON THE FOLLOWING PAGES]
GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: ______________________
    Jack Ethredge, City Manager

ATTEST:

________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

________________________
Assistant City Attorney

GRANTEE

________________________
By: ______________________
    Its: ____________________
    Attorney In Fact

STATE OF COLORADO )
COUNTY OF Weld )ss.

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagenlock.

WITNESS my hand and official seal.
My commission expires: 3-2-2017

[Signature]
NOTARY PUBLIC
3030 45th Ave., Greeley, CO
Address 80631
EXHIBIT "A"
CITY OF THORNTON

TEMPORARY EASEMENT NO. 1

A strip 50 feet wide in the northwest one-quarter (NW1/4) of Section 14, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado, and in LOT B of AMENDED RECORDED EXEMPTION NO. 0707-14-4 AMREI146 recorded August 10, 2006 at Reception No. 3410860 of the Weld County records and in LOT A of RECORDED EXEMPTION NO. 0707-14-4-REI146 recorded March 22, 1989 at Reception No. 2174079 of the Weld County records; Both LOT B and LOT A are located in the east one-half (E1/2) of said Section 14. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 12374 at the southeast corner of Section 14 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 12374 at the east one-quarter corner of said Section 14, bears N 02°11'44" E a distance of 2563.26 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the southeast corner of said Section 14, a 2-1/2 inch aluminum cap stamped PLS 12374, bears S 51°06'04" E a distance of 4620.18 feet; Thence S 25°16'45" E a distance of 387.80 feet to a line 27 feet north of, when measured perpendicular to, and parallel with the south line of the north one-half of said Section 14; Thence N 89°23'09" E, with said parallel line, a distance of 1998.13 feet; Thence S 68°06'51" E a distance of 83.63 feet to a line 5 feet south of, when measured perpendicular to, and parallel with the south line of the north one-half of said Section 14; Thence N 89°23'09" E, with said parallel line, a distance of 74.18 feet; Thence S 51°36'53" E a distance of 1100.00 feet; Thence S 28°09'18" E a distance of 124.82 feet; Thence S 46°44'09" E a distance of 299.97 feet; Thence S 87°48'16" E a distance of 1141.02 feet to a line 55 feet west of, when measured perpendicular to, and parallel with the east line of the southeast one-quarter of said Section 14; Thence S 02°11'44" W, with said parallel line, a distance of 217.46 feet; Thence S 88°07'16" E a distance of 55.00 feet to said east line and the POINT OF TERMINUS from which the east one-quarter corner of said Section 14, a 2-1/2 inch aluminum cap stamped PLS 12374, bears N 02°11'44" E a distance of 1238.92 feet.

The sidelines of said strip shall be extended or shortened as necessary to end on the east line of the southeast one-quarter of said Section 14.

The strip contains an area of 5.145 acres more or less.

TEMPORARY EASEMENT NO. 2

A strip 50 feet wide in the south one-half of Section 13, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 12374 at the southwest corner of Section 13 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 12374 at the west one-quarter corner of said Section 13,
bears N 02°11'44" W a distance of 2563.26 feet, with all bearings contained herein relative thereto.

BEGINNING at a point of intersection of the west line of the southwest one-quarter of said Section 13 and a line 25 feet south of, when measured perpendicular to, and parallel with the south line of that parcel described in DEED recorded April 28, 1976 at Reception No. 1687155 of the Weld County records, from which the southwest corner of said Section 13, a 2-1/2 inch aluminum cap stamped PLS 12374, bears S 02°11'44" W a distance of 1324.34 feet;
Thence S 88°07'16" E, with said parallel line, a distance of 594.87 feet to a line 25 feet south of, when measured perpendicular to, and parallel with the southerly line of that parcel described in COMMISSIONER'S DEED recorded March 3, 1988 at Reception No. 2132699 of the Weld County records;
Thence S 53°29'56" E, with said parallel line, a distance of 127.98 feet;
Thence N 81°48'24" E, continuing with said parallel line, a distance of 201.70 feet;
Thence N 01°48'44" E a distance of 67.95 feet;
Thence S 88°11'16" E a distance of 841.89 feet;
Thence S 88°11'16" E a distance of 2649.53 feet, with all bearings contained herein relative thereto.

The sidelines of said strip shall be extended or shortened as necessary to begin on the west line of the southwest one-quarter of said Section 13. The sidelines of said strip shall be extended or shortened as necessary to end on the west line of said PARCEL NO. 6.

The strip contains an area of 2.186 acres more or less.

TEMPORARY EASEMENT NO. 3

A strip 50 feet wide in the south one-half of Section 13, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 30462 at the southeast corner of Section 13 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 38175 at the east one-quarter corner of said Section 13, bears N 00°30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the easterly right of way line of the Union Pacific Railroad from which the southeast corner of said Section 13, a 2-1/2 inch aluminum cap stamped PLS 30462, bears S 67°11'36" E a distance of 3411.71 feet. Said right of way line is 200 feet east of, when measured perpendicular to, the centerline of the main line track.
Thence N 89°26'17" E a distance of 1792.71 feet;
Thence S 89°26'17" E a distance of 1280.85 feet to a line 60 feet west of, when measured perpendicular to, and parallel with the east line of the southeast one-quarter of said Section 13;
Thence S 00°30'44" E, with said parallel line, a distance of 741.07 feet;
Thence N 89°26'17" E a distance of 60.00 feet to the east line of the southeast one-quarter of said Section 13 and the POINT OF TERMINUS from which the east one-quarter corner of said Section 13, a 2-1/2 inch aluminum cap stamped PLS 38175, bears N 00°30'44" W a distance of 2075.39 feet.
The sidelines of said strip shall be extended or shortened as necessary to begin on the easterly right of way line of the Union Pacific Railroad. The sidelines of said strip shall be extended or shortened as necessary to end on the east line of the southeast one-quarter of said Section 13.

The strip contains an area of 4.447 acres more or less.

TEMPORARY EASEMENT NO. 4

A strip 50 feet wide in the southwest one-quarter of Section 18, Township 7 North, Range 65 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 25.00 feet on each side of, when measured perpendicular to, the following described centerline:

Basis of bearings: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 30462 at the southwest corner of Section 18 T7N R65W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 38175 at the west one-quarter corner of said Section 18, bears N 00°30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the west line of the southwest one-quarter of said Section 18 from which the southwest corner of said Section 18, a 2-1/2 inch aluminum cap stamped PLS 30462, bears S 00°30'44" E a distance of 574.14 feet; Thence N 89°29'16" E a distance of 99.12 feet to the point of terminus from which the west one-quarter corner of said Section 18, a 2-1/2 inch aluminum cap stamped PLS 38175, bears N 03°14'47" W a distance of 2077.76 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the west line of the southwest one-quarter of said Section 18.

The strip contains an area of 0.114 acres more or less.
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2.) This document is not a legal survey plat or improvement survey plat. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3.) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown horizon.

4.) BASE OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 1234 at the southeast corner of Section 14, bearing N 02'11'44" E a distance of 2553.26 feet, with all bearings contained herein relative thereto.

5.) This Exhibit was prepared by Paul A. Valdez, PLS J7068, for and on behalf of Ackern, Inc. 195 Telluride Street Suite 7, Brighton CO 80601.
1) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3) BASE OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap staked PLS 12374 at the southwest corner of Section 13 T7N R66W 6th PM and a 2-1/2 inch aluminum cap staked PLS 12374 at the east one-quarter corner of said Section 13, bears N 02'11'44" E a distance of 2563.26 feet, with all bearings contained herein relative thereto.

4) NOTED: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

5) This Exhibit was prepared by Paul A Valdez, PLS 37068, for and on behalf of Acclam, Inc. 199 Telluride Street Suite 7, Brighton CO 80601.
1. Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations, if shown, may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2. This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any boundary, easement, fence, building, or other future improvement lines.

3. BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PL 30462 at the southeast corner of Section 13 T7N R55W 5th PM and a 2-1/2 inch aluminum cap stumped PL 38175 at the east one-quarter corner of said Section 13, corner N 00'30'44" W a distance of 2849.53 feet, with all bearings contained herein relative thereto.

4. NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

5. This Exhibit was prepared by Paul A. Vandez, PLS 37068, for and on behalf of Axiom, Inc., 195 Telluride Street Suite 7, Brighton CO 80601.
1) Locations of utilities and foreign pipelines were determined from visible surface evidence. Those locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2) This document is not a land survey plat or improvement survey plat. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement line.

3) BASIS OF READINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 30462 at the southeast corner of Section 16 T7N R65W 6th PM and a 2-1/2 inch aluminum cap stumped PLS 30175 at the west one-quarter corner of said Section 16, bears N 00°30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

4) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

5) This Exhibit was prepared by Paul A. Valdez, PLS 37066, for and on behalf of Asclam, Inc. 195 Tekuine Drive, Suite 7, Brighton CO 80601.
DEED OF PERPETUAL NON-EXCLUSIVE EASEMENT

THIS GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT is executed this _____ day of __________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a "Party" and collectively referred to herein as "Parties."

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 30' permanent perpetual non-exclusive easement as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the "Easement", for the sole purpose of constructing, operating, maintaining, replacing, repairing, reconstructing, improving, inspecting, surveying and testing underground facilities for a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto, as may from time to time be useful to, or required by Grantee ("Improvements"), on, over, under, and through the Easement.

2. Grantor further grants to the Grantee:

a. The right to ingress and egress over and across the Easement for the purpose of exercising the rights herein granted.

b. The right to mark the location of the Easement by suitable markers set in or on the ground; provided that permanent markers shall be placed in locations which will not interfere with any reasonable use Grantor shall make of said Easement.

3. As a condition to the grant of this Easement, the Grantee covenants and agrees to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation. Grantor reserves the right to use and occupy the Easement for any purpose consistent with the rights and privileges above granted including the continuation of normal cultivation of the Easement area.

4. In the event any of the terms of this Easement are violated by the Grantee or by any person in privity with the Grantee, such violation shall be immediately corrected and eliminated upon receipt of notice from the Grantor, and if not corrected, the Grantor shall have the right to correct and eliminate such violation, and the Grantee, its successors and assigns, shall promptly pay the costs to correct said violation including, but not limited to, Grantor’s reasonable attorneys fees. If such violation is not corrected, the Grantor shall also have the right to file appropriate proceedings to enjoin any violation and request specific performance of the conditions described herein. The Grantor reserves the right to do all acts necessary to immediately remedy
any emergency or situation that may arise associated with or caused by the Easement.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Easement unless caused by the sole negligence of Grantor or its agents.

6. The Grantee shall restore or repair to its original condition or as close thereto as possible, except as necessarily modified to accommodate the Improvements installed by Grantee, any damages caused on the Easement, including landscaping, reseeding, fences, or other improvements, arising out of the construction or reconstruction, repair, maintenance, replacement, inspection, survey or removal of the Improvements thereto whenever same may occur.

7. The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns, so long as the Improvements are maintained and operated by Grantee, its successors or assigns. If Grantee permanently abandons and ceases to use the Easement herein granted, Grantee shall remediate or close the pipeline in accordance with any laws, regulations, rules, ordinances, or order of any governmental authority(ies), which relate to or otherwise impose liability, obligations, or standards with respect to abandonment or closure of a gas pipeline and all of Grantee’s right, title and interest in the Easement shall revert to the then owner of the property underlying the Easement.

8. The Parties agree that the Grantee has the right to convey this Easement in whole to another party so long as such grant is consistent with the terms and purpose of this Easement as described herein.

9. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

10. Grantee acknowledges that this Easement may be subject to existing easements or other property rights, recorded or otherwise, and that such easements or property rights have priority in right over the Easement granted herein.

11. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

12. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

13. The Parties hereto agree that this Easement shall be recorded at Grantee’s sole expense in the office of the County Clerk and Recorder in which the Easement is located.
IN WITNESS WHEREOF, the Parties hereto have executed this Perpetual Non-Exclusive Easement to be effective as of the date first-above written.

GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: __________________________
    Jack Ethredge, City Manager

ATTEST:

Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

By: __________________________
    Assistant City Attorney

GRANTEE

By: __________________________
    Lewis D. Hagenlock
    Its: Attorney In Fact

STATE OF COLORADO
COUNTY OF Weld

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagenlock.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
MY COMMISSION EXPIRES MARCH 02, 2017
PERMANENT EASEMENT

A strip 30 feet wide in LOT B of AMENDEDRecordED EXEMPTION NO. 0707-14-4 AMRE1146 recorded August 10, 2006 at Reception No. 3410860 of the Weld County records, located in the northeast one-quarter of Section 14, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

**BASIS OF BEARINGS:** A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the center one-quarter corner of Section 14, a 3-1/4 inch aluminum cap stamped PLS 7242 at the north one-quarter corner of said Section 14, bears N 00°03'40" E a distance of 2619.28 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the center one-quarter corner of said Section 14, a 2-1/2 inch aluminum cap stamped PLS 9644, bears S 81°18'32" W a distance of 15.18 feet; Thence N 00°03'40" E a distance of 44.34 feet; Thence S 89°56'20" E a distance of 55.78 feet to the POINT OF TERMINUS from which the north one-quarter corner of said Section 14, a 3-1/4 inch aluminum cap stamped PLS 7242, bears N 01°30'53" W a distance of 2573.60 feet.

The strip contains an area of 0.069 acres more or less.

Prepared by:
Paul A. Valdez
PLS 37068
For and on behalf of
Ashburn, Inc.
155 Telluride Street, Suite 7
Brentwood, TN 37027
1/4 CORNER
SEC 11/SEC 14
3.25" ALUM. CAP
PLS 7242
(SURVEY TIE TO P.O.T.
S 01'30"33' E 2913.00')

LINE TABLE
L1=N 00'03"40' E 44.34'
L2=S 89'58"20' E 55.78'
TOTAL LENGTH 100.12'

LOT B AMENDED RECORDED EXEMPTION NO.
0707-14-4 AMRE1146
08/10/2006
REC. NO. 3410860
NE1/4 SECTION 14
T7N R66W 6TH PM

NOTE:
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.
2.) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.
3.) BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the center one-quarter corner of Section 14 T7N R66W 6TH PM and a 3-1/4 inch aluminum cap stamped PLS 7242 at the north one-quarter corner of said Section 14, bears N 00'03"40' E a distance of 2619.28 feet, with all bearings contained herein relative thereto.
4.) NOTICE: According to Colorado law you must commence any legal action upon any defect in this survey within three years after you first discover such defect. In no event may any action be commenced upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
5.) This Exhibit was prepared by Paul A Valdez, PLS 37068, for and on behalf of Aklim, Inc. 195 Telluride Street Suite 7, Brighton CO 80601.

NOTE:
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.
2.) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.
3.) BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the center one-quarter corner of Section 14 T7N R66W 6TH PM and a 3-1/4 inch aluminum cap stamped PLS 7242 at the north one-quarter corner of said Section 14, bears N 00'03"40' E a distance of 2619.28 feet, with all bearings contained herein relative thereto.
4.) NOTICE: According to Colorado law you must commence any legal action upon any defect in this survey within three years after you first discover such defect. In no event may any action be commenced upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
5.) This Exhibit was prepared by Paul A Valdez, PLS 37068, for and on behalf of Aklim, Inc. 195 Telluride Street Suite 7, Brighton CO 80601.
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1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 30' permanent perpetual non-exclusive easement as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the "Easement", for the sole purpose of constructing, operating, maintaining, replacing, repairing, reconstructing, improving, inspecting, surveying and testing underground facilities for a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto, as may from time to time be useful to, or required by Grantee ("Improvements"), on, over, under, and through the Easement.

2. Grantor further grants to the Grantee:
   a. The right to ingress and egress over and across the Easement for the purpose of exercising the rights herein granted.
   b. The right to mark the location of the Easement by suitable markers set in or on the ground; provided that permanent markers shall be placed in locations which will not interfere with any reasonable use Grantor shall make of said Easement.

3. As a condition to the grant of this Easement, the Grantee covenants and agrees to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation. Grantor reserves the right to use and occupy the Easement for any purpose consistent with the rights and privileges above granted including the continuation of normal cultivation of the Easement area.

4. In the event any of the terms of this Easement are violated by the Grantee or by any person in privity with the Grantee, such violation shall be immediately corrected and eliminated upon receipt of notice from the Grantor, and if not corrected, the Grantor shall have the right to correct and eliminate such violation, and the Grantee, its successors and assigns, shall promptly pay the costs to correct said violation including, but not limited to, Grantor's reasonable attorneys fees. If such violation is not corrected, the Grantor shall also have the right to file appropriate proceedings to enjoin any violation and request specific performance of the conditions described herein. The Grantor reserves the right to do all acts necessary to immediately remedy
any emergency or situation that may arise associated with or caused by the Easement.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Easement unless caused by the sole negligence of Grantor or its agents.

6. The Grantee shall restore or repair to its original condition or as close thereto as possible, except as necessarily modified to accommodate the Improvements installed by Grantee, any damages caused on the Easement, including landscaping, reseeding, fences, or other improvements, arising out of the construction or reconstruction, repair, maintenance, replacement, inspection, survey or removal of the Improvements thereto whenever same may occur.

7. The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns, so long as the Improvements are maintained and operated by Grantee, its successors or assigns. If Grantee permanently abandons and ceases to use the Easement herein granted, Grantee shall remediate or close the pipeline in accordance with any laws, regulations, rules, ordinances, or order of any governmental authority(ies), which relate to or otherwise impose liability, obligations, or standards with respect to abandonment or closure of a gas pipeline and all of Grantee's right, title and interest in the Easement shall revert to the then owner of the property underlying the Easement.

8. The Parties agree that the Grantee has the right to convey this Easement in whole to another party so long as such grant is consistent with the terms and purpose of this Easement as described herein.

9. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

10. Grantee acknowledges that this Easement may be subject to existing easements or other property rights, recorded or otherwise, and that such easements or property rights have priority in right over the Easement granted herein.

11. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

12. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

13. The Parties hereto agree that this Easement shall be recorded at Grantee's sole expense in the office of the County Clerk and Recorder in which the Easement is located.
IN WITNESS WHEREOF, the Parties hereto have executed this Perpetual Non-Exclusive Easement to be effective as of the date first-above written.

GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: ________________________________
    Jack Ethredge, City Manager

ATTEST:

Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

By: ________________________________
   Assistant City Attorney

GRANTEE

STATE OF COLORADO )
COUNTY OF WELD )ss.

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagerlock.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

Lorri Carlson
NOTARY PUBLIC
PERMANENT EASEMENT

A strip 30 feet wide in LOT B of RECORDER EXEMPTION NO. 0707-15-2-RE894 recorded September 3, 1986 at Reception No. 2067979 of the Weld County records, located in the northwest one-quarter of Section 15, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 10855 at the west one-quarter corner of Section 15 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 33642 at the northwest corner of said Section 15, bears N 00°38'17" W a distance of 2654.11 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the northwest corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 33642, bears N 00°55'59" W a distance of 2005.85 feet; Thence S 00°38'17" E a distance of 223.50 feet to the POINT OF TERMINUS from which the west one-quarter corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 10855, bears S 00°55'59" W a distance of 2005.85 feet.

The strip contains an area of 0.154 acres more or less.
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2.) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3.) BASIS OF BEARINGS: A line monumented by a 3 1/4 inch aluminum cap stumped PLS 10855 at the west one-quarter corner of Section 15 T7N R66W 6th PM and a 3 1/4 inch aluminum cap stumped PLS 33642 at the northwest corner of said Section 15, bears N 00'38'17" W a distance of 2654.11 feet, with all bearings contained herein relative thereto.

4.) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

5.) This Exhibit was prepared by Paul A Valdez, PLS 37068, for and on behalf of Ackerman, Inc. 105 Tatum Ave Suite 7, Brighton CO 80601.
DEED OF PERPETUAL NON-EXCLUSIVE EASEMENT

THIS GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT is executed this __ day of ____________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a "Party" and collectively referred to herein as "Parties."

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 30' permanent perpetual non-exclusive easement as particularly described in Exhibit "A", attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the "Easement", for the sole purpose of constructing, operating, maintaining, replacing, repairing, reconstructing, improving, inspecting, surveying and testing underground facilities for a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto, as may from time to time be useful to, or required by Grantee ("Improvements"), on, over, under, and through the Easement.

2. Grantor further grants to the Grantee:
   a. The right to ingress and egress over and across the Easement for the purpose of exercising the rights herein granted.
   b. The right to mark the location of the Easement by suitable markers set in or on the ground; provided that permanent markers shall be placed in locations which will not interfere with any reasonable use Grantor shall make of said Easement.

3. As a condition to the grant of this Easement, the Grantee covenants and agrees to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation. Grantor reserves the right to use and occupy the Easement for any purpose consistent with the rights and privileges above granted including the continuation of normal cultivation of the Easement area.

4. In the event any of the terms of this Easement are violated by the Grantee or by any person in privy with the Grantee, such violation shall be immediately corrected and eliminated upon receipt of notice from the Grantor, and if not corrected, the Grantor shall have the right to correct and eliminate such violation, and the Grantee, its successors and assigns, shall promptly pay the costs to correct said violation including, but not limited to, Grantor's reasonable attorneys fees. If such violation is not corrected, the Grantor shall also have the right to file appropriate proceedings to enjoin any violation and request specific performance of the conditions described herein. The Grantor reserves the right to do all acts necessary to immediately remedy
any emergency or situation that may arise associated with or caused by the Easement.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Easement unless caused by the sole negligence of Grantor or its agents.

6. The Grantee shall restore or repair to its original condition or as close thereto as possible, except as necessarily modified to accommodate the Improvements installed by Grantee, any damages caused on the Easement, including landscaping, reseeding, fences, or other improvements, arising out of the construction or reconstruction, repair, maintenance, replacement, inspection, survey or removal of the Improvements thereto whenever same may occur.

7. The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns, so long as the Improvements are maintained and operated by Grantee, its successors or assigns. If Grantee permanently abandons and ceases to use the Easement herein granted, Grantee shall remediate or close the pipeline in accordance with any laws, regulations, rules, ordinances, or order of any governmental authority(ies), which relate to or otherwise impose liability, obligations, or standards with respect to abandonment or closure of a gas pipeline and all of Grantee’s right, title and interest in the Easement shall revert to the then owner of the property underlying the Easement.

8. The Parties agree that the Grantee has the right to convey this Easement in whole to another party so long as such grant is consistent with the terms and purpose of this Easement as described herein.

9. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

10. Grantee acknowledges that this Easement may be subject to existing easements or other property rights, recorded or otherwise, and that such easements or property rights have priority in right over the Easement granted herein.

11. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

12. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

13. The Parties hereto agree that this Easement shall be recorded at Grantee’s sole expense in the office of the County Clerk and Recorder in which the Easement is located.
IN WITNESS WHEREOF, the Parties hereto have executed this Perpetual Non-Exclusive Easement to be effective as of the date first-above written.

GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: __________________________
    Jack Ethredge, City Manager

ATTEST:

____________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

By: __________________________
    Assistant City Attorney

GRANTEE

____________________________
By: __________________________
    Its: Attorney In Fact

STATE OF COLORADO )
COUNTY OF Weld ) ss.

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagerock.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
MY COMMISSION EXPIRES MARCH 02, 2017

3
EXHIBIT "A"
CITY OF THORNTON

PERMANENT EASEMENT

A strip 30 feet wide in the northeast one-quarter (NE¼) of Section 15, Township 7 North, Range 66 West of the Sixth Principal Meridian and in LOT B of RECORDED EXEMPTION NO. 0707-15-4-RE888 recorded June 26, 1986 at Reception No. 2058736 of the Weld County records, located in the southeast one-quarter (SE¼) of said Section 15, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 4392 at the southeast corner of Section 15 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 7242 at the east one-quarter corner of said Section 15, bears N 00°22'01" W a distance of 2648.88 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the east one-quarter corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 7242, bears S 33°47'37" E a distance of 90.77 feet; Thence S 00°22'01" E a distance of 1079.57 feet; Thence S 79°46'50" W a distance of 465.25 feet; Thence S 24°01'59" W a distance of 421.17 feet; Thence N 65°58'01" W a distance of 27.94 feet to the POINT OF TERMINUS from which the southeast corner of said Section 15, a 3-1/4 inch aluminum cap stamped PLS 4392, bears S 31°02'18" E a distance of 1387.56 feet.

The strip contains an area of 1.373 acres more or less.

Prepared by
Paul A. Valdez
PLS 37068
For and on behalf of
Adkum, Inc.
195 Tellerade Street, Suite 7
Thornton, CO 80601
LOT B RECORDED EXEMPTION NO.
0707-15-4-REB88
06/26/1986
REC. NO. 2058736
SE1/4 SECTION 15
T7N R66W 6TH PM

LOT B RECORDED EXEMPTION NO.
0707-15-4-REB88
06/26/1986
REC. NO. 2058736
SE1/4 SECTION 15
T7N R66W 6TH PM

LINE TABLE

<table>
<thead>
<tr>
<th>Line</th>
<th>Bearing</th>
<th>Distance</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>S00°22'01&quot;E</td>
<td>1079.57'</td>
<td></td>
</tr>
<tr>
<td>L2</td>
<td>79°48'50&quot;W</td>
<td>485.25'</td>
<td></td>
</tr>
<tr>
<td>L3</td>
<td>24°01'59&quot;W</td>
<td>221.17'</td>
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<td>L4</td>
<td>65°58'01&quot;W</td>
<td>27.94'</td>
<td></td>
</tr>
<tr>
<td></td>
<td>TOTAL</td>
<td>1993.93'</td>
<td></td>
</tr>
</tbody>
</table>

NOTES:
1) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.
2) This document is not a land survey plat or improvement survey plat. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.
3) BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLG 4392 at the southeast corner of Section 15, T7N R66W 6TH PM and a 3-1/4 inch aluminum cap stamped PLG 7242 at the east one-quarter corner of said Section 15, bears N 00°22'01" W a distance of 2648.88 feet, with all bearings continued herein relative thereto.
4) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.
5) This Exhibit was prepared by Paul A. Valdez, PLS 37068, for and on behalf of Acklam, Inc. 115 Tekuride Street Suite 7, Brighton CO 80601.
DEED OF PERPETUAL NON-EXCLUSIVE EASEMENT

THIS GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT is executed this _____ day of ____________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a “Party” and collectively referred to herein as “Parties.”

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 30' permanent perpetual non-exclusive easement as particularly described in Exhibit “A”, attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the “Easement”, for the sole purpose of constructing, operating, maintaining, replacing, repairing, reconstructing, improving, inspecting, surveying and testing underground facilities for a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto, as may from time to time be useful to, or required by Grantee ("Improvements"), on, over, under, and through the Easement.

2. Grantor further grants to the Grantee:

   a. The right to ingress and egress over and across the Easement for the purpose of exercising the rights herein granted.
   b. The right to mark the location of the Easement by suitable markers set in or on the ground; provided that permanent markers shall be placed in locations which will not interfere with any reasonable use Grantor shall make of said Easement.

3. As a condition to the grant of this Easement, the Grantee covenants and agrees to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation. Grantor reserves the right to use and occupy the Easement for any purpose consistent with the rights and privileges above granted including the continuation of normal cultivation of the Easement area.

4. In the event any of the terms of this Easement are violated by the Grantee or by any person in privity with the Grantee, such violation shall be immediately corrected and eliminated upon receipt of notice from the Grantor, and if not corrected, the Grantor shall have the right to correct and eliminate such violation, and the Grantee, its successors and assigns, shall promptly pay the costs to correct said violation including, but not limited to, Grantor's reasonable attorneys fees. If such violation is not corrected, the Grantor shall also have the right to file appropriate proceedings to enjoin any violation and request specific performance of the conditions described herein. The Grantor reserves the right to do all acts necessary to immediately remedy
any emergency or situation that may arise associated with or caused by the Easement.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Easement unless caused by the sole negligence of Grantor or its agents.

6. The Grantee shall restore or repair to its original condition or as close thereto as possible, except as necessarily modified to accommodate the Improvements installed by Grantee, any damages caused on the Easement, including landscaping, reseeding, fences, or other improvements, arising out of the construction or reconstruction, repair, maintenance, replacement, inspection, survey or removal of the Improvements thereto whenever same may occur.

7. The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns, so long as the Improvements are maintained and operated by Grantee, its successors or assigns. If Grantee permanently abandons and ceases to use the Easement herein granted, Grantee shall remediate or close the pipeline in accordance with any laws, regulations, rules, ordinances, or order of any governmental authority(ies), which relate to or otherwise impose liability, obligations, or standards with respect to abandonment or closure of a gas pipeline and all of Grantee’s right, title and interest in the Easement shall revert to the then owner of the property underlying the Easement.

8. The Parties agree that the Grantee has the right to convey this Easement in whole to another party so long as such grant is consistent with the terms and purpose of this Easement as described herein.

9. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

10. Grantee acknowledges that this Easement may be subject to existing easements or other property rights, recorded or otherwise, and that such easements or property rights have priority in right over the Easement granted herein.

11. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

12. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

13. The Parties hereto agree that this Easement shall be recorded at Grantee’s sole expense in the office of the County Clerk and Recorder in which the Easement is located.
IN WITNESS WHEREOF, the Parties hereto have executed this Perpetual Non-Exclusive Easement to be effective as of the date first-above written.

GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: ____________________________
   Jack Ethredge, City Manager

ATTEST:

______________________________
Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

By: ____________________________
   Assistant City Attorney

GRANTEE

______________________________
By: Lewis D. Hagenlock
   Its: Acting in Fact

STATE OF COLORADO )
COUNTY OF Weld )ss.

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagenlock.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
MY COMMISSION EXPIRES MARCH 02, 2017
PERMANENT EASEMENT NO. 1

A strip 30 feet wide in LOT B of RECORDED EXEMPTION NO. 0707-17-4-RE1194 recorded October 17, 1989 at Reception No. 2194775 of the Weld County records, located in the southeast one-quarter of Section 17, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

**BASIS OF BEARINGS:** A line monumented by a 3-1/4 inch aluminum cap stamped PLS 7242 at the south one-quarter corner of Section 17 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 10853 at the southeast corner of said Section 17, bears N 88°47'55" E a distance of 2646.30 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the south line of the southeast one-quarter of said Section 17 from which the south one-quarter corner of said Section 17, a 3-1/4 inch aluminum cap stamped PLS 7242, bears S 88°47'55" W a distance of 782.95 feet;
Thence N 01°12'05" W a distance of 62.73 feet;
Thence S 88°47'55" W a distance of 20.00 feet to the POINT OF TERMINUS from which the southeast corner of said Section 17, a 3-1/4 inch aluminum cap stamped PLS 10853, bears S 89°17'37" E a distance of 1884.45 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the south line of the southeast one-quarter of said Section 17.

The strip contains an area of 0.057 acres more or less.

PERMANENT EASEMENT NO. 2

A strip 30 feet wide in the northeast one-quarter of Section 20, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

**BASIS OF BEARINGS:** A line monumented by a 3-1/4 inch aluminum cap stamped PLS 7242 at the north one-quarter corner of Section 20 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 10853 at the northeast corner of said Section 17, bears N 88°47'55" E a distance of 2646.30 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the north line of the northeast one-quarter of said Section 20 from which the north one-quarter corner of said Section 20, a 3-1/4 inch aluminum cap stamped PLS 7242, bears S 88°47'55" W a distance of 782.95 feet;
Thence S 01°12'05" E a distance of 45.00 feet to a line 45 feet south of, when measured perpendicular to, and parallel with the north line of the northeast one-quarter of said Section 20;
Thence N 88°47'55" E, with said parallel line, a distance of 1133.66 feet;
Thence S 00°00'09" W a distance of 118.59 feet;
Thence S 30°54'55" E a distance of 157.68 feet;
Thence S 45°05'46" E a distance of 152.34 feet;
Thence S 01°45'47" E a distance of 2122.48 feet;

Prepared by:
Paul A. Valdez
PLS 57668
For and on behalf of:
Acklam, Inc
195 Telluride Street, Suite 7
Brighton, CO 80601

THORNTON 17T-421 AFE 50021313
Thence N 89°24'32" E a distance of 440.57 feet;
Thence N 00°34'57" W a distance of 61.48 feet;
Thence S 89°31'33" E a distance of 10.01 feet;
Thence S 26°48'54" E a distance of 90.27 feet to the north line of LOT A of AMENDED RECORDED EXEMPTION NO. 0707-20-1 2ND AMRE 1750 recorded March 4, 2005 at Reception No. 3265801 of the Weld County records and the POINT OF TERMINUS from which the northeast corner of said Section 20, a 3-1/4 inch aluminum cap stamped PLS 10855, bears N 00°21'48" W a distance of 2557.85 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the north line of the northeast one-quarter of said Section 20. The sidelines of said strip shall be extended or shortened as necessary to end on the east line of the northeast one-quarter of said Section 20, and to end on the north line of said LOT A of AMENDED RECORDED EXEMPTION NO. 0707-20-1 2ND AMRE 1750. The end lines of said strip shall be contiguous with said east and north line.

The strip contains an area of 2.978 acres more or less.

PERMANENT EASEMENT NO. 3

A strip 30 feet wide in the southwest one-quarter of Section 21, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

**BASIS OF BEARINGS:** A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the west one-quarter corner of Section 21 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 26595 at the east one-quarter corner of said Section 21, bears N 88°58'48" E a distance of 5333.46 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the north line of the southwest one-quarter of said Section 21 from which the west one-quarter corner of said Section 21, a 2-1/2 inch aluminum cap stamped PLS 9644, bears S 88°58'48" W a distance of 38.90 feet;
Thence S 26°48'54" E a distance of 49.82 feet;
Thence N 75°30'34" E a distance of 29.96 feet to the POINT OF TERMINUS from which the east one-quarter corner of said Section 21, a 3-1/4 inch aluminum cap stamped PLS 26595, bears N 88°33'58" E a distance of 5243.88 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the north line of the southwest one-quarter of said Section 21.

The strip contains an area of 0.055 acres more or less.
LOT B RECORDED EXEMPTION NO. 0707-17-4-RE1194
10/17/1989
REG. NO. 2194775

LINE TABLE
L1: N 01°12'05" W 62.73'
L2: S 88°47'55" W 20.00'
TOTAL LENGTH 82.73'

P.O.T.

DESCRIBED CENTERLINE

LOT A

P.O.B.

RECORDED EXEMPTION NO.
0707-17-4-RE1194
10/17/1989
REG. NO. 2194775

SE1/4 SECTION 17
T7N R66W 6TH PM

1/4 CORNER
SEC 17/SEC 20
3.25" ALUM. CAP
PLS 7242
(SURVEY TIE TO P.O.B.
N 88°47'55" E 782.93')

P.O.T.

P.O.B.

LOT A

WELL COUNTY ROAD 80

RIGHT OF WAY
REG. NO. 34222
10/11/1989

NOTES
1) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.
2) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.
3) BASIS OF BEARINGS: A line monumented by a 3-1/4 inch aluminum cap stamped PLS 7242 at the south one-quarter corner of Section 17 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 10855 at the southeast corner of said Section 17, locates N 88°47'55" E a distance of 2646.36 feet, with all bearings contained herein relative thereto.
4) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.
5) This Exhibit was prepared by Paul A. Valdez, PLS 3706B, for and on behalf of Acklam, Inc. 155 Tekuine Street Suite 7, Brighton CO 80601.

TYPICAL EASEMENT DETAIL
1"=100'

SCALE: 1"=100'
DRAWN BY: PAV
JOB NO.: 14098

PDC ENERGY INC., THORNTON 17T-421
SE1/4 SEC. 17 T7N R66W 6TH PM
WELL COUNTY SHEET 3 OF 5
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2.) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3.) BASIS OF Bearings: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 9644 at the west one-quarter corner of Section 21 T7N R66W 6th PM and a 3-1/4 inch aluminum cap stamped PLS 26595 at the east one-quarter corner of said Section 21, bears N 88°38.48' E a distance of 5333.46 feet, with all bearings contained herein relative thereto.

4.) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

5.) This Exhibit was prepared by Paul A. Valdez, PLS 37068, for and on behalf of Acklam, Inc. 195 Telluride Street Suite 7, Broomfield CO 80020.
DEED OF PERPETUAL NON-EXCLUSIVE EASEMENT

THIS GRANT OF PERPETUAL NON-EXCLUSIVE EASEMENT is executed this _____ day of ______________, 2014, between the City of Thornton, a Colorado municipal corporation, located at 9500 Civic Center Drive, Thornton, Colorado 80229 ("Grantor") and DCP Midstream located at 3026 4th Avenue, Greeley, Colorado 80631 ("Grantee"). Grantor and Grantee may be individually referred to as a “Party” and collectively referred to herein as “Parties.”

1. Grantor, for and in consideration in the amount of Ten dollars ($10.00) and the promises and conditions set forth herein and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby grants and conveys to Grantee, its successors and assigns, a 30' permanent perpetual non-exclusive easement as particularly described in Exhibit “A”, attached hereto and incorporated herein by this reference, which together with the location of the Improvements, as defined below, is referenced herein as the “Easement”, for the sole purpose of constructing, operating, maintaining, replacing, repairing, reconstructing, improving, inspecting, surveying and testing underground facilities for a pipeline to transport gas, water and any products and derivatives of any of the foregoing, and any combinations and mixtures of any of the foregoing and appurtenances thereto, as may from time to time be useful to, or required by Grantee ("Improvements"), on, over, under, and through the Easement.

2. Grantor further grants to the Grantee:

   a. The right to ingress and egress over and across the Easement for the purpose of exercising the rights herein granted.

   b. The right to mark the location of the Easement by suitable markers set in or on the ground; provided that permanent markers shall be placed in locations which will not interfere with any reasonable use Grantor shall make of said Easement.

3. As a condition to the grant of this Easement, the Grantee covenants and agrees to install the pipeline a minimum depth of forty-eight (48) inches below the surface of the ground to permit continuation of normal cultivation. Grantor reserves the right to use and occupy the Easement for any purpose consistent with the rights and privileges above granted including the continuation of normal cultivation of the Easement area.

4. In the event any of the terms of this Easement are violated by the Grantee or by any person in privity with the Grantee, such violation shall be immediately corrected and eliminated upon receipt of notice from the Grantor, and if not corrected, the Grantor shall have the right to correct and eliminate such violation, and the Grantee, its successors and assigns, shall promptly pay the costs to correct said violation including, but not limited to, Grantor’s reasonable attorneys fees. If such violation is not corrected, the Grantor shall also have the right to file appropriate proceedings to enjoin any violation and request specific performance of the conditions described herein. The Grantor reserves the right to do all acts necessary to immediately remedy
any emergency or situation that may arise associated with or caused by the Easement.

5. Grantee shall indemnify and save and hold harmless Grantor against all claims and liability for damages, loss or expense caused by any injury or death to any person or damage to property resulting from the negligent acts of the Grantee if the same shall in any way be connected with or result from the use of the Easement unless caused by the sole negligence of Grantor or its agents.

6. The Grantee shall restore or repair to its original condition or as close thereto as possible, except as necessarily modified to accommodate the Improvements installed by Grantee, any damages caused on the Easement, including landscaping, reseeding, fences, or other improvements, arising out of the construction or reconstruction, repair, maintenance, replacement, inspection, survey or removal of the Improvements thereto whenever same may occur.

7. The rights granted herein shall be possessed and enjoyed by Grantee, its successors and assigns, so long as the Improvements are maintained and operated by Grantee, its successors or assigns. If Grantee permanently abandons and ceases to use the Easement herein granted, Grantee shall remediate or close the pipeline in accordance with any laws, regulations, rules, ordinances, or order of any governmental authority(ies), which relate to or otherwise impose liability, obligations, or standards with respect to abandonment or closure of a gas pipeline and all of Grantee's right, title and interest in the Easement shall revert to the then owner of the property underlying the Easement.

8. The Parties agree that the Grantee has the right to convey this Easement in whole to another party so long as such grant is consistent with the terms and purpose of this Easement as described herein.

9. The Parties hereto agree that neither has made or authorized any agreement with respect to the subject matter of this instrument other than as expressly set forth herein, and no oral representation, promise, or consideration different from the terms herein contained shall be binding on either Party, its agents or employees.

10. Grantee acknowledges that this Easement may be subject to existing easements or other property rights, recorded or otherwise, and that such easements or property rights have priority in right over the Easement granted herein.

11. All of the covenants herein contained shall be binding upon and inure to the benefit of the Parties hereto, their respective heirs, personal representatives, successors and assigns.

12. The signatories hereto warrant that they have full and lawful authority to make the grant hereinabove contained as Grantor and the covenants and promises hereinabove made as Grantee.

13. The Parties hereto agree that this Easement shall be recorded at Grantee's sole expense in the office of the County Clerk and Recorder in which the Easement is located.
IN WITNESS WHEREOF, the Parties hereto have executed this Perpetual Non-Exclusive Easement to be effective as of the date first-above written.

GRANTOR
CITY OF THORNTON, COLORADO
a Colorado municipal corporation

By: _______________________
    Jack Ethredge, City Manager

ATTEST:

Nancy A. Vincent, City Clerk

APPROVED AS TO FORM:
Margaret Emerich, City Attorney

By: _______________________
   Assistant City Attorney

GRANTEE

STATE OF COLORADO )
COUNTY OF Weld )ss.

Subscribed and acknowledged before me this 14th day of October, 2014, by Lewis D. Hagedorn.

WITNESS my hand and official seal.

My commission expires: 3-2-2017

LORRI CARLSON
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054008501
MY COMMISSION EXPIRES MARCH 02, 2017
PERMANENT EASEMENT NO. 1

A strip 30 feet wide in the northwest one-quarter (NW1/4) of Section 14, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado, and in LOT B of AMENDED RECORDED EXEMPTION NO. 0707-14-4 AMREI146 recorded August 10, 2006 at Reception No. 3410860 of the Weld County records and in LOT A of RECORDED EXEMPTION NO. 0707-14-4-REI recorded March 22, 1989 at Reception No. 2174079 of the Weld County records; Both LOT B and LOT A are located in the east one-half (E1/2) of said Section 14. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 12374 at the southeast corner of Section 14 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 12374 at the east one-quarter corner of said Section 14, bears N 02°11'44" E a distance of 2563.26 feet, with all bearings contained herein relative thereto.

BEGINNING at a point from which the southeast corner of said Section 14, a 2-1/2 inch aluminum cap stamped PLS 12374, bears S 51°12'46" E a distance of 4624.55 feet; Thence S 25°16'45" E a distance of 394.21 feet to a line 17 feet north of, when measured perpendicular to, and parallel with the south line of the north one-half of said Section 14; Thence N 89°23'09" E, with said parallel line, a distance of 2054.81 feet; Thence S 68°06'51" E a distance of 31.37 feet to a line 5 feet north of, when measured perpendicular to, and parallel with the south line of the north one-half of said Section 14; Thence N 89°23'09" E, with said parallel line, a distance of 43.70 feet; Thence S 51°56'35" E a distance of 1175.98 feet; Thence S 28°09'18" E a distance of 75.71 feet; Thence S 46°44'10" E a distance of 294.59 feet; Thence S 87°48'16" E a distance of 147.27 feet to a line 45 feet west of, when measured perpendicular to, and parallel with the east line of the southeast one-quarter of said Section 14; Thence S 02°11'44" W, with said parallel line, a distance of 217.40 feet; Thence S 88°07'16" E a distance of 45.00 feet to said east line and the POINT OF TERMINUS from which the east one-quarter corner of said Section 14, a 2-1/2 inch aluminum cap stamped PLS 12374, bears N 02°11'44" E a distance of 1228.92 feet.

The sidelines of said strip shall be extended or shortened as necessary to end on the east line of the southeast one-quarter of said Section 14.

The strip contains an area of 3.085 acres more or less.

PERMANENT EASEMENT NO. 2

A strip 30 feet wide in the south one-half of Section 13, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 12374 at the southwest corner of Section 13 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 12374 at the west one-quarter corner of said Section 13,
bears N 02°11'44" E a distance of 2563.26 feet, with all bearings contained herein relative thereto.

BEGINNING at a point of intersection of the west line of the southwest one-quarter of said Section 13 and a line 15 feet south of, when measured perpendicular to, and parallel with the south line of that parcel described in DEED recorded April 28, 1976 at Reception No. 1687135 of the Weld County records, from which the southwest corner of said Section 13, a 2-1/2 inch aluminum cap stamped PLS 12374, bears S 02°11'44" W a distance of 1334.34 feet;
Thence S 88°07'16" E, with said parallel line, a distance of 597.93 feet to a line 15 feet south of, when measured perpendicular to, and parallel with the southerly line of that parcel described in COMMISSIONER'S DEED recorded March 3, 1988 at Reception No. 2132699 of the Weld County records;
Thence S 53°29'56" E, with said parallel line a distance of 126.99 feet;
Thence N 81°48'24" E, continuing with said parallel line, a distance of 189.20 feet;
Thence S 88°11'16" E a distance of 851.05 feet;
Thence N 01°48'44" E a distance of 69.56 feet;
Thence S 88°11'16" E a distance of 851.05 feet;
Thence N 54°45'03" W a distance of 2156.14 feet.
The sidelines of said strip shall be extended or shortened as necessary to begin on the west line of the southwest one-quarter of said Section 13. The sidelines of said strip shall be extended or shortened as necessary to end on the west line of said PARCEL NO. 6.
The strip contains an area of 1.311 acres more or less.

PERMANENT EASEMENT NO. 3

A strip 30 feet wide in the south one-half of Section 13, Township 7 North, Range 66 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 30462 at the southeast corner of Section 13 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 38175 at the east one-quarter corner of said Section 13, bears N 00°30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the easterly right of way line of the Union Pacific Railroad from which the southeast corner of said Section 13, a 2-1/2 inch aluminum cap stamped PLS 30462, bears S 67°03'14" E a distance of 3417.67 feet. Said right of way line is 200 feet east of, when measured perpendicular to, the centerline of the main line track.
Thence N 89°26'17" E a distance of 1795.02 feet;
Thence S 88°51'47" E a distance of 1290.72 feet to a line 50 feet west of, when measured perpendicular to, and parallel with the east line of the southeast one-quarter of said Section 13;
Thence S 00°30'44" E, with said parallel line, a distance of 760.78 feet;
Thence N 89°29'16" E a distance of 50.00 feet to the east line of the southeast one-quarter of said Section 13 and the POINT OF TERMINUS from which the west one-quarter corner of said Section 13, a 2-1/2 inch aluminum cap stamped PLS 38175, bears N 00°30'44" W a distance of 2085.39 feet.

Prepared by:
Paul A. Valdez
PLS 37068
For and on behalf of
Acklan, Inc
195 Telluride Street, Suite 7
Brighton, CO 80601
THORNTON 18L-011 AFE 50073176
The sidelines of said strip shall be extended or shortened as necessary to begin on the easterly right of way line of the Union Pacific Railroad. The sidelines of said strip shall be extended or shortened as necessary to end on the east line of the southeast one-quarter of said Section 13.

The strip contains an area of 2.684 acres more or less.

PERMANENT EASEMENT NO. 4

A strip 30 feet wide in the southwest one-quarter of Section 18, Township 7 North, Range 65 West of the Sixth Principal Meridian, County of Weld, State of Colorado. The strip shall lie 15.00 feet on each side of, when measured perpendicular to, the following described centerline:

BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 30462 at the southwest corner of Section 18 T7N R65W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 38175 at the west one-quarter corner of said Section 18, bears N 00°30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

BEGINNING at a point on the west line of the southwest one-quarter of said Section 18 from which the southwest corner of said Section 18, a 2-1/2 inch aluminum cap stamped PLS 30462, bears S 00°30'44" E a distance of 564.14 feet; Thence N 89°29'16" E a distance of 99.12 feet to the POINT OF TERMINUS from which the west one-quarter corner of said Section 18, a 2-1/2 inch aluminum cap stamped PLS 38175, bears N 03°14'00" W a distance of 2087.75 feet.

The sidelines of said strip shall be extended or shortened as necessary to begin on the west line of the southwest one-quarter of said Section 18.

The strip contains an area of 0.068 acres more or less.

Prepared by
Paul A. Valdez
PLS 37068
For and on behalf of
Aeklam, Inc.
199 Telluride Street, Suite 7
Thornton, CO 80601
1. Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations should not be considered to be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2. This document is not a final survey plot or improvement survey plot. It is not to be relied upon for the establishment of any legal boundary, easement, fence, building, or other future improvement lines.

3. BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 12374 at the southeast corner of Section 14 T7N R66W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 12374 at the east one-quarter corner of said Section 14, bore N 02°11'44" E a distance of 2553.26 feet, with all bearings contained herein relative thereto.

4. NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years of your discovery of such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

5. This Exhibit was prepared by Paul A. VEZZOSI, PLS 37068, for and on behalf of Aetion, Inc., 166 Telluride Street Suite 7, Brighton CO 80601.
1) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, monument, fence, building, or other future improvement lines.

3) BASIS OF Bearings: A line monumented by a 2-1/2 inch aluminum cap stumped PLS 12374 at the southwest corner of Section 13 T7N R66W 6TH PM and a 2-1/2 inch aluminum cap stumped PLS 12374 at the west one-quarter corner of said Section 13, bears N 02°11'44" E a distance of 2563.26 feet, with all bearings contained herein relative thereto.

4) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

5) This Exhibit was prepared by Paul A. Valdez, PLS 37068, for and on behalf of Ascolam, Inc. 195 Telluride Street, Suite 7, Brighton, CO 80601.
1.) Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations, if shown, may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2.) This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3.) BASIS OF SECTIONS: A line monumented by 2-inch aluminum caps stamped PL2 38175 at the southeast corner of Section 13 T7N R66W 6TH PM and a 2-1/2 inch aluminum caps stamped PL2 38175 at the east one-quarter corner of said Section 13, bears N 00'30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

4.) NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

5.) This Exhibit was prepared by Paul A. Valdez, PL2 3706B, for and on behalf of Axiom, Inc., 155 Telluride Street Suite 7, Brighton CO 80601.
1. Locations of utilities and foreign pipelines were determined from visible surface evidence. These locations if shown may not be accurate or complete. Other utilities may exist and are to be field located by others prior to excavation.

2. This document is not a land survey plot or improvement survey plot. It is not to be relied upon for the establishment of any land boundary, easement, fence, building, or other future improvement lines.

3. BASIS OF BEARINGS: A line monumented by a 2-1/2 inch aluminum cap stamped PLS 30462 at the southwest corner of Section 18 T7N R65W 6th PM and a 2-1/2 inch aluminum cap stamped PLS 38175 at the west one-quarter corner of said Section 18, bears N 00'30'44" W a distance of 2649.53 feet, with all bearings contained herein relative thereto.

4. NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

5. This Exhibit was prepared by Paul A Voldez, PLS 37068, for and on behalf of Auckm, Inc., 199 Telluride Street Suite 7, Brighton CO 80601.
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014  
Agenda Item: 8G  
Agenda Location: Consent Calendar  
Work Plan #: Legal Review: 1st Reading  

Subject: A resolution approving the First Amendment to an intergovernmental agreement between the Colorado Department of Transportation, Adams County, Broomfield City and County, Weld County, and the Cities of Thornton, Federal Heights, Northglenn, and Westminster to provide a portion of the North I-25 managed lanes project from US 36 to 120th Avenue.

Recommended by: Joyce Hunt  
Presenter(s): Joyce Hunt, Asst. City Manager

SYNOPSIS:

The First Amendment to the Intergovernmental Agreement (IGA) recognizes the contribution of additional funds by the City of Northglenn and Adams County toward replacement of the wood fence with a concrete sound wall. The Colorado Department of Transportation had requested formal recognition of this scope change. The contributions of the other parties are not affected by this amendment and remain the same. The City of Northglenn approved the amendment on October 27, 2014 and is scheduled for consideration by Adams County in November.

RECOMMENDATION:

Staff recommends approval of the IGA in order to reflect the additional contributions to be made by the City of Northglenn and Adams County.

BUDGET/STAFF IMPLICATIONS:

None. The City is contributing a total of $1,750,000 to this project over a three-year period which began in 2013. Funding for the contribution will come from the Governmental Capital Fund unreserved fund balance. Listed below are the local agencies contributing toward the project:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Original</th>
<th>Revised</th>
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<tbody>
<tr>
<td>Adams County</td>
<td>$1,500,000</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Broomfield City &amp; County</td>
<td>$ 50,000</td>
<td>$ 50,000</td>
</tr>
<tr>
<td>Federal Heights</td>
<td>$ 150,000</td>
<td>$ 150,000</td>
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<tr>
<td>Northglenn</td>
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<td>$ 25,000</td>
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<tr>
<td>Westminster</td>
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<td>$ 500,000</td>
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<tr>
<td>Total</td>
<td>$4,525,000</td>
<td>$8,025,000</td>
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BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

In March 2012, the Colorado Department of Transportation submitted a request for $15 million to complete the funding package needed to construct the North I-25 Managed Lanes Extension and Express Bus Project, the estimated cost of which is $44 million. The project scope includes providing one new managed lane in each direction on I-25 between US 36 and 120th Avenue utilizing existing
pavement and narrowing the inside shoulder. The entire six-mile stretch of I-25 will be repaved and approximately one mile of new noise wall will be constructed and three miles of existing noise wall will be repaired. Public transit and high occupancy vehicles with 2 or more passengers will have access to the continuous managed lanes free of charge. All others vehicles will be assessed a toll.

One of the requirements of the grant submittal was to demonstrate a local financial commitment to the project. Sources of funding for the project include:

<table>
<thead>
<tr>
<th>Source</th>
<th>Original</th>
<th>Revised</th>
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<tr>
<td>State highway and FASTER transit funds</td>
<td>$19.0 million</td>
<td>$37.429 million</td>
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<tr>
<td>Federal TIGER IV Grant Funding</td>
<td>$15.0</td>
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<td>DRCOG Federal highway funds</td>
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<td>Local Agency Funds</td>
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<td>RTD local transit funds</td>
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</tr>
<tr>
<td>Total</td>
<td>$44.3</td>
<td>$66.254</td>
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</table>

CDOT began final design in the Spring 2012 and expects to obligate funds associated with construction in June 2013. The estimated completion of the project is summer 2015.
RESOLUTION

A RESOLUTION APPROVING THE FIRST AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE COLORADO DEPARTMENT OF TRANSPORTATION, ADAMS COUNTY, BROOMFIELD CITY AND COUNTY, WELD COUNTY, AND THE CITIES OF THORNTON, FEDERAL HEIGHTS, NORTHGLENN AND WESTMINSTER TO PROVIDE A PORTION OF THE NORTH I-25 MANAGED LANES PROJECT FROM US 36 TO 120TH AVENUE.

WHEREAS, the Colorado Department of Transportation (CDOT), Adams County, Broomfield City and County, Weld County, and the cities of Thornton, Federal Heights, Northglenn and Westminster approved an Intergovernmental Agreement in January 2013 to provide a portion of the funding to construct the I-25 North Managed Lanes from US 36 to 120th Avenue; and

WHEREAS, the original design plans anticipated refurbishment of the existing wood sound wall fence rather than the replacement and upgrade to a concrete fence; and

WHEREAS, CDOT, Adams County and the City of Northglenn identified additional funds to construct the sound wall fence out of concrete materials; and

WHEREAS, CDOT has requested that the IGA be amended to reflect this change to include the increased contributions from Adams County and the City of Northglenn.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That the First Amendment to the Intergovernmental Agreement between the City of Thornton and the Colorado Department of Transportation, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

2. That the City Manager is hereby authorized to execute and the City Clerk to attest the Intergovernmental Agreement substantially in conformance with the Intergovernmental Agreement attached hereto, on the behalf of the City.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on __________________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

Nancy A. Vincent, City Clerk
CONTRACT AMENDMENT

1. PARTIES

This Amendment to the above-referenced Original Contract (hereinafter called the Contract) is entered into by and between Adams County, 4430 South Adams County Parkway, Brighton, Colorado 80601, CDOT Vendor # 2000055, City of Thornton, 9500 Civic Center Drive, Thornton, Colorado 80229, CDOT Vendor # 2000088, City and County of Broomfield, One Descombes Drive, Broomfield, Colorado 80020, CDOT Vendor # 200091, City of Federal Heights, 2380 West 90th Avenue, Federal Heights, Colorado 80221, CDOT Vendor # 2000002, City of Northglenn, 11701 Community Center Drive, Northglenn, Colorado 80233, CDOT Vendor # 2000004, Weld County, P.O. Box 758, Greeley, Colorado 80632, CDOT Vendor # 2000135, City of Westminster, 4800 West 92nd Avenue, Westminster, Colorado 80031, CDOT Vendor # 2000053 (hereinafter called “The Local Agencies”), and the STATE OF COLORADO (hereinafter called the “State”) acting by and through the Department of Transportation, (hereinafter called “CDOT”). The Local Agencies and the State together shall be referred to as the “Parties.”

2. EFFECTIVE DATE AND ENFORCEABILITY

This Amendment shall not be effective or enforceable until it is approved and signed by the State or designee (hereinafter called the “Effective Date”). The State shall not be liable to pay or reimburse The Local Agencies for any performance hereunder including, but not limited to, costs or expenses incurred, or be bound by any provision hereof prior to the Effective Date.

3. FACTUAL RECITALS

The Parties entered the Contract for project IM 0253-222 (18695), which consists of The Local Agencies reimbursing the State for performing a portion of work to construct one managed lane in each direction on I-25 between US 36 and 120th Avenue.

With this Amendment, Adams County and City of Northglenn will increase their contributions and extend the payment schedule accordingly. This Amendment does not alter the other parties’ contributions except that the overall percentages are changed to reflect Adams County’s and City of Northglenn’s increased contributions.

4. CONSIDERATION

The Parties acknowledge that the mutual promises and covenants contained herein and other good and valuable consideration are sufficient and adequate to support this Amendment.

5. LIMITS OF EFFECT

This Amendment is incorporated by reference into the Contract, and the Contract and all prior amendments thereto, if any, remain in full force and effect except as specifically modified herein.

6. MODIFICATIONS.

The Amendment and all prior amendments thereto, if any, are modified as follows:

A. Section 4 paragraph B of the original Contract is deleted and replaced as follows:

The Local Agencies will provide a portion of the total cost of the Work estimated to be $8,025,000.00, which is to be funded as follows:
Contributions:

<table>
<thead>
<tr>
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<th>Amount</th>
<th>Percentage</th>
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<tr>
<td>Adams County</td>
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<td>Westminster</td>
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<tr>
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Payment Schedule:

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<td>$3,250,000.00</td>
<td>$250,000.00</td>
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</table>

Any savings realized associated with Local Agencies’ contributions will be applied by the percentage based on the contributions table at the final settlement of the project.

B. The first sentence of Section 4 paragraph C of the original contract is deleted and replaced as follows:

The maximum amount payable by the Local Agencies under this contract shall be $8,025,000, in the amounts for each jurisdiction as set forth above, unless such amount is increased by an appropriate written modification to this contract executed by all of the signatories hereto before any increased cost is incurred.

7. START DATE

This Amendment shall take effect upon the date of the State’s Signature.

8. ORDER OF PRECEDENCE

Except for the Special Provisions, in the event of any conflict, inconsistency, variance, or contradiction between the provisions of this Amendment and any of the provisions of the Contract, the provisions of this Amendment shall in all respects supersede, govern, and control. The most recent version of the Special Provisions incorporated into the Contract or any amendment shall always control other provisions in the Contract or any amendments.

9. AVAILABLE FUNDS

Financial obligations of the Parties hereto payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, or otherwise made available.

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK
THE PARTIES HERETO HAVE EXECUTED THIS AGREEMENT

*Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

THE LOCAL AGENCY
Adams County
CDOT Vendor # 2000055

By: ____________________________
Title: ____________________________

*Signature
Date: ____________________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By:
(Corporate Secretary or Equivalent, or Town/City/County Clerk)

2nd The Local Agency Signature if Needed

By: ____________________________
Title: ____________________________

*Signature
Date: ____________________________

STATE OF COLORADO
John W. Hickenlooper, GOVERNOR
Colorado Department of Transportation
Donald E. Hunt, Executive Director

By: Joshua Laipply, PE, Chief Engineer
Date: ____________________________

LEGAL REVIEW
John W. Suthers, Attorney General

By: ____________________________
Signature - Assistant Attorney General
Date: ____________________________
Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

THE LOCAL AGENCY
City of Thornton
CDOT Vendor # 2000088

By: ________________________

Title: ________________________

*Signature

Date: ________________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By: ________________________
(Corporate Secretary or Equivalent, or Town/City/County Clerk)
* Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

THE LOCAL AGENCY
City and County of Broomfield
CDOT Vendor # 2000091

By: __________________________

Title: __________________________

________________________________
*Signature

Date: __________________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By:______________________
(Corporate Secretary or Equivalent, or Town/City/County Clerk)
Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

THE LOCAL AGENCY
City of Federal Heights
CDOT Vendor # 2000002

By: ______________________

Title: ______________________

*Signature

Date: ______________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By: ______________________
(Corporate Secretary or Equivalent, or Town/City/County Clerk)
Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

THE LOCAL AGENCY
City of Northglenn
CDOT Vendor # 2000004

By: ____________________________
Title: __________________________

*Signature

Date: __________________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By: ____________________________
(Corporate Secretary or Equivalent, or Town/City/County Clerk)
Persons signing for The Local Agency hereby swear and affirm that they are authorized to act on The Local Agency's behalf and acknowledge that the State is relying on their representations to that effect.

THE LOCAL AGENCY
Weld County
CDOT Vendor # 2000135

By: ____________________________

Title: __________________________

*Signature

Date: __________________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By: __________________________
(Corporate Secretary or Equivalent, or Town/City/County Clerk)
THE LOCAL AGENCY
City of Westminster
CDOT Vendor # 2000053

By: ____________________________

Title: __________________________

*Signature

Date: __________________________

Corporations:
(A corporate seal or attestation is required.)

Attest (Seal) By: __________________________

(Corporate Secretary or Equivalent, or Town/City/County Clerk)
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: SH
Agenda Location: Consent Calendar
Work Plan #: 18
Legal Review: N/A

Subject: A resolution accepting the 2014 Housing Needs Assessment

Recommended by: Jeff Coder
Approved by: Jack Ethridge
Presenter(s): Nicole Jeffers, Neighborhood Services Manager

SYNOPSIS:

Council is asked to consider accepting the 2014 Housing Needs Assessment. The U.S. Department of Housing and Urban Development (HUD) requires the City to complete an assessment of housing so that it can be included in the Consolidated Plan, which is required in order to receive HUD funding in the future. The full document of the Assessment accompanies this communication and is on the City website: www.cityofthornton.net/Departments/CityDevelopment/Neighbor/HousingServices.

RECOMMENDATION:

Staff recommends Alternative No. 1, approval of the resolution. The Housing Needs Assessment was presented to City Council in August and has been available on the website for public comment since late August. Since that time, Adams 12 School District staff praised the document, and staff has incorporated answers to questions and suggestions that were received from City Council and the Denver Metro Fair Housing Center. Also, staff included the most up-to-date count of fully accessible rental units at InnovAge Senior Housing that opened in September.

BUDGET/STAFF IMPLICATIONS:

None.

ALTERNATIVES:

1. Approve the resolution accepting the Housing Needs Assessment.
2. Amend the Housing Needs Assessment as specified by Council.
3. Do not approve the resolution accepting the Housing Needs Assessment.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):

The City conducts a Housing Needs Assessment every five years to evaluate whether there is a balance of housing options throughout the community, identify any housing discrimination impediments, determine if there is unmet demand or need within the housing market and discover if there are trends that may help guide the City in future development. The Assessment summarizes the types and costs of housing available in Thornton, the demographics of the people living in the city, as well as the results from a public survey and interviews with representatives of local housing agencies.
Community Strategies Institute was hired by the City to collect information on housing in Thornton and analyze the data. The consultant performed surveys, conducted interviews with service providers and gathered data from numerous sources to provide a picture of the housing supply, demand, and needs in Thornton. Community Strategies Institute also reviewed the impediments identified in the 2009 Analysis of Impediments to Fair Housing Choice to identify if impediments still existed.

The following is an overview of the demographic findings:

- The median household income is $60,972
- 52% of the population are married-couple families, 30% are nonfamily households and 12% are female head of household families
- Children age five to nine and those 30 to 35 years of age represent the largest age groups
- The majority of the population identifies themselves as white, non-Hispanic (54%). The second largest percentage of the population in the City identifies themselves as Hispanic (34%).
- 8.8% of Thornton residents live below the federal poverty level
- 7% of the population report that they have some type of disability
- 4.7% of people living in Thornton are veterans
- At least 1,578 residents fall into the “frail, elderly” demographic

Here is a summary of the housing situation in Thornton:

- 77% of the housing stock is single-family homes; 17% of the housing is multifamily complexes; 6% are manufactured homes
- 90% of the single-family homes are owner occupied
- Foreclosure petitions dropped 71% from the high in 2008
- Home values have increased 21% from 2010 to 2014
- Lower priced housing tends to be concentrated in the southern part of the city while higher priced housing is concentrated in the northern part of the city
- Most survey respondents reported that their homes were in good to excellent condition

The following are concerns identified in the Assessment:

- Housing of different types and at different price points can be more equitably dispersed throughout the city; a concentration of lower cost rental & for-sale housing exists in the south
- There is a limited amount of accessible housing
- Many renters with annual incomes of $49,999 or less use more than 30% of their income on housing costs, which includes rent and utilities
- There is a high demand for assisted living, memory care and independent living with services at a lower price point, and more supply than demand for age targeted housing for middle to upper income residents 55 years of age and above
- Housing developers may face a challenge with neighbors not wanting new housing for low income people around existing housing
- Minority races and ethnicities may not be aware of what constitutes discrimination

The Housing Needs Assessment was posted on the City website in August for people to read and provide feedback. All local agencies interviewed for the Assessment as well as the HUD Office of Fair
Housing and Equal Opportunity (FHEO) were notified that the draft Assessment was available to review. Three comments were received. The first was from the Homeless Education Liaison at the Adams 12 School District, “I’ve read the report and it is outstanding. Thank you for the hard work you’ve put into this and for the work you do for the citizens of Thornton.” The second comment was from the Denver Metro Fair Housing Center (DMFHC) staff on the Analysis of Impediments section, which discusses actual or potential housing discrimination. DMFHC staff suggested that Thornton should consider an in-depth study on whether minorities are being steered towards housing in south Thornton or denied home mortgages because of their race or ethnicity. City staff welcomed DMFHC to study the issue in Thornton and Adams County and strengthened the recommendation in the document to support HUD-certified home buyer education for all Thornton residents, including minorities, to overcome this perceived barrier. The third comment was from the Equal Opportunity Specialist at FHEO who expressed a concern regarding the language in the City’s Development Code, Section 18-228 on group homes, specifically “persons being kept shall not be bedfast or suffering from a communicable disease and “no group home established for the aged or persons with mental illness shall be established within 750 feet of another such group home.” Based upon this feedback, the Equal Opportunity Specialist from FHEO recommended that the City review and consider removing the language “bedfast or suffering from a communicable disease” and “persons with mental illness” to ensure that the Development Code does not violate the rights of any protected class under the Fair Housing Act or Colorado law.

The findings from the Housing Needs Assessment will be included in the Consolidated Plan, a plan defining the housing and community development needs and prioritizing the needs that should receive Community Development Block Grant funds in the next five years.

Timeline
- August - November – Staff posted the draft Housing Needs Assessment on the City’s webpage for public comment.
- September – Staff presented information from the Housing Needs Assessment when surveying residents about the priority housing and community needs in Thornton.
- August 26, 2014 – Staff presented the findings of the Housing Needs Assessment to City Council.
- January and February 2014 – Online surveys for residents, housing developers and property managers and housing service providers was available online to complete.
- October - November 2013 – Interviews with service providers and City staff were conducted.
- October 2013 – The City hired Community Strategies Institute to perform the data collection and analysis of Thornton’s housing market.
RESOLUTION

A RESOLUTION ACCEPTING THE 2014 HOUSING NEEDS ASSESSMENT.

WHEREAS, the Housing Needs Assessment (Assessment) evaluates whether there is a balance of housing options throughout the community, identifies any housing discrimination impediments, and determines if there is unmet demand or need within the housing market; and

WHEREAS, this Assessment provides recommendations to help the City address any current issues and guide the City on developing future housing that meets the needs of the community; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires all entitlement jurisdictions to submit a Consolidated Plan in order to receive Community Development Block Grant funding and findings from the Housing Needs Assessment are included in that Plan; and

WHEREAS, the City became an entitlement jurisdiction in March 2010 pursuant to City Council Resolution No. 2009-066 in order to receive funding from HUD to address housing and community development needs; and

WHEREAS, the City and consulting team, Communities Strategies Institute, worked on the Housing Needs Assessment between September 2013 and September 2014 to collect and analyze housing and community development data, conduct interviews and surveys in English and Spanish, and identify gaps and findings as it relates to Thornton’s housing stock; and

WHEREAS, the draft document was available for public comment from August through November 2014 and two comments were received and incorporated into the document.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

The Housing Needs Assessment is hereby accepted.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on ________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

Nancy A. Vincent, City Clerk
City of Thornton, Colorado

Housing Needs Assessment
&
Analysis of Impediments to Fair Housing Choice

Prepared by:
Community Strategies Institute
P.O. Box 140387
Edgewater, CO 80214

August 2014
The Community Strategies Institute was formed in 2003 to provide fiscal and economic analysis, education and training to individuals and groups wishing to better understand and improve the economic and social factors influencing affordable housing development, housing conditions and community infrastructure as those elements influence the economic mobility of low-income populations. The Institute Directors and Members have diverse backgrounds in housing development, finance, management, policy and research. The Institute can be your partner in designing research, programs, and investments for expanding opportunities for individuals to become economically stable members of caring communities. CSI has completed 15 housing needs assessment and 2 analysis of impediment documents for cities and counties located in Colorado, Wyoming, Utah, New Mexico and Montana.

Tom Hart, Director at CSI, has developed programs and plans resulting in the largest production increase of affordable housing units in the state’s history. He took an active role in formulating the first statewide affordable housing investment strategy which eventually lead to what is now called the Consolidated Plan. He is a graduate of the University of Colorado and has over 30 years of experience as a market researcher, real estate broker, educator, property manager, policy consultant, and general partner in real estate investment partnerships.

Jennie Rodgers, Director at CSI, has over 20 years of experience in the arena of affordable housing finance and development. She has worked in the non-profit, private and government sectors on urban and rural housing initiatives. Starting her career a developing a homeless shelter, she then moved on to being a housing consultant. She has co-authored many publications on the housing needs in Colorado and created training products aimed at local government officials. She has a B.A. in Anthropology and Business from Vanderbilt University.

For more information contact:

Tom Hart
303.902.9028
tomhart@csicolorado.org

Jennie Rodgers
303.668.2534
jennie@csicolorado.org

www.csicolorado.org
# Table of Contents

**EXECUTIVE SUMMARY**................................................................................................................................. 5  
COMMUNITY AND HOUSING PROFILE ................................................................................................................ 5  
BALANCE OF HOUSING ........................................................................................................................................ 6  
HOUSING IMPEDIMENTS FOR LOW-INCOME AND SPECIAL POPULATIONS .......................................................... 7  
HOUSING COMPARISON WITH OTHER COMMUNITIES ....................................................................................... 8  

**SECTION 1: INTRODUCTION**.......................................................................................................................... 9  
HOW TO USE THIS DOCUMENT ....................................................................................................................... 9  
METHODOLOGY ................................................................................................................................................... 11  

**SECTION 2: SOCIOECONOMIC PROFILE** ......................................................................................................... 13  
POPULATION ....................................................................................................................................................... 14  
HOUSEHOLDS .................................................................................................................................................... 22  
HOUSEHOLD INCOME ........................................................................................................................................ 23  
FAMILIES IN POVERTY ....................................................................................................................................... 25  
PROFILE OF SPECIFIC POPULATIONS .............................................................................................................. 28  
ECONOMIC CONDITIONS ................................................................................................................................... 37  
COMMUTING ....................................................................................................................................................... 40  

**SECTION 3: HOUSING PROFILE AND COSTS** .................................................................................................. 43  
HOUSING OPTIONS ........................................................................................................................................... 43  
HISTORIC HOUSING PRODUCTION ..................................................................................................................... 46  
NUMBER OF HOUSING UNITS ............................................................................................................................ 48  
VACANCY RATES .................................................................................................................................................. 49  
FORECLOSURES ................................................................................................................................................ 51  
CONDITION OF HOUSING ................................................................................................................................. 54  
COST OF HOUSING ............................................................................................................................................ 62  
PUBLIC AND ASSISTED HOUSING ...................................................................................................................... 75  
BARRIERS TO AFFORDABLE HOUSING ............................................................................................................. 78  
HOUSING AND SERVICES FOR SPECIFIC POPULATIONS ............................................................................. 80  
TRANSIT ORIENTED DEVELOPMENT ............................................................................................................... 87  

**SECTION 4: HOUSING NEEDS AND FINDINGS** ............................................................................................... 90  
HOUSING GAPS ANALYSIS ............................................................................................................................... 90  
HOUSING NEEDS OF SPECIFIC POPULATIONS ............................................................................................... 95
EXECUTIVE SUMMARY

This document informs the development of future long-term strategic plans, including the Consolidated Plan and the Comprehensive Plan.

COMMUNITY AND HOUSING PROFILE

Thornton is the most populous city in Adams County, and sixth in the state. Located approximately ten miles north of downtown Denver and adjacent to Interstate 25, Thornton has easy access to various transportation routes and will have commuter rail operating in the community in the next five years. With large parcels of land yet to be developed, Thornton will continue to grow. In August 2014, Thornton was named the ninth best city for first-time home buyers in a report by WalletHub that surveyed the market and community environment in the 300 largest U.S. cities. Residents that have been surveyed and asked through community meetings state that they choose Thornton as their home because of the cost and quality of housing, as well as access to amenities, such as parks and trails.

According to the City data, as of the second quarter of 2014, the population was 123,012, an increase of more than 3,000 people since the last Housing Needs Assessment was completed in 2009. The age ranges with the largest population numbers are children age five to nine, and those 30 to 35. When the data is sorted by generations, it indicates that the largest generation living in Thornton is Generation X, people born between 1965 and 1984. This group represents just over 31% of the total city population. The second largest group is the Millennium Generation, people born between 1985 and 2004, at 29.9% of the total city population. The Baby Boom Generation, those born between 1946 and 1964, comprise 18% percent of the population. This has been the segment of the population that has grown the most since 2000.

The majority of the population identifies themselves as white, non-Hispanic (54%). The next largest percentage of the population in the city identifies themselves as Hispanic (34%). Racial and ethnic minorities are growing at a faster rate compared to white only residents and the population as a whole. Residents that identify themselves as Hispanic comprise more than 50% of the population in some census tracts in south Thornton.

As the population has grown, so has the number of households. Most of the households are married-couple families, making up almost 52% of the population. Another 30% are nonfamily households. Female head of household families comprise 12% of the population.

There are 44,758 housing units in Thornton as of the second quarter of 2014, according to City data. Almost three quarters of the housing stock is single-family homes; 17% of the housing is multifamily complexes, both rental and owner-occupied, and six percent are manufactured homes. Of the 25,913 single-family detached homes in the city, 80% are owner occupied and the rest are rentals. There are 33 apartment complexes in Thornton, representing 7,818 rental units according to the 2014 apartment survey. That survey indicates that 90% of these apartments are one and two bedroom units.

Thornton’s economy is recovering from the recession as is the housing market. Foreclosures have dropped significantly, with petitions down 71% in 2013 from the high in 2008. Property values and prices are increasing, which is a trend seen throughout the metro area. Realtors® interviewed for this study report that a few affordable units for sale can be found in Thornton for households at the low-income level. Also, rental vacancy rates are low and rent prices are rising.
Low-Income Population in Thornton
There are 21,257 households that meet the U.S. Department of Housing and Urban Development definition of low-income in Thornton. In general, these are families are more likely to consist of five or more people and/or headed by a single female. A total of 8.8% of the Thornton residents, or 10,764 people, live below the federal poverty level. Poverty appears to be rising among all Thornton families. Eighteen percent of renters live below the poverty line, whereas 4% of homeowners live in poverty.

Specific Populations and Housing for these Populations
The 2013 Point-In-Time survey conducted by the Metro Denver Homeless Initiative counted 1,264 homeless persons in Adams County and 159 of these people listed Thornton as the place they spent the previous night. Of the people counted in the survey, 80% are families with children. The survey only found one unaccompanied youth. In addition, the consultant estimated that 1,356 Thornton residents live doubled up with friends or non-relatives. Less than 3% of the homeless population in the County are chronically homeless, which is homeless for more than a year or homeless four or more times within three years. Homeless survey respondents state that the top reasons why they were homeless are lost jobs, housing costs, family problems, evictions or foreclosures, and mental illness. Twenty-five of the 143 emergency and transitional beds offered in Adams County are located in Thornton and are limited to victims of domestic violence or at risk youth. Cold Weather Care is a seasonal temporary shelter program that provides up to 20 beds to individuals experiencing homelessness during the winter months.

There are 8,923 residents who indicated they have some type of disability, representing 7% of the Thornton population. There has been a 14.75% increase in the disabled population in five years, based on the data in the 2009 Housing Needs Assessment. The age group with the highest increase in disabilities is youth age five to 17 years old. The most common disability in youth is cognitive difficulty, while ambulatory difficulty is the most common type of disability for adults. There are 51 affordable, accessible units available to the disabled population who wish to rent an apartment in Thornton.

The census estimates there are 5,820 veterans in Thornton, which is 4.7% of the total city population. In general, veterans are much older than the general population, with nearly two thirds over the age of 55. They are less likely to be below the poverty line, and more than twice as likely to have a disability. Only one Veterans Affairs Supportive Housing voucher was used by a veteran in Thornton.

The U.S. Department of Housing and Urban Development (HUD) lists the frail elderly as a special population. The frail elderly are people able to perform at least three "activities of daily living" comprising of eating, bathing, grooming, dressing, or home management activities, according to the HUD glossary of terms. There is no age associated with this term. Residents currently living in assisted living, as well as older adults being served through a Meals on Wheels program, visiting nurse or senior day service program may qualify as well as those that are rehabilitating after surgery. Up to 2,757 current residents or 1,049 households could fit into this group depending on their need. Data from HUD indicates that there are 1,578 frail, elderly people residing in Thornton who pay more than 30% of their monthly living expenses on housing costs.

BALANCE OF HOUSING
Thornton’s housing stock is three quarters single-family homes and one quarter multifamily complexes and manufactured homes. There are a large amount of homes valued at $144,200 to $298,700. At least 6,000 households that are earning more than 120% area median income could afford to purchase a home at a higher
price point. For all the current residents to pay no more than 30% of their monthly income on housing, Thornton would need 3,100 more rental units for extremely low-income residents.

There are 384 housing vouchers being used in Thornton, which is 27% the total vouchers allocated to Adams County. Housing vouchers allow low-income households to pay 30% of their monthly income on a qualified rental unit, with the federal government covering any remainder. Most of the vouchers used in Thornton are tenant-based vouchers, meaning the resident can choose to use them at any housing that accepts vouchers. As of February 2014, twelve of the 33 apartment complexes in Thornton accept tenant-based rental vouchers. In Thornton, 49% of all voucher holders have a disability or are elderly. Vouchers are distributed by lottery to people on the wait list. The majority of the households on the waiting list are extremely low-income, with an average income of $10,256 per year. Family households make up most of the waiting lists, and there are significant numbers of persons with disabilities on the waiting lists as well.

There are a total of 1,349 affordable rent-restricted units in Thornton. Rent-restricted units means that rental rates are capped at a level that will remain affordable to low-income households. Vacancy rates are very low for Thornton's subsidized apartment complexes, which have an average vacancy rate of 1.3% according to the City’s 2014 Apartment Survey. Also, Thornton has less rent-restricted complexes for its population compared to neighboring communities. Thornton has eight complexes affordable to low-income people and two of these are age-restricted. According to coloradohousingsearch.com and CHFA data, Westminster, who has a similar population size as Thornton, has 17 subsidized rental complexes; Commerce City has nine rent-restricted complexes; Brighton has six of these complexes, Northglenn has four rent-restricted complexes and Federal Heights has one.

There is not a variety of housing options or housing at different price points dispersed equally throughout the city. Thornton has a notable high concentration of housing serving low-income people in south Thornton and a lack of affordable housing north of 120th Avenue. A majority of the apartments, 24 out of the 33, are south of 104th, including most of the complexes that are considered affordable. Also, all six of the manufactured home parks in Thornton are located in the southern area of the city. Without government interceding with market driven development, low-income people may be unintentionally isolated to this section of Thornton.

There appears to be a high demand for assisted living units, memory care and independent living with services at a lower price point. Two of the agencies that offer the majority of assisted living units in Thornton are Villas at Sunny Acres and Park Regency. The Villas at Sunny Acres has 477 units, 36 of which are assisted living. There are no vacancies for these type of units and many times they have to send their independent living residents off site if they need this level of service. Park Regency offers the largest amount of assisted living units in Thornton; 102 out of their 113 apartments are assisted living units. This new facility opened in January 2014; all studio units are full and there are 46 vacancies for the larger, more costly units.

HOUSING IMPEDIMENTS FOR LOW-INCOME AND SPECIAL POPULATIONS

The Federal Fair Housing Act protects seven specific “classes” from discrimination in the housing market. The classes covered include race, ethnicity, religion, sex, familial status, disability, and or national origin. All persons are protected by Fair Housing laws, which seek to prevent discrimination against people with these protected characteristics when seeking to rent or purchase a home.

In general, the analysis found low reported levels of discrimination and no major barriers to fair housing in Thornton. However, some trends emerged and four impediments were identified. Actions steps are recommended for each
of the impediments listed including education and outreach to residents, service providers and housing agencies as well as providing support to those agencies that develop affordable housing.

1. People with disabilities have a higher propensity to experience discrimination when looking for housing, have a limited amount of rental housing that offer accessible features and are more likely to fall below the poverty level, thus, finding it harder to find an affordable place to live.

2. Data confirms that affordable rental and lower priced for-sale housing is concentrated in the southern part of the city. There are also higher concentrations of those who are in a protected class in these same areas. While those of the protected class may be choosing to move into this area, they may feel that this area is their only option. The private housing market may be inadvertently segregating people of protected classes to one area of the community.

3. Public opposition to proposed affordable housing rental complexes may limit the types of housing and opportunities for protected classes to find a place to live. While public comment is valued by HUD, the federal agency is aware that the public can discriminate against people of a certain race, ethnicity, religion, sex, familial status, disability, and or national origin through strong opposition and pressure to eliminate or prevent certain types of housing that these classes may need in or near their neighborhoods.

4. People of minority races and ethnicities could experience discrimination if they are not aware of their rights or what constitutes discrimination. While this is not an impediment that has been found in Thornton, it is a potential impediment considering reports in the metro area indicate that minorities have experienced discrimination when looking for rental housing. Thornton data indicated Hispanic households had a loan denial rate almost twice as high as non-Hispanic households. The denials were attributed to poor credit history and debt to income ratio, which are justifiable reasons to deny a loan. However, it may indicate that there is lack of information about home purchase requirements.

HOUSING COMPARISION WITH OTHER COMMUNITIES

Most, if not all of the Denver metro communities have shortages of rental housing and for sale housing that is affordable to low-income households, as well as pockets of aging housing stock. It is expected that housing developments metro-wide, including Thornton, will see a steady increase in new construction.

In reviewing the for sale market, Thornton is slightly below the Denver metro area in median home values, median sold price, and number of homes sold monthly. However, the percentage of total home sales related to foreclosures is slightly higher than the metro area. Foreclosures have still seen a steady decrease both in Thornton and the Denver region.

Similar to the metro area, there is a high demand for affordable housing in Thornton. While Thornton’s overall rental vacancy rate is between 4 and 5%, it is 1.3% for subsidized apartment complexes, according to the City’s annual apartment survey. Thornton’s high demand for affordable multifamily may be linked to the low level of new multifamily construction, and the relatively low overall number of subsidized apartments in Thornton compared to other major and neighboring cities.

The commuter rail stations, set to open in 2018, offer an opportunity for new housing development in Thornton. Transportation is important to housing in Thornton, as 93% of Thornton residents commute elsewhere to work. The Station Area Master Plans for the North Metro Rail Line at 88th and 104th are slated to be completed by the end of fourth quarter 2014 and will be valuable to guiding future development.
SECTION 1: INTRODUCTION

The Community Strategies Institute (CSI) was hired by the Neighborhood Services Division at the City of Thornton to collect information on housing in the city, county and state to update the City’s 2009 Housing Needs Assessment and the Analysis of Impediments to Fair Housing Choice, referred to as the HNA and AI, respectively. CSI performed surveys, conducted interviews with service providers and gathered data to provide a picture of the housing supply, demand, gaps and needs in Thornton.

The Housing Needs Assessment will be used to inform the City’s long term strategic plans, including the Consolidated Plan and Comprehensive Plan, to help guide future growth for residents living in Thornton. The information in this document provides an assessment of household characteristics, demographics, and a market analysis of the current housing stock. Based upon this data, gaps and needs are identified and key findings related to the balance of housing are presented.

The analysis of impediments section in this document focuses specifically on housing discrimination, identifies impediments, and provides action items to address those impediments. The AI is a component of the Consolidated Plan. The Consolidated Plan is the City’s five-year plan that is required by the U.S. Department of Housing and Urban Development (HUD) for jurisdictions that receive Community Development Block Grant (CDBG) funds. It is currently being updated for 2015 - 2019. HUD is having cities and counties submit their Consolidated Plan as one document. However, while the Adams County Consolidated Plan will identify the needs and goals within the county as a whole, Thornton is expected to have a separate and city-specific HNA, AI and list of priorities for the use of Community Development Block Grant funds.

The City’s Comprehensive Plan provides an overall vision of how the city will grow and how it will continue to address the needs of its citizens. It is updated on a five year basis and the latest version was adopted in 2012. The data in this document will provide quantitative and qualitative information on housing in Thornton.

Other plans may use the information from the Housing Needs Assessment, including the City’s Housing Master Plan, subarea plans, transportation plans, or economic development plans.

HOW TO USE THIS DOCUMENT

This document is divided into four main sections: Socioeconomic Profile, Housing Profile and Costs, Housing Needs and Findings, and the Analysis of Impediments to Fair Housing. The first two sections were used to develop the latter two sections.

HUD requires completion of specific tables for the Consolidated Plan as part of the housing evaluation process. Since the Housing Needs Assessment informs the Consolidated Plan, the tables are incorporated into this document and the information has been used to analyze and evaluate the City’s current housing needs and gaps. Throughout this document, readers may see “HUD Table” followed by a description (i.e., “MA-15 Cost of Housing”). There is a matrix in the Appendix that provides additional information on the HUD required tables and how they can be mapped to the information required for the Consolidated Plan.
For the AI section, Thornton is required to provide background data and other information that serve as a basis for identifying Fair Housing impediments and making conclusions.

Where applicable, comments in the housing sections that specifically relate to Fair Housing are noted by a text box.

CSI utilized a variety of data sources to develop this document. Some information was derived from HUD’s online system called the Integrated Disbursement Information System (IDIS), which pulls information from specific years from the census. Other tables may reference more recent data or even projected estimates depending on the content. The Colorado State Demographers Office provides population estimates based on a specific methodology that involves census data integrated with a housing unit method and county population estimates. The City of Thornton also provides quarterly population counts based upon certificates of occupancy and housing unit counts. Where applicable, the different sources have been noted.

The term AMI or area median income is used throughout this document. AMI is a term that is typically used by HUD to identify different levels of annual household income based upon the median for the County. Most HUD funded programs are accessible to people that make 80% or less of the AMI. The following table provides a breakdown by family size of AMI for 2014. The 2014 median income for Adams County is $76,700.

Table 1. Adams County 2014 Area Median Income

<table>
<thead>
<tr>
<th>Family Size</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>30% AMI (extremely low-income)</td>
<td>$16,100</td>
<td>$18,400</td>
<td>$20,700</td>
<td>$23,850</td>
<td>$27,910</td>
<td>$31,970</td>
<td>$36,030</td>
<td>$40,090</td>
</tr>
<tr>
<td>50% AMI (very low-income)</td>
<td>$26,850</td>
<td>$30,700</td>
<td>$34,550</td>
<td>$38,350</td>
<td>$41,450</td>
<td>$44,500</td>
<td>$47,600</td>
<td>$50,650</td>
</tr>
<tr>
<td>80% AMI (low-income)</td>
<td>$42,950</td>
<td>$49,100</td>
<td>$55,250</td>
<td>$61,350</td>
<td>$66,300</td>
<td>$71,200</td>
<td>$76,100</td>
<td>$81,000</td>
</tr>
<tr>
<td>100% AMI</td>
<td>$53,700</td>
<td>$61,400</td>
<td>$69,100</td>
<td>$76,700</td>
<td>$82,900</td>
<td>$89,000</td>
<td>$95,200</td>
<td>$101,300</td>
</tr>
<tr>
<td>120% AMI</td>
<td>$64,450</td>
<td>$73,650</td>
<td>$82,850</td>
<td>$92,050</td>
<td>$99,400</td>
<td>$106,750</td>
<td>$114,150</td>
<td>$121,500</td>
</tr>
</tbody>
</table>

Source: 2014 HUD Income Limits and Colorado Housing and Finance Authority website

Throughout this document, comparisons were made with numbers and statistics from the 2009 Housing Needs Assessment, or from other years. These calculations illustrate how Thornton’s population is evolving and how the housing stock may need to adjust to keep pace with these changes. Most changes are provided in raw numbers, but many are also presented in terms of the percent increase or decrease from the earlier year.

For example, according to the U.S. Census there were 29,104 households in Thornton in the year 2000 and 41,557 in 2010. This is an increase of 12,453 households, or 43%. This means that between 2000 and 2010, Thornton added 43% of what it had in 2000. If it had increased by 100%, that number would be double the amount or 58,208 (29,104 x 2). So an increase above 100% means the number has more than doubled from the base year. Conversely, a 50% decrease indicates that the number has been cut in half (reduced by 50% of what it was in the first year).
METHODOLOGY

Interviews and Surveys
Public participation is a key part of the process, and feedback from the community is used to make informed decisions on prioritizing CDBG and HOME funds. As such, CSI performed interviews with service providers as well as conducted online surveys for residents, developers and housing managers. Interviews were held with 25 individuals representing numerous groups living and working in Thornton. Many human service and housing provider groups as well as local businesses, school district representatives, lenders and realtors were interviewed to gain their insight into the housing needs and challenges facing low and moderate income households in the City. In addition, staff in the City Development Department were interviewed. CSI also conducted an online housing survey in which 594 Thornton residents responded. A Fair Housing survey and a developer survey were also distributed. Additional information on this part of the public participation process can be found in the Appendix.

Data Collection
CSI utilized numerous data sources and completed statistical analyses of the data including HUD reports (area median income, fair market housing rates, fair housing complaints, Community Planning & Development - CPD mapping tool), Home Mortgage Disclosure Act (HMDA) data, Comprehensive Housing Affordability Strategy (CHAS) data, Colorado Civil Rights Division data, Apartment Association of Metro Denver (AAMD), Metro Denver Homeless Initiative (MDHI) reports, RealtyTrac, and Multiple Listing Service (MLS). Census data was the main source used throughout this document including On the Map and the American Community Survey or ACS. All sources are noted at the bottom of the table or figure.

City of Thornton staff provided maps and monthly real estate reports that included foreclosure filing data. CSI was also provided with access to several City-based documents including:

- Housing documents and reports (Housing Master Plan, HNA 2009, monthly housing and foreclosure reports, annual Apartment Survey)
- Master and subarea plans (Comprehensive Plan, South Thornton Revitalization Subarea Plan (STaR), commuter line station area master plans, urban renewal plans)
- HUD documents (Consolidated Plan, Annual Action Plans and end of the year reports; Analysis of Impediments to Fair Housing 2009, Citizen Participation Plan)
- Brochures, flyers and information on the City’s website
- Population and demographic reports
- Annual citizen survey 2013
- Senior service assessment and master plans
- City Code

Evaluation and Analysis
CSI reviewed all of the information and developed the demographic profile and housing market analysis. This lent to the identification of housing needs. CSI also completed an evaluation of the City of Thornton regulations, policies and procedures as they relate to Fair Housing and evaluated statistical data based on the number of housing discrimination cases filed with HUD. Impediments were identified and action items were recommended. Under the Consolidated Plan, HUD-funded recipients are required to show they are affirmatively furthering Fair Housing by: (1) examining and attempting to alleviate housing discrimination within their jurisdiction; (2) promoting Fair Housing choice for all persons; (3) providing opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin; (4)
promoting housing that is accessible to and usable by persons with disabilities; (5) and complying with the non-discrimination requirements of the Fair Housing Act.

Key Findings
The key findings were developed based upon the data collected. Staff evaluated actions that have already been completed or are ongoing from the recommendations of the previous HNA and AI, looked at the trends of the housing market and changing socioeconomic factors of the Thornton community and how partnerships with key stakeholders could help in overcoming the challenges in Thornton.
SECTION 2: SOCIOECONOMIC PROFILE

The City of Thornton is located in Adams County, Colorado, approximately ten miles north of downtown Denver and adjacent to Interstate 25. Land in the north section of what is now called Thornton was originally developed as a town called Eastlake, Colorado just after the turn of the 20th century. The land was subdivided into plots for farms. The Union Pacific Railroad, built in the fall of 1907, was used to ship crops and livestock from the Eastlake area to the markets in Denver. In April 1953, Sam Hoffman purchased land from the Eppinger family and started the construction of a 5,000 home subdivision seven miles north of downtown Denver. The area was named Thornton after the current governor, Dan Thornton. A few years later, in 1956, the City was incorporated with a population of 8,640 and a size of one square mile. Annexation of adjacent land west, east, and north of the existing city began in the 1960s. Annexation and growth north and east continued into the 2000s. The City is now 36 square miles in size, and is bordered by Northglenn, Commerce City, unincorporated Adams County, Federal Heights, Westminster and Broomfield.

Figure 1: Thornton and Surrounding Communities

Source: City of Thornton GIS
Thornton has several undeveloped parcels of land and will continue to grow into the future as development to the north grows. The population is young compared to Colorado or the rest of Adams County, and while the population is still predominately Anglo, other racial and ethnic groups are growing at faster rates within the City. Most households are families, and more than half live in married couple families.

While the median income in Thornton of $60,972 (as of 2012) is higher than the median income throughout the County or state, it falls in the middle of the median of surrounding communities. Over half of all households have incomes at 80% of the area median income set by HUD for the Denver metro area. According to American Community Survey (ACS) one year estimates, in 2012, 8.8% of Thornton residents lived in poverty, and poverty rates are more than four times higher for renters compared to homeowners. However, poverty is rising among Thornton owners, while it is dropping among renters.

The economy in Thornton is recovering from the recession and the unemployment rate in Thornton is lower than throughout Colorado. The labor force in Thornton is growing, as is the number of employed persons. The total number of jobs is also on the rise.

**POPULATION**

As of the second quarter of 2014, the City of Thornton has estimated its population to be 123,012. The City also estimates population by Ward. The areas with the highest population density are located in the southern half of the City, as indicated in the table below.

**Table 2: Population Estimates per Ward, 2nd Quarter 2014**

<table>
<thead>
<tr>
<th>Ward</th>
<th>Population</th>
<th>Area (in square miles)</th>
<th>Population Density (people per square mile)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ward 1</td>
<td>31,010</td>
<td>5.33</td>
<td>5,818</td>
</tr>
<tr>
<td>Ward 2</td>
<td>30,804</td>
<td>8.21</td>
<td>3,752</td>
</tr>
<tr>
<td>Ward 3</td>
<td>29,761</td>
<td>12.43</td>
<td>2,394</td>
</tr>
<tr>
<td>Ward 4</td>
<td>31,437</td>
<td>10.74</td>
<td>2,927</td>
</tr>
</tbody>
</table>

Source: City of Thornton, 2014
Thornton has denser population in southern, older neighborhoods, which consist of small homes and lots and includes more multi-unit properties. Newer neighborhoods in north Thornton have larger lots, fewer multifamily developments, and less dense single-family homes.

**Population by Age**
While the median age in Thornton is rising, it is slightly lower than the median age for the county and state. In 2013, the median age in Thornton was 32.5. In Colorado, it was 36.7, and it was 33.4 in Adams County. The
following table shows the population in Thornton by age group. Thirty-two percent (32%) of the population of Thornton was age 19 or under in 2013. Another 24% were between the ages of 20 and 39.

**Figure 3: Population by Age, 2013 and 2015, City of Thornton**

Source: U.S. Census American Community Survey and CSI

The Census breaks down population by age including projections out to 2015. As of 2013 in Thornton, the age ranges with the largest population numbers are children age 5 to 9, and those 30 to 35. If the data was sorted by generations, it would indicate that the largest generation living in Thornton is Generation X, people born between 1965 and 1984. At 38,971 people, this is just over 31% of the total city population. This group is followed closely by the Millennium Generation, people born between 1985 and 2004, at 29.9% of the total city population. The Baby Boom Generation, those born between 1946 and 1964, comprise 18% percent of the population, but has been the segment of the population that has grown the most since 2000. The number of people between the ages of 50 and 69 living in Thornton increased 51% over the last 13 years. The percentage of Thornton residents that were born before the Baby Boom Generation comprises 3.7% of the population and has increased by 31% since 2000, which is at the same pace as the Millennials and Generation X.
### Table 3: City of Thornton 2000 - 2015 Population by Age

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2000</th>
<th>2010</th>
<th>2013</th>
<th>2015 (projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Under 5 years</td>
<td>7,242</td>
<td>8.8%</td>
<td>10,215</td>
<td>8.6%</td>
</tr>
<tr>
<td>5 to 9 years</td>
<td>7,174</td>
<td>8.7%</td>
<td>10,368</td>
<td>8.7%</td>
</tr>
<tr>
<td>10 to 14 years</td>
<td>6,609</td>
<td>8.0%</td>
<td>9,322</td>
<td>7.8%</td>
</tr>
<tr>
<td>15 to 19 years</td>
<td>6,010</td>
<td>7.3%</td>
<td>8,179</td>
<td>6.9%</td>
</tr>
<tr>
<td>20 to 24 years</td>
<td>5,591</td>
<td>6.8%</td>
<td>7,658</td>
<td>6.4%</td>
</tr>
<tr>
<td>25 to 29 years</td>
<td>7,226</td>
<td>8.8%</td>
<td>9,660</td>
<td>8.1%</td>
</tr>
<tr>
<td>30 to 34 years</td>
<td>7,599</td>
<td>9.2%</td>
<td>9,999</td>
<td>8.4%</td>
</tr>
<tr>
<td>35 to 39 years</td>
<td>7,782</td>
<td>9.4%</td>
<td>10,167</td>
<td>8.6%</td>
</tr>
<tr>
<td>40 to 44 years</td>
<td>7,041</td>
<td>8.5%</td>
<td>8,946</td>
<td>7.5%</td>
</tr>
<tr>
<td>45 to 49 years</td>
<td>5,908</td>
<td>7.2%</td>
<td>8,315</td>
<td>7.0%</td>
</tr>
<tr>
<td>50 to 54 years</td>
<td>4,793</td>
<td>5.8%</td>
<td>7,278</td>
<td>6.1%</td>
</tr>
<tr>
<td>55 to 59 years</td>
<td>2,920</td>
<td>3.5%</td>
<td>6,142</td>
<td>5.2%</td>
</tr>
<tr>
<td>60 to 64 years</td>
<td>1,878</td>
<td>2.3%</td>
<td>4,797</td>
<td>4.0%</td>
</tr>
<tr>
<td>65 to 69 years</td>
<td>1,431</td>
<td>1.7%</td>
<td>2,919</td>
<td>2.5%</td>
</tr>
<tr>
<td>70 to 74 years</td>
<td>1,169</td>
<td>1.4%</td>
<td>1,794</td>
<td>1.5%</td>
</tr>
<tr>
<td>75 to 79 years</td>
<td>899</td>
<td>1.1%</td>
<td>1,237</td>
<td>1.0%</td>
</tr>
<tr>
<td>80 to 84 years</td>
<td>547</td>
<td>0.7%</td>
<td>907</td>
<td>0.8%</td>
</tr>
<tr>
<td>85 years and over</td>
<td>565</td>
<td>0.7%</td>
<td>869</td>
<td>0.7%</td>
</tr>
<tr>
<td>Total</td>
<td>82,384</td>
<td></td>
<td>118,772</td>
<td></td>
</tr>
<tr>
<td>Median age (years)</td>
<td>30.8</td>
<td></td>
<td>32.0</td>
<td></td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

### Population by Race and Ethnicity

The majority of the population in Thornton is white, non-Hispanic (54%). Just less than two percent (2%) of the population is African American and another 5.7% are Asian. Roughly fifteen percent (15.7%) of the population identifies themselves as some other race or two or more races. Those who identify themselves as Hispanic or Latino make up 34% of the total population. However some tracts in southwestern and southeastern Thornton consisted of more than 50% Hispanic population in 2010, as indicated in the map below.
Figure 4. Hispanic Population Distribution

Source: HUD CPD Maps, 2011 5-year ACS Data
Table 4: Population by Race and Ethnicity, 2013

<table>
<thead>
<tr>
<th>Race</th>
<th>Total Population</th>
<th>Distribution by Race</th>
<th>Hispanic or Latino</th>
<th>% Hispanic or Latino</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>94,733</td>
<td>75.6%</td>
<td>24,252</td>
<td>25.6%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>2,381</td>
<td>1.9%</td>
<td>314</td>
<td>13.2%</td>
</tr>
<tr>
<td>American Indian and Alaska Native</td>
<td>1,378</td>
<td>1.1%</td>
<td>815</td>
<td>59.1%</td>
</tr>
<tr>
<td>Asian</td>
<td>7,110</td>
<td>5.7%</td>
<td>228</td>
<td>3.2%</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander</td>
<td>79</td>
<td>0.1%</td>
<td>23</td>
<td>29.2%</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>14,661</td>
<td>11.7%</td>
<td>14,426</td>
<td>98.4%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>4,950</td>
<td>4.0%</td>
<td>2,569</td>
<td>51.9%</td>
</tr>
<tr>
<td>Total population</td>
<td>125,308</td>
<td>100.0%</td>
<td>42,626</td>
<td>34.0%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

The percent and total number of Thornton residents that are racial and ethnic minorities are growing at a higher rate than white only residents. Thornton’s Hispanic population grew at an annual rate of 11% per year between 2000 and 2013, and the Asian population grew 18.8%, while the population as a whole grew an average of 4% per year.

Table 5: Average Annual Change in Population by Race and Ethnicity, 2000 - 2013

<table>
<thead>
<tr>
<th>Race</th>
<th>Total Change in Population</th>
<th>Annual % Change</th>
<th>Hispanic or Latino</th>
<th>Annual % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>2,046</td>
<td>3.0%</td>
<td>1,212</td>
<td>14.2%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>90</td>
<td>7.5%</td>
<td>16</td>
<td>16.5%</td>
</tr>
<tr>
<td>American Indian and Alaska Native</td>
<td>35</td>
<td>3.8%</td>
<td>35</td>
<td>9.5%</td>
</tr>
<tr>
<td>Asian</td>
<td>388</td>
<td>18.8%</td>
<td>14</td>
<td>27.3%</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander</td>
<td>-1</td>
<td>-0.7%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>560</td>
<td>7.6%</td>
<td>548</td>
<td>7.5%</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>182</td>
<td>7.0%</td>
<td>102</td>
<td>8.2%</td>
</tr>
<tr>
<td>Total population</td>
<td>3,302</td>
<td>4.0%</td>
<td>1,926</td>
<td>11.0%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

Less than 11% of Thornton’s population is foreign born. Of those that are foreign born, just under half are naturalized U.S. citizens. The foreign born population increased dramatically by 116% between 2000 and 2010. For comparison, the overall population in Thornton increased 40%.

As the number of Thornton residents who are members of racial and ethnic minorities grows, the chance for housing discrimination against these protected residents may also grow. Minority populations can be discriminated against when trying to find housing. For example, a 2014 report by the Denver Metro Fair Housing Center found that minorities in the Denver metro area can experience discrimination when looking for rental housing as much as 91% of the time. This data is not Thornton specific, and no fair housing discrimination cases related to minority status were filed in Thornton from 2008-2012. However these metro-wide findings may be representative of an overall trend in the housing industry.
Table 6: Place of Birth, 2000 - 2010

<table>
<thead>
<tr>
<th></th>
<th>2000</th>
<th></th>
<th>2010</th>
<th></th>
<th>Change 2000-2010</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
<td>Change 2000 to 2010</td>
<td>%</td>
</tr>
<tr>
<td>Total population</td>
<td>82,433</td>
<td>93.2%</td>
<td>115,683</td>
<td>89.5%</td>
<td>33,250</td>
<td>40.3%</td>
</tr>
<tr>
<td>Native</td>
<td>76,787</td>
<td>92.3%</td>
<td>103,482</td>
<td>89.5%</td>
<td>26,695</td>
<td>34.8%</td>
</tr>
<tr>
<td>Born in United States</td>
<td>76,090</td>
<td>92.3%</td>
<td>102,123</td>
<td>88.3%</td>
<td>26,033</td>
<td>34.2%</td>
</tr>
<tr>
<td>Born in Puerto Rico, U.S. Island areas, or born abroad to American parent(s)</td>
<td>697</td>
<td>0.8%</td>
<td>1,359</td>
<td>1.2%</td>
<td>662</td>
<td>95.0%</td>
</tr>
<tr>
<td>Foreign born</td>
<td>5,646</td>
<td>6.8%</td>
<td>12,201</td>
<td>10.5%</td>
<td>6,555</td>
<td>116.1%</td>
</tr>
<tr>
<td>Naturalized U.S. citizen</td>
<td>1,977</td>
<td>2.4%</td>
<td>4,948</td>
<td>40.6%</td>
<td>2,971</td>
<td>150.3%</td>
</tr>
<tr>
<td>Not a U.S. citizen</td>
<td>3,669</td>
<td>4.5%</td>
<td>7,253</td>
<td>59.4%</td>
<td>3,584</td>
<td>97.7%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

The percentage and number of Thornton residents who speak a language other than English has also grown in the past decade. The number of Spanish, Indo-European and Asian and Pacific Island languages as a native language, and who speak English less than “very well” has grown.

Table 7: Language Spoken at Home, 2000 - 2010

<table>
<thead>
<tr>
<th></th>
<th>2000</th>
<th>% of Population Aged 5+</th>
<th>2010</th>
<th>% of Population Aged 5+</th>
<th>Change 2000 to 2010</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population 5 years and over</td>
<td>75,441</td>
<td>105,873</td>
<td>30,432</td>
<td>40.3%</td>
<td>29.1%</td>
<td></td>
</tr>
<tr>
<td>English only</td>
<td>65,279</td>
<td>86.5%</td>
<td>84,245</td>
<td>79.6%</td>
<td>18,966</td>
<td>29.1%</td>
</tr>
<tr>
<td>Language other than English</td>
<td>10,162</td>
<td>13.5%</td>
<td>21,628</td>
<td>20.4%</td>
<td>11,466</td>
<td>112.8%</td>
</tr>
<tr>
<td>Speak English less than &quot;very well&quot;</td>
<td>4,409</td>
<td>5.8%</td>
<td>9,636</td>
<td>9.1%</td>
<td>5,227</td>
<td>118.6%</td>
</tr>
<tr>
<td>Spanish</td>
<td>7,106</td>
<td>9.4%</td>
<td>15,132</td>
<td>14.3%</td>
<td>8,026</td>
<td>112.9%</td>
</tr>
<tr>
<td>Speak English less than &quot;very well&quot;</td>
<td>3,144</td>
<td>4.2%</td>
<td>6,741</td>
<td>6.4%</td>
<td>3,597</td>
<td>114.4%</td>
</tr>
<tr>
<td>Other Indo-European languages</td>
<td>1,659</td>
<td>2.2%</td>
<td>2,801</td>
<td>2.6%</td>
<td>1,142</td>
<td>68.8%</td>
</tr>
<tr>
<td>Speak English less than &quot;very well&quot;</td>
<td>543</td>
<td>0.7%</td>
<td>1,068</td>
<td>1.0%</td>
<td>525</td>
<td>96.7%</td>
</tr>
<tr>
<td>Asian and Pacific Island languages</td>
<td>1,257</td>
<td>1.7%</td>
<td>3,220</td>
<td>3.0%</td>
<td>1,963</td>
<td>156.2%</td>
</tr>
<tr>
<td>Speak English less than &quot;very well&quot;</td>
<td>683</td>
<td>0.9%</td>
<td>1,749</td>
<td>1.7%</td>
<td>1,066</td>
<td>156.1%</td>
</tr>
<tr>
<td>Other languages</td>
<td>475</td>
<td>0.4%</td>
<td>78</td>
<td>0.1%</td>
<td>475</td>
<td>78%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

School District Demographics
The map on the following page shows the boundaries of the four school districts serving Thornton. The percentage of students who are minorities in the four school districts serving Thornton is 52.7% overall, larger than for the city as a whole, and ranges from 45.64% for Adams 12 Five Star to 68.55% for Mapleton 1. The largest number of Thornton students attend Adams 12 Five Star (Northglenn Thornton 12), which had 45.64% minority student population enrolled for the 2013-2014 school year. The higher rates of minorities in the schools suggest that the City’s minority populations are likely to continue to grow in the future.
Figure 5. City of Thornton School Districts

Source: City of Thornton GIS
Table 8: School District Enrollment by Race and Ethnicity, 2013

<table>
<thead>
<tr>
<th>District</th>
<th>American Indian or Alaskan Native</th>
<th>Asian</th>
<th>Black or African American</th>
<th>Hispanic or Latino</th>
<th>White</th>
<th>Other Non-White</th>
<th>Total Pupil Count</th>
<th>Total Minority Count</th>
<th>Percent Minority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mapleton 1</td>
<td>70</td>
<td>110</td>
<td>166</td>
<td>5,140</td>
<td>2,644</td>
<td>278</td>
<td>8,408</td>
<td>5,764</td>
<td>68.55%</td>
</tr>
<tr>
<td>Adams 12 Five Star</td>
<td>330</td>
<td>2,214</td>
<td>944</td>
<td>14,908</td>
<td>22,958</td>
<td>876</td>
<td>42,230</td>
<td>19,272</td>
<td>45.64%</td>
</tr>
<tr>
<td>Adams County 14</td>
<td>44</td>
<td>16</td>
<td>187</td>
<td>6,289</td>
<td>1,000</td>
<td>62</td>
<td>7,598</td>
<td>6,598</td>
<td>86.84%</td>
</tr>
<tr>
<td>Brighton 27J</td>
<td>78</td>
<td>424</td>
<td>277</td>
<td>7,344</td>
<td>8,094</td>
<td>481</td>
<td>16,698</td>
<td>8,604</td>
<td>51.53%</td>
</tr>
<tr>
<td>All Districts Serving Thornton</td>
<td>522</td>
<td>2,764</td>
<td>1,574</td>
<td>33,681</td>
<td>34,696</td>
<td>1,697</td>
<td>74,934</td>
<td>40,238</td>
<td>53.70%</td>
</tr>
</tbody>
</table>

Source: State of Colorado Department of Education, CSI

Figure 6: 2013 School Enrollment for School Districts Serving Thornton

Source: Colorado Department of Education, CSI

HOUSEHOLDS

As Thornton’s population has grown, so has the number of households within the city, though at a slightly slower pace than the population overall. The following chart shows the number of households in Thornton, from 2000 and projected to the year 2018. Household numbers have continued to grow, despite the economic downturn of the past five years, and are projected to continue growing as Thornton develops more housing.
The majority of households in Thornton are families, and 56.8% of households are married-couple families. Just over 30% of households are non-family households, meaning households that have only one person or multiple unrelated persons living together. A higher percentage of owner-occupied households are married-couple families versus renter households.

Table 9: Household Types in Thornton, 2012

<table>
<thead>
<tr>
<th>Total Households</th>
<th>%</th>
<th>Owner Occupied</th>
<th>%</th>
<th>Renter Occupied</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family households</td>
<td>29,405</td>
<td>21,001</td>
<td>8,404</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Married-couple family</td>
<td>22,117</td>
<td>52.5%</td>
<td>17,661</td>
<td>61.9%</td>
<td>4,456</td>
</tr>
<tr>
<td>Male householder, no wife present</td>
<td>2,249</td>
<td>5.3%</td>
<td>942</td>
<td>3.3%</td>
<td>1,307</td>
</tr>
<tr>
<td>Female householder, no husband present</td>
<td>5,039</td>
<td>12.0%</td>
<td>2,398</td>
<td>8.4%</td>
<td>2,641</td>
</tr>
<tr>
<td>Nonfamily households</td>
<td>12,708</td>
<td>30.2%</td>
<td>7,518</td>
<td>26.4%</td>
<td>5,190</td>
</tr>
<tr>
<td>Total</td>
<td>42,113</td>
<td>100.0%</td>
<td>28,519</td>
<td>100.0%</td>
<td>13,594</td>
</tr>
</tbody>
</table>

Since 2008, only 1 out of the 12 cases filed in Thornton was classified as ‘family status’. The case was found to have no cause and was dismissed. Families with children are protected under the federal Fair Housing Act, and may encounter discrimination as they search for housing. According to a 2014 report by the Denver Metro Fair Housing Center, families with children in the metro area may experience discrimination in their housing search as much as 73 percent of the time compared to families without children.

**HOUSEHOLD INCOME**

The median household income in Thornton was $60,972 in 2012, according to the census. This is 8% lower than the median income reported in the City’s 2009 HNA, which was $66,485. Median income means that half the City’s households earn more than this and half earn less. Thornton’s median household income is higher than the median income in Adams County ($55,863), or Colorado ($56,755). The median income in surrounding communities varies: Denver ($50,488), Northglenn ($49,138), Brighton ($59,960), Commerce City ($60,134), Westminster ($65,244) and Broomfield ($77,239).
Within Thornton, household incomes tend to be lower in south Thornton and higher in north Thornton.

**Figure 8. City of Thornton Median Household Income by Census Tract**

In general, owner households in Thornton have significantly higher incomes than renters, which is the case in most communities nation-wide. The median household income for owners according to 2012 census data was $70,068 while the median renter income was $43,555. The share of renters in lower income ranges is also higher, while more owner households are in upper income ranges.

For all households, Thornton has a homeownership rate of 67.7%. This is higher than the homeownership rate of 64.4% in Adams County and 64.0% in Colorado. Thornton’s homeownership rate has decreased nearly 10% since the last HNA, due in part to the economic downturn and foreclosure crisis. During this time incomes of owner-occupied households decreased while renter incomes increased, mirroring the shift in tenure of households from ownership to rental.
Table 10: Household Incomes in Thornton by Tenure, 2012

<table>
<thead>
<tr>
<th>AMI Level</th>
<th>Total Number</th>
<th>Owners %</th>
<th>Renters %</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>Less than $5,000</td>
<td>558</td>
<td>1.3%</td>
<td>181</td>
</tr>
<tr>
<td>$5,000 to $9,999</td>
<td>916</td>
<td>2.2%</td>
<td>494</td>
</tr>
<tr>
<td>$10,000 to $14,999</td>
<td>1,420</td>
<td>3.4%</td>
<td>606</td>
</tr>
<tr>
<td>$15,000 to $19,999</td>
<td>745</td>
<td>1.8%</td>
<td>456</td>
</tr>
<tr>
<td>$20,000 to $24,999</td>
<td>2,188</td>
<td>5.2%</td>
<td>1,106</td>
</tr>
<tr>
<td>$25,000 to $34,999</td>
<td>4,405</td>
<td>10.5%</td>
<td>2,059</td>
</tr>
<tr>
<td>$35,000 to $49,999</td>
<td>5,776</td>
<td>13.7%</td>
<td>3,729</td>
</tr>
<tr>
<td>$50,000 to $74,999</td>
<td>10,711</td>
<td>25.4%</td>
<td>7,111</td>
</tr>
<tr>
<td>$75,000 to $99,999</td>
<td>6,851</td>
<td>16.3%</td>
<td>5,170</td>
</tr>
<tr>
<td>$100,000 to $149,999</td>
<td>6,805</td>
<td>16.2%</td>
<td>5,939</td>
</tr>
<tr>
<td>$150,000 or more</td>
<td>1,738</td>
<td>4.1%</td>
<td>1,668</td>
</tr>
<tr>
<td>Total</td>
<td>42,113</td>
<td>100%</td>
<td>28,519</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

The following table breaks down the number of households in Thornton by HUD AMI level and tenure. CSI has estimated the number of households by AMI level in Thornton for 2013. In Thornton, half of all households have incomes at or below 80% of the median income for the county ($62,240). Households below 80% AMI are considered “low income” by HUD and are eligible for many HUD funded housing units and programs. More than 40% of renter households in Thornton have incomes at or below 50% of the AMI compared to only 20% of owner households. Conversely, just over 40% of owners in Thornton have incomes over 100% of the AMI, versus less than 20% of renter households.

Table 11: Households by AMI level, 2013

<table>
<thead>
<tr>
<th>% of AMI</th>
<th>Owner-occupied Households</th>
<th>%</th>
<th>Renter-occupied Households</th>
<th>%</th>
<th>Total Households</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 30% AMI</td>
<td>2,478</td>
<td>8.7%</td>
<td>2,627</td>
<td>19.3%</td>
<td>5,105</td>
<td>12.1%</td>
</tr>
<tr>
<td>31 - 50% AMI</td>
<td>3,393</td>
<td>11.9%</td>
<td>3,235</td>
<td>23.8%</td>
<td>6,629</td>
<td>15.7%</td>
</tr>
<tr>
<td>51 - 60% AMI</td>
<td>1,934</td>
<td>6.8%</td>
<td>1,062</td>
<td>7.8%</td>
<td>2,996</td>
<td>7.1%</td>
</tr>
<tr>
<td>61 - 80% AMI</td>
<td>4,310</td>
<td>15.1%</td>
<td>2,217</td>
<td>16.3%</td>
<td>6,527</td>
<td>15.5%</td>
</tr>
<tr>
<td>81 - 100% AMI</td>
<td>4,206</td>
<td>14.7%</td>
<td>2,024</td>
<td>14.9%</td>
<td>6,230</td>
<td>14.8%</td>
</tr>
<tr>
<td>101 - 120% AMI</td>
<td>3,218</td>
<td>11.3%</td>
<td>1,046</td>
<td>7.7%</td>
<td>4,264</td>
<td>10.1%</td>
</tr>
<tr>
<td>121% + AMI</td>
<td>8,980</td>
<td>31.5%</td>
<td>1,382</td>
<td>10.2%</td>
<td>10,363</td>
<td>24.6%</td>
</tr>
<tr>
<td>Total</td>
<td>28,519</td>
<td>100.0%</td>
<td>13,594</td>
<td>100.0%</td>
<td>42,114</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

FAMILIES IN POVERTY

The Census Bureau uses a set of income thresholds that vary by family size and composition to determine who is in poverty. If a family’s total income is less than the threshold amount, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index. See the table below for current poverty level incomes. In Thornton, 8.8% of residents, or 10,764 persons, live below the federal poverty level. This compares to 14.9% in Adams County and...
13.7% in Colorado. The poverty level is comparable with the “extremely low income” designation by HUD for families earning at or below 30% of Area Median Income for Adams County.

Table 12: Federal Poverty Level by Households Size, 2012

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Annual Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Person - under 65</td>
<td>$11,945</td>
</tr>
<tr>
<td>1 Person - 65 and over</td>
<td>$11,011</td>
</tr>
<tr>
<td>2 Persons - under 65</td>
<td>$15,450</td>
</tr>
<tr>
<td>2 Persons - 65 and over</td>
<td>$13,892</td>
</tr>
<tr>
<td>3 Persons (weighted avg)</td>
<td>$18,284</td>
</tr>
<tr>
<td>4 Persons (weighted avg)</td>
<td>$23,492</td>
</tr>
<tr>
<td>5 Persons (weighted avg)</td>
<td>$27,827</td>
</tr>
<tr>
<td>6 Persons (weighted avg)</td>
<td>$31,471</td>
</tr>
<tr>
<td>7 Persons (weighted avg)</td>
<td>$35,743</td>
</tr>
<tr>
<td>8 Persons (weighted avg)</td>
<td>$39,688</td>
</tr>
<tr>
<td>9+ Persons (weighted avg)</td>
<td>$47,297</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

The following chart shows the poverty level by family type in Thornton. Overall, fewer owner-occupied families in Thornton live in poverty than renter households, according to the American Community Survey. Eighteen percent of all renter families in Thornton live below the poverty level, whereas only 4% of homeowner families in Thornton live in poverty. Though poverty is more prevalent in renter families, the number of owner-occupied families living in poverty has risen by 26% between 2010 and 2012, according to the U.S. Census Bureau. During this same timeframe, the poverty rate for all Thornton families rose 3.4% and the poverty rate for renters dropped by 5.6%.

Table 13: Thornton Families by Household Type in Poverty by Tenure, 2012

<table>
<thead>
<tr>
<th></th>
<th>All Families</th>
<th>Owner-Occupied Families</th>
<th>Renter Families</th>
</tr>
</thead>
<tbody>
<tr>
<td>Married-couple family</td>
<td>708</td>
<td>416</td>
<td>292</td>
</tr>
<tr>
<td>Other families</td>
<td>1,570</td>
<td>372</td>
<td>1,198</td>
</tr>
<tr>
<td>Male householder, no wife present</td>
<td>220</td>
<td>0</td>
<td>220</td>
</tr>
<tr>
<td>Female householder, no husband present</td>
<td>1,350</td>
<td>372</td>
<td>978</td>
</tr>
<tr>
<td>All Families</td>
<td>2,278</td>
<td>788</td>
<td>1,490</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

As shown above, female headed families in Thornton have a higher incidence of poverty than married couples or families headed by a single male; the data indicates that 59% of the households living in poverty are female-headed without a husband present. According to the Census, 42% of Thornton residents in poverty are children under the age of 18. These two statistics may be associated. In addition, the majority of families with a higher poverty are comprised of five or more people (defined as a large family by HUD) at 12.4% compared to small families (two to four people) at 6.8%.

The U.S. Census also provides a breakdown of families in poverty by age, race and ethnicity, educational attainment and employment status. Per the table on the following page, Thornton residents under the age of 65 have higher incidences of poverty than those 65 and older, especially those ages 18 and younger. Seventeen percent (17.2%) individuals of Hispanic or Latino ethnic origin live below the poverty level, compared to 5.4% of white non-Hispanic households.
Table 14: Poverty Statistics, Thornton, 2012

<table>
<thead>
<tr>
<th>Age and Origin</th>
<th>Percent below poverty level</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGE</td>
<td></td>
</tr>
<tr>
<td>Under 18 years</td>
<td>13.2%</td>
</tr>
<tr>
<td>Related children under 18 years</td>
<td>12.9%</td>
</tr>
<tr>
<td>18 to 64 years</td>
<td>7.6%</td>
</tr>
<tr>
<td>65 years and over</td>
<td>5.8%</td>
</tr>
<tr>
<td>SEX</td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>8.7%</td>
</tr>
<tr>
<td>Female</td>
<td>9.5%</td>
</tr>
<tr>
<td>RACE AND HISPANIC OR LATINO ORIGIN</td>
<td></td>
</tr>
<tr>
<td>One race</td>
<td>9.3%</td>
</tr>
<tr>
<td>White</td>
<td>9.1%</td>
</tr>
<tr>
<td>Black or African American</td>
<td>4.2%</td>
</tr>
<tr>
<td>American Indian and Alaska Native</td>
<td>0.0%</td>
</tr>
<tr>
<td>Asian</td>
<td>10.1%</td>
</tr>
<tr>
<td>Native Hawaiian and Other Pacific Islander</td>
<td>100.0%</td>
</tr>
<tr>
<td>Some other race</td>
<td>12.1%</td>
</tr>
<tr>
<td>Two or more races</td>
<td>4.2%</td>
</tr>
<tr>
<td>Hispanic or Latino origin (of any race)</td>
<td>17.2%</td>
</tr>
<tr>
<td>White alone, not Hispanic or Latino</td>
<td>5.4%</td>
</tr>
<tr>
<td>EDUCATIONAL ATTAINMENT</td>
<td></td>
</tr>
<tr>
<td>Population 25 years and over</td>
<td>6.8%</td>
</tr>
<tr>
<td>Less than high school graduate</td>
<td>20.1%</td>
</tr>
<tr>
<td>High school graduate (includes equivalency)</td>
<td>7.9%</td>
</tr>
<tr>
<td>Some college, associate's degree</td>
<td>4.5%</td>
</tr>
<tr>
<td>Bachelor's degree or higher</td>
<td>2.1%</td>
</tr>
<tr>
<td>EMPLOYMENT STATUS</td>
<td></td>
</tr>
<tr>
<td>Civilian labor force 16 years and over</td>
<td>5.5%</td>
</tr>
<tr>
<td>Employed</td>
<td>4.2%</td>
</tr>
<tr>
<td>Unemployed</td>
<td>22.6%</td>
</tr>
<tr>
<td>FAMILY SIZE</td>
<td></td>
</tr>
<tr>
<td>Small Family (2-4 people)</td>
<td>6.8%</td>
</tr>
<tr>
<td>Large Family (5+ people)</td>
<td>12.4%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey and CSI

The table above also shows that educational attainment is associated with poverty. Of those Thornton residents without a high school education, 20.1% live below the poverty level. The table above indicates that as the education level increases the poverty level drops. Employment is also linked with poverty. Of the Thornton residents who are employed, only 4.2% live below the poverty level, while 22.6% of unemployed individuals live below the poverty level. The table also shows the percent of all Thornton residents who fall below poverty level. For example, 13.2% of all residents under the age of 18 years old live below the poverty level.

Finally, as with income, households living below the poverty line are concentrated in south Thornton, per the map below.
PROFILE OF SPECIFIC POPULATIONS

Some populations may require housing options or services that are more specific to their needs. This includes homeless, disabled and elderly populations. The following profiles provide a background on how those populations are represented in Thornton when Thornton-specific data exists. Some sources only provide data at the County level. This is still valuable for Thornton’s analysis since the challenges that special populations face are not necessarily bound by city or county boundaries.

Homeless
Each winter since fall 2009, the Metro Denver Homeless Initiative (MDHI) Continuum of Care conducts a one night Point-in-Time count of homeless individuals in Adams County. Data is not broken down by jurisdiction, except to track the city where a household spent the last night. This data is intended to provide a “snapshot” of
homelessness on any given day, and is not indicative of total numbers of homeless overall or throughout the year. The counts are done voluntarily at facilities that serve homeless populations and do not include individuals doubled up with friends or family.

In January of 2013, there were a total of 1,264 homeless persons counted in Adams County. Of these, 159 were in Thornton. The Thornton Police Department also tracked 71 homeless related calls between July 2013 and January 2014, which is about 11 people a month. Police encountered only one family and the rest were individuals. The Thornton police state that the majority of the individuals they encounter state that they prefer not to receive shelter assistance. This information supports MDHI data that chronically homeless individuals are more likely to be unsheltered individuals rather than families. According to the MDHI data, nearly 80% of homeless counted in Adams County as part of the 2013 Point-in-Time were persons in households that included both adults and children. Twenty percent (20%) were persons in households with only adults. Of the 6,358 individuals experiencing homelessness each year in the Denver metro area, 58% are persons in households with adults and children. For additional information on the demographics of the homeless population in Adams County, see Appendix 3.

Adams County’s homeless population has a higher share of minorities than within the County’s population as a whole. Only 35% of the Adams County homeless counted in 2013 identified themselves as white, while over 87% of Adams County’s population as a whole is white. Sixteen percent (16%) identified as African American, and 3.4% as Native American. Thirty-four percent (34.7%) identified as Hispanic.

Table 15: Race and Ethnicity, Point-in-Time 2013

<table>
<thead>
<tr>
<th>Race/Category</th>
<th>Number</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Asian, Pacific Islander</td>
<td>9</td>
<td>1.9%</td>
</tr>
<tr>
<td>Black, African American</td>
<td>80</td>
<td>16.4%</td>
</tr>
<tr>
<td>Hispanic, Latino(a), Spanish</td>
<td>168</td>
<td>34.7%</td>
</tr>
<tr>
<td>Native American, Alaska</td>
<td>16</td>
<td>3.4%</td>
</tr>
<tr>
<td>Valid Native</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>White</td>
<td>170</td>
<td>35.1%</td>
</tr>
<tr>
<td>Mixed race</td>
<td>35</td>
<td>7.2%</td>
</tr>
<tr>
<td>Other</td>
<td>6</td>
<td>1.3%</td>
</tr>
</tbody>
</table>

Source: Metro Denver Homeless Initiative 2013 Point-in-Time Count

There are few chronically homeless counted in Adams County. The Point-in-Time survey counted 32 chronically homeless individuals throughout the county, less than 3% of the total homeless. This compares to 13% for the metro area. Chronic homelessness is defined by HUD as having a chronic debilitating condition, sleeping in an emergency shelter or place not meant for human habitation (car, under a bridge, etc.), and either having been homeless for one year or more or having four or more episodes of homelessness within three years.

The surveyors of the Point-in-Time count determined chronic homelessness by asking the homeless that they encountered about the length of time they had been homeless and how many time he/she they had been homeless. Forty-five percent (45%) of the homeless persons counted in the Adams County Point-in-Time survey had been homeless for more than one month and less than one year. Another 13% had been homeless from one to three years, and 6% had been homeless for more than three years. Only 15% had been homeless for less than one month.
Forty percent (40%) of individuals in the count had been homeless only once. Another 35% had been homeless two or three times. According to the National Alliance to End Homelessness, an individual is considered to be experiencing “episodic homelessness”, becoming homeless multiple times, when they are having recurrent problems with housing.

The leading causes of homelessness in Adams County, according to Point-in-Time respondents, were lost jobs, housing costs, family problems, evictions or foreclosures, and mental illness. Seven (7%) of the individuals reported that they were homeless due to domestic violence. The Thornton Police state that the homeless people they encounter “living on the street” are wanted for questioning of a crime or are previous sex offenders.
Homeless and housing providers interviewed for this study reported that they believe there is an increase in the number of homeless households in Adams County and Thornton, especially families with children. This seems to be an inaccurate perception, as the survey data indicates the amount of homeless in Adams County has stayed relatively the same for five years, as well as the percentage of homeless that are families with children. The Point-in-Time study in 2009 indicates that there were 1,205 homeless people in Adams County and 75% of them were part of a family. In 2011, there was 1,531 homeless in Adams County and 85% were families with children, according to the Point-in-Time study for that year.

The agencies stated that households seeking homeless prevention services, such as emergency rent or utility assistance, are also on the rise.

**Doubled-Up Households**

The homeless estimates above do not include those doubled up with friends and relatives in order to avoid being homeless. CSI estimates that there are 1,356 persons doubled up with friends or non-relatives in Thornton, and 986 doubled up with family. The estimate was calculated using 2012 American Community Survey census data that details the relationship of persons living in each housing unit and national research and accepted methods for calculating doubled up numbers. This is strictly an estimate and has not been verified through a count.

Living with friends or family is usually a temporary situation. Often the party who is a guest must seek other housing options within a few weeks or months or can end up as one of the homeless without a place to stay. According to service providers, if members of this group are able to gain better employment or get some economic assistance with medical bills or other expenses, they will find a way to obtain a new housing arrangement on their own.

**At-Risk Youth**

“At risk youth” refers to youth under the age of 18 who demonstrate a host of behavioral characteristics, including being currently homeless, or at risk of becoming homeless. This can include youth that are part of...
families, as well as unaccompanied youth. According to the Colorado Department of Education, the number of children enrolled in the state’s public schools that experienced homelessness at some point during the school year doubled between the 2006-2007 and 2011-2012 school years. Thornton’s largest school district, Adams 12, saw its number of students experiencing some form of homelessness increase by nearly 400% during this same time period (approximately half of all Adams 12 schools are located in Thornton).

Table 16. Change in Homeless Students Enrolled in Public Schools

<table>
<thead>
<tr>
<th></th>
<th>2006-2007 School Year</th>
<th>2011-2012 School Year</th>
<th>% Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>679,724</td>
<td>1,168,354</td>
<td>72%</td>
</tr>
<tr>
<td>Colorado</td>
<td>11,954</td>
<td>23,680</td>
<td>98%</td>
</tr>
<tr>
<td>Adams 12 Five Star Schools</td>
<td>274</td>
<td>1,336</td>
<td>388%</td>
</tr>
</tbody>
</table>

Source: Colorado Department of Education McKinney-Vento data

For the 2012-2013 school year, the four districts serving Thornton reported a combined 2,805 homeless students, about 1/3 of which attended schools in Thornton: Adams 12 (Northglenn Thornton 12) reported 1,312; Adams 14 reported 770; Brighton 27J reported 553; and Mapleton 1 reported 170. The majority of these students (88%) lived in a doubled up situation with other families. Of the remaining students, six percent were living in shelters, four percent were living in hotels or motels, and two percent were unsheltered. Approximately nine percent of the students were unaccompanied (without adults).

Table 17. Homeless Students by School Districts, 2012-2013 School Year

<table>
<thead>
<tr>
<th>District Name</th>
<th>Homeless Children and Youth by Primary Night Time Residence</th>
<th>Unaccompanied Homeless Youth</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Shelters, Transitional Housing, Awaiting Foster Care</td>
<td>Doubled-up</td>
</tr>
<tr>
<td>Mapleton Public Schools</td>
<td>10</td>
<td>150</td>
</tr>
<tr>
<td>Adams 12 Five Star Schools</td>
<td>86</td>
<td>1,153</td>
</tr>
<tr>
<td>Adams 14</td>
<td>54</td>
<td>665</td>
</tr>
<tr>
<td>Brighton 27J</td>
<td>28</td>
<td>498</td>
</tr>
<tr>
<td>Total</td>
<td>178</td>
<td>2,466</td>
</tr>
</tbody>
</table>

Source: Colorado Department of Education McKinney-Vento data

These figures are fairly consistent with the information provided above for Thornton’s homeless and doubled up population, highlighting the high number of homeless families with children. However, the school district data suggests a higher number of unaccompanied youth in the County compared with Point-In-Time data. The 2013 MDHI Point-in-Time counted only one unaccompanied youth under age 18 who was homeless on the night of the count. Other youth were accompanied by adults or were age 18 – 24. There were 87 young adults in this age range counted in Adams County on the night of the count, representing 18% of all homeless counted.

A growing concern nationally regarding homeless youth has to do with how many previously “aged out” of foster care, meaning they exited the foster program due to reaching the maximum age limit of 18. This is also known as emancipation. Emancipation represents approximately 10% of all youth who exit foster care. These individuals often have difficulty adjusting to independent adult life, including finding and maintaining a safe and permanent place to live. Foster care youth are more likely to exhibit a number of risk factors for homelessness, including
needing special learning programs, dealing with mental health issues and having a criminal/juvenile record. A 2012 survey of current foster youth conducted by the National Youth in Transition Database, found that 16% of youth raised in foster care had previously experienced homelessness at some point in their lives. A number of studies conducted over the past decade estimate that anywhere from 10 to 36% of youth who have aged out of foster care will experience homelessness later in life. Average estimates are that one in five will experience homelessness within two years of emancipation.

In Adams County, the 2013 Point-in-Time survey counted 50 homeless individuals (4% of total homeless) that were previously in the foster care system, although less than 1% of those people (2 individuals) cite emancipation as the cause of their current homelessness. According to Adams County Human Services, 19 youth were emancipated from foster care in Adams County in 2013. Many of these youth receive Chaffee benefits, which provide housing assistance, continued case management, and training to eligible youth up to the age of 21 who have exited foster care. Between 500 and 600 youth emancipate in Colorado each year.

**People with Disabilities**
The U.S. Census American Community Survey collects data related to disability status. In Thornton, 7.2% of the population, or just fewer than 9,000 people, had a disability in 2012. This is lower than 8.9% found for Adams County as a whole, and 10.1% for Colorado. Per the census, persons may have more than one self reported disability, as shown in the table below. The most common disability for youth is cognitive difficulty, while the most common disability for adults is ambulatory difficulty. Based on Census data, people with disabilities are nearly one and a half times more likely to fall below the poverty line than the general population.
Table 18: Disability Status by Age, Thornton, 2012

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Total</th>
<th>With a Disability</th>
<th>% with a Disability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total civilian non-institutionalized population</td>
<td>123,595</td>
<td>8,923</td>
<td>7.2%</td>
</tr>
<tr>
<td>Population 5 to 17 years</td>
<td>28,002</td>
<td>2,120</td>
<td>7.6%</td>
</tr>
<tr>
<td>With a hearing difficulty</td>
<td>535</td>
<td>1.9%</td>
<td></td>
</tr>
<tr>
<td>With a vision difficulty</td>
<td>388</td>
<td>1.4%</td>
<td></td>
</tr>
<tr>
<td>With a cognitive difficulty</td>
<td>1,316</td>
<td>4.7%</td>
<td></td>
</tr>
<tr>
<td>With an ambulatory difficulty</td>
<td>691</td>
<td>2.5%</td>
<td></td>
</tr>
<tr>
<td>With a self-care difficulty</td>
<td>388</td>
<td>1.4%</td>
<td></td>
</tr>
<tr>
<td>Population 18 to 64 years</td>
<td>77,517</td>
<td>4,575</td>
<td>5.9%</td>
</tr>
<tr>
<td>With a hearing difficulty</td>
<td>904</td>
<td>1.2%</td>
<td></td>
</tr>
<tr>
<td>With a vision difficulty</td>
<td>721</td>
<td>0.9%</td>
<td></td>
</tr>
<tr>
<td>With a cognitive difficulty</td>
<td>1,352</td>
<td>1.7%</td>
<td></td>
</tr>
<tr>
<td>With an ambulatory difficulty</td>
<td>2,137</td>
<td>2.8%</td>
<td></td>
</tr>
<tr>
<td>With a self-care difficulty</td>
<td>944</td>
<td>1.2%</td>
<td></td>
</tr>
<tr>
<td>With an independent living difficulty</td>
<td>469</td>
<td>0.6%</td>
<td></td>
</tr>
<tr>
<td>Population 65 years and over</td>
<td>8,456</td>
<td>2,228</td>
<td>26.3%</td>
</tr>
<tr>
<td>With a hearing difficulty</td>
<td>780</td>
<td>9.2%</td>
<td></td>
</tr>
<tr>
<td>With a vision difficulty</td>
<td>310</td>
<td>3.7%</td>
<td></td>
</tr>
<tr>
<td>With a cognitive difficulty</td>
<td>585</td>
<td>6.9%</td>
<td></td>
</tr>
<tr>
<td>With an ambulatory difficulty</td>
<td>1,782</td>
<td>21.1%</td>
<td></td>
</tr>
<tr>
<td>With a self-care difficulty</td>
<td>889</td>
<td>10.5%</td>
<td></td>
</tr>
<tr>
<td>With an independent living difficulty</td>
<td>1,156</td>
<td>13.7%</td>
<td></td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2012

Comparing this data with data on disabilities in the 2009 Housing Needs Assessment, there seems to be a 14.75% increase in the disabled population in five years. The 2009 HNA stated that 7,606 people living in Thornton in 2007 reported having a disability, compared to 8,923 in 2012. When looking at disabilities by age group, the youngest segment of the population saw the highest increase in disabilities. In 2007, there were 839 youth ages 5-20 with a disability reported compared to 2,120 youth 5-18 with a disability in 2012. Although the age bracket for 2012 is smaller than 2007, this is still a significant increase. The number of people age 18 to 64 that now report a disability is 229 people more than in 2007, indicating a 5% increase. There are also 269 more people age 65 years and older with a disability than in 2007, which is a 12% increase in five years.

CSI asked for information on disabilities in the housing survey conducted in January and February 2014. Of those Thornton households who responded to the survey, 15% have a household member with some sort of disability, higher than the rate for the overall population, cited above. The following table breaks the responses down by disability. The most common disability is a physical disability.
Table 19: Housing Survey Respondents, Disabled Household Members, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>No one living in our house has a disability.</td>
<td>84.7%</td>
<td>499</td>
</tr>
<tr>
<td>Yes, a person(s) with physical disabilities.</td>
<td>11.0%</td>
<td>65</td>
</tr>
<tr>
<td>Yes, a person(s) with visual disabilities.</td>
<td>1.4%</td>
<td>8</td>
</tr>
<tr>
<td>Yes, a person(s) with hearing disabilities.</td>
<td>2.9%</td>
<td>17</td>
</tr>
<tr>
<td>Yes, a person(s) with mental health disabilities, including Post Traumatic Stress Disorder.</td>
<td>2.4%</td>
<td>14</td>
</tr>
<tr>
<td>Yes, a person(s) with cognitive disabilities that may require special living accommodations, such as Down Syndrome, Traumatic Brain Injury, Autism, or Dementia.</td>
<td>2.0%</td>
<td>12</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>1.0%</td>
<td>6</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td></td>
<td>589</td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td></td>
<td>22</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

As is the case with the population at large, the older the housing survey respondent the more likely he/she was to have a household member with a disability. The percentage of households reporting someone with a disability jumps from less than 10% for those under the age of 55 to over 20% for those over the age of 55.

Table 20: Housing Survey Respondents, Disabilities by Age Group of Respondent, 2014

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Total respondents*</th>
<th>Households with one or more disabilities identified</th>
<th>Percent of households with one or more disabilities present</th>
</tr>
</thead>
<tbody>
<tr>
<td>18-29</td>
<td>33</td>
<td>3</td>
<td>9.1%</td>
</tr>
<tr>
<td>30-45</td>
<td>168</td>
<td>13</td>
<td>7.7%</td>
</tr>
<tr>
<td>45-55</td>
<td>122</td>
<td>12</td>
<td>9.8%</td>
</tr>
<tr>
<td>55-65</td>
<td>163</td>
<td>38</td>
<td>23.3%</td>
</tr>
<tr>
<td>65-75</td>
<td>94</td>
<td>22</td>
<td>23.4%</td>
</tr>
<tr>
<td>Older than 75</td>
<td>13</td>
<td>4</td>
<td>30.8%</td>
</tr>
<tr>
<td>Total</td>
<td>593</td>
<td>92</td>
<td>15.5%</td>
</tr>
</tbody>
</table>

*Includes respondents who answered disability and age questions

Source: CSI Thornton Housing Survey, 2014

The following chart shows the breakdown of disabilities within households by the age of the survey respondent. Physical disabilities increase greatly as the respondent age category increases, as do hearing disabilities and mental illness.
Older Adults
Thornton’s population of older adults is growing, though it is still a smaller share of the city’s overall population compared to the state. According to 2012 American Community Service data, Thornton had 8,772 residents that are over the age of 65, representing 7% of the population. In comparison, 12% of the current population in Colorado is 65 years of age or older and 9 % of the population in Adams County is in this age group. The population of Thornton residents that were 65 years and older in 2010 was 7,922, indicating an 11% increase in this population in two years.

Table 21. Thornton Older Adults

<table>
<thead>
<tr>
<th></th>
<th># of Thornton Residents</th>
<th>% of all Thornton Residents</th>
<th># of Thornton Households*</th>
<th>% of all Thornton Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>55+</td>
<td>19,172</td>
<td>15.3%</td>
<td>11,018</td>
<td>26.2%</td>
</tr>
<tr>
<td>65+</td>
<td>8,772</td>
<td>7.0%</td>
<td>4,390</td>
<td>10.4%</td>
</tr>
</tbody>
</table>

* Estimate based on 2010 Census ratio

Source: Source: U.S. Census Bureau, American Community Survey 2012 and CSI

Compared to the population overall, adults over the age of 65 in Thornton are slightly more likely to be white and non-Hispanic, and more than five times as likely to have a disability. They are twice as likely to live alone and are more likely to own their home, though renters over 65 are more likely to be cost burdened. Adults over 65 are less likely to be below the federal poverty line.
Table 22: Select Population Characteristics of Older Adults in Thornton

<table>
<thead>
<tr>
<th></th>
<th>Population Over 65</th>
<th>Total Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>White Alone, Non-Hispanic</td>
<td>73.6%</td>
<td>61.7%</td>
</tr>
<tr>
<td>Below 100% Poverty Line in last 12 months</td>
<td>5.4%</td>
<td>9.2%</td>
</tr>
<tr>
<td>Owner-occupied Housing Unit</td>
<td>78.9%</td>
<td>71.1%</td>
</tr>
<tr>
<td>Householder Living Alone</td>
<td>39.5%</td>
<td>20.5%</td>
</tr>
<tr>
<td>With a Disability</td>
<td>40.4%</td>
<td>7.7%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey, 2012 5-year data (1 and 3 year not available)

Veterans

The census estimates that there are 5,820 veterans in Thornton, representing approximately 7% of Thornton’s population over the age of 18. Veterans are much older than the general population, with nearly two thirds over the age of 55. They are more likely to be white non-Hispanic, less likely to be below the poverty line, and more than twice as likely to have a disability.

Table 23: Select Population Characteristics of Veterans in Thornton

<table>
<thead>
<tr>
<th></th>
<th>Thornton Veteran Population</th>
<th>Civilian Population Age 18 and Over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>5,820</td>
<td>86,418</td>
</tr>
<tr>
<td>Age, 55 and older (%)</td>
<td>63.4%</td>
<td>22%</td>
</tr>
<tr>
<td>White alone, not Hispanic/Latino (%)</td>
<td>83.9%</td>
<td>65.9%</td>
</tr>
<tr>
<td>Median Income</td>
<td>$39,788</td>
<td>$31,366</td>
</tr>
<tr>
<td>Below 100% Poverty Line in last 12 months (%)</td>
<td>0.9%</td>
<td>6.8%</td>
</tr>
<tr>
<td>Unemployment Rate</td>
<td>5.2%</td>
<td>5%</td>
</tr>
<tr>
<td>With A Disability (%)</td>
<td>16.2%</td>
<td>7.9%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey, 2012 1-year data

ECONOMIC CONDITIONS

The American Community Survey provides information that makes it possible to estimate labor force dynamics for Thornton. The latest year that this information is available for is 2012. In that year, 73.3% of the Thornton residents were considered to be working or actively looking for a job. This group of people grew by 15% from 2005 to 2012. In 2012, close to 69% were employed and 5.9% were unemployed. The November 2013 Adams County unemployment rate, the latest published rate that includes Thornton, was 6.6%, slightly higher than the Colorado rate of 6.5%. As identified earlier in the data on poverty, employed persons and persons working in jobs with a living wage are more likely to be able to live above the poverty level and, therefore, secure decent housing.

Table 24: Labor Force Information, Thornton, 2005 - 2012

<table>
<thead>
<tr>
<th>Year</th>
<th>Population 16 Years and Over</th>
<th>In Labor Force</th>
<th>Employed</th>
<th>Unemployment Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>2005</td>
<td>76,479</td>
<td>78.60%</td>
<td>72.10%</td>
<td>8.20%</td>
</tr>
<tr>
<td>2008</td>
<td>80,980</td>
<td>78.90%</td>
<td>75.90%</td>
<td>3.80%</td>
</tr>
<tr>
<td>2009</td>
<td>85,908</td>
<td>74.80%</td>
<td>69.00%</td>
<td>7.40%</td>
</tr>
<tr>
<td>2010</td>
<td>88,632</td>
<td>72.50%</td>
<td>66.60%</td>
<td>7.90%</td>
</tr>
<tr>
<td>2011</td>
<td>86,600</td>
<td>78.30%</td>
<td>69.00%</td>
<td>11.70%</td>
</tr>
<tr>
<td>2012</td>
<td>90,572</td>
<td>73.30%</td>
<td>68.90%</td>
<td>5.90%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey
As part of this Housing Needs Assessment, CSI also conducted and evaluated two surveys in which data was collected between December 2013 and February 2014 that provided information on employment characteristics of Thornton residents. Although the response rates were minimal, the data has been provided as a means of comparison. Only 3% of the respondents to the Housing Survey identified themselves as unemployed and looking for work. Whereas, 32% of the respondents to the City of Thornton’s annual Citizen Survey identified themselves as unemployed, looking for work or temporarily laid off. Housing Survey respondents stated that they work in a wide variety of industries, including professional and technical services, government, healthcare, education, construction, and manufacturing, reflecting industries with a high number of workers in Thornton.

Table 25: Employment Status of Survey Respondents, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employed, working full time</td>
<td>59.2%</td>
<td>340</td>
</tr>
<tr>
<td>Employed, working part time or seasonally</td>
<td>5.6%</td>
<td>32</td>
</tr>
<tr>
<td>Self-employed</td>
<td>4.2%</td>
<td>24</td>
</tr>
<tr>
<td>Not employed, looking for work</td>
<td>3.0%</td>
<td>17</td>
</tr>
<tr>
<td>Retired or not employed and NOT looking for work</td>
<td>19.5%</td>
<td>112</td>
</tr>
<tr>
<td>Disabled, not able to work</td>
<td>1.6%</td>
<td>9</td>
</tr>
<tr>
<td>I do not work, but another adult in my household does</td>
<td>7.0%</td>
<td>40</td>
</tr>
</tbody>
</table>

answered question 574
skipped question 37

Source: CSI Thornton Housing Survey, 2014

U.S. Census “On the Map” provides basic demographics of those who work in Thornton. More than 50% of the Thornton workforce is age 30 to 54. Slightly less than one third of workers earn $1,250 per month or less, 43% earn between $1,250 and $3,333 and another third earn more than $3,333 per month. Educational attainment data indicates that 18.5% have a bachelor’s or advanced degree; 23% have some college or an associate’s degree; 18% have a high school education and 8.8%of employees have less than a high school education.

Table 26: Thornton Employee and Resident Profile, 2011

<table>
<thead>
<tr>
<th></th>
<th>Workers</th>
<th></th>
<th>Residents</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Age 29 or younger</td>
<td>6,609</td>
<td>31.3%</td>
<td>11,966</td>
<td>23.6%</td>
</tr>
<tr>
<td>Age 30 to 54</td>
<td>11,178</td>
<td>52.9%</td>
<td>30,883</td>
<td>61.0%</td>
</tr>
<tr>
<td>Age 55 or older</td>
<td>3,361</td>
<td>15.9%</td>
<td>7,817</td>
<td>15.4%</td>
</tr>
<tr>
<td>$1,250 per month or less</td>
<td>6,200</td>
<td>29.3%</td>
<td>8,709</td>
<td>17.2%</td>
</tr>
<tr>
<td>$1,251 to $3,333 per month</td>
<td>9,098</td>
<td>43.0%</td>
<td>19,258</td>
<td>38.0%</td>
</tr>
<tr>
<td>More than $3,333 per month</td>
<td>5,850</td>
<td>27.7%</td>
<td>22,699</td>
<td>44.8%</td>
</tr>
<tr>
<td>Less than high school</td>
<td>1,852</td>
<td>8.8%</td>
<td>4,441</td>
<td>8.8%</td>
</tr>
<tr>
<td>High school or equivalent, no college</td>
<td>3,845</td>
<td>18.2%</td>
<td>9,227</td>
<td>18.2%</td>
</tr>
<tr>
<td>Some college or Associate degree</td>
<td>4,927</td>
<td>23.3%</td>
<td>12,727</td>
<td>25.1%</td>
</tr>
<tr>
<td>Bachelor's degree or advanced degree</td>
<td>3,915</td>
<td>18.5%</td>
<td>12,305</td>
<td>24.3%</td>
</tr>
<tr>
<td>Educational attainment not available (workers aged 29 or younger)</td>
<td>6,609</td>
<td>31.3%</td>
<td>11,966</td>
<td>23.6%</td>
</tr>
</tbody>
</table>

Source: U.S. Census On The Map
The industries with highest employment in Thornton are construction, retail trade, health care, social assistance and manufacturing. The highest paying industries in 2010 were utilities, information, professional, scientific, and technical services, oil and gas extraction, mining, quarrying, and public administration. Some of the larger Thornton employers that fall into these categories are AMI Mechanical, DigitalGlobe, and Sungard.

Table 27: Employment by Industry, Thornton, 2010

<table>
<thead>
<tr>
<th>Industry</th>
<th>Number of Workers</th>
<th>Median Earnings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-time, year-round civilian employed</td>
<td>42,255</td>
<td>$44,899</td>
</tr>
<tr>
<td>population 16 years and over</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mining, quarrying, and oil and gas extraction</td>
<td>315</td>
<td>$79,606</td>
</tr>
<tr>
<td>Construction</td>
<td>4,394</td>
<td>$44,792</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>4,770</td>
<td>$47,780</td>
</tr>
<tr>
<td>Wholesale trade</td>
<td>2,199</td>
<td>$42,332</td>
</tr>
<tr>
<td>Retail trade</td>
<td>4,309</td>
<td>$37,307</td>
</tr>
<tr>
<td>Transportation and warehousing</td>
<td>3,051</td>
<td>$46,833</td>
</tr>
<tr>
<td>Utilities</td>
<td>507</td>
<td>$63,688</td>
</tr>
<tr>
<td>Information</td>
<td>2,359</td>
<td>$61,361</td>
</tr>
<tr>
<td>Finance and insurance</td>
<td>2,262</td>
<td>$47,404</td>
</tr>
<tr>
<td>Real estate and rental and leasing</td>
<td>944</td>
<td>$40,045</td>
</tr>
<tr>
<td>Professional, scientific, and technical</td>
<td>3,086</td>
<td>$59,563</td>
</tr>
<tr>
<td>services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Management of companies and enterprises</td>
<td>31</td>
<td>$53,438</td>
</tr>
<tr>
<td>Administrative and support and waste</td>
<td>1,874</td>
<td>$35,246</td>
</tr>
<tr>
<td>management services</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational services</td>
<td>1,976</td>
<td>$45,030</td>
</tr>
<tr>
<td>Health care and social assistance</td>
<td>3,677</td>
<td>$37,269</td>
</tr>
<tr>
<td>Arts, entertainment, and recreation</td>
<td>467</td>
<td>$39,050</td>
</tr>
<tr>
<td>Accommodation and food services</td>
<td>1,656</td>
<td>$26,221</td>
</tr>
<tr>
<td>Other services, except public administration</td>
<td>1,895</td>
<td>$32,951</td>
</tr>
<tr>
<td>Public administration</td>
<td>2,395</td>
<td>$57,726</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey

Some of the industries that grew in the last ten years, according to the data and information provided by the Thornton Economic Development Department, were “other services”, administrative and support and waste management services, and transportation and warehousing. Professional, scientific and technical services, retail trade, real estate and accommodation and food services lost jobs during this time period.
Table 28: Changes in Employment by Industry, 2005 – 2010, Thornton

<table>
<thead>
<tr>
<th>Industry</th>
<th>Change</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-time, year-round civilian employed population 16 years and over</td>
<td>3,010</td>
<td>7.1%</td>
</tr>
<tr>
<td>Management of companies and enterprises</td>
<td>31</td>
<td>100.0%</td>
</tr>
<tr>
<td>Other services, except public administration</td>
<td>718</td>
<td>37.9%</td>
</tr>
<tr>
<td>Mining, quarrying, and oil and gas extraction</td>
<td>119</td>
<td>37.8%</td>
</tr>
<tr>
<td>Administrative and support and waste management services</td>
<td>683</td>
<td>36.4%</td>
</tr>
<tr>
<td>Arts, entertainment, and recreation</td>
<td>133</td>
<td>28.5%</td>
</tr>
<tr>
<td>Utilities</td>
<td>108</td>
<td>20.9%</td>
</tr>
<tr>
<td>Transportation and warehousing</td>
<td>624</td>
<td>20.5%</td>
</tr>
<tr>
<td>Finance and insurance</td>
<td>373</td>
<td>16.5%</td>
</tr>
<tr>
<td>Educational services</td>
<td>306</td>
<td>15.5%</td>
</tr>
<tr>
<td>Health care and social assistance</td>
<td>492</td>
<td>13.4%</td>
</tr>
<tr>
<td>Public administration</td>
<td>316</td>
<td>13.2%</td>
</tr>
<tr>
<td>Wholesale trade</td>
<td>162</td>
<td>7.4%</td>
</tr>
<tr>
<td>Construction</td>
<td>212</td>
<td>4.8%</td>
</tr>
<tr>
<td>Information</td>
<td>86</td>
<td>3.6%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>89</td>
<td>1.9%</td>
</tr>
<tr>
<td>Accommodation and food services</td>
<td>-61</td>
<td>-3.7%</td>
</tr>
<tr>
<td>Retail trade</td>
<td>-307</td>
<td>-7.1%</td>
</tr>
<tr>
<td>Real estate and rental and leasing</td>
<td>-115</td>
<td>-12.2%</td>
</tr>
<tr>
<td>Professional, scientific, and technical services</td>
<td>-1,045</td>
<td>-33.9%</td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey

In the past year, the City has attracted four new primary employers with an estimated 600 jobs, including a new Cabela’s sports store. Commercial space leasing has increased and more development is expected along the I-25 corridor in The Grove, near Cabela’s. Job growth within Thornton should increase demand for new housing units for employees interested in living near their jobs. A mix of professional employees, retail employees, and small business owners and employees at these new and redeveloped sites will seek a mix of housing options in all price and size ranges.

**COMMUTING**

Transportation is typically the second highest household cost, after housing. The U.S. Census estimates that the average Thornton household spends 29% of their income on housing and 21% of their income on transportation. However this ratio varies based on location within Thornton. For this reason, it is important to discuss transportation patterns as they are related to overall affordability of Thornton.

Thornton, like many suburban communities, has residents that commute out of the city for work in other communities. U.S. Census “On the Map” data indicates that as of 2011, 7% (3,750) of Thornton’s working residents worked in Thornton and the rest left the City to work elsewhere. A total of 17,398 people commuted into Thornton for work. Of those residents who left Thornton for work, over 26% commuted to Denver. Another 22.5% commuted to other Adams County communities.
Figure 14: Inflow and Outflow Commuter Patterns for Thornton, 2011

Source: U.S. Census “On the Map”, 2011 Data

Table 29: Thornton Resident Place of Work, 2011

<table>
<thead>
<tr>
<th>Place</th>
<th>2011 Count</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denver</td>
<td>14,273</td>
<td>26.6%</td>
</tr>
<tr>
<td>Thornton</td>
<td>3,750</td>
<td>7.0%</td>
</tr>
<tr>
<td>Westminster</td>
<td>3,638</td>
<td>6.8%</td>
</tr>
<tr>
<td>Aurora</td>
<td>2,712</td>
<td>5.0%</td>
</tr>
<tr>
<td>Northglenn</td>
<td>2,587</td>
<td>4.8%</td>
</tr>
<tr>
<td>Commerce City</td>
<td>2,381</td>
<td>4.4%</td>
</tr>
<tr>
<td>Broomfield</td>
<td>2,318</td>
<td>4.3%</td>
</tr>
<tr>
<td>Lakewood</td>
<td>1,961</td>
<td>3.7%</td>
</tr>
<tr>
<td>Boulder</td>
<td>1,804</td>
<td>3.4%</td>
</tr>
<tr>
<td>North Washington</td>
<td>1,183</td>
<td>2.2%</td>
</tr>
<tr>
<td>All Other Locations</td>
<td>17,099</td>
<td>31.8%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>53,706</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: U.S. Census “On The Map”, 2011

In general, Thornton’s residents don’t commute long distances to work. A little more than 44% commute less than 10 miles to work, while another 47.2% commute 10 to 24 miles.
Table 30: Commuting Distance for Thornton Residents, 2011

<table>
<thead>
<tr>
<th>Distance</th>
<th>2011 Number</th>
<th>2011 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 10 miles</td>
<td>22,351</td>
<td>44.1%</td>
</tr>
<tr>
<td>10 to 24 miles</td>
<td>23,895</td>
<td>47.2%</td>
</tr>
<tr>
<td>25 to 50 miles</td>
<td>2,346</td>
<td>4.6%</td>
</tr>
<tr>
<td>Greater than 50 miles</td>
<td>2,074</td>
<td>4.1%</td>
</tr>
</tbody>
</table>

Source: U.S. Census “On The Map”, 2011

CSI asked questions about commuting in its Housing Survey. The results were consistent with the data shown above, with 45% of respondents reporting commuting 10 miles to work or less and 45% commuting 10-25 miles.

Table 31: Housing Survey Respondents, Commuting Distance, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5 miles</td>
<td>27.7%</td>
<td>140</td>
</tr>
<tr>
<td>5-10 miles</td>
<td>17.0%</td>
<td>86</td>
</tr>
<tr>
<td>10-15 miles</td>
<td>17.0%</td>
<td>86</td>
</tr>
<tr>
<td>15-20 miles</td>
<td>15.2%</td>
<td>77</td>
</tr>
<tr>
<td>20-25 miles</td>
<td>12.5%</td>
<td>63</td>
</tr>
<tr>
<td>More than 25 miles</td>
<td>12.5%</td>
<td>63</td>
</tr>
<tr>
<td>answered question</td>
<td></td>
<td>506</td>
</tr>
<tr>
<td>skipped question</td>
<td></td>
<td>105</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

Table 32: Housing Survey Respondents, Commuting Distance of Other Worker, 2014

If more than one adult is living in the home, please indicate the distance the second adult in the household commutes one way to work. If there are multiple adults, please list the longest commute of all the other adults living in the home.

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-5 miles</td>
<td>28.4%</td>
<td>116</td>
</tr>
<tr>
<td>5-10 miles</td>
<td>16.2%</td>
<td>66</td>
</tr>
<tr>
<td>10-15 miles</td>
<td>16.9%</td>
<td>69</td>
</tr>
<tr>
<td>15-20 miles</td>
<td>17.9%</td>
<td>73</td>
</tr>
<tr>
<td>20-25 miles</td>
<td>9.1%</td>
<td>37</td>
</tr>
<tr>
<td>More than 25 miles</td>
<td>11.5%</td>
<td>47</td>
</tr>
<tr>
<td>answered question</td>
<td></td>
<td>408</td>
</tr>
<tr>
<td>skipped question</td>
<td></td>
<td>203</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

According to 2012 ACS data, the vast majority of Thornton’s working population commutes by single occupancy vehicle (84%). Only 2% of the population commutes by public transportation. It is important to note that the median earnings of those who commute by public transportation are 30% less than those who drive alone. These commuters are also more likely to live below the poverty line, and more likely to have no access to a vehicle.
SECTION 3: HOUSING PROFILE AND COSTS

This section of the report will focus on Thornton’s current market rate and affordable housing stock, for-sale and for-rent unit numbers and prices, housing conditions, housing types, and other characteristics of housing for specific populations.

HOUSING OPTIONS

Thornton offers a variety of housing types ranging from single-family homes, manufactured home parks to apartments.

Single Family Homes

*Single-family homes* – Per the City of Thornton code, these homes are described as one dwelling unit located on a lot.

- Single-family detached (SFD) – These stand alone and are not attached to other homes. The majority of neighborhoods consist of all single-family detached homes.

- Single-family attached (SFA) – These homes are attached to other homes. Examples include duplexes, townhomes, and condominiums.

There are several types of layouts of single-family homes to choose from including but not limited to:

*Ranch* – this style of home evolved in the post-WWII era and is typically one-story, with an attached garage and a combined living and dining area and a separate kitchen, with a hallway leading to the bedrooms on the other side of the home. Ranch homes can be found throughout the residential subdivisions of Thornton. Heritage at Todd Creek has all ranch style homes and is an age-restricted community.

*Patio Homes* – this style of home has smaller lot sizes, open space between the homes and is considered more maintenance free. Often times, seniors prefer this style of home. Eastlake Shore and parts of Fallbrook Farms are examples of subdivisions that offer this type of home.

*Executive Homes* – this style of home generally refers to bigger houses on bigger lots which equal to a higher priced home. In Thornton, these homes can be found in subdivisions like Gleneagle.
Manufactured Home Parks

There are six manufactured home parks located in the southern areas of Thornton.

**Figure 15. Manufactured Home Parks**

![Map of Manufactured Home Parks](source)

<table>
<thead>
<tr>
<th>Park Name</th>
<th># of Spaces</th>
<th>Year Established</th>
<th>Ward</th>
</tr>
</thead>
<tbody>
<tr>
<td>Friendly Village of the Rockies</td>
<td>524</td>
<td>1976</td>
<td>Ward 1</td>
</tr>
<tr>
<td>The Grove at Alta Ridge</td>
<td>408</td>
<td>1976</td>
<td>Ward 1</td>
</tr>
<tr>
<td>Pine Lakes Ranch</td>
<td>762</td>
<td>1973</td>
<td>Ward 2</td>
</tr>
<tr>
<td>Redwood Estates</td>
<td>753</td>
<td>1969</td>
<td>Ward 1</td>
</tr>
<tr>
<td>Thornton Mobile Estates</td>
<td>208</td>
<td>1957</td>
<td>Ward 2</td>
</tr>
<tr>
<td>Woodland Hills</td>
<td>434</td>
<td>1970</td>
<td>Ward 1</td>
</tr>
</tbody>
</table>

Source: 2011 City of Thornton, Policy Planning Division, Manufactured Home Community Survey

Each Thornton manufactured home park is owned by one or more corporate landowners. The landowner(s) delegates the day-to-day operation and maintenance of the manufactured home park to a property manager or management company. Residents lease a space to place the manufactured home they own within the park, or may lease a manufactured home in the park.

Thornton Mobile Estates is the only manufactured home park in Thornton that has received an exemption under the U.S. Department of Housing and Urban Development Housing for Older Persons Act of 1995 (HOPA) to legally have an age-restricted community. To maintain this exemption, 80% of the occupied units must have at least one person living in the home who is 55 years of age or older.
Apartment Living

As of July 2014, there are 33 apartment complexes in Thornton, representing 7,818 rental units. All but two (Orchard Hill and InnovAge Senior Housing) are open to all ages. InnovAge is slated to be open in September 2014 and is included in the number of apartment units. The majority are owned and operated by private companies with the exception of apartments that are owned and operated by the Adams County Housing Authority, InnovAge and Colorado Coalition for the Homeless. The following map shows all apartments including those that are ‘rent-restricted’.

Figure 16. Apartments in Thornton, 2014
HISTORIC HOUSING PRODUCTION

When Thornton was established 60 years ago, all development was in what is now the southern part of Thornton, known as “Original Thornton.” Since then, development has moved consistently from south to north over time, as demand for new housing and services increased and land was annexed to the City. Thornton development occurred at a fairly consistent rate between 1970 and 2009, with a slight slowdown in the 1980s and from 2008 to 2011.

Table 34: Tenure by Year Built

<table>
<thead>
<tr>
<th></th>
<th>Owner-occupied</th>
<th>Renter-occupied</th>
<th>Total occupied units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>Built 2010 or later</td>
<td>89</td>
<td>0.3%</td>
<td>0</td>
</tr>
<tr>
<td>Built 2000 to 2009</td>
<td>8,946</td>
<td>31.4%</td>
<td>4,671</td>
</tr>
<tr>
<td>Built 1990 to 1999</td>
<td>6,391</td>
<td>22.4%</td>
<td>3,177</td>
</tr>
<tr>
<td>Built 1980 to 1989</td>
<td>3,717</td>
<td>13.0%</td>
<td>2,135</td>
</tr>
<tr>
<td>Built 1970 to 1979</td>
<td>5,948</td>
<td>20.9%</td>
<td>2,658</td>
</tr>
<tr>
<td>Built 1960 to 1969</td>
<td>1,129</td>
<td>4.0%</td>
<td>145</td>
</tr>
<tr>
<td>Built 1950 to 1959</td>
<td>2,116</td>
<td>7.4%</td>
<td>808</td>
</tr>
<tr>
<td>Built 1940 to 1949</td>
<td>120</td>
<td>0.4%</td>
<td>0</td>
</tr>
<tr>
<td>Built 1939 or earlier</td>
<td>63</td>
<td>0.2%</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>28,519</td>
<td></td>
<td>13,594</td>
</tr>
</tbody>
</table>

Median Year Built

Built 2010 or later 1992
Built 2000 to 2009 1993
Built 1990 to 1999 1992
Built 1980 to 1989 1992
Built 1970 to 1979 1992
Built 1960 to 1969 1992
Built 1950 to 1959 1992
Built 1940 to 1949 1992
Built 1939 or earlier 1992

Source: U.S. Census Bureau, American Community Survey 2012

The total number of rental units constructed in each decade has always been smaller than the number of owner-occupied housing units, however the ratio of rental units built compared to units for sale has increased fairly consistently since 1960, from about 13% in the 1960s to more than 50% in the 2000s.

Figure 17: Year Units Built by Tenure

Source: U.S. Census Bureau, American Community Survey 2012
Since 2008, 1,652 permits have been issued for new single-family homes in Thornton, and 365 permits issued for multifamily units. All of the multifamily permits were issued since 2008 were for the Highpointe Park and InnovAge senior apartment complexes. According to the City’s Building Department, construction of units declined during the economic downturn, which started in 2008. Building permit numbers remained stable for single-family homes from 2008 to 2012 and started to increase in 2013. Prior to 2008, the City was issuing more than 200 single-family permits a month.

### Table 35: Building Permits over Time, Thornton

<table>
<thead>
<tr>
<th>Year</th>
<th>Single-family (Units)</th>
<th>% of Total</th>
<th>Multifamily (Units)</th>
<th>% of Total</th>
<th>Total Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>314</td>
<td>81.3%</td>
<td>72</td>
<td>18.7%</td>
<td>386</td>
</tr>
<tr>
<td>2012</td>
<td>307</td>
<td>58.3%</td>
<td>220</td>
<td>41.7%</td>
<td>527</td>
</tr>
<tr>
<td>2011</td>
<td>245</td>
<td>94.2%</td>
<td>15</td>
<td>5.8%</td>
<td>260</td>
</tr>
<tr>
<td>2010</td>
<td>251</td>
<td>96.5%</td>
<td>9</td>
<td>3.5%</td>
<td>260</td>
</tr>
<tr>
<td>2009</td>
<td>240</td>
<td>100.0%</td>
<td>0</td>
<td>0.0%</td>
<td>240</td>
</tr>
<tr>
<td>2008</td>
<td>295</td>
<td>85.8%</td>
<td>49</td>
<td>14.2%</td>
<td>344</td>
</tr>
</tbody>
</table>

Source: CSI, City of Thornton

Although multifamily building permits have remained a relatively small share in Thornton overall in recent years, multifamily apartment construction has picked up significantly in the Denver metro area as a whole. A report by the CBRE Group from the first quarter of 2014 found that 7,800 apartment units in Denver were completed in 2013, compared to just 2,700 units between 2008 and 2012. They project another 9,000 units to be completed in the region in 2014. The report cited job growth, broad rental demand, and RTD’s FasTracks expansion as the main causes for this increase.

Based on these trends, Thornton may see an increase in multifamily development in the coming years. In the 3rd quarter of 2014, the Grove development at 144th and I-25 submitted plans to construct 20 buildings consisting of 450 apartment units. The construction of the north metro commuter rail line may also spur more residential development. City data indicates that as of the 2nd quarter of 2014, approximately half of the units in proposed and approved residential projects are multifamily. And finally, outside investors have begun to see Thornton as a desirable market for residential neighborhoods; in June of 2014 the Denver Business Journal reported that a California investment firm had purchased a Thornton townhome community. The reasons given for the purchase were “The quality of the units, desirable suburban location, high occupancy and ability to increase rents.”
NUMBER OF HOUSING UNITS

Thornton’s internal estimates show that there are 44,758 housing units as of the 2nd quarter of 2014. According to 2014 City data, 76% of the units are single-family homes. According to census data, 87.6% of the single-family units are owner-occupied units and 12% of them are rentals. Renters are much more likely than owners to live in properties with more than 10 units, which are predominately rental apartments in Thornton and not individually owned condos.

Table 36: Occupied Housing Units by Size of Property and Tenure, 2012

<table>
<thead>
<tr>
<th>Size of Property</th>
<th>Owner occupied</th>
<th>%</th>
<th>Renter occupied</th>
<th>%</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1, detached</td>
<td>23,052</td>
<td>80.5%</td>
<td>2,861</td>
<td>24.6%</td>
<td>25,913</td>
<td>64.4%</td>
</tr>
<tr>
<td>1, attached</td>
<td>2,615</td>
<td>9.1%</td>
<td>756</td>
<td>6.5%</td>
<td>3,371</td>
<td>8.4%</td>
</tr>
<tr>
<td>2</td>
<td>37</td>
<td>0.1%</td>
<td>55</td>
<td>0.5%</td>
<td>92</td>
<td>0.2%</td>
</tr>
<tr>
<td>3 or 4</td>
<td>375</td>
<td>1.3%</td>
<td>780</td>
<td>6.7%</td>
<td>1,155</td>
<td>2.9%</td>
</tr>
<tr>
<td>5 to 9</td>
<td>337</td>
<td>1.2%</td>
<td>1,060</td>
<td>9.1%</td>
<td>1,397</td>
<td>3.5%</td>
</tr>
<tr>
<td>10 to 19</td>
<td>147</td>
<td>0.5%</td>
<td>2,930</td>
<td>25.2%</td>
<td>3,077</td>
<td>7.6%</td>
</tr>
<tr>
<td>20 to 49</td>
<td>129</td>
<td>0.5%</td>
<td>2,056</td>
<td>17.7%</td>
<td>2,185</td>
<td>5.4%</td>
</tr>
<tr>
<td>50 or more</td>
<td>18</td>
<td>0.1%</td>
<td>792</td>
<td>6.8%</td>
<td>810</td>
<td>2.0%</td>
</tr>
<tr>
<td>Mobile home</td>
<td>1,914</td>
<td>6.7%</td>
<td>339</td>
<td>2.9%</td>
<td>2,253</td>
<td>5.6%</td>
</tr>
<tr>
<td>Boat, RV, van, etc.</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Total</td>
<td>28,624</td>
<td>11.629</td>
<td>40,253</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2009 – 2011 (update of HUD MA-10)

In general, Thornton’s owner-occupied units are larger than rental units. For example, 98% of owner-occupied units have more than three bedrooms, compared to only 67% of rental units. Data from Thornton’s annual
Apartment Survey show that 90% of Thornton’s rental apartment units are one and two bedroom units. This may make it difficult for families with children and other large households may to find adequately sized rental units.

Table 37: Units by Number of Bedrooms by Tenure, 2012

<table>
<thead>
<tr>
<th>Number of Rooms</th>
<th>Owner occupied</th>
<th>%</th>
<th>Renter occupied</th>
<th>%</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 room</td>
<td>21</td>
<td>0.1%</td>
<td>166</td>
<td>1.5%</td>
<td>187</td>
</tr>
<tr>
<td>2 rooms</td>
<td>58</td>
<td>0.2%</td>
<td>611</td>
<td>5.6%</td>
<td>669</td>
</tr>
<tr>
<td>3 rooms</td>
<td>319</td>
<td>1.1%</td>
<td>2,796</td>
<td>25.6%</td>
<td>3,115</td>
</tr>
<tr>
<td>4 rooms</td>
<td>2,308</td>
<td>8.0%</td>
<td>2,916</td>
<td>26.7%</td>
<td>5,224</td>
</tr>
<tr>
<td>5 rooms</td>
<td>4,612</td>
<td>16.1%</td>
<td>2,019</td>
<td>18.5%</td>
<td>6,631</td>
</tr>
<tr>
<td>6 rooms</td>
<td>5,983</td>
<td>20.9%</td>
<td>1,114</td>
<td>10.2%</td>
<td>7,097</td>
</tr>
<tr>
<td>7 rooms</td>
<td>6,155</td>
<td>21.5%</td>
<td>560</td>
<td>5.1%</td>
<td>6,715</td>
</tr>
<tr>
<td>8 rooms</td>
<td>4,314</td>
<td>15.0%</td>
<td>442</td>
<td>4.1%</td>
<td>4,756</td>
</tr>
<tr>
<td>9 or more rooms</td>
<td>4,899</td>
<td>17.1%</td>
<td>289</td>
<td>2.7%</td>
<td>5,188</td>
</tr>
<tr>
<td>Total</td>
<td>28,669</td>
<td>100.0%</td>
<td>10,913</td>
<td>100.0%</td>
<td>39,582</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2012 (update of HUD MA-10)

The majority (90%) of Thornton’s apartment units are one and two-bedroom. Efficiency or studio apartments and 4-bedroom units combined make up less than 1% of all apartment units in the City.

Table 38. Thornton Apartment Units by Bedroom Size

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Number of Units</th>
<th>% Of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Efficiency</td>
<td>23</td>
<td>0.29%</td>
</tr>
<tr>
<td>1 bedroom</td>
<td>3,284</td>
<td>42.01%</td>
</tr>
<tr>
<td>2 bedroom</td>
<td>3,726</td>
<td>47.66%</td>
</tr>
<tr>
<td>3 bedroom</td>
<td>752</td>
<td>9.62%</td>
</tr>
<tr>
<td>4 bedroom</td>
<td>33</td>
<td>0.42%</td>
</tr>
<tr>
<td>Total</td>
<td>7,818</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Source: City of Thornton 2014 Apartment Survey

VACANCY RATES

Rental vacancy rates have declined significantly during the past five years, as demand for rentals has outpaced rental construction throughout the Denver metro area. Vacancy rates in Thornton were the lowest for smaller units. While Thornton’s vacancy rate rose from the 2nd to 3rd quarter of 2013, the twelve month average has stayed low, at between 4% and 4.5% for the last four quarters. This has resulted in increased rental costs.
Table 39: Vacancy Rates by Bedroom Size, 1st Quarter 2012-2013

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4th</td>
<td>1st</td>
<td>2nd</td>
</tr>
<tr>
<td>Northglenn/Thornton</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficiency</td>
<td>7.4</td>
<td>3.7</td>
<td>7.4</td>
</tr>
<tr>
<td>1 Bed</td>
<td>3.9</td>
<td>3.3</td>
<td>3.1</td>
</tr>
<tr>
<td>2 Bed, 1 Bath</td>
<td>5.7</td>
<td>3.2</td>
<td>3.7</td>
</tr>
<tr>
<td>2 Bed, 2 Bath</td>
<td>5.0</td>
<td>3.7</td>
<td>4.2</td>
</tr>
<tr>
<td>3 Bed</td>
<td>6.9</td>
<td>4.2</td>
<td>4.4</td>
</tr>
<tr>
<td>Other</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
<tr>
<td>All</td>
<td>4.8</td>
<td>3.5</td>
<td>3.6</td>
</tr>
</tbody>
</table>

| Adams County |       |       |         |        |
| Efficiency   | 3.7   | 1.4   | 7.7     | 5.3    | 4.53   |
| 1 Bed        | 3.9   | 5.7   | 3.3     | 3.9    | 4.20   |
| 2 Bed, 1 Bath | 4.7  | 3.9   | 3.5     | 4.8    | 4.23   |
| 2 Bed, 2 Bath | 5.1  | 5.0   | 4.8     | 9.4    | 6.08   |
| 3 Bed        | 6.1   | 5.5   | 3.9     | 6.5    | 5.50   |
| Other        | 7.5   | 8.9   | 6.5     | 6.9    | 7.45   |
| All          | 4.5   | 5.2   | 3.8     | 5.7    | 4.80   |

Source: Apartment Association of Metro Denver Rent and Vacancy Survey, 3rd Quarter 2013

Figure 19: Twelve Month Average Vacancy Rates Over Time, 2009-2013

Vacancy rates in Thornton and Adams County have trended fairly consistently with Denver metro rents during the past five years.
Vacancy rates are especially low for Thornton’s subsidized apartment complexes, which have an average vacancy rate of 1.3% according to the City’s 2014 Apartment Survey. Some of the subsidized complexes have multi-year waiting lists. For example, Creekside Place has more than 400 people on the wait list while Reserve at Thornton has more than 100 names on their list.

**FORECLOSURES**

Foreclosures have declined dramatically in Thornton in the past few years. The City has been tracking foreclosure petitions since 2006. In 2013, there were 386 foreclosure petitions filed in Thornton, a reduction of 49% from 2012 and a reduction of 71% from the high in 2008 of 1,333 petitions. Foreclosure sales as a percent of all sales are also down in Thornton from a high of 43.6% of all sales in March of 2008 to 8.6% of all sales in October of 2013.
Zillow.com reports that foreclosure sales are down across the county, by an average of 1% between December of 2012 and December of 2013. The foreclosure crisis had a significant impact on the housing market in the U.S., and in Thornton. However, it seems that Thornton’s housing market is recovering, that fewer units are falling into foreclosure, fewer foreclosed and bank owned properties are on the market, and that increases in values may prevent owners from owing more than their home is worth.

Wards 2 and 3 consistently have higher foreclosure numbers than Wards 1 and 4.
Figure 22: 2013 Foreclosures

Source: City of Thornton GIS
CONDITION OF HOUSING

While approximately 30% of all housing units in Thornton were constructed prior to 1980, significant defects are not an issue for most of the housing stock within the city. Most respondents to the Housing Survey rated their homes as in good shape. Residents indicated that their homes needed typical home maintenance improvements, such as new windows and doors.

Housing Conditions - HUD Data

The U.S. Department of Housing and Urban Development (HUD) uses census data to understand housing conditions and problems in order to examine whether the existing housing units are safe and habitable. HUD calculates the number of occupied housing units by tenure that have one or more adverse “selected conditions.” These conditions include:

- Lack of complete plumbing
- Lack of complete kitchen facilities
- More than one person per room
- Cost burden greater than 30%

In Thornton, cost burden is the greatest issue facing Thornton households according to Comprehensive Housing Affordability Strategy (CHAS) data. Crowding is the next most frequent reported problem, although the percentage of overcrowded households in Thornton is small. The largest groups of overcrowded households in Thornton were renter households made up of one family, followed closely by single-family owner households earning 50-80% AMI. The 2012 American Community Survey reports that only 36 housing units lacked complete plumbing, and 144 occupied housing units lacked a complete kitchen. Such units could be candidates for the City’s housing rehabilitation programs.
Table 40: HUD Tables NA-10, Housing Problems, Thornton

<table>
<thead>
<tr>
<th>Substandard Housing - Lacking complete plumbing or kitchen facilities</th>
<th>Renter</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-30% AMI</td>
<td>&gt;30-50% AMI</td>
<td>&gt;50-80% AMI</td>
</tr>
<tr>
<td>4</td>
<td>45</td>
<td>70</td>
</tr>
<tr>
<td>Severely Overcrowded - With &gt;1.51 people per room (and complete kitchen and plumbing)</td>
<td>55</td>
<td>15</td>
</tr>
<tr>
<td>Overcrowded - With 1.01-1.5 people per room (and none of the above problems)</td>
<td>265</td>
<td>80</td>
</tr>
<tr>
<td>Housing cost burden greater than 50% of income (and none of the above problems)</td>
<td>1,420</td>
<td>645</td>
</tr>
<tr>
<td>Housing cost burden greater than 30% of income (and none of the above problems)</td>
<td>200</td>
<td>845</td>
</tr>
<tr>
<td>Zero/negative Income (and none of the above problems)</td>
<td>120</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 and Comprehensive Housing Affordability Strategy (CHAS) data

According to HUD data shown in Appendix 3, the adverse housing conditions described above tend to be experienced disproportionately by minorities in Thornton, and nation-wide. A disproportionately greater need is defined as the members of one racial or ethnic groups at an income level experience housing problems at a greater rate (10% or more) than the income level as a whole.

For households earning between 31 to 50% AMI, all racial groups except whites and American Indian/Alaska Native have a higher incidence of housing problems than the Thornton population overall. This information may indicate that these groups are experiencing more overcrowding than white citizens, and paying more for housing, as other housing problems in Thornton were not as prevalent. These households are also more likely to be renting market rate units, and less likely to be living in subsidized housing than those at lower incomes. For more detail on housing conditions, disproportionate need and severe housing problems, see Appendix 3.

While the housing providers interviewed for this study indicated that they do not feel that their clients are discriminated against because of race or ethnicity, they did indicate that larger households, especially those with large extended families, have a hard time finding affordable, size appropriate units, especially immigrant families who also may not speak English.

City of Thornton Housing Needs Assessment
Page 55 of 154
Housing Conditions – Apartment Data
The U.S. Census defines aged housing stock as 20 years or older. Just over 39% of the apartment complexes in Thornton (13 of 33) were constructed before 1980. Those that are market rate or higher were built after 1980; 59% of the 23 affordable apartments in Thornton were built before 1980.

Nearly 77% of the multifamily complexes that have affordability restrictions or accept rental subsidy were built in the 1970s. This is consistent with rental cost data, which indicates overall lower rental rates for units in older apartment complexes. A windshield survey of older rental housing apartment complexes in some areas of Thornton indicated that some of these complexes are in need of upgrades and repairs. The building permit data indicates that almost all of the complexes have conducted repairs to at least one major system (i.e. roofs, boilers, siding, etc.) since 1980. However, only three of the complexes have had a substantial rehabilitation to all units beyond required maintenance. Based on the age of the buildings, they are likely due for rehabilitation and repair.

Furthermore, because nearly all of the properties were built before the enactment of the accessibility regulations including the Americans with Disabilities Act (Title 2 in 1992) and Fair Housing Accessibility (1991), they were not required to ensure accessibility for individuals with disabilities. This may indicate the need to address accessibility improvements in addition to maintenance and repair needs of the older buildings.

The map below shows that all apartments built before 1980, which are located in south Thornton.
Housing Conditions – Survey Data
In addition to the census data, the Housing Survey conducted as part of this report collected information about the condition of respondent’s homes. The majority of respondents to the Housing Survey have only one family living in their housing unit. However, 45 households, or over 7% of respondents, indicate that they have multiple families living in their housing unit. This rate is higher than the rate counted by HUD Comprehensive Housing Affordability Strategy (CHAS) data, which averages 5% overall for households. Considering that the income ranges of respondents to the Housing Survey are higher than the general population in Thornton, this count of doubling up households should be noted, and is consistent with information found regarding homeless and near-homeless populations in Thornton. During the economic downturn, many households were forced to move in with friends and family due to lost jobs and lack of income.
Table 41: Housing Survey Respondents, Number of Families in Unit, 2014

Please indicate the number of families (NOT family members) living in your home/household.

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>92.2%</td>
<td>534</td>
</tr>
<tr>
<td>2</td>
<td>5.2%</td>
<td>30</td>
</tr>
<tr>
<td>3</td>
<td>1.4%</td>
<td>8</td>
</tr>
<tr>
<td>4+</td>
<td>1.2%</td>
<td>7</td>
</tr>
</tbody>
</table>

answered question 579
skipped question 32

Source: CSI Thornton Housing Survey, 2014

Most respondents rated their home systems as excellent to good. Insulation, windows, doors and kitchens got the highest number of fair to low ratings.

Figure 24: Housing Survey Respondents, Home Condition Rating, 2014

Source: CSI Thornton Housing Survey, 2014

More than 20% of residents who responded to the survey reported the need for repairs to their home, such as windows, doors, roof, building exterior and gutters, insulation, and porches and balconies.
The table and corresponding figure below, show the need for at least one major repair by zip code. Households in 80229 reported the need for at least one major repair; this zip code falls in the south part of the city. See map below.
The Housing Survey also asked respondents about modifications currently made to their home for all household members, including disabled persons. Almost 40% of respondents reported having some sort of existing modification to their housing unit. The most common modifications were living in a one story home, appliances that are easy to use by persons with mobility issues, grab bars, and other handles, pulls, and light switches that are easy to grasp, and widened interior doors. Many of these modifications are becoming standard design and finish features in new homes.

Table 42: Housing Survey Respondents, Current Housing Unit Modifications, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheelchair accessible inside or outside existing home</td>
<td>5.9%</td>
<td>14</td>
</tr>
<tr>
<td>One-story living, where all necessary rooms are on the same level</td>
<td>62.0%</td>
<td>147</td>
</tr>
<tr>
<td>Wide interior doors (at least 36 inches wide) and hallways that are 42 inches wide or wider</td>
<td>17.3%</td>
<td>41</td>
</tr>
<tr>
<td>A no-step entrance into the home</td>
<td>8.0%</td>
<td>19</td>
</tr>
<tr>
<td>Specialized lighting or alarms for hearing or visually impaired household members</td>
<td>2.5%</td>
<td>6</td>
</tr>
<tr>
<td>Lower cabinets, adjustable height counters or cabinets with pull-out shelves</td>
<td>3.8%</td>
<td>9</td>
</tr>
<tr>
<td>Grab bars, lever-style door handles, faucets and rocker light switches, or easy-to-grasp D-shaped cabinet pulls</td>
<td>18.1%</td>
<td>43</td>
</tr>
<tr>
<td>Slip resistant flooring, bathtubs and showers</td>
<td>14.8%</td>
<td>35</td>
</tr>
<tr>
<td>Low or no-threshold stall showers with built-in benches or seats</td>
<td>11.8%</td>
<td>28</td>
</tr>
<tr>
<td>Buttons and other controls that can be distinguished by touch</td>
<td>1.3%</td>
<td>3</td>
</tr>
<tr>
<td>Clear lines of sight in house to reduce dependence on sound</td>
<td>12.2%</td>
<td>29</td>
</tr>
<tr>
<td>Side by side refrigerators, raised front-loading clothes washers and dryers, raised toilets</td>
<td>28.7%</td>
<td>68</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>22.8%</td>
<td>54</td>
</tr>
</tbody>
</table>

**answered question** 237  
**skipped question** 374

Source: CSI Thornton Housing Survey, 2014

Finally, respondents were also asked about what modifications are needed in their homes. Most of the respondents were ages 45 to 75 and 15% reported at least one person living in their home with some sort of physical, visual or auditory disability. Only 8% of the respondents said their home was wheelchair accessible or had lighting or alarms for hearing or visually impaired people. Respondents reported needing lifts for stairs, bathtub grab bars, walk-in bathtubs, and walk-in showers.
Table 43: Housing Survey Respondents, Modifications Needed, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheelchair accessible inside or outside existing home</td>
<td>11.1%</td>
<td>53</td>
</tr>
<tr>
<td>One-story living, where all necessary rooms are on the same level</td>
<td>10.7%</td>
<td>51</td>
</tr>
<tr>
<td>Wide interior doors (at least 36 inches wide), hallways that are 42 inches wide or wider</td>
<td>10.3%</td>
<td>49</td>
</tr>
<tr>
<td>A no-step entrance into the home</td>
<td>13.4%</td>
<td>64</td>
</tr>
<tr>
<td>Specialized lighting or alarms for hearing or visually impaired household members</td>
<td>6.9%</td>
<td>33</td>
</tr>
<tr>
<td>Lower cabinets, adjustable height counters or cabinets with pull-out shelves</td>
<td>8.2%</td>
<td>39</td>
</tr>
<tr>
<td>Grab bars, lever-style door handles, faucets and rocker light switches, or easy-to-grasp D-shaped cabinet pulls</td>
<td>11.7%</td>
<td>56</td>
</tr>
<tr>
<td>Slip resistant flooring, bathtubs and showers</td>
<td>10.1%</td>
<td>48</td>
</tr>
<tr>
<td>Low or no-threshold stall showers with built-in benches or seats</td>
<td>11.1%</td>
<td>53</td>
</tr>
<tr>
<td>Buttons and other controls that can be distinguished by touch</td>
<td>5.5%</td>
<td>26</td>
</tr>
<tr>
<td>Clear lines of sight in house to reduce dependence on sound</td>
<td>4.6%</td>
<td>22</td>
</tr>
<tr>
<td>Side by side refrigerators, raised front-loading clothes washers and dryers, raised toilets</td>
<td>7.5%</td>
<td>36</td>
</tr>
<tr>
<td>None/Don't know</td>
<td>74.8%</td>
<td>357</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>3.4%</td>
<td>16</td>
</tr>
</tbody>
</table>

answered question 477 skipped question 134

Source: CSI Thornton Housing Survey, 2014

Low and moderate income households can have difficulty financing major home repairs and may need the assistance of home rehabilitation programs. Currently, senior and disabled owners with incomes at 80% AMI or less can access the Thornton Help for Homes program, operated by the City of Thornton. The program offers minor home repairs and improvements related to health, safety and accessibility. Eligible improvements include accessibility features such as ramps, door widening and installation of grab bars, safety improvements such as outdoor lighting or smoke detectors, minor electrical and plumbing repairs, and minor roofing repairs, and gutters. The City is also kicking off a pilot program that will allow all low-income homeowners to apply for a zero-interest rate loan to perform major home repairs such as roof replacement, accessibility modifications or sewer/water line replacement. This program does not have an age or disability requirement.

COST OF HOUSING

Housing prices across the metro area have been on the rise in 2012 and 2013. According to MLS data, home values in Thornton have increased 21% from 2010 to 2014 and median rents increased 47% during the same time period, according to HUD data. In addition, low interest rates and sales inventory have made finding an affordable housing unit for sale a challenge for households at 80% or less of the AMI. The following section of the report provides an analysis of current housing costs and recent cost trends in Thornton.

Rental Housing Market

Rents have been increasing for all rental unit types since 2012. The highest increases were seen in three bedroom apartments, which are now renting at an average price of $1,142 a month. That is $71 dollars more than the year
before. Thornton’s overall rental rates for combined one, two and three bedroom apartments average $928 per month, which is slightly below the Denver Metro average of $978 a month.

Table 44: Average Rents by Bedroom Size, 3rd Quarter 2013

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4th</td>
<td>1st</td>
<td>2nd</td>
<td>3rd</td>
<td></td>
</tr>
<tr>
<td><strong>Northglenn/Thornton</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficiency</td>
<td>$672.70</td>
<td>$707.04</td>
<td>$695.09</td>
<td>$742.39</td>
<td></td>
</tr>
<tr>
<td>1 Bed</td>
<td>$785.96</td>
<td>$792.12</td>
<td>$830.19</td>
<td>$861.66</td>
<td></td>
</tr>
<tr>
<td>2 Bed, 1 Bath</td>
<td>$893.28</td>
<td>$889.29</td>
<td>$921.82</td>
<td>$955.52</td>
<td></td>
</tr>
<tr>
<td>2 Bed, 2 Bath</td>
<td>$1,070.19</td>
<td>$1,084.62</td>
<td>$1,109.12</td>
<td>$1,151.10</td>
<td></td>
</tr>
<tr>
<td>3 Bed</td>
<td>$1,253.45</td>
<td>$1,231.78</td>
<td>$1,262.50</td>
<td>$1,295.16</td>
<td></td>
</tr>
<tr>
<td>All</td>
<td>$920.78</td>
<td>$925.38</td>
<td>$959.05</td>
<td>$996.54</td>
<td></td>
</tr>
<tr>
<td><strong>Adams County</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficiency</td>
<td>$671.53</td>
<td>$701.46</td>
<td>$721.47</td>
<td>$635.85</td>
<td></td>
</tr>
<tr>
<td>1 Bed</td>
<td>$771.42</td>
<td>$794.79</td>
<td>$806.27</td>
<td>$826.73</td>
<td></td>
</tr>
<tr>
<td>2 Bed, 1 Bath</td>
<td>$858.56</td>
<td>$863.02</td>
<td>$889.58</td>
<td>$902.76</td>
<td></td>
</tr>
<tr>
<td>2 Bed, 2 Bath</td>
<td>$1,061.47</td>
<td>$1,077.02</td>
<td>$1,116.03</td>
<td>$1,150.05</td>
<td></td>
</tr>
<tr>
<td>3 Bed</td>
<td>$1,283.09</td>
<td>$1,315.65</td>
<td>$1,358.96</td>
<td>$1,479.06</td>
<td></td>
</tr>
<tr>
<td>All</td>
<td>$893.35</td>
<td>$910.71</td>
<td>$933.96</td>
<td>$962.53</td>
<td></td>
</tr>
</tbody>
</table>

Source: Apartment Association of Metro Denver Rent and Vacancy Survey, 3rd Quarter 2013 (update of HUD MA-15 table 34)

As would be expected, efficiency and one bedroom rentals are the least expensive units in Thornton. The rents for two bedroom units with two bathrooms are 34% higher, on average, than those with only one bedroom, a significant increase in price for a larger unit. Rents are also higher in larger apartment complexes as well as in newer apartment complexes.
Table 45: Rents by Units in Building, 3rd Quarter 2013

<table>
<thead>
<tr>
<th>Number of Units</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4th</td>
<td>1st</td>
</tr>
<tr>
<td>Northglenn/Thornton</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Up to 8</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9 to 50</td>
<td>$605.50</td>
<td>$720.83</td>
</tr>
<tr>
<td>51 to 99</td>
<td>None reported</td>
<td>None reported</td>
</tr>
<tr>
<td>100 to 199</td>
<td>$817.85</td>
<td>$812.87</td>
</tr>
<tr>
<td>200 to 349</td>
<td>$946.99</td>
<td>$977.26</td>
</tr>
<tr>
<td>350 and up</td>
<td>$935.03</td>
<td>$923.99</td>
</tr>
<tr>
<td>Adams County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Up to 8</td>
<td>$1,367.00</td>
<td>$1,367.00</td>
</tr>
<tr>
<td>9 to 50</td>
<td>$656.13</td>
<td>$729.67</td>
</tr>
<tr>
<td>51 to 99</td>
<td>$632.18</td>
<td>$676.15</td>
</tr>
<tr>
<td>100 to 199</td>
<td>$767.55</td>
<td>$795.86</td>
</tr>
<tr>
<td>200 to 349</td>
<td>$928.61</td>
<td>$940.28</td>
</tr>
<tr>
<td>350 and up</td>
<td>$910.19</td>
<td>$920.77</td>
</tr>
</tbody>
</table>

Source: Apartment Association of Metro Denver Rent and Vacancy Survey, 3rd Quarter 2013

Table 46: Rents by Age of Building, 3rd Quarter 2013

<table>
<thead>
<tr>
<th>Year Built</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4th</td>
<td>1st</td>
</tr>
<tr>
<td>Northglenn/Thornton</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To 1959</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1960-69</td>
<td>$605.50</td>
<td>$720.83</td>
</tr>
<tr>
<td>1970-79</td>
<td>$730.09</td>
<td>$745.36</td>
</tr>
<tr>
<td>1980-89</td>
<td>$861.95</td>
<td>$882.44</td>
</tr>
<tr>
<td>1990-99</td>
<td>$1,031.03</td>
<td>$1,033.89</td>
</tr>
<tr>
<td>2000-04</td>
<td>$1,043.05</td>
<td>$1,041.02</td>
</tr>
<tr>
<td>2005 up</td>
<td>$1,092.92</td>
<td>$1,104.28</td>
</tr>
<tr>
<td>Adams County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To 1959</td>
<td>$650.00</td>
<td>$650.00</td>
</tr>
<tr>
<td>1960-69</td>
<td>$775.74</td>
<td>$764.94</td>
</tr>
<tr>
<td>1970-79</td>
<td>$698.72</td>
<td>$729.19</td>
</tr>
<tr>
<td>1980-89</td>
<td>$852.50</td>
<td>$862.67</td>
</tr>
<tr>
<td>1990-99</td>
<td>$1,059.86</td>
<td>$1,053.79</td>
</tr>
<tr>
<td>2000-04</td>
<td>$1,076.24</td>
<td>$1,092.11</td>
</tr>
<tr>
<td>2005 up</td>
<td>$1,092.92</td>
<td>$1,086.61</td>
</tr>
</tbody>
</table>

Source: Apartment Association of Metro Denver Rent and Vacancy Survey, 3rd Quarter 2013

As is typical, cost per square foot for efficiency units is higher than for other apartment types in the Thornton/Northglenn market, and square foot rents decrease as units get larger and more bedrooms are added.
Table 47: Rent Per Square Foot by Apartment Type, 3rd Quarter 2013

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4th</td>
<td>1st</td>
</tr>
<tr>
<td>Northglenn/Thornton</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficiency</td>
<td>1.39</td>
<td>1.46</td>
</tr>
<tr>
<td>1 Bed</td>
<td>1.13</td>
<td>1.16</td>
</tr>
<tr>
<td>2 Bed, 1 Bath</td>
<td>1.03</td>
<td>1.04</td>
</tr>
<tr>
<td>2 Bed, 2 Bath</td>
<td>1.01</td>
<td>1.04</td>
</tr>
<tr>
<td>3 Bed</td>
<td>1.00</td>
<td>1.02</td>
</tr>
<tr>
<td>All</td>
<td>1.07</td>
<td>1.09</td>
</tr>
<tr>
<td>Adams County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Efficiency</td>
<td>1.27</td>
<td>1.36</td>
</tr>
<tr>
<td>1 Bed</td>
<td>1.14</td>
<td>1.18</td>
</tr>
<tr>
<td>2 Bed, 1 Bath</td>
<td>1.02</td>
<td>1.04</td>
</tr>
<tr>
<td>2 Bed, 2 Bath</td>
<td>1.02</td>
<td>1.04</td>
</tr>
<tr>
<td>3 Bed</td>
<td>1.02</td>
<td>1.06</td>
</tr>
<tr>
<td>All</td>
<td>1.08</td>
<td>1.11</td>
</tr>
</tbody>
</table>

Source: Apartment Association of Metro Denver Rent and Vacancy Survey, 3rd Quarter 2013

The same is true by unit size; the per square foot rent for smaller units is higher than the per square foot rents for larger units. Per square foot rents have risen for all unit types and sizes in the Thornton/Northglenn market area consistently for the past four quarters.

Table 48: Square Foot Rents by Size of Unit, 3rd Quarter 2013

<table>
<thead>
<tr>
<th></th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4th</td>
<td>1st</td>
</tr>
<tr>
<td>Northglenn/Thornton</td>
<td></td>
<td></td>
</tr>
<tr>
<td>499 below</td>
<td>1.51</td>
<td>1.59</td>
</tr>
<tr>
<td>500 to 749</td>
<td>1.15</td>
<td>1.18</td>
</tr>
<tr>
<td>750 to 999</td>
<td>1.05</td>
<td>1.05</td>
</tr>
<tr>
<td>1000 above</td>
<td>1.01</td>
<td>1.04</td>
</tr>
<tr>
<td>Adams County</td>
<td></td>
<td></td>
</tr>
<tr>
<td>499 below</td>
<td>1.38</td>
<td>1.46</td>
</tr>
<tr>
<td>500 to 749</td>
<td>1.13</td>
<td>1.18</td>
</tr>
<tr>
<td>750 to 999</td>
<td>1.05</td>
<td>1.07</td>
</tr>
<tr>
<td>1000 above</td>
<td>1.03</td>
<td>1.06</td>
</tr>
</tbody>
</table>

Source: Apartment Association of Metro Denver Rent and Vacancy Survey, 3rd Quarter 2013

In general, rental rates are lowest in south Thornton, per the map below.
Sales Market
Home prices have also been increasing in Thornton as the sales market recovers from the recession of the past five years, due to low interest rates and lack of units on the market. In 2013, the majority of units sold in Thornton (63%) were priced between $150,000 and $300,000.
Table 49: Listings by Price Range, 2013

<table>
<thead>
<tr>
<th>Price Range</th>
<th>Number of Homes</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt;$74,999</td>
<td>50</td>
<td>2.1%</td>
</tr>
<tr>
<td>$75,000 - $100,000</td>
<td>56</td>
<td>2.4%</td>
</tr>
<tr>
<td>$100,001 - $150,000</td>
<td>325</td>
<td>13.7%</td>
</tr>
<tr>
<td>$150,001 - $200,000</td>
<td>542</td>
<td>22.9%</td>
</tr>
<tr>
<td>$200,001 - $250,000</td>
<td>553</td>
<td>23.4%</td>
</tr>
<tr>
<td>$250,001 - $300,000</td>
<td>392</td>
<td>16.6%</td>
</tr>
<tr>
<td>$300,001 - $350,000</td>
<td>233</td>
<td>9.8%</td>
</tr>
<tr>
<td>$350,001 - $400,000</td>
<td>132</td>
<td>5.6%</td>
</tr>
<tr>
<td>$400,001 - $450,000</td>
<td>43</td>
<td>1.8%</td>
</tr>
<tr>
<td>$450,001 - $500,000</td>
<td>22</td>
<td>0.9%</td>
</tr>
<tr>
<td>$500,001 - $550,000</td>
<td>5</td>
<td>0.2%</td>
</tr>
<tr>
<td>$551,001 - $600,000</td>
<td>1</td>
<td>0.0%</td>
</tr>
<tr>
<td>&gt;$600,000</td>
<td>12</td>
<td>0.5%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2366</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: 2013 MLS, City of Thornton

Figure 29: Sales Price Changes over Time, Thornton and Metro Denver Markets

Source: Zillow, City of Thornton

Sales prices in Thornton grew 9% in Thornton between 2010 and 2013. The number of units sold in Thornton also rose by 9% during this time period. CSI used current Multi-list listings and information from Metro List, provided by the City of Thornton, to prepare an analysis of the sales market in Thornton.
### Table 50: Sales Price and Units on Market Changes 2010-2013

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sold</td>
<td>2,578</td>
<td>2,445</td>
<td>3,015</td>
<td>2,812</td>
</tr>
<tr>
<td>Median Price</td>
<td>$205,200</td>
<td>$198,500</td>
<td>$209,300</td>
<td>$223,260</td>
</tr>
</tbody>
</table>

Source: Zillow, City of Thornton

Median home values are also on the rise in Thornton. Values rose 9.8% between October of 2012 and October of 2013 in Thornton. This increase is just under the 10% increase throughout the Denver metro area. More recent data from MLS shows a similar trend of home values increasing 9.9% from 2013 – 2014.

**Figure 30: Home Values Over Time, Thornton and Metro Denver Markets**

Source: Zillow, City of Thornton

In general, single-family homes tend to be more expensive than attached units, such as duplexes or townhomes. Over the past few years, single-family ranch-style homes have actually been less expensive than other styles; however cost per square foot is higher.
Looking at a snapshot of the sales market, in October of 2013, there were 220 single-family homes and 36 condos and townhomes on the market in Thornton. The following table shows the number of listings in October 2013 by price range and type of unit. Attached housing is much more affordable than single-family homes. The majority of single-family listings are priced between $200,000 and $400,000. Condo units are concentrated in the $100,000 - $200,000 price range.
While condo and townhome prices are lower than prices for single-family homes, the units are also smaller and have fewer bedrooms and bathrooms. These units also have a higher price per square foot than single-family homes. On average, attached units are newer than single-family homes. Both types of units stay on the market for just over two months on average.

Table 51: Current Listings Details, October 2013

<table>
<thead>
<tr>
<th></th>
<th>Avg Price</th>
<th>Median Price</th>
<th>Avg Bdrms</th>
<th>Avg Baths</th>
<th>Avg Square Feet</th>
<th>Avg Year Built</th>
<th>Avg Days on Market</th>
<th>Avg Price Per SF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family</td>
<td>$304,044</td>
<td>$280,358</td>
<td>3.6</td>
<td>3</td>
<td>2,896</td>
<td>1994</td>
<td>75</td>
<td>$105</td>
</tr>
<tr>
<td>Condos/Attached</td>
<td>$160,438</td>
<td>$155,981</td>
<td>2</td>
<td>2</td>
<td>1,436</td>
<td>1997</td>
<td>73</td>
<td>$112</td>
</tr>
</tbody>
</table>

Source: MLS, CSI

For comparison, CSI asked Housing Survey respondents about housing costs, as part of the research for this document. Almost 18% of respondents had paid off their home. Of those with a housing payment, the majority pay between $800 and $1,800 for a mortgage or rent. Most are paying a mortgage, since most respondents were homeowners.

Table 52: Housing Survey Respondents, Housing Cost, 2014

<table>
<thead>
<tr>
<th>How much do you pay monthly for rent or a mortgage?</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 , mortgage is paid off or I pay no rent</td>
<td>17.7%</td>
<td>104</td>
</tr>
<tr>
<td>$1 - $400</td>
<td>0.2%</td>
<td>1</td>
</tr>
<tr>
<td>$401 – $600</td>
<td>2.9%</td>
<td>17</td>
</tr>
<tr>
<td>$601 - $800</td>
<td>6.5%</td>
<td>38</td>
</tr>
<tr>
<td>$801 - $1,000</td>
<td>13.8%</td>
<td>81</td>
</tr>
<tr>
<td>$1,001 - $1,200</td>
<td>12.4%</td>
<td>73</td>
</tr>
<tr>
<td>$1,201 - $1,400</td>
<td>21.9%</td>
<td>129</td>
</tr>
<tr>
<td>$1,501 - $1,800</td>
<td>14.6%</td>
<td>86</td>
</tr>
<tr>
<td>$1,801 - $2,000</td>
<td>6.1%</td>
<td>36</td>
</tr>
<tr>
<td>More than $2,000 a month</td>
<td>4.1%</td>
<td>24</td>
</tr>
<tr>
<td>answered question</td>
<td></td>
<td>589</td>
</tr>
<tr>
<td>skipped question</td>
<td></td>
<td>22</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

Utility costs for most respondents ranged from $126 per month to $300 per month. Older homes often have higher utility costs than newer homes that have more insulation and more efficient heating and hot water systems.
Table 53: Housing Survey Respondents, Utility Costs, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $25</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>$26 - $50</td>
<td>0.2%</td>
<td>1</td>
</tr>
<tr>
<td>$51 - $75</td>
<td>1.2%</td>
<td>7</td>
</tr>
<tr>
<td>$75 - $100</td>
<td>3.2%</td>
<td>19</td>
</tr>
<tr>
<td>$101 - $125</td>
<td>6.4%</td>
<td>38</td>
</tr>
<tr>
<td>$126 - $150</td>
<td>12.7%</td>
<td>75</td>
</tr>
<tr>
<td>$151 - $175</td>
<td>12.4%</td>
<td>73</td>
</tr>
<tr>
<td>$176 - $200</td>
<td>18.1%</td>
<td>107</td>
</tr>
<tr>
<td>$201 - $225</td>
<td>14.7%</td>
<td>87</td>
</tr>
<tr>
<td>$226 - $250</td>
<td>12.0%</td>
<td>71</td>
</tr>
<tr>
<td>$276 - $300</td>
<td>10.3%</td>
<td>61</td>
</tr>
<tr>
<td>Greater than $300</td>
<td>8.6%</td>
<td>51</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td><strong>590</strong></td>
<td></td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td><strong>21</strong></td>
<td></td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

Many homeowners in Thornton also pay Homeowners Association (HOA) fees that cover the cost of community upkeep and amenities. As of March 2014, there were 93 active HOAs in Thornton. Fifty-five percent (55%) of homeowners who answered Thornton’s Housing Survey reported paying an HOA fee. Most do not pay more than $150 per month.

Table 54: Housing Survey Respondents, Homeowner Association Fees, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>I do not pay an HOA fee</td>
<td>45.0%</td>
<td>260</td>
</tr>
<tr>
<td>$1 - $50</td>
<td>31.0%</td>
<td>179</td>
</tr>
<tr>
<td>$51 - $100</td>
<td>15.1%</td>
<td>87</td>
</tr>
<tr>
<td>$101 - $150</td>
<td>3.5%</td>
<td>20</td>
</tr>
<tr>
<td>$151 - $200</td>
<td>3.3%</td>
<td>19</td>
</tr>
<tr>
<td>$201 - $250</td>
<td>0.9%</td>
<td>5</td>
</tr>
<tr>
<td>$251 - $300</td>
<td>0.3%</td>
<td>2</td>
</tr>
<tr>
<td>$301 - $350</td>
<td>1.0%</td>
<td>6</td>
</tr>
<tr>
<td>$351 - $400</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>$401 - $450</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td>Greater than $450</td>
<td>0.0%</td>
<td>0</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td><strong>578</strong></td>
<td></td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td><strong>33</strong></td>
<td></td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014
CSI was also able to break down housing costs by zip code. The following map shows the zip codes that fall partially or completely within the Thornton municipal boundaries. In general, households in older neighborhoods in Thornton pay less per month for housing than households in the newer northern neighborhoods in Thornton. Households in the 80602 zip code are the only respondents with housing payment over $2,000 per month. This is in the northeastern part of the City where the price of homes is also higher.

**Figure 33: Housing Survey Respondents, Housing Payment by Zip Code, 2014**

Home values and prices in south Thornton continue to be lower than in the northern portion of the City, as shown in the map on the following page.
Cost Burden

As rental rates and sales prices for homes have increased, so have the numbers and share of residents that are cost burdened. According to HUD, households that pay more than 30% of their income for housing expenses are considered “cost burdened.” For renters and homeowners, housing expenses include the mortgage or rent payment, and utilities (water, heat, and electricity). For homeowners, it could also include homeowners insurance and homeowner association (HOA) fees. The HUD data described in the previous section identified housing cost as the greatest problem facing households in Thornton, especially those that are low-income.

According to Comprehensive Housing Affordability Strategy (CHAS) and ACS data, the highest numbers of cost burdened renter households are those at 30% or less of the AMI. The data also indicates the highest number of cost burdened owner households are those at 51 – 80% AMI. Per the table below, approximately 95% of all households (both owner and renter) earning $20,000 per year or less are cost burdened, with rates of cost burden decreasing as income increases. For more detail on cost burden, see Appendix 3.
Table 55: Cost Burden by Household Income

<table>
<thead>
<tr>
<th>Income</th>
<th>Percent of all households that are cost burdened</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Renter</td>
</tr>
<tr>
<td>Less than $20,000</td>
<td>94%</td>
</tr>
<tr>
<td>$20,000-$34,999</td>
<td>80%</td>
</tr>
<tr>
<td>$35,000-$49,999</td>
<td>55%</td>
</tr>
<tr>
<td>$50,000-$74,999</td>
<td>12%</td>
</tr>
<tr>
<td>$75,000 or more</td>
<td>3%</td>
</tr>
</tbody>
</table>

Source: 2012 1-year ACS data

Cost burdened households in Thornton are more likely to live in the southern portion of the city, which is consistent with concentrations of poverty and low household incomes. However, there are also concentrations of cost burdened households in the most northern areas of the city, where home prices tend to be higher.

Figure 35: Housing Cost Burden by Census Tract

Source: HUD CPD Maps, 2011 5-year ACS Data
The data from the Housing Survey on cost burden is consistent with census data, indicating that respondents in lower income ranges were most likely to report being cost burdened. The survey data below shows that the number and percentage of cost burdened respondents declines significantly as income rises.

Table 56: Housing Survey Respondents, Percent of Income for Mortgage or Rent (excluding HOA fees), 2014

<table>
<thead>
<tr>
<th>Household Income</th>
<th>Pay 30 to 50% of Income on Rent/Mortgage</th>
<th>Pay 50% or More of Income on Rent/Mortgage</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $10,000</td>
<td>0</td>
<td>6</td>
<td>75%</td>
</tr>
<tr>
<td>$10,001 - $20,000</td>
<td>1</td>
<td>4</td>
<td>50%</td>
</tr>
<tr>
<td>$20,001 - $30,000</td>
<td>10</td>
<td>4</td>
<td>70%</td>
</tr>
<tr>
<td>$30,001 - $40,000</td>
<td>8</td>
<td>1</td>
<td>39%</td>
</tr>
<tr>
<td>$40,001 - $50,000</td>
<td>11</td>
<td>1</td>
<td>23%</td>
</tr>
<tr>
<td>$50,001 - $60,000</td>
<td>10</td>
<td>0</td>
<td>18%</td>
</tr>
<tr>
<td>$60,001 - $70,000</td>
<td>6</td>
<td>0</td>
<td>11%</td>
</tr>
<tr>
<td>$70,001 - $100,000</td>
<td>9</td>
<td>0</td>
<td>7%</td>
</tr>
<tr>
<td>$100,001 - $125,000</td>
<td>6</td>
<td>0</td>
<td>8%</td>
</tr>
<tr>
<td>$125,001 - $150,000</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
<tr>
<td>$150,001 - $200,000</td>
<td>0</td>
<td>0</td>
<td>0%</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

PUBLIC AND ASSISTED HOUSING

Income-Restricted Apartment Units

Income-restricted units means that rental rates are capped at a level that will remain affordable to low-income households. There are a total of 1,349 affordable rent-restricted units in Thornton, shown in the table below. Of these, 71 include tenant based rental assistance. These units are owned by the Adams County Housing Authority, non-profit housing providers, and private owners. More than half of these units are targeted to households earning 60% of AMI; only 8% (10 units) of the units are affordable to households earning less than 30% AMI. Only 51 are Americans with Disabilities Act (ADA) compliant and fully accessible to persons with disabilities.

Table 57: Current Rent Restricted Rental Inventory, Thornton

<table>
<thead>
<tr>
<th>Property Name</th>
<th># of Units</th>
<th>30% AMI</th>
<th>40% AMI</th>
<th>50% AMI</th>
<th>60% AMI</th>
<th>80% AMI</th>
<th># Access.</th>
<th>RA</th>
<th>Target Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aztec Villa Apt.</td>
<td>165</td>
<td>2</td>
<td>14</td>
<td></td>
<td>149</td>
<td>0</td>
<td>0</td>
<td>General/Family</td>
<td></td>
</tr>
<tr>
<td>Creekside Place Apt.</td>
<td>208</td>
<td></td>
<td>207</td>
<td>0</td>
<td>71</td>
<td>0</td>
<td>General/Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overlook at Thornton</td>
<td>160</td>
<td></td>
<td>160</td>
<td>6</td>
<td>0</td>
<td>General/Family</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserve At Thornton I</td>
<td>216</td>
<td></td>
<td>44</td>
<td>172</td>
<td>6</td>
<td>0</td>
<td>General/Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reserve at Thornton II</td>
<td>60</td>
<td>30</td>
<td>30</td>
<td></td>
<td>0</td>
<td>0</td>
<td>General/Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Village of Yorkshire Apt.</td>
<td>200</td>
<td></td>
<td></td>
<td>200</td>
<td>10</td>
<td>0</td>
<td>General/Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Renaissance 88 Apt.</td>
<td>180</td>
<td>60</td>
<td>60</td>
<td>58</td>
<td>10</td>
<td>0</td>
<td>Permanent Supportive /Family</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Orchard Hill Senior Apt.</td>
<td>88</td>
<td>49</td>
<td>38</td>
<td></td>
<td>11</td>
<td>0</td>
<td>Seniors</td>
<td></td>
<td></td>
</tr>
<tr>
<td>InnovAge Senior Housing Apt.</td>
<td>72</td>
<td>8</td>
<td>15</td>
<td>30</td>
<td>19</td>
<td>8</td>
<td>0</td>
<td>Seniors</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,349</td>
<td>10</td>
<td>168</td>
<td>202</td>
<td>816</td>
<td>149</td>
<td>51</td>
<td>71</td>
<td></td>
</tr>
</tbody>
</table>

* RA = units including rental assistance, Access = accessible units

Source: CSI
The Adams County Housing Authority owns and operates three properties in Thornton: the Aztec Villa Apartments, the Overlook at Thornton, and the Village of Yorkshire. They are also limited partners in the Creekside and Orchard Hill Apartments. None of these are HUD public housing or Section 8 properties, but the properties do allow holders of Section 8 tenant based vouchers to live in the properties. Renaissance 88 is owned and managed by the Colorado Coalition for the Homeless, and the Reserve at Thornton apartments subsidized through Low-Income Tax Credits.

There is one new rent-restricted property being constructed in Thornton that targets low income people age 55 and older – InnovAge Senior Housing. InnovAge, the developer and owner, anticipates the apartments will open in September 2014. The property will have 72 one and two bedroom units, including eight at 30% AMI, 15 at 40% AMI, 30 at 50% AMI, and 19 at 60% AMI. The units are independent living units. Their residents can also access services at the adult day center nearby.

In addition to rent-restricted units listed in the table above, there are also market rate complexes that may offer rents at or below the fair market rents, which is defined as the average price of new rental leases for the area. Fair Market Rent levels are used to determine maximum rents for affordable (subsidized) rental properties. This is also the maximum rental rate for which Section 8 housing voucher holders can qualify for their housing subsidy. The City conducts a survey of all apartment complexes to identify which properties meet these rental rates. Any apartments that offer at least one type of unit below fair market rate has been classified as ‘affordable’ in this document. The survey conducted in early 2014 identified 23 affordable apartments; this includes the eight complexes that are rent-restricted. This information is updated each year and posted on the City of Thornton website, along with a map. As part of this survey, the City requests information about accessibility features such as no step entries, widened doorways and grab bars in bathrooms.

<table>
<thead>
<tr>
<th>Monthly Rent ($)</th>
<th>Efficiency (no bedroom)</th>
<th>1 Bedroom</th>
<th>2 Bedroom</th>
<th>3 Bedroom</th>
<th>4 Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair Market Rent</td>
<td>$600</td>
<td>$742</td>
<td>$960</td>
<td>$1,409</td>
<td>$1,633</td>
</tr>
</tbody>
</table>

Source: HUD CPD

Housing Vouchers
Housing vouchers allow low-income households to pay 30% of their monthly income on a qualified rental unit, with the federal government covering any remainder. Vouchers are allocated by the federal government to the Adams County Housing Authority, who assigns them to qualified applications. Vouchers can also be brought into the county by residents who obtained them in other jurisdictions.

There are several types of vouchers: project-based, tenant-based and special purpose. Project-based Section 8 vouchers must be used within a specific property. Tenant-based vouchers are allocated to a household, who can use the voucher in any qualifying rental housing unit. To qualify, rental units must not charge more than Fair Market Rent and must meet health and safety quality standards. These vouchers do not expire but the family must recertify annual to remain eligible to receive the voucher.

Special purpose vouchers are for special populations:

- HUD-VASH is a joint program between HUD and the U.S. Department of Veterans Affairs (VA). HUD provides housing choice vouchers and VA provides case management and outreach. This program targets veterans who are currently homeless.
• Family Unification Program vouchers are provided to youth aging out of the foster care system and to families involved with the child welfare system.

• Special Purpose Disabled: Per HUD, in this context, disabled includes non-elderly disabled, mainstream program vouchers and nursing home transition vouchers. Mainstream program vouchers enable families having a person with disabilities to lease affordable private housing of their choice. Nursing Home Transition Vouchers allow families leaving nursing homes and who are able to live without skilled nursing care to live in public housing.

According to the Public and Indian Housing Information Center (PIC), there are a total of 1,374 tenant based vouchers currently being used in Adams County, 384 of which are used in Thornton (see Appendix 3 for the associated table). Vouchers are allocated through the Adams County Housing Authority. As of February 2014, twelve of the City’s 33 apartment complexes accept tenant-based rental vouchers. Most of the vouchers in use are tenant-based. It is important to note that the PIC reports on Public Housing Authorities only. Renaissance 88, a 180-unit development is subsidized through the Federal Rental Assistance for Low Income Families (Section 8) and is not counted in the total above.

Housing Authority personnel state the need for additional affordable rental housing stock in Thornton. Many apartment owners do not take Section 8 vouchers, the waiting lists for affordable properties are long, and rising market rents are pricing out many households. Staff feels that there is the greatest need for affordable one bedroom units. The housing authority staff also see the need for more senior independent living units, though not a need for more affordable assisted living units for the clients that they serve. The households with the greatest need are those earning 0 – 30% AMI. Demand is growing, and current providers cannot meet growing demand.

There is usually a waiting list for all housing authorities that administer housing vouchers. The same can be said for the vouchers in Adams County. In March of 2014, there were a total of 579 households on the Adams County Housing Authority waiting list for Section 8 voucher rental assistance. Vouchers provide rent subsidies to income eligible households who may choose their own rental unit on the open rental market. The waiting list is currently closed as of March of 2014. The majority of the households on the waiting list are extremely low-income, with an average income of $10,256 per year. Family households make up most of the waiting lists, and there are significant numbers of persons with disabilities on the waiting lists as well. Twenty-eight percent (28%) of all applicants have a disabled household member, compared to 7.2% of the total population in Thornton. Eleven percent (11%) are seniors, the same percentage as seniors in the total population.

The Adams County Housing Authority does not have priorities for household types to receive Section 8 vouchers. When the authority opens the waiting list, households can complete applications. The Authority uses a lottery system to distribute vouchers to households on the waiting list when they become available. Households using vouchers have to live in Adams County for one year before they are allowed to use the voucher in another county. If a resident wants to “port” their voucher to another county, both the housing authority that they are currently with and the new housing authority must agree to the port.
### Table 59: HUD Tables NA-35, Public Housing Authority Waiting List Demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Total</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Applicants</td>
<td>579</td>
<td></td>
</tr>
<tr>
<td>Total Elderly *</td>
<td>61</td>
<td>11%</td>
</tr>
<tr>
<td>Total Applicants which Live or Work in Adams County</td>
<td>327</td>
<td>56%</td>
</tr>
<tr>
<td>Total Homeless</td>
<td>178</td>
<td>31%</td>
</tr>
<tr>
<td>Total Disabled</td>
<td>164</td>
<td>28.3%</td>
</tr>
<tr>
<td>Total Veterans</td>
<td>18</td>
<td>3.1%</td>
</tr>
<tr>
<td>Total Full Time Students</td>
<td>33</td>
<td>5.7%</td>
</tr>
<tr>
<td>Average Income for Thornton Applicants</td>
<td>$10,256</td>
<td></td>
</tr>
<tr>
<td>Average Household Size</td>
<td>2.55</td>
<td></td>
</tr>
</tbody>
</table>

Source: Adams County Housing Authority, *Defined by HUD as 62 years or older

The Adams County Housing Authority serves a large number of residents who are disabled, and who have requested accessibility features. In Thornton, 49% of all voucher holders have a disability or are elderly. Public Housing Information Center data below shows that all families accessing rental assistance also requested accessibility features for family members.

According to the Public Housing Information Center (PIC) System, Section 8 voucher holders in Adams County have an average family size of one or two, which is smaller than Thornton’s average. Additionally, voucher holders are more likely to be a white than any other race. However, more than 20% of the voucher holders identify themselves as Hispanic. The Adams County Housing Authority also serves a large number of residents who are disabled, and who have requested accessibility features. In Thornton, 49% of all voucher holders have a disability or are elderly. Tenants who have Section 8 vouchers use the assistance for an average of six years. See Appendix 3 for more information on the characteristics of voucher holders.

Housing Authority personnel state that many apartment owners do not take Section 8 vouchers, the waiting lists for affordable properties are long, and rising market rents are pricing out many households. Staff feels that there is the greatest need for affordable one bedroom units.

### BARRIERS TO AFFORDABLE HOUSING

In discussing barriers to affordable housing it is useful to address the following items that typically impact the cost of both owner-occupied and rental housing:

- Zoning and Land Use Regulations
- Regulatory and Permitting Processes
- Building Codes
- Development fees and exactions
- Environmental/cultural/historical regulations

Potential barriers found in this review include zoning regulations that limit residential density and the added cost of residential design standards. However, overall the City’s regulatory processes and fee structures were not seen as overly burdensome or out of line with neighboring jurisdictions. The AI section of this document also provides an evaluation of the regulatory barriers to fair housing, which is more comprehensive. While some of these concepts may overlap, they offer different perspectives.
Zoning and land Use Regulations

As part of the research for the Analysis of Impediments to Fair Housing Choice, CSI reviewed the zoning and land use regulations in place at the time of the report. Thornton has a very detailed, but well described zoning and land use code in the jurisdiction. The land use policies and zoning classifications lay out specific densities and lot sizes depending on the type of development. The land uses in the southern portion of the city generally permit smaller single-family detached lot sizes. The land parcels in the northern and eastern areas of the city have requirements for larger lot sizes, which generally result in fewer development units per acre. The zoning classification system allows for denser development through the Planned Development process. This zoning classification allows for densities as high as 25 development units per acre. There are a number of larger parcels that would permit mixed use developments that would accommodate higher densities for both multifamily and single-family attached and detached development plans. While the City would allow denser mixed use developments, particularly in the northern area, it is likely that any development that would maximize density allowances would be met with opposition from adjacent neighbors.

As the metro area continues to gain population, denser development patterns will need to accommodate more people and more structures. One of the fundamental challenges facing local government officials is the challenge of educating existing neighborhoods about the economic and environmental benefits of denser development.

Regulatory Process

The City of Thornton’s regulatory process does not appear to create excessive burdens on builders and developers wishing to provide a housing product that meets the needs of a large segment of the market, including households with limited income. If the developer or builder does not need to move to alternative, less predictable development plans, the process will be relatively simple and streamlined. The Planned Development designation provides a framework for developers to create multi-use, projects which combine denser residential communities. The City offers a pre-application conference for developers to meet with City staff that would be involved with reviewing the proposed development application. This conference alerts developers to potential issues that can be addressed before significant amounts of engineering and design time have been expended for revisions. The City also uses an electronic submittal system that allows the share plans and revisions in a timely manner and eliminates the cost of printing large format architectural and engineering drawings for the application.

Building Codes

Thornton has adopted the 2012 International Building Code Compendium (IBC) and the 2011 National Electric Code. These code volumes are typically in use throughout the Metro Denver area. There are two related facets of the building code enforcement approach in Thornton that impact owners and builders wishing to improve their homes or build new ones. (1) Thornton has adopted design standards for single-family homes (2) the State Law requires builders and homeowners to pay a sales and use tax when they purchase of building materials.

Thornton has adopted a design standards section of their development code. By implementing a design standard, Thornton hopes to improve the quality and longevity of the buildings erected in the City. A windshield inspection of both the older and newer built environment in Thornton indicates a higher quality of construction in the newer developments than what is present in the older neighborhoods. A design standard that requires more durable, higher quality materials, and more interesting basic design values, helps neighborhoods maintain their value because they will remain attractive longer. In spite of the advantages of design standards, there is a cost to those requirements and the reality is that the standards add to the cost of a home. The economics of housing put tremendous pressure on quality since higher quality construction materials costs more than minimal quality materials.
Thornton City Council has adopted by Ordinance a sales and use tax that, by State law, requires builders and homeowners to pay a use tax on materials at the time the building permit is issued. In return the builder does not pay any city tax when the builder purchases building materials for the project. The intention of the use tax is to ensure that tax on building materials for projects within the City is received in order to fund essential services for the residents of the City. This method for paying tax at the time of permit issuance is consistent among home rule cities and towns in Colorado.

**Development Impact Fees**

The City of Thornton has minimal exactions and development impact fees and only assesses an exaction for parks and recreation facilities. The fee is $1.50 per square, so for a typical 1800 square foot home the cost is $2,700.

The City of Thornton has a water and sewer tap connection fee of $25,648 that includes $3,310 that is paid to Metro for sewer fees (the fee is not kept in Thornton). If the connection is in the Big Dry Basin area, there is an additional $492 due, bringing the total payment to $26,140. When compared to the 2012 Denver metro area median rate of $25,545, the cost is comparable. Multifamily attached unit costs are dependent on the number of units/building and what the meter size is for the building. Some community members interviewed by CSI expressed that water tap fees were high in Thornton; however, data from other jurisdictions does not support this perception.

**Environmental, Cultural and Historical Regulations**

Some jurisdictions impose environmental impact fees for the impacts new development may have on the surrounding environment and natural ecology. These fees are collected to support efforts to mitigate the impact of increased population and human activity on the natural ecosystem. Thornton does not impose environmental mitigation fees on new development. The City conducts an environmental review of any projects supported with federal funds such as CDBG or HOME, which includes environmental impact, historic significance and impact on low-income populations.

**Housing and Services for Specific Populations**

**Homeless Facilities and Services**

Thornton is part of the Denver metro Continuum of Care. This is the overall system of agencies that serve homeless individuals. Although there are no permanent emergency homeless shelters in Thornton, there are eight organizations operating in Adams County that provide homeless shelter and housing services to Thornton residents experiencing homelessness. These organizations provide 109 permanent emergency shelter beds and 20 seasonal beds. There are also 34 transitional housing units and 196 permanent supportive housing units for formerly homeless individuals and their families. According to these eight organizations, more than 4,000 Thornton residents were served by their shelter beds, transitional housing units, or other programs in 2013. Homeless individuals and families can also access case management services, emergency food assistance, school supplies, transportation assistance, and other services through the homeless service providers mentioned below.
Table 60: Adams County Permanent Emergency Shelter Beds

<table>
<thead>
<tr>
<th>Agency</th>
<th>City</th>
<th>Beds</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access Housing</td>
<td>Commerce City</td>
<td>34</td>
<td>Families</td>
</tr>
<tr>
<td>Almost Home</td>
<td>Brighton</td>
<td>14</td>
<td>Families</td>
</tr>
<tr>
<td>Alternatives to Family Violence</td>
<td>Adams County</td>
<td>22</td>
<td>Families</td>
</tr>
<tr>
<td>Arising Hope</td>
<td>Thornton</td>
<td>5</td>
<td>Families</td>
</tr>
<tr>
<td>Growing Home</td>
<td>Westminster</td>
<td>14</td>
<td>Families</td>
</tr>
<tr>
<td>Shiloh House</td>
<td>Thornton</td>
<td>20</td>
<td>Youth – only by referral</td>
</tr>
<tr>
<td>TOTAL BEDS</td>
<td></td>
<td>109</td>
<td></td>
</tr>
</tbody>
</table>

Source: CSI Research, City of Thornton

Note: Cold Weather Care provides up to 20 seasonal beds per night from October to April. Since the number of churches that participate in the program can vary each year and the number a church can serve will vary, these numbers were not included as part of the permanent emergency shelter bed count above.

Table 61: Transitional Housing Units

<table>
<thead>
<tr>
<th>Agency</th>
<th>City</th>
<th>Units</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Access Housing</td>
<td>Commerce City</td>
<td>27</td>
<td>Families</td>
</tr>
<tr>
<td>Almost Home</td>
<td>Brighton</td>
<td>3</td>
<td>Families</td>
</tr>
<tr>
<td>Growing Home</td>
<td>Westminster</td>
<td>4</td>
<td>Families</td>
</tr>
<tr>
<td>TOTAL UNITS</td>
<td></td>
<td>34</td>
<td></td>
</tr>
</tbody>
</table>

Source: CSI Research, City of Thornton

Table 62: Permanent Supportive Housing Units

<table>
<thead>
<tr>
<th>Agency</th>
<th>City</th>
<th>Units</th>
<th>Population</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado Coalition for the Homeless</td>
<td>Thornton</td>
<td>180</td>
<td>Families - formally homeless, priority for veterans and disabled</td>
</tr>
<tr>
<td>Growing Home</td>
<td>Westminster</td>
<td>16</td>
<td>Families</td>
</tr>
<tr>
<td>TOTAL UNITS</td>
<td></td>
<td>196</td>
<td></td>
</tr>
</tbody>
</table>

Source: CSI Research, City of Thornton

A summary of each organization serving Thornton’s homeless population is provided below:

- **ACCESS Housing** provides emergency shelter with 20 beds available year round and 14 emergency overflow beds. The agency also owns 27 transitional housing units utilized by families, and provides rent and utility assistance. In 2013, they served 1,336 Thornton residents.

- **Alternatives to Family Violence** provides shelter and services for victims of domestic violence. The agency operates a 22 bed facility in Commerce City. The occupancy rate at the shelter runs at capacity each night, and often individuals are turned away. Requests for shelter are rising.

- **Almost Home** operates 14 shelter beds and three family units year round for homeless families. The units stay occupied continually. They also own and Hughes Station in downtown Brighton, which offers low rent and subsidized apartments for families transitioning out of the homeless shelter. In 2013, they provided 2,522 nights of shelter, and served 95 Thornton households. Still, the agency receives over 400 calls a month, and can only help 1 – 12 families a month. In 2013 Almost Home also provided rent and utility assistance to 141 families and 478 individuals from Thornton. However emergency rent and utility assistance requests in one month equal the total amount of funds the agency receives for assistance...
annually. Almost Home plans to expand their capacity and serve up to six families with emergency shelter at a time. As one of only three shelters in Adams County, the agency has more demand than they can serve. In 2013, over 52% of the individuals Almost Home served were children.

- **Arising Hope** also operates a five bed domestic violence shelter in Thornton. In 2013, eight of the fourteen individuals served were Thornton residents.

- **The Colorado Coalition for the Homeless** owns the Renaissance 88 apartments in Thornton. This 180 apartment complex has project based rental assistance, case management, and services for formerly homeless families, individuals, and disabled individuals.

- **Growing Home** provides emergency rent and utility assistance, operates 14 shelter beds, and owns 16 permanent and four transitional housing units for families. Growing Home served 2,315 Thornton residents with housing and services in 2013. The agency is located in Westminster.

- **Shiloh House** is a youth oriented-service provider in Thornton with a 20 bed capacity for youth participating in the program. One of the beds is reserved for youth who are being served through The Link. Also on-site is P.A.T.H., which offers pre-trial release supervision, work with youth with truancy cases, and work with families whose youth have been away at treatment. In 2013, Shiloh House provided shelter to 56 youth, and their programs served a total of 185 Thornton youth and their family members.

- **Community of Faith** operates a cold weather shelter in Adams County called Cold Weather Care. The program provides case management and up to 20 emergency shelter beds at local churches which rotate hosting beds. The shelter operates every night from October through April each year. In the 2013-2014 season, the coalition of churches sheltered 69 individuals, 40 adults and 29 children. Fifty four percent of these people identified their last place of permanent residence as Adams County, with three people stating Thornton as their last permanent address. Three of the four member churches for 2013-2014 were located in Thornton.

**At-Risk Youth**

There are two main non-profit organizations that serve homeless youth in Adams County: Shiloh House and Urban Peak. **Shiloh House “The Sanctuary”** is located in Thornton, and provides at-risk youth with up to two weeks of shelter, crisis intervention, educational services, and treatment for youth ages five to 17 from throughout the Denver metro area. The center has 20 beds, and is the home to three additional agencies, Link, which provides youth truancy reduction services, and SB84, a youth advocacy agency. Also on-site is P.A.T.H.S, which offers pre-trial release supervision, work with youth with truancy cases, and work with families whose youth have been away at treatment. Shiloh House has two residential programs and shelter care for youth. The facility usually runs close to full. In 2013, Shiloh House programs served 185 Thornton youth and their family members, 106 through the Sanctuary, representing 22% of all served. In addition, **Urban Peak** is a Denver-based organization that provides shelter and services to youth ages 15 through 24 from throughout the metro area who are experiencing homelessness or at imminent risk of becoming homeless.

In addition, homeless children who are enrolled in public schools in Thornton can also receive case management assistance through school district homeless liaisons who are funded through the McKinney-Vento Education of Homeless Children and Youth program. This program provides funding to school districts to help families of students who lack a fixed, regular nighttime residence to remain stably housed without needing to change schools. Both Mapleton and Adams 12 Districts have homeless liaisons who work with students and their families.

According to Adams County Human Services, many of the youth that have aged out of the foster care system receive Chaffee benefits. This provides housing assistance, continued case management, and training to eligible youth up to the age of 21 who have exited foster care. In addition, starting in July of 2014 any emancipated youth
with developmental disabilities will automatically be enrolled in the adult services programs through North Metro Community Services, Inc.

People with Disabilities
People with disabilities may require special alterations to their housing in order to live independently in a safe environment. The Adams County Housing Authority owns and operates one apartment complex in unincorporated Adams County that is targeted specifically for seniors and individuals with disabilities. There are also a number of Thornton and Adams County agencies and organizations that provide assistance and services to such individuals.

The *Center for People with Disabilities* provides services to all residents of Adams County who have physical, mental, or developmental disabilities. The agency can help adults find housing, provides information and referrals, peer groups, and advocacy. The agency goal is to help support residents ability to live independently. Independent living services are offered such as financial management assistance, helping clients make grocery lists, nutrition education, and development of emergency plans for residents. Homelessness is a condition experienced by many of their clients, according to staff, and some of whom are newly disabled and others who have been disabled for many years. Agency staff stated that the biggest need facing their clients are the inventory of affordable rentals that are accessible by wheelchair; they believe there is a lack of wheelchair-accessible, affordable units throughout Thornton. Clients also face transportation challenges, especially for those trying to move within Adams County from home, to work, and to services. These challenges include finding affordable rentals near high frequency bus routes, bus schedules that reduce travel time, and the cost of public transportation for very low-income clients.

Disabled residents who are interested in becoming homeowners can apply for financial assistance through Colorado Housing Assistance Center (CHAC) or CHFA. CHAC offers a loan amount up to $8,500 with a 1.5% interest rate over a 30 year term. CHFA offers the HomeAccess program, which provides affordable fixed interest rate financing to low-income, first time homebuyers who are individuals with a permanent disability, or are the parent(s) of a child or children with a permanent disability. CHFA also provides an optional $25,000 CHFA HomeAccess second mortgage loan for down payment and closing cost assistance in conjunction with the CHFA HomeAccess program.

The *HERO Alliance* is a non-profit agency that assists persons with disabilities to become homeowners in the Denver metro area. The agency will provide homebuyer counseling and credit repair to disabled persons who use Section 8 rental assistance to purchase a home, using the CHFA Section Eight Homeownership Program. The HERO alliance provides counseling to disabled residents of Adams County. The Adams County Housing Authority does not let clients use Section 8 housing assistance vouchers for purchasing a home, but clients who are served by some special needs providers and who have vouchers allocated by the Colorado Division of Housing can take advantage of this program.

Mental Health and Substance Abuse
*Arapahoe House* has one location in Thornton where they provide comprehensive outpatient and residential inpatient substance abuse and mental health treatment for adolescents and adults, detoxification, and substance abuse education. The facility served over 350 adults and approximately 78 youth in the past year. They also have an outpatient clinic located in south Thornton. Arapahoe Housing has had to cut services to clients due to funding reductions, and all service needs are not currently provided for. In 2009, the national Substance Abuse and Mental Health Services (SAMHSA) Drug Abuse Warning Network reported that in the Denver metro area, there were 7,477 emergency room visits for illicit drug use, a rate of 293 per 100,000 people. This rate is similar to the
national rate. This rate declined from 2007 to 2009 in the Denver metro area, while the national rate stayed relatively stable.

The Community Reach Center operates throughout Adams County and some locations in Thornton. The agency provides comprehensive mental health and substance abuse services for children through adults, including outpatient counseling, transitional and permanent assisted, semi- and independent residential treatment, and criminal justice services. The center serves more than 10,000 individuals annually at seven locations throughout Adams County. Community Reach provides an array of comprehensive therapeutic services. The agency takes private pay clients, as well as Medicaid, Medicare, Child Health Plan Plus (CHP+), and provides financial assistance to some low-income clients without the ability to pay. Staff state that there is insufficient space for residential treatment in Thornton. The Thornton locations include an administrative building, an early childhood services center, and one ten-bed residential assisted living facility for adults with mental illness.

Finally, there is North Metro Community Services, Inc. This organization is located in Westminster, and is the single entry point in Adams County for all services provided to people with developmental disabilities. They offer a range of services for children and adults, including case management, early intervention, residential services, and recreational opportunities.

Older Adults
There are currently twelve housing locations in Thornton that offer living situations for people 55 years of age and older. These have a total of 1,823 designated living units, assisted living units and skilled nursing beds. Approximately one third of these are owner-occupied, the rest are rental. Thornton also has one ten-bed residential assisted living facility for adults with mental illness which is not included in the numbers below.

Table 63: Thornton Living Units for People Over 55

<table>
<thead>
<tr>
<th>Name</th>
<th>Restricted Living Units</th>
<th>Independent Living Units</th>
<th>Assisted Living Units</th>
<th>Skilled Nursing Units</th>
<th>Memory Care Units</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Feathered Nest</td>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>7</td>
</tr>
<tr>
<td>Alpine Living Center</td>
<td></td>
<td>102</td>
<td></td>
<td></td>
<td></td>
<td>102</td>
</tr>
<tr>
<td>Angel’s Abode</td>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>8</td>
</tr>
<tr>
<td>Elm’s Haven</td>
<td></td>
<td>245</td>
<td></td>
<td></td>
<td></td>
<td>245</td>
</tr>
<tr>
<td>Heritage Todd Creek*</td>
<td>450</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>450</td>
</tr>
<tr>
<td>InnovAge Senior Housing Apts</td>
<td>72</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>72</td>
</tr>
<tr>
<td>Orchard Hill Apartments</td>
<td>88</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>88</td>
</tr>
<tr>
<td>Park Regency</td>
<td>102</td>
<td></td>
<td>11</td>
<td></td>
<td></td>
<td>113</td>
</tr>
<tr>
<td>Snow Cap Ridge*</td>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>28</td>
</tr>
<tr>
<td>Thornton Estates Manufactured Home Park*</td>
<td>208</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>208</td>
</tr>
<tr>
<td>Villas at Sunny Acres</td>
<td>292</td>
<td>36</td>
<td>100</td>
<td>49</td>
<td></td>
<td>477</td>
</tr>
<tr>
<td>Vista View Care Center</td>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>25</td>
</tr>
<tr>
<td>Total</td>
<td>774</td>
<td>364</td>
<td>153</td>
<td>472</td>
<td>60</td>
<td>1,823</td>
</tr>
</tbody>
</table>

* Indicates owner-occupied units. Heritage numbers are based on certificates of occupancy pulled as of August 18, 2014.

Source: CSI, Thornton Housing Survey, 2014
Figure 36. Age Restricted Housing Options, 2014

Source: City of Thornton GIS
Centura Healthcare operates the Villas at Sunny Acres, a property that includes 292 independent living units for older adults, 36 assisted living units, and 100 skilled nursing, and 49 memory care beds. The facility is not subsidized, but does have residents who are on Medicaid or go through InnovAge's Medicaid long term program. The facility offers housekeeping services, dining, shuttle transportation, and activities. Those in need of higher levels of care may receive it at the facility. The assisted living facility is usually full, and Centura hopes to expand the number of assisted living units from 35 to 70 in the next few years. Independent living units are not full, and agency staff believes this is most likely due to a decline in demand for the 294 private pay apartments over the past five years. Private pay means that the resident would pay out of their own pocket and have their own insurance so it would not go through Medicaid or Medicare. Residents can do private pay for any unit at Villas at Sunny Acres. Demand for the six hospice and 49 skilled nursing beds remain steady.

The Park Regency Apartments is a private community that recently opened in Thornton. The property has 113 market rate units, some of which are memory care units. All are considered assisted living, though residents have their own apartment unit. Twenty-seven of the units are rent-restricted, via an agreement with InnovAge.

InnovAge is opening a 72 unit affordable independent living apartment building for low income older adults called InnovAge Senior Housing in Thornton in 2014.

Orchard Hill Apartments is a complex owned partially by the Adams County Housing Authority, which offers 88 rent-restricted independent living units for residents over the age of 55.

There are also a number of privately owned, market rate independent, assisted living and skilled nursing facilities located in Thornton. These properties offer services such as planned activities, meals, laundry service and housecleaning, transportation, exercise and wellness program. These small facilities offer a total of 387 beds in addition to the units offered at Villas at Sunny Acres and the Park Regency Apartments.

In addition, there are a number of organizations that offer assistance and services to Thornton's elderly population. The Senior Hub offers supportive services to allow older adults to live independently in their homes, such as in home care and housekeeping, meals on wheels, daycare, a food bank and medical equipment lending. The agency receives referrals from the City of Thornton, the county, senior centers, the police and victims advocate organizations. Meals are prepared in partnership with the Volunteers of America, Meals on Wheels, and three area restaurants. The agency serves low and upper income older adults. The number of low-income people 55 and older with needs is growing, which is a strain on the agency budget. The agency reports an increased need for services across income levels. Cuts in funding for some programs have forced the agency to reduce service levels and there are waiting lists for services offered. Agency staff notes that because of long waiting lists for services, often people are forced to leave their homes and must move in with family, into an assisted living center, or facility that includes services. Other gaps identified by staff are a lack of accessibility features in housing units that includes elevators, indoor parking, and community facilities. The Director of Senior Hub reports that some older adults live in aging mobile homes that are not in safe enough condition to sell. The Director also stated that many of these people need mental health services and are not receiving them.

The Thornton Senior Center offers lunch, classes, activities, and a fitness center for citizens for people 55 and over. Fees for services are modest, and the facility offers a place for people to have a meal, and stay engaged.

The City of Thornton also offers home repairs for income qualified residents through the Help for Homes program. The program provides minor home repairs to people age 55 or older and disabled homeowners for free.
Persons with HIV/AIDS
The Colorado AIDS Project provides housing and assistance to persons with AIDS throughout the state and within the Denver metro area. The agency reports that there are 11,000 people living with AIDS in Colorado. There are two housing projects dedicated to persons with AIDS in the metro area which are located in Denver, Dave’s Place and the Juan Diego. The agency also provides rental assistance vouchers. In 2013, the agency served 163 persons with housing subsidy, and a total of 3,051 with case management, nutrition services, counseling, and case management. There are 335 persons on the waiting list for housing subsidy. There are no HIV/AIDS specific programs targeted to residents of Thornton, but residents can access services through the Colorado AIDS project. The Colorado Department of Public Health and Environment estimated that in 2010, there were 670 persons living with HIV/AIDS in Adams County. These numbers are not broken down by city.

Veterans
There are four main organizations and agencies that provide housing-related services to veterans in Thornton, however none are located in Adams County. Volunteers of America, Family Tree, and Homes for All Veterans (part of Rocky Mountain Human Services) provide emergency rent and utility assistance, as well as rental deposit assistance to help veterans who had previously experienced homelessness. These organizations also provide services such as legal and financial planning, employment assistance, and case management. In addition, VASH housing vouchers are available to veterans, though only one such voucher was in use in Thornton at the time of this report. Finally, the Veterans Administration provides home loans and refinancing options for veterans. There is also a liaison in Adams County that can assist veterans with any VA benefits.

Minority Populations
Community Enterprises is a non-profit organization that supports Hispanic and Spanish speaking families with resident leadership training, community organizing, and community health services. The agency teaches residents how to be engaged civically and in their neighborhood to impact positive change. The community groups that are working with Community Enterprises are starting farmers markets with fresh foods on a pay as you can system, funded by LiveWell Colorado. They are training to become Community Health Workers who can translate for other residents. They are learning how to connect with schools, local governments and non-profit organizations to bring desired recreational and educational programs to the areas where they live. Community Enterprises and the residents are using a grassroots approach to building stronger communities.

The Director stated that overcrowding in housing is a big issue for the people they work with. Families are living “doubled up” with other families, meaning more than one family is living in the same house, individuals are “couch surfing”, living in cars, or hotels. The Director expressed a need for more affordable rental units of all sizes for families and individuals. She stated that the condition of many housing units occupied by their clients does not meet HUD standards and affordable, reliable public transportation throughout Thornton is challenging clients.

TRANSIT ORIENTED DEVELOPMENT
One major change coming to Thornton that offers an opportunity for new residential development patterns is the North Metro Commuter Rail line. This commuter rail project running north from Union Station in Denver will eventually have five stations in the Thornton – Northglenn area. Construction on the new line is anticipated to begin in early 2015, and work on the 88th Ave., 104th Ave., and Eastlake stations is anticipated to be complete by 2018. The new commuter rail brings with it the possibility of transit-oriented development in Thornton. Development around stations can create neighborhoods with housing, jobs, and amenities, like shopping, schools, and recreational opportunities, all within a half mile of a transit stop.
The City is creating master plans for the three Thornton stations set to open in 2018 that include detailed information on existing conditions and market demand for new development around each station. Overall, nearly three-quarters of the property within one half mile of the stations is currently zoned for residential. There is a significant amount of vacant and under-utilized property near all three stations, offering opportunities for new development that can address growing demand for new housing. Some housing currently exists around the stations; eventually, there will be more single-family attached and detached residential, multi-family, and manufactured homes. Also, the area around the stations provide varying levels of community amenities, with the higher concentrations of educational facilities near the 88th station, commercial amenities near the 104th Avenue station, and recreational amenities near the Eastlake station.

There are currently relatively high homeownership rates and two existing Thornton apartment complexes located within one half mile of Thornton’s three stations. Both of these complexes are located at the 104th Avenue station, and neither one is rent-restricted or accepts housing choice vouchers. There are few living opportunities within the station areas for older adults; Thornton Mobile Estates, an age restricted manufactured home park, is located near the 88th station, and there is one assisted living facility within one mile of the 104th Avenue station. There are currently no senior living facilities or manufactured home parks within the Eastlake influence area, although there are two multi-family complexes located just beyond the city boundaries in Northglenn. Future residential development will be addressed in the stationary master plans.
Figure 37. Thornton Commuter Rail Stations

Source: City of Thornton GIS
SECTION 4: HOUSING NEEDS AND FINDINGS

This section of the report analyzes data on Thornton’s population, and the housing and services available to describe what needs still exist to adequately serve current and future residents. The section provides a gap analysis of affordable housing units, describes housing needs of specific populations and reviews regulatory barriers to affordable housing.

HOUSING GAPS ANALYSIS

According to HUD, housing affordability is defined as paying no more than 30% of monthly household income for housing expenses. For renters and homeowners, housing expenses include their rent or mortgage as well as water, heat, and electricity. For homeowners, it could also include homeowners insurance and homeowner association (HOA) fees. Often, households with lower incomes have difficulty finding housing that costs less than 30% of their income.

When there are more households in a community within a certain income range than there are housing units available to those individuals or families within that income range, a housing gap exists for that income range. A gap does not necessarily indicate a need to build more units, but indicates an imbalance between what is available and what households can comfortably afford. Different income levels compete for the same housing. A person’s income range determines what they can afford; those that are in higher income ranges can afford many more homes that people at lower income ranges. This does not prevent people at higher income ranges to purchase lower cost housing, it just gives them more housing choices than those at lower incomes. A higher income household may choose to rent or purchase units with rents or prices lower than the maximum that they can afford. Therefore, households in lower income ranges compete with households who have higher incomes for low rent units.

Rental Gap Analysis
The CSI analysis shows a gap in the supply of units available to households in the 0 to 30% AMI range, the 31 to 50% AMI range. There is also a gap in the higher income renters in the 121% of AMI or above ranges, indicating a market for higher end rental units offering amenities not currently found in the market. In the gaps analysis below, the affordable rent was calculated by taking 30% of the income limit income on a per month basis, and subtracting an estimated utility payment of $75, which is an average of the two and three bedroom utility allowances for the Denver metro area according to the Colorado Division of Housing. The analysis has also taken into consideration the 384 households in Thornton who use a Section 8 voucher, which makes rental units at the Fair Market Rent or lower affordable to households in the two lowest income ranges.
Table 64: Renter Housing Gaps Analysis, Thornton, 2013

<table>
<thead>
<tr>
<th>% of AMI</th>
<th>Renter Occupied Households</th>
<th>Income Limit</th>
<th>Affordable Rent</th>
<th>Units Available At That Price</th>
<th>Rental Unit Gap*</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 30%</td>
<td>2,627</td>
<td>$21,050</td>
<td>$451</td>
<td>1,527</td>
<td>1,100</td>
</tr>
<tr>
<td>31 - 50%</td>
<td>3,235</td>
<td>$35,050</td>
<td>$801</td>
<td>1,191</td>
<td>2,044</td>
</tr>
<tr>
<td>51 - 60%</td>
<td>1,062</td>
<td>$42,060</td>
<td>$977</td>
<td>1,147</td>
<td>-85</td>
</tr>
<tr>
<td>61 - 80%</td>
<td>2,217</td>
<td>$56,050</td>
<td>$1,326</td>
<td>4,816</td>
<td>-2,599</td>
</tr>
<tr>
<td>81 - 100%</td>
<td>2,024</td>
<td>$70,100</td>
<td>$1,678</td>
<td>3,082</td>
<td>-1,058</td>
</tr>
<tr>
<td>101 - 120%</td>
<td>1,046</td>
<td>$84,120</td>
<td>$2,028</td>
<td>1,545</td>
<td>-499</td>
</tr>
<tr>
<td>121 +%</td>
<td>1,382</td>
<td>NA</td>
<td>above $2,028</td>
<td>286</td>
<td>1,096</td>
</tr>
</tbody>
</table>

*Positive number indicates a gap.

Source: CSI

The gap analysis conducted for this Housing Needs Assessment indicates a gap of 3,144 units for households at 0 to 50% AMI. The 2009 Housing Needs Assessment estimated a gap of only 1,729 units for this same AMI range, and a more specific gap of 2,100 rental units for renter households earning $25,000 or less. There are several factors that have contributed to the difference of 1,000 households between these two studies as outlined below:

- Thornton’s overall population has increased by 2.77%.
- Residential construction, and multifamily construction in particular, declined precipitously during the economic downturn, so that new construction did not keep pace with the City’s growing population and shifting housing needs. This has begun to change in the last year.
- Thornton’s poverty rate has increased since 2007 by 25.7% and household incomes have decreased by $5,513 since that time according to HUD estimates.
- Thornton’s homeownership rate has decreased by nearly 10%, (77% vs. 67.7%), meaning more households are seeking rental options. This is partly due to the foreclosure crisis, as households unable to maintain their mortgage have entered the rental market.
- As a result of decreasing homeownership and growing population, Thornton’s rental vacancy rates have decreased by nearly half (7.5 - 8 % vs. 4 – 4.5%).
- Rental rates for apartments in Thornton (and the metro area) have increased, due to the increased demand. With higher rental rates and more households in poverty, the number and share of Thornton households that are cost burdened (paying more than 30% of their income on housing costs) has increased.

At the same time, the inventory of rent-restricted affordable units has increased in Thornton by 122 (Village of Yorkshire has 50 more subsidized units and InnovAge constructed 72 new units) since the 2009 HNA was completed. There is still a need for the construction of more rent-restricted affordable rental inventory to meet the City’s changing demand. According to coloradohousingsearch.com and CHFA data, Westminster, who has a similar population size as Thornton, has 17 subsidized rental complexes with 1,877 units; five of these are age-restricted for residents 62 or older. While Thornton has eight with 1,349 units; two of which are for people 55 years or older. Commerce City also has nine rent-restricted complexes but only 538 units. Brighton has six of
these complexes with 588 units, Northglenn has four rent-restricted complexes with 425 units and Federal Heights has one rent-restricted complex with 300 units.

The table below illuminates the gap between Thornton’s average rent and what households at each income level can afford to pay. It shows the rent affordable at each income range, adjusted for a utility allowance. The average rent in Thornton was $1,049 during the 3rd quarter of 2013. Households at 60% AMI or below cannot afford to pay the average rent and utility cost in Thornton, however, those above that income range can. Upper income households could afford a rent almost twice the average rent. As the table above shows, there are more than 1,300 higher rent units in Thornton that should be attractive to these households, though an analysis of census Public Use Microdata Sample (PUMS) data shows that many upper income households live in units with much lower rents.

Table 65: Renter Housing Price Gap, Thornton, 2013

<table>
<thead>
<tr>
<th>Renter Households</th>
<th>Income Limit</th>
<th>Affordable Rent</th>
<th>Units Available</th>
<th>Average Rent + Utilities</th>
<th>Rental Price Gap</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 – 30% AMI</td>
<td>2,627</td>
<td>$21,050</td>
<td>$451</td>
<td>812</td>
<td>$1,072</td>
</tr>
<tr>
<td>31 – 50% AMI</td>
<td>3,235</td>
<td>$35,050</td>
<td>$801</td>
<td>532</td>
<td>$1,072</td>
</tr>
<tr>
<td>51 – 60% AMI</td>
<td>1,062</td>
<td>$42,060</td>
<td>$977</td>
<td>1,147</td>
<td>$1,072</td>
</tr>
<tr>
<td>61 – 80% AMI</td>
<td>2,217</td>
<td>$56,050</td>
<td>$1,326</td>
<td>5,492</td>
<td>$1,072</td>
</tr>
<tr>
<td>81 – 100% AMI</td>
<td>2,024</td>
<td>$70,100</td>
<td>$1,678</td>
<td>3,082</td>
<td>$1,072</td>
</tr>
<tr>
<td>101 – 120% AMI</td>
<td>1,046</td>
<td>$84,120</td>
<td>$2,028</td>
<td>1,545</td>
<td>$1,072</td>
</tr>
<tr>
<td>121 + % AMI</td>
<td>1,382</td>
<td>NA</td>
<td>above $2,028</td>
<td>286</td>
<td>$1,072</td>
</tr>
</tbody>
</table>

* Positive number indicates a gap.
Source: CSI

Housing vouchers are a way to allow market rate rental units to be affordable to lower income households. In March of 2014, there were a total of 579 households on the Adams County Housing Authority waiting list for Section 8 voucher rental assistance in Thornton.

Owner Gap Analysis

As with the rental market, there are fewer for-sale housing available that are affordable to low-income households. The gap analysis provided below compares the number of owner-occupied households at each income level to the value of Thornton’s existing homes. According to this analysis, there is a gap of 1,295 units affordable to households earning 31-50% AMI, and a gap of more than 6,000 units affordable to households earning more than 120% AMI. As with renters, this indicates that some lower income households are valued at more than they can afford, and that many high income households are paying less than 30% of their income on housing. The table also suggests an over-abundance of homes affordable to households earning 50-120% AMI (valued at $144,200-$298,700).
### Table 66: Owner Housing Gaps Analysis, Thornton

<table>
<thead>
<tr>
<th>Estimated Population*</th>
<th>Owner-Occupied Households</th>
<th>Income Limit</th>
<th>Affordable Price</th>
<th># of Units that Fall within the Affordable Price</th>
<th>Ownership Unit Gap **</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 30% AMI</td>
<td>7,201</td>
<td>2,478</td>
<td>$21,050</td>
<td>$72,100</td>
<td>2,685</td>
</tr>
<tr>
<td>31 - 50% AMI</td>
<td>9,859</td>
<td>3,393</td>
<td>$35,050</td>
<td>$113,300</td>
<td>2,098</td>
</tr>
<tr>
<td>51 - 60% AMI</td>
<td>5,620</td>
<td>1,934</td>
<td>$42,060</td>
<td>$144,200</td>
<td>3,224</td>
</tr>
<tr>
<td>61 - 80% AMI</td>
<td>12,524</td>
<td>4,310</td>
<td>$56,050</td>
<td>$195,700</td>
<td>6,421</td>
</tr>
<tr>
<td>81 - 100% AMI</td>
<td>12,222</td>
<td>4,206</td>
<td>$70,100</td>
<td>$252,350</td>
<td>6,223</td>
</tr>
<tr>
<td>101 - 120% AMI</td>
<td>9,351</td>
<td>3,218</td>
<td>$84,120</td>
<td>$298,700</td>
<td>5,026</td>
</tr>
<tr>
<td>Greater than 120% AMI</td>
<td>26,094</td>
<td>8,980</td>
<td>&gt;$84,120</td>
<td>&gt;$298,700</td>
<td>2,842</td>
</tr>
</tbody>
</table>

* Based on average household size (2.9 persons) for owner-occupied housing units.

** Positive number indicates a gap.

Source: CSI, 2012 ACS 1-year data, and City of Thornton

However, it should be noted that the data above reflects the value of already-occupied homes in 2012, not homes currently on the market. The table below addresses this by organizing the homes sold in Thornton in 2013 by income level they are affordable to. Only 6.5% of homes sold in Thornton in 2013 were affordable to households earning 50% of less AMI, and nearly two-thirds were affordable to households earning more than 80% of AMI.

### Figure 38: Affordability of Housing Units Sold in Thornton in 2013

![Affordability of Housing Units Sold in Thornton in 2013](image)

Source: MLS Data and City of Thornton

Consistent with findings related to income, poverty, and home prices and values, lower-priced homes for sale that are available are concentrated in the southern portion of the city, per the map on the following page.
Finally, the following table attempts to shows the financial gap in money needed for renters in certain income ranges to become homeowners in Thornton. It estimates the number of renter households in each income range who may want to become homebuyers in the near future, the price affordable to households at the upper end of
the income range, an estimated number of units that will be on the market in their price range during the next 12 months, and the amount of subsidy needed to help these households afford to purchase the median priced home in Thornton. The number of estimated buyers was calculated by taking the homeownership rate at each income range and multiplying it by the number of renter households in that range. The estimated supply of units was calculated by taking the current number of units on the market and using a multiplier based on the current average Days On Market (DOM, or number of days each unit stays on the market) for current listings.

Table 67: Gap Analysis for Prospective Buyers in Thornton, 2013

<table>
<thead>
<tr>
<th>Income Limit</th>
<th>Affordable Price</th>
<th>Median Priced Home</th>
<th>Price Gap*</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 - 30% AMI</td>
<td>$21,050</td>
<td>$72,100</td>
<td>$250,000</td>
</tr>
<tr>
<td>31 - 50% AMI</td>
<td>$35,050</td>
<td>$113,300</td>
<td>$250,000</td>
</tr>
<tr>
<td>51 - 60% AMI</td>
<td>$42,060</td>
<td>$144,200</td>
<td>$250,000</td>
</tr>
<tr>
<td>61 - 80% AMI</td>
<td>$56,050</td>
<td>$195,700</td>
<td>$250,000</td>
</tr>
<tr>
<td>81 - 100% AMI</td>
<td>$70,100</td>
<td>$252,350</td>
<td>$250,000</td>
</tr>
<tr>
<td>101 - 120% AMI</td>
<td>$84,120</td>
<td>$298,700</td>
<td>$250,000</td>
</tr>
<tr>
<td>Greater than 120% AMI</td>
<td>&gt;$84,120</td>
<td>&gt;$298,700</td>
<td>$250,000</td>
</tr>
</tbody>
</table>

* Positive number indicates a gap.
Source: CSI

Overall, there is more potential demand for homes than there is supply. For households at 80% AMI, Thornton’s housing market provides homes that are affordable to purchase. However, households below 80% AMI may not be able to afford the median price home without a large down payment and there are few homes provided by the market that would be affordable to them. Therefore, assistance may be needed to help these households purchase a home. Those at 51 to 80% AMI are the best candidates for down payment assistance and subsidized mortgage programs. Thornton could accommodate more homes priced at or below $250,000.

HOUSING NEEDS OF SPECIFIC POPULATIONS

Non-profit organizations in Adams County that specialize in serving persons with mental illness, developmental disabilities, the frail elderly, and persons with substance abuse issues suggest that adults age 65 and older, people with disabilities, young adults and homeless people may need housing with specific accommodations for their needs. The biggest need mentioned by providers was for additional housing units affordable to very low-income households, that have accessibility features for those with physical disabilities, additional service dollars, and more reliable and cost efficient transportation options for clients. While agencies were not able to quantify how
many clients originate in Thornton or the specific numeric need for services in Thornton, the following table presents overall needs for each group according to the agencies that were interviewed.

Table 68: Interview Summary of Special Population Housing Needs

<table>
<thead>
<tr>
<th>Population Group</th>
<th>Needs for Thornton Residents</th>
</tr>
</thead>
<tbody>
<tr>
<td>People over the age of 65 and the frail elderly</td>
<td>Home services to keep seniors in their own homes</td>
</tr>
<tr>
<td></td>
<td>Assisted living units</td>
</tr>
<tr>
<td></td>
<td>Accessibility features in housing units</td>
</tr>
<tr>
<td></td>
<td>Home rehabilitation services</td>
</tr>
<tr>
<td></td>
<td>Mental health services</td>
</tr>
<tr>
<td>Persons with Physical Disabilities</td>
<td>Low cost affordable rental housing that is accessible by wheelchair or walker</td>
</tr>
<tr>
<td></td>
<td>Affordable, reliable and accessible (near housing and work) transportation options</td>
</tr>
<tr>
<td>Persons with Mental Health Disabilities</td>
<td>Sufficient residential treatment opportunities for clients</td>
</tr>
<tr>
<td>Persons with Substance Abuse Issues</td>
<td>Funding for enhanced case management and services</td>
</tr>
<tr>
<td>Persons with HIV/AIDS</td>
<td>Low cost affordable rental housing units</td>
</tr>
</tbody>
</table>

Source: CSI Research and Interviews

Older Adults

A national survey of older adults conducted by the AARP in 2012 found that the vast majority (85%) reported wanting to stay in their homes and community as long as possible as the age, a concept known as “aging in place.” AARP is a non-profit, nonpartisan organization that helps people 50 and older improve the quality of their lives. Thornton residents have similar views: A 2012 survey conducted of Thornton residents that were 60 years or older found that 89% liked Thornton as a place to live, and that 76% reported Thornton as a “good” or “excellent” place to retire. Out of the Thornton residents that fall into the Baby Boomers category (born between the years 1946 and 1964), 85% liked Thornton as a place to live, and that 62% reported Thornton as a “good” or “excellent” place to retire.

The Adams County Housing Authority staff mentioned that they see the need for more senior independent living units, though not a need for more affordable, assisted living units for the clients that they serve. The households with the greatest need are those earning 0 to 30% AMI. The service provider expressed that demand is growing, and current providers cannot meet growing demand.

The data suggests a need for rental living options affordable for low income populations and for assisted living options for older adults, but not for senior-specific for sale single-family units. In national surveys of housing preferences for older adults, only 27% of respondents said that age-restriction in their living community was important. Therefore the broader need seems to be for more affordable housing overall rather than age-restricted specific housing for older adults that do not need daily living assistance or help with maintaining their home.

Thornton currently has 1,049 housing units that offer independent living, assisted living, skilled nursing and memory care units. All are age-restricted to adults 55 or older. There is one assisted living facility for mental health patients in Thornton that are not necessarily age-restricted but it was not included in this count.

There are also other age-restricted living options for those over the age of 55 who wish to live in single-family home or apartment. Heritage Todd Creek is an age-restricted adult community for people 55 years old or older located in north Thornton. There are 1,290 total units approved. As of August 2014, 450 had certificates of occupancy issued. There are another 840 more single-family ownership units that could be built in the Heritage Todd Creek development. This indicates that there is a supply that has easily met the demand leading the writers...
to believe Thornton is not a current need for more senior-specific single-family developments at a high price point. InnovAge Senior Housing and Orchard Hill offer age-restricted apartments at a lower price point and Thornton Mobile Estates offers manufactured homes.

All of these types of senior living options currently serve approximately 16.5% of Thornton’s 55 years old and older households, and 41.5% of Thornton’s 65 and older households.

While there is desire to continue to live in their house as long as possible, home maintenance and repair is a concern for many of Thornton’s older adults. The following table shows the percent of older adults who reported in a 2012 survey having or anticipating having at least a minor problem with home repair and maintenance items. These concerns were not necessarily in the top major concerns expressed by the respondents; health and fitness topped the list of their concerns.

<table>
<thead>
<tr>
<th>Table 69: Problems or Anticipated Problems for Older Adults</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>% of Older Adults (60+)</strong></td>
</tr>
<tr>
<td>Doing heavy or intense housework</td>
</tr>
<tr>
<td>Maintaining your yard</td>
</tr>
<tr>
<td>Maintaining your home</td>
</tr>
</tbody>
</table>

Source: Thornton Community Assessment Survey for Older Adults, 2012

The City’s Help for Homes program currently addresses health, safety and accessibility home repairs for low income residents with disabilities or who are 55 years of age or older. This program serves between 30 and 50 households each year and provides for up to $3,500 worth of repairs. Other similar services offered to older Thornton residents include the Senior Hub’s handyman repair program, the Home Builders Foundation program, the Safety of Seniors Handyman Program through the Volunteers of America, and the Chore Service Program by the Seniors’ Resource Center. All of these programs are intended to provide repairs and not on-going home maintenance.

There may be need for additional affordable rental options for low income seniors or elderly. Nearly three quarters of Thornton’s renter households over the age of 65 are rent burdened, paying more than 30% of their income on rent. This is significantly higher than the rental burden rate for all Thornton renters, which is just over half. In addition, only 58% of Thornton’s older adults (60 years or older) surveyed in 2012 felt that the availability of affordable quality housing was good or excellent.

Currently, there are two rent-restricted apartment complexes for adults 55 years of age or older in Thornton, Orchard Hill Apartments and InnovAge Senior Housing, which together have a total of 160 units (12% of all older adult rental units). In addition, both Park Regency and Villas at Sunny Acres accept Medicaid or InnovAge subsidies for qualified assisted living/skilled nursing residents. In the months prior to opening, the InnovAge Senior Housing-Thornton development had a wait list of approximately 450 people for 72 total units. In comparison, the Park Regency development, which offers market rate assisted living options, had a vacancy rate of more than 70% within 3 months of its official opening, though a lower vacancy rate for the subsidized InnovAge units. Orchard Hill had no vacancies as of February 2014, and had a multi-year wait list. Villas at Sunny Acres had a 30% vacancy rate for the independent living units and no vacancies in the assisted living, combine assisted and independent living units or the memory care units as of June 2014. Staff with Villas at Sunny Acres expressed that there is consistently no or limited vacancies for their assisted living and memory care units; the majority of the vacancies are for independent living and some in the skilled nursing facility. Clients in independent living may be eligible for a subsidy. At last record, 66% of independent living clients were not receiving subsidy.
People with Disabilities

All multifamily residential projects, both rental and for sale, which were built after March 13, 1991 are required to provide some number of accessible units according to federal Fair Housing Act. In addition, Section 504 of the Rehabilitation Act requires that new or substantially rehabilitated rental units receiving federal financial assistance must ensure that a certain percentage of the units are fully accessible for people with mobility impairments (5%) and sensory impairments (2%). There are no apartment complexes in Thornton that are geared specifically towards individuals with disabilities. However, Thornton’s rent-restricted properties offer some fully accessible rental units in the affordable housing stock. CSI counted 43 fully accessible ADA compliant housing units in rent-restricted properties, and InnovAge will add an additional 8 units to this rental inventory. Units at the Villas at Sunny Acres are also accessible, as are units for sale at the Heritage Todd Creek subdivision, which offers ranch-style homes for sale to buyers who are 55 or older. Considering the number of households with disabilities, and those with disabilities living in poverty, the current number of ADA compliant rent-restricted units is insignificant to address the need for fully accessible housing units. Further, age-restricted housing that is ADA accessible does not serve the more than 2,120 people under the age of 55 that have disabilities.

Some individuals with physical disabilities may have limited ability to work and earn a living, requiring them to live on Social Security Disability payments. They may also require modified housing units that include ramps, widened doors, and other features, service enriched housing that includes assistance with activities of daily living, a group quarter or an assisted living environment.

Mental Health and Substance Abuse

According to 2012 ACS Data, approximately one quarter of all reported disabilities (23%) were cognitive. Cognitive disabilities made up nearly two thirds of disabilities for youth ages 5-17 (62%), but less than a third of disabilities for adult and older adult populations.

There are two residential facilities in Thornton for individuals with mental health and substance abuse issue, operated by Arapahoe House and Community Reach Center. Both of these organizations, as well as the Center for People with Disabilities and North Metro Community Services, offer additional services to help individuals with mental health or substance abuse issues to live independently. Based on this and on interviews with key agencies, there is at this time sufficient residential treatment opportunities for those with mental health needs. Agencies reported some need for additional case management and other services for individuals with substance abuse issues.

Housing for Young Adults

To analyze the housing needs of Thornton residents who are ages 18 to 28, CSI reviewed data related to tenure, income, and employment by age. In Thornton, census data indicates that residents between the ages of 16 and 29 had a much higher unemployment rate than residents age 30 to 64. Entering the job market can be a challenge for young people, especially during economic downturns.

Table 70: Unemployment by Age Range in Thornton, 2012

<table>
<thead>
<tr>
<th>Age Range</th>
<th>In Labor Force</th>
<th>Unemployed</th>
<th>Unemployment Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age 16 - 29</td>
<td>17,728</td>
<td>1,780</td>
<td>10.0%</td>
</tr>
<tr>
<td>Age 30 - 64</td>
<td>46,965</td>
<td>1,932</td>
<td>4.1%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2012
Households under the age of 25 also have a lower median income than older householders. The median income for this age group was 79% of the overall median in Thornton. Lower incomes mean that households must find housing with lower costs, and have less disposable income for cars, medical costs, or other household budget items.

Table 71: Median Income by Age Group in Thornton, 2012

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Households</td>
<td>$60,972</td>
</tr>
<tr>
<td>Householder under 25 years</td>
<td>$48,277</td>
</tr>
<tr>
<td>Householder 25 to 44 years</td>
<td>$64,750</td>
</tr>
<tr>
<td>Householder 45 to 64 years</td>
<td>$70,732</td>
</tr>
<tr>
<td>Householder 65 years and over</td>
<td>$40,818</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2012

Younger households with less spending power will have less choice for purchasing a home. The following table shows that the homeownership rate for younger households is much lower than for older households in Thornton. Households age 18 to 24 are almost exclusively renters, while those age 25 to 34 have a homeownership rate of 52.8%. This compares to a homeownership rate of 70% for households ages 35 to 44.

Table 72: Household Tenure by Age in Thornton, 2012

<table>
<thead>
<tr>
<th>Age Group</th>
<th>Owners</th>
<th>%</th>
<th>Renters</th>
<th>%</th>
<th>Total</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Householder 15 to 24 years</td>
<td>173</td>
<td>8.4%</td>
<td>1,878</td>
<td>91.6%</td>
<td>2,051</td>
<td>4.9%</td>
</tr>
<tr>
<td>Householder 25 to 34 years</td>
<td>5,254</td>
<td>52.8%</td>
<td>4,688</td>
<td>47.2%</td>
<td>9,942</td>
<td>23.6%</td>
</tr>
<tr>
<td>Householder 35 to 44 years</td>
<td>6,324</td>
<td>70.2%</td>
<td>2,686</td>
<td>29.8%</td>
<td>9,010</td>
<td>21.4%</td>
</tr>
<tr>
<td>Householder 45 to 54 years</td>
<td>7,547</td>
<td>74.3%</td>
<td>2,613</td>
<td>25.7%</td>
<td>10,160</td>
<td>24.1%</td>
</tr>
<tr>
<td>Householder 55 to 59 years</td>
<td>2,140</td>
<td>84.8%</td>
<td>384</td>
<td>15.2%</td>
<td>2,524</td>
<td>6.0%</td>
</tr>
<tr>
<td>Householder 60 to 64 years</td>
<td>2,559</td>
<td>81.3%</td>
<td>588</td>
<td>18.7%</td>
<td>3,147</td>
<td>7.5%</td>
</tr>
<tr>
<td>Householder 65 to 74 years</td>
<td>3,130</td>
<td>84.6%</td>
<td>570</td>
<td>15.4%</td>
<td>3,700</td>
<td>8.8%</td>
</tr>
<tr>
<td>Householder 75 to 84 years</td>
<td>1,040</td>
<td>91.2%</td>
<td>100</td>
<td>8.8%</td>
<td>1,140</td>
<td>2.7%</td>
</tr>
<tr>
<td>Householder 85 years and over</td>
<td>352</td>
<td>80.2%</td>
<td>87</td>
<td>19.8%</td>
<td>439</td>
<td>1.0%</td>
</tr>
<tr>
<td>Total</td>
<td>28,519</td>
<td>67.7%</td>
<td>13,594</td>
<td>32.3%</td>
<td>42,113</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2012

Younger households move more frequently than older households, which may be due to changes in jobs, cost of housing, or other factors. The U.S. Census tracks the percentage of households who have moved within the past 12 months. Households in the 18 to 24 years old age group were most likely to move, and to move to Thornton from within Adams County. Households age 25 to 34 were most likely to move to Thornton from a different state, and households 75 years of age or older and those 24 to 34 were most likely to move to Thornton from a different county within Colorado.
Table 73: Mobility by Age Group in Thornton, 2012

<table>
<thead>
<tr>
<th>Age Range</th>
<th>Total Households</th>
<th>Moved; within Adams County</th>
<th>Moved; Different County, within Colorado</th>
<th>Moved; from Different State</th>
<th>Moved; from Abroad</th>
<th>Total Moved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 4 years</td>
<td>7,225</td>
<td>16.80%</td>
<td>0.60%</td>
<td>3.60%</td>
<td>0.00%</td>
<td>21.00%</td>
</tr>
<tr>
<td>5 to 17 years</td>
<td>28,002</td>
<td>15.10%</td>
<td>3.40%</td>
<td>2.40%</td>
<td>0.30%</td>
<td>21.20%</td>
</tr>
<tr>
<td>18 to 24 years</td>
<td>11,439</td>
<td>20.80%</td>
<td>4.60%</td>
<td>2.90%</td>
<td>1.60%</td>
<td>29.90%</td>
</tr>
<tr>
<td>25 to 34 years</td>
<td>20,597</td>
<td>10.50%</td>
<td>7.70%</td>
<td>4.00%</td>
<td>0.00%</td>
<td>22.20%</td>
</tr>
<tr>
<td>35 to 44 years</td>
<td>17,873</td>
<td>9.10%</td>
<td>3.30%</td>
<td>1.50%</td>
<td>0.00%</td>
<td>13.90%</td>
</tr>
<tr>
<td>45 to 54 years</td>
<td>17,572</td>
<td>8.40%</td>
<td>1.80%</td>
<td>0.20%</td>
<td>0.00%</td>
<td>10.40%</td>
</tr>
<tr>
<td>55 to 64 years</td>
<td>10,220</td>
<td>5.20%</td>
<td>5.80%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>11.00%</td>
</tr>
<tr>
<td>65 to 74 years</td>
<td>5,952</td>
<td>2.40%</td>
<td>1.80%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>4.20%</td>
</tr>
<tr>
<td>75 years and over</td>
<td>2,856</td>
<td>0.00%</td>
<td>8.90%</td>
<td>0.00%</td>
<td>0.00%</td>
<td>8.90%</td>
</tr>
<tr>
<td>Total</td>
<td>121,736</td>
<td>11.30%</td>
<td>4.10%</td>
<td>2.00%</td>
<td>0.20%</td>
<td>17.60%</td>
</tr>
</tbody>
</table>

Source: U.S. Census Bureau, American Community Survey 2012

Homeless

There are currently no permanent emergency shelter beds located in Thornton. However, the Cold Weather Care program provides up to 20 temporary shelter beds from October through April through partnerships with Adams County churches. For the 2013-2014 season, three of the four participating churches were located in Thornton. This program was created to handle the overflow of Adams County residents that could not find beds at the three homeless shelters in the county. During the last few years, the Cold Weather Care program has previously served Thornton residents: 19 during the 2011-2012 season, 8 during the 2012-2013 season and 3 during the 2013-2014 season. Cold Weather Care accepts people on a first-come-first-served basis; once they reach their 20 bed capacity, they do not take any other phone calls. Thornton does have a permanent supportive housing facility, Renaissance 88, which offers permanent housing to individuals and families transitioning out of homelessness. People from anywhere can place their name on the Renaissance 88 wait list, meaning this complex does not necessarily serve people who live in Thornton just before finding themselves homeless.

The homeless facilities in Thornton are focused on emergency shelter and permanent supportive housing, with a relative lack of transitional housing units for families experiencing temporary homelessness. However, the number of at-risk or nearly homeless suggest a continued need for emergency shelter, emergency rent and utility assistance, and affordable housing.

Table 74: Homeless Facilities in Adams County

<table>
<thead>
<tr>
<th></th>
<th>Number of Units/beds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Shelter Beds</td>
<td>109</td>
</tr>
<tr>
<td>Transitional Housing Units</td>
<td>34</td>
</tr>
<tr>
<td>Permanent Supportive Housing Units</td>
<td>196</td>
</tr>
</tbody>
</table>

Source: City of Thornton data

In recent years there has been a shift in approach to housing the homeless, which is reflected in changes in federal funding for such projects. Instead of emergency shelter beds, there is now a greater emphasis on housing...
first and rapid-re-housing models, which look to keep people off the streets by providing them with permanent or transitional housing. According to these models, services, including case management, may be provided after a person has a safe and stable place to live. These models are in response to the high public costs of unsheltered homeless individuals.

There is also a continued need for housing and services for at risk youth, particularly unaccompanied and emancipated youth, despite the overall low numbers compared to other specific populations. Current resources for this population include the Shiloh House, County Human Services and public benefits for foster and emancipated youth, and School District homeless liaisons.

All homeless providers interviewed cited a lack of affordable rental housing units for very low-income households and for those who have experienced bad credit. The recent increases in rental prices and reduction in vacancy rate is only increasing this problem. This is re-enforced by the high number of Thornton residents served by emergency assistance services such as rent and utility assistance.

**HOUSING NEEDS – SURVEY RESULTS**

In addition to census data shown above, the Housing Survey and Annual Citizen Survey also asked Thornton residents about the City’s housing stock and any needs the City might have. Overall, respondents to the Housing Survey were very satisfied or satisfied with their current housing situation.

**Figure 40: Housing Survey Respondents, Satisfaction with Current Housing Situation, 2014**

<table>
<thead>
<tr>
<th>Satisfaction Level</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very Satisfied</td>
<td>42.3%</td>
</tr>
<tr>
<td>Satisfied</td>
<td>46.1%</td>
</tr>
<tr>
<td>Very Dissatisfied</td>
<td>3.0%</td>
</tr>
<tr>
<td>Not Satisfied</td>
<td>8.6%</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

The City of Thornton conducted an Annual Citizen Survey in the 4th quarter of 2013 that asked some similar questions. Residents responding to this survey were asked about their satisfaction with the current mix and amount of housing types available in Thornton. The following figure shows that 87% were somewhat satisfied or satisfied. Another 5% were not satisfied, and 4% were unsure.
The Housing Survey asked respondents if they believe there are housing types missing in Thornton. Almost an equal number of respondents answered yes, no, and that they did not know.

### Table 75: Housing Survey Respondents, Housing Needs, 2014

<table>
<thead>
<tr>
<th>Do you believe there are housing types missing in Thornton?</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>32.3%</td>
<td>183</td>
</tr>
<tr>
<td>No</td>
<td>33.0%</td>
<td>187</td>
</tr>
<tr>
<td>I don't know</td>
<td>34.6%</td>
<td>196</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td></td>
<td>566</td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td></td>
<td>45</td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

For the third of respondents that thought there are housing types missing in Thornton, housing for persons with disabilities and the elderly, including accessible housing, assisted living housing, and age restricted apartments or patio homes were mentioned the most as missing housing types. Respondents also stated that the city needs more single-family homes, transitional housing units with subsidized rental units available for up to 24 months for formerly homeless residents, co-housing (housing located around a common house where residents share meals and other group activities), live-work options (living and working space is shared), and a homeless shelter. Few respondents expressed the need for more apartments, though it should be noted that very few renters, younger residents, or the lowest income residents responded to the survey.
### Table 76: Housing Survey Respondents, Types of Housing Needed, 2014

<table>
<thead>
<tr>
<th>Answer Options</th>
<th>Response Percent</th>
<th>Response Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family detached homes</td>
<td>31.9%</td>
<td>66</td>
</tr>
<tr>
<td>Duplexes/triplexes</td>
<td>13.5%</td>
<td>28</td>
</tr>
<tr>
<td>Row homes or townhomes</td>
<td>13.5%</td>
<td>28</td>
</tr>
<tr>
<td>Manufactured/mobile homes</td>
<td>4.3%</td>
<td>9</td>
</tr>
<tr>
<td>Condominiums</td>
<td>13.0%</td>
<td>27</td>
</tr>
<tr>
<td>Apartments</td>
<td>7.2%</td>
<td>15</td>
</tr>
<tr>
<td>Accessible housing for disabled persons/elderly</td>
<td>35.3%</td>
<td>73</td>
</tr>
<tr>
<td>Assisted living for elderly</td>
<td>35.3%</td>
<td>73</td>
</tr>
<tr>
<td>Age restricted apartments, condos, or patio homes (active living for seniors over 55)</td>
<td>48.8%</td>
<td>101</td>
</tr>
<tr>
<td>Live/Work units: homes that have a space to live and a separate space to run a business</td>
<td>19.8%</td>
<td>41</td>
</tr>
<tr>
<td>Co-housing, where homes are clustered together and share common facilities, such as courtyards and community facility.</td>
<td>20.3%</td>
<td>42</td>
</tr>
<tr>
<td>Homeless shelter</td>
<td>15.5%</td>
<td>32</td>
</tr>
<tr>
<td>Transitional housing units for previously homeless people, including victims of domestic violence</td>
<td>24.2%</td>
<td>50</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>30%</td>
<td>62</td>
</tr>
<tr>
<td><strong>answered question</strong></td>
<td></td>
<td><strong>207</strong></td>
</tr>
<tr>
<td><strong>skipped question</strong></td>
<td></td>
<td><strong>404</strong></td>
</tr>
</tbody>
</table>

Source: CSI Thornton Housing Survey, 2014

Residents who responded to Thornton’s Annual Citizen Survey also saw a need for more assisted living housing and rent-subsidized senior housing, as well as rent subsidized family housing compared to other types of housing. Most survey takers were unsure of what types of housing are needed in Thornton.

### Figure 42: Thornton Annual Citizen Survey, Types of Housing Needed, 2013

Source: Thornton Annual Citizen Survey, 2013
HOUSING NEEDS AROUND TRANSIT-ORIENTED DEVELOPMENT

The three Thornton commuter-rail stations projected for completion in 2018 may create demand for new types of development. This is in part because census data shows that the incomes of transit riders in Thornton are 30% lower that for drivers. However, most projections for the Denver metro area show growing demand for housing near transit by people at all income levels. A 2007 report by the Center for Transit Oriented Development estimated that 40 percent of the demand for housing around commuter rail stations in the Denver area will be from low-income households earning 80 percent or less of AMI. Research within the Denver Metro Area has also shown that placing housing around commuter rail stations can benefit the community as a whole. Locating housing near public transit keeps the cost living more affordable, since transportation is the second highest cost for families after housing. Also, housing at transit stops can connect employers to a broader range of the region’s workforce, increase ridership for the transit system and reduce automobile traffic congestion.

The market studies conducted for 88th and 104th stations indicate a need for a broad mix of unit types, tenure, and price points, including affordable units, at each of the new stations. This demand is based on demographic data and population projections for the areas around the stations, largely within ½ mile. The data in this assessment supports the need for low income housing in Thornton, but it does not support the need for more low income housing in areas south of 104th Avenue.

HOUSING BALANCE

The goal for any community is to have various types of housing available so people of all ages, races, religions, ethnicities, national origins, genders, familial statuses, and income levels can live in a community. The reality is that creating a mix and balance of housing throughout the community may not happen when left to the private market. Developers are focused on developing their own property and do not necessarily see the larger situation. It is up to government to create plans that guide the development and then assess the housing regularly to evaluate if there is a mix and balance as the community changes throughout years.

Types of Housing

Thornton has a variety of housing options in the city. This includes single-family attached and detached houses including ranch, patio and executive homes; apartments; condominiums; manufactured homes; assisted living or nursing care, and independent living with services. The City Code also allows for accessory dwelling units and group homes.

Geographic and Income Disparity: There is not a variety of housing options or housing at different price points dispersed equally throughout the City.

The majority of Thornton’s affordable housing stock is located south of 120th. Thornton has a notable high concentration (26 out of the 33) of apartments in this area, including most of ones that are considered affordable or subsidized. All six of the manufactured home parks are located south of 104th. While single-family homes exist in all areas of the city, home values in the southern area fall at or below the median home value of $250,000. This means that those who wish to live north of 104th may not be able to find the type of housing they want or be able to rent or buy in this area because they cannot afford it. Without government interceding with market driven development, low-income residents may be unintentionally isolated to south Thornton.

One method for making rentals more affordable in different parts of the city is through Section 8 vouchers which allow low-income households to pay 30% of their monthly income on a qualified rental unit, with the federal government covering any remainder. There are 384 housing vouchers being used in Thornton, which is 27% of
the total vouchers allocated to Adams County (roughly proportional to Thornton’s share of the county’s population). Most of the vouchers used in Thornton are tenant-based vouchers, meaning the resident can choose to use them at any housing that accepts vouchers. As of February 2014, twelve of the City’s 33 apartment complexes accept tenant-based rental vouchers. Encouraging the owners of apartments located north of 104th to provide more affordable housing can start a change.

**Homeownership:** There is a limited availability of homes for sale for lower income people.
Thornton was established by young families and the city is still attractive to young families sixty years later. In fact, Thornton was named the ninth best city for first-time home buyers in an August 2014 report by WalletHub that surveyed the market and community environment in the 300 largest U.S. cities. Residents have stated that the price and quality of housing is high and they like the parks and schools in the community. This demand for quality housing at a reasonable price point near amenities means that there are many people looking for homes in Thornton, and, thus, homes are only on the market for a short time. Residents making more than 120% of the area median income will have an easier time finding homes they can afford since they can afford a variety of prices. People who make 80% or less of the area median income and want to buy a home in Thornton are limited in their options, unless they have money for a large down payment or the full cost of the home. This means that a family of three who earns less than $55,250 may find it difficult to transition from renting to owning a home they can afford in Thornton. Generally, this is a home about the price of $195,000. The homes at this price are currently the most sought after in the housing market and are most prominently located south of 120th.

**Rental Housing:** The demand for affordable rental housing for low to extremely low-income residents (0 – 50% AMI) is greater than the supply.
The data indicates that there are 3,100 households paying more than 30% of their monthly income on housing expenses (rent, water, heat and electricity). This means these people either need a subsidy or are living without some other living expense in order to survive. There are a total of 1,349 affordable rent-restricted units in Thornton, in which rental rates are capped at a level that will remain affordable to low-income households. Vacancy rates are very low for Thornton’s subsidized apartment complexes, which have an average vacancy rate of 1.3% according to the City’s 2014 Apartment Survey. One option to address the situation is to work with affordable housing developers to build more rent-restricted housing. Another option is to work with the housing service providers to find solutions to moving people from the cost burden situation to a more financially stable position.

**Special Population Needs:** There appears to be a high demand for assisted living units, independent living with services and memory care at a lower price point.
There are two main agencies that offer the majority of assisted living units for seniors. The Villas at Sunny Acres has 477 units, 36 of which are assisted living. There are no vacancies for these type of units and they have to send couples off site if one of the spouses needs assisted living. Park Regency offers the largest amount of assisted living units in Thornton, 102 out of their 113 apartments. This new facility has luxury apartments with higher rental prices. There are several levels of rental pricing. The lowest cost is the studio and all of these units are full. The other units (studio deluxe, 1 and 2 bedroom) have 46 vacancies.

There is a need for more single-family and multifamily housing that is fully accessible to people with disabilities.
There has been a great increase in the amount of youth with disabilities since 2009 living in Thornton and 15% of the residents reported on the survey stated that there was at least one person living in the home with some sort of physical, visual or hearing disability. However, only 8% of the survey respondents stated their home had modifications to meet these types of needs. Also, CSI counted 51 fully accessible ADA compliant apartment units.
in rent-restricted properties. While InnovAge, Villas at Sunny Acres and the Heritage Todd Creek subdivision provide accessibility features in the units, these are age-restricted properties that serve a specific part of the population. Considering the more than 2,120 people under the age of 55 that have disabilities, the current number of ADA compliant rent-restricted units is insignificant to address the need for fully accessible housing units.
SECTION 5: ANALYSIS OF IMPEDIMENTS

The 2014 Analysis of Impediments to Fair Housing (AI) includes a review of City of Thornton laws, regulations and policies followed by an analysis of how these policies might impact the location, availability and accessibility of housing. It also identifies lending practices and household economic conditions that affect housing choice, patterns of occupancy and location of public and government assisted housing, possible forms of discrimination and other factors impacting fair housing. The City of Thornton is required to include a Five Year AI as part of its Five Year Consolidated Plan.

CSI utilized its experience and knowledge regarding fair housing issues in writing this report. The following steps were taken to formulate the report:

- The 2009 “Analysis of Impediments to Fair Housing Choice” report was examined and analyzed.
- Housing discrimination recorded by the Colorado Civil Rights Division, Denver Metro Fair Housing Center, and the U.S. Department of Housing and Urban Development Office of Fair Housing was researched. Also, housing information by the Denver Regional Council of Governments, City plans, policies and codes, Home Mortgage Disclosure Act data, news articles and other documents were reviewed.
- City departments, public and private agencies and individuals were contacted for information and input.
- Electronic surveys were distributed to industry professionals and residents to gain insight into real estate and lending practices.

The purpose of this report is to review actions taken to address impediments identified in the 2009 AI, evaluate the effectiveness of these actions, determine if the impediments still exist or if new impediments exist, and make recommendations on actions to address any impediments.

Any actions suggested in this report are intended to:

- Promote fair housing choice for all persons.
- Provide opportunities for inclusive patterns of housing occupancy for all protected populations.
- Encourage the construction of housing that is physically accessible to persons with disabilities.
- Facilitate community compliance with federal and state fair housing laws.
- Analyze and address barriers to housing opportunities for all people.

IDENTIFICATION OF FAIR HOUSING CONCERNS OR PROBLEMS

Impediments to fair housing choice include any action, omission or decision taken because of race, color, religion, sex, disability, familial status, or national origin (“protected classes”) that may restrict housing choices or the availability of housing choices. This section addresses housing problems related to discriminatory and illegal practices, as well as general and specific local housing concerns that may occur. The discriminatory and illegal practices listed below are examples and definitions of the kinds of discrimination that could occur in a community with respect to housing, which are considered illegal under the provisions of the Fair Housing Act. These are not intended to imply that these practices are occurring in the Thornton community.
1. Discriminatory and Illegal Practices

Advertising or printing and/or publishing, or causing the printing and/or publishing of any notice, statement or advertisement in the sale or rental of a dwelling which shows preference, limitation, or discrimination.

Blockbusting is the unethical real estate practice of creating fear by moving one or more households of another race or creed into a neighborhood, then exploiting the situation by urging residents to sell their homes at deflated prices.

Control of listings is when a real estate agent or broker refuses to list a home or rental because it is minority-owned or because of the neighborhood in which it is located.

Discrimination in the provision of brokerage services may result when a minority or disabled real estate agent or broker is denied membership in a multiple listing directory or other organization.

Lending practices are discriminatory when different credit standards are used to qualify minority and non-minority home buyers. In addition to race, such things as marital status, age, sex and number of dependents may also be the basis for discriminatory lending practices.

Regulatory Barriers can exist when public policies (of cities or public agencies) result in barriers to fair housing choice for protected classes.

Rental practices discriminate against minorities, families, seniors, or persons with disabilities when a landlord charges higher rent for equivalent units, misrepresents information concerning unit vacancies, requires larger security deposits and/or uses different or higher standards of tenant approval.

Steering is the practice of directing a prospective buyer away from a certain property due to a person’s race, color, religion, sex, disability, familial status, or national origin.

Many of the above described discriminatory practices may occur unknowingly. When discrimination occurs in the area of housing, it encourages segregated living patterns and housing markets. These discriminatory practices are often difficult to see and document. Those who have been discriminated against must bring charges of housing discrimination to the attention of local, state or federal authorities in order to detect and enforce against such illegal practices.

2. Expiring Housing Assistance Contracts

In the earlier years of the current decade, HUD began a process of limiting the number of Section 8 project based rental assistance renewal contracts. Following the urging of Congress, and with the passage of subsequent budget increases, more Section 8 units are remaining in the affordable inventory. For the past several years, market conditions in the Metro area have made it advantageous for multifamily rental owners to renew their Section 8 contract rather than convert the buildings to some other use. Because the HUD renewals are being handled on a one-to-three year basis, as the Thornton multifamily rental housing market improves property owners may terminate their Section 8 project contract renewals and convert their buildings to some other use. Presently, there are no known expiring Section 8 contract units that will be removed from the affordable housing inventory in Thornton.
FAIR HOUSING ORGANIZATIONS

The following are the agencies in the Denver region that address fair housing issues. This information is posted on the City’s website.

**Colorado Civil Rights Division and HUD**
The Colorado Civil Rights Division (CCRD) is a branch of the Colorado state Department of Regulatory Agencies, Division of Civil Rights. Under a Memorandum of Understanding between the Colorado Civil Rights Division and HUD, the Division accepts and investigates a complaint jointly filed under both Colorado and federal law.

**Denver Metro Fair Housing Center**
The Denver Metro Fair Housing Center (DMFHC) was launched in 2013. The non-profit organization utilizes the tools of education, advocacy and enforcement to eliminate housing discrimination and promote housing choice in the Metro Denver area. The DMFHC has housing specialists available to answer questions regarding fair housing discrimination, and can assist individuals in filing complaints. They also conduct their own investigations related to discrimination.

Staff from the DMFHC provided the City with feedback on the draft Housing Needs Assessment during the public comment period. Language on the affordable housing policy and the 2009 Impediment on residents in certain areas of the City may have trouble obtaining home mortgages have been revised to include their comments.

RECENT FAIR HOUSING STUDIES

Studies cited in this section are based on information for the entire Metro Denver area; they are not specific to Thornton.

**DMFHC Audit**

In February of 2014 the DMFHC released a report on a housing discrimination audit it had conducted, focusing on the protected classes of race, familial status, and national origin. The audit sent paired sets of testers to 28 different apartment complexes throughout the metro area. The pairings were of white and Latino testers, white and African American testers, or testers with and without children, each of which was otherwise identical in terms of income, background, etc.

The audit found that Latinos in the Metro Denver region experienced discrimination 91 percent of the time in their search for rental housing in predominately non-Hispanic areas, African Americans experienced discrimination 67 percent of the time in predominantly white areas, and families with children experienced discrimination in their housing search 73 percent of the time in predominately childless areas. Discrimination varied, often being displayed as different treatment. As an example, housing providers misrepresented the number of units actually available to people of color or individuals with children. Although none of the facilities tested were located in Thornton, this audit demonstrates how discrimination may persist, despite low numbers of formal complaints.

**Regional Fair Housing Equity Assessment**

In 2014 the Denver Regional Council of Governments (DRCOG) is expected to complete a Fair Housing and Equity Assessment (FHEA) as part of its Regional Housing Strategy. Initial research conducted for the FHEA found that the Denver region’s protected classes were highly concentrated, many overlapping with area with high
concentrations of poverty. For example, Hispanic residents in the region are three times more likely than the population overall to live in a Hispanic majority census tract, and African American residents are ten times more likely to live in an African American majority census tract. In addition, 90% of the regions non-Hispanic white population lived in census tracts that were majority non-Hispanic white. Outreach to residents as part of the FHEA found that most residents, particularly Spanish-speaking, were not aware of their rights or what constitutes illegal discrimination. For example, among Spanish speaking focus group participants, many had been denied rental housing because they had children. Also, none reported ever having gotten a security deposit back from a landlord. Some draft recommendations that emerged from the FHEA include the need for a comprehensive fair housing education campaign in English and Spanish, funding for additional fair housing auditing such as that done by the DMFHC, and expanding housing and access to opportunity for protected classes.

FAIR HOUSING COMPLAINTS

Fair housing complaints are addressed by two agencies: HUD and the Colorado Civil Rights Division.

HUD Complaints
Thornton residents filed nine complaints of possible housing discrimination with HUD between 2008 and 2012. These nine complaints documented 12 issues. The most frequently listed reason for perceived discrimination was physical disability (67% of all reasons). There was one family status complaint and one complaint about discrimination against a Native American household. The top violations that the complaints alleged included discrimination in terms, conditions, privileges or services and facilities (25%) and failure to make reasonable accommodation (25%).

Seven of the cases were found to have no cause and dismissed by HUD. In two of the cases, a resolution was found and the case was withdrawn.
Table 77: Summary of HUD Complaints, 2008-2012

<table>
<thead>
<tr>
<th></th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Cases:</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td>Number of Complaint Issues:</td>
<td>2</td>
<td>4</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>12</td>
</tr>
<tr>
<td>Most Common Protected Class Affected:</td>
<td>Physical Disability</td>
<td>Physical Disability</td>
<td>Family Status</td>
<td>Physical Disability</td>
<td>Physical Disability</td>
<td></td>
</tr>
<tr>
<td>Most Common Alleged Violation:</td>
<td>Failure to make reasonable accommodations</td>
<td>Discriminatory refusal to rent, Discriminatory terms, conditions, privileges or services and facilities, Discriminatory acts under Section 818 (coercion, etc.), Failure to permit reasonable modifications</td>
<td>Discriminatory terms, conditions, privileges or services and facilities</td>
<td>Discriminatory refusal to rent, Failure to permit reasonable modifications</td>
<td>Discriminatory refusal to sell, Failure to make reasonable accommodation, Otherwise deny or make housing unavailable</td>
<td></td>
</tr>
<tr>
<td>Most Common Resolution</td>
<td>Complaint withdrawn by complainant after resolution</td>
<td>No cause determination</td>
<td>No cause determination</td>
<td>No cause determination</td>
<td>No cause determination</td>
<td></td>
</tr>
</tbody>
</table>

Source: HUD Office of Fair Housing

Colorado Civil Rights Division Complaints

Thornton residents filed three complaints with the Colorado Civil Rights Division between 2009 and 2013, covering seven different complaint issues. In all of the cases the reason for discrimination was physical or mental disability. All three complaints were found to have no probable cause and the case was deemed closed.

Table 78: Summary of Fair Housing Complaints to the Colorado Civil Rights Division, 2008-2012

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
<th>2013</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Cases:</td>
<td>3</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Number of Complaint Issues:</td>
<td>7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>7</td>
</tr>
<tr>
<td>Most Common Basis of Complaint:</td>
<td>Physical or Mental Disability (100%)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Most Common Resolution</td>
<td>No probable cause</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Source: Colorado Civil Rights Division
PUBLIC SECTOR – REVIEW OF REGULATORY BARRIERS TO FAIR HOUSING

As part of the required analysis for public policies and actions that affect Housing Choice, CSI has reviewed the City’s Comprehensive Plan (General Plan), the development and zoning regulations and the building code requirements promulgated by the City of Thornton. In addition to policies and actions that might affect the availability of a diverse supply of housing, CSI also researched other items that might affect various community development needs in the community. These include neighborhood revitalization efforts, transportation options, policies and administrative plans that the Adams County Public Housing Authority has put in place to further Fair Housing Choice and County tax policies which may impact the availability of housing choices for Thornton residents. Based on examination of this information and what is available on its website, the City has a robust information pool formulated to encourage a diverse housing supply within the jurisdiction.

1. Comprehensive Plan and Housing Master Plan

The City Comprehensive Plan is designed to be a visionary document to guide future development and maintain the viability of existing neighborhoods and sub-areas within the City. The Comprehensive Plan has goals, strategies and policy elements intended to articulate the City’s vision for diverse inclusive neighborhoods that include housing options for different economic and demographic groups residing in the city. One of the core goals of the plan is to be a “City of Quality and Diverse Neighborhoods.” A major strategy of this goal is “Develop Quality Neighborhoods with a Diversity of Housing Choices”. In order to implement this strategy, the City has identified two policies: Policy 5.4.1 “Ensure the design and development standards for residential development in Thornton contribute to the long-term stability and desirability of its neighborhoods.” Policy 5.4.2: “Ensure Thornton has a full range of housing choices so residents can remain in Thornton as their housing needs change over time.” To fully implement these two policies the City has adopted a series of master plans and sub-area plans to specifically address the challenges associated with meeting the above policy objectives.

The Housing Master Plan has a chapter on affordable housing and contains an Affordable Housing Policy adopted by the Thornton City Council in 2011. The City goals for the plan and policy include:

- Location: “The City invites the development of multifamily affordable housing units in areas where there is not an existing concentration of low-income housing.”
- Access: “The City desires that new affordable housing construction be located within a quarter of a mile of bus stops and in close proximity to basic services, such schools, child care facilities, grocery stores, pharmacies and medical services.”
- Renewable Resources: “The City encourages the use of energy efficiency measures or improvements in all affordable housing projects.”

This policy seeks to support those goals by offering potential incentives for affordable housing development. The Affordable Housing Policy states:

- “In order to facilitate the development or redevelopment of housing that serves people at or below 40% Area Median Income, the City may consider providing financial support on a case-by-case basis. The City has the discretion to determine the type and level of support, if support is warranted. The City may set conditions on any financial support including, but not limited to, requiring the property developer/manager to maintain a specific level of affordability for a set period of time or construct a certain number of units that serve families of lower income levels, as well as meet federal funding requirements for affordability.”
**Conclusion 1:** The combined policy language of the City Comprehensive Plan and associated plans and the Affordable Housing Policy support and encourage a diversity of housing choice in Thornton. The City envisions a wide range of housing choices, including affordable rental units, affordable homeownership, manufactured housing, and age appropriate housing types for seniors. The City has taken a proactive approach to preserving housing choice in the older affordable neighborhoods of south Thornton by adopting the South Thornton Revitalization Subarea Plan.

2. **Development Process and Costs**

The Development Review Process utilized by the City of Thornton is comparable to the systems utilized in adjacent municipalities. For new developments, the City requires four basic items before the start of construction:

- Appropriate zoning for the proposed uses;
- An approved conceptual site plan;
- An approved and recorded Subdivision Plat;
- Development Permit approval before issuance of building permits

The City Development Department has a published fee schedule for the various type of permits required depending on the scope of the project. The fees are broken out for each specific phase of the development process so that applicants know, based on the various permits needed what the total amount of fees will be. This flat rate system brings predictability to the process. The fees charged appear to be reasonable compared to other fee structures which assess the fees as a percentage of the total project cost.

In conducting interviews, surveys and research for this section of the AI, CSI did not receive any comments that the development process creates exceptional burdens to housing development. There has been a recent rapid increase in multifamily development applications after several years of little new multifamily development activity in the City. If this trend continues and the City not prepared to handle the applications, backlogs may begin to form, local processes may become slower and development may not meet the demand quick enough.

**Conclusion 2:** The City Development Review Process and attendant fee system does not place undue burdens on developers nor do the fees charged contribute an excessive burden to the cost of housing in the jurisdiction.

3. **Overall Cost of Housing**

The cost to develop a home can create an impediment to fair housing choice because the development costs impact the final cost of a home. A house that costs a lot to build is more expensive to purchase and limits the amount of people who could afford to buy such a home. The development costs that can positively or negatively contribute to housing costs include the cost of land, fees and design standards.

Thornton continues to have an adequate supply of bare ground for new developments. The supply allows for the land costs in Thornton to be lower than other jurisdictions, because when there is enough land to meet the demand the costs tend to reasonable. Land-locked jurisdictions do not have these same economics, making Thornton a desirable place to develop.

Development fees assessed by the City or County can impact the final cost of the house, because these costs are passed on through the price of the home. The City of Thornton has established fee policies which govern the amount charged for various building types and sizes.
Thornton currently has design standards that influence the design and construction of new homes. Design standards include guidelines for the exterior design and materials used in new construction and major remodels. The City provides a comprehensive set of guidelines and requirements for building and development activities governed by the City, which is available in a user friendly, online compendium.

In the Analysis of Impediments to Fair Housing section, CSI reviewed zoning regulations that limit residential density and the added cost of residential design standards. Overall, the City’s regulatory processes and fee structures were not seen as overly burdensome or out of line with neighboring jurisdictions.

The South Thornton Revitalization Subarea Plan identified the need to improve the overall physical quality of the homes in the areas of the community that were built in the 1950s, 1960s and 1970s. Like several other first ring suburbs, homes built 40, 50 or 60 years ago are showing signs of age and sometimes the materials used in the construction of these homes were not a high quality and began failing quickly. While the imposition of design guidelines usually means that up-front costs will increase, adopting guidelines to encourage use of long lasting or energy efficient materials will decrease the long term cost to maintain the homes and the incidence of functional obsolescence. Design standards that positively impact neighborhoods tend to benefit both investors and homeowners from stable real estate values and a strong market.

**Conclusion 3:** The cost of housing in Thornton is lower than in some other Metro jurisdictions and can continue to be cost effective if the City continues to be cognizant of keeping development costs consistent with those in surrounding jurisdictions as well as ensuring the materials used to build homes do not deteriorate quickly, causing a cost burden on the homeowner. With future fees and policies, Thornton should weigh the benefits of certain requirements against the economic impact, while realizing that poor quality development leads to blight and disinvestment as structures age.

**4. Building Codes**

The City of Thornton has adopted the 2012 International Building Code and the 2011 National Electric Code that covers the electrical systems of houses. With the consolidation of a variety of code bodies into the International Building Code Consortium, the building codes in Thornton and throughout Colorado are becoming more uniform. Having consistent code requirements that do not vary from jurisdiction to jurisdiction helps designers and builders better understand the requirements. Engineering and construction plans become more consistent and this results in cost savings both at the design and construction phase.

Thornton has a Building Code Advisory Board to assist local officials in evaluating new building and fire codes used in the City. Also, the board helps with the appeals process. If a builder or homeowner wishes to appeal a code interpretation or requirement, they submit a written appeal and the Building Code Advisory Board hears and renders a decision on City staff’s interpretation of the City Building Codes. The Board may also determine suitable alternate methods and materials, and may be asked to provide reasonable interpretations of the provisions of the adopted building and fire codes. The five members of the board must be qualified by experience and training pertaining to building construction and represent the following trades: engineering, architecture, building construction and design. Building permit and inspection fees are based on a published standard that is a factor of the cost of the improvements.

**Conclusion 4:** The building codes presently in force in the City of Thornton are consistent with what is in place in other areas of the state and in surrounding jurisdictions. They do not appear to impose an excessive burden on builders constructing code compliant buildings.
5. Definition of “family”

The definition of family is used in determining how a jurisdiction administers requests for group homes. Since the group home concept involves sheltering individuals who are not related by birth, marriage or some other legal arrangement, different communities permit group homes with a variety of different regulations. The City of Thornton Development Code (18.3) as amended defines “family” this way:

“Family means individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption. For the purposes of this definition, “living together as a single housekeeping unit” is generally characterized by a family like structure and/or a sharing of responsibility associated with the household and a concept of functioning as a family unit with a sense of permanency, as opposed to the transient nature of a group home, bed and breakfast, motel, hotel, dormitory, boarding house, or rooming house.”

Thornton’s requirements for group homes are standard and have fewer limitations than some other jurisdictions. Section 18.228 of the Development Code lays out the following requirements:

(a) A group home shall be State licensed.
(b) A separate kitchen shall not be installed for any person being kept.
(c) Persons being kept shall not be bedfast or suffering from a communicable disease.
(d) No group home established for the aged or persons with mental illness shall be established within 750 feet of another such group home.

Conclusion 5: The group home requirements in place in Thornton do not create an impediment to those individuals who need this type of housing choice.

7. Neighborhood Revitalization

Thornton, like several suburbs close to Denver is faced with the challenge of keeping older portions of the community viable and desirable for people moving to Thornton. For the past 40 years, sociologists and urban planners have identified the deterioration of aging suburbs as a major community development challenge. As the residential properties age, owners become less willing to make major investments in upgrading and modernizing their homes or even to make costly yet necessary repairs. When the costs to repair are too high, homeowners sometimes choose not to repair the issues and live with a hole in the roof or without a working furnace for years. A lack of regular maintenance and repair to a home leads to the decline in the quality of the house. A majority of neighborhoods in south Thornton reflect the challenge of housing that is 40 or more year’s old and needing upgrades. The private housing market dynamic does not reward neighborhoods where the housing stock becomes outmoded and less appealing. These houses remain blighted and lower income owners and renters occupy these units.

All of Thornton’s manufactured home parks are located south of 104th Avenue, which is considered south Thornton. All the parks were established between 1956 and 1973. Like the stick-built homes built at the same timeframe, these manufactured homes are due for major improvements or replacement. In Thornton, the manufactured home parks are owned by corporations and the homes themselves may be owned by the resident or rented by the resident. Residents maintain their homes and their lots; the corporation that owns the park takes care of the common properties. As a manufactured homes age they tend to lose value. It is difficult to make home improvements to manufactured homes that add value to the property. Also, all the parks were established
before the City established most of its maintenance codes, so there is little to enforce corporations to improve the park property.

Thornton has a concentration of lower income housing in the south area of the city compared with other areas of the city. As stated previously, there are many older homes that are 700 to 1000 square foot in size, apartments serving lower income people and more than 2500 manufactured homes in this area. This creates an unequal balance of the housing for low-income people with limited discretionary income in one area of town versus another. Families with limited discretionary income spend have less money to spend and, therefore, only a limited number of businesses in an area can survive. As a result, it becomes difficult for residents to satisfy basic daily needs without resorting to traveling greater distances by car to take care of the basics.

The South Thornton Revitalization Subarea (STaR) Plan is a comprehensive strategy for overcoming the challenges older suburbs face. Through implementing the vision of this plan, the City has developed programs to turn around some of the aspects of suburban decline. For instance, the City sponsors a minor home repair program and community projects, like the Paint-A-Thon. Those specific programs are limited to income eligible homeowners age 55 or older and provide repairs up to $3500. To reach a larger audience, information is available on the website on home repair resources, energy rebates and how to organize a neighborhood improvement project. All of these programs and events encourage residents to actively revitalize their homes and neighborhoods. However, there are limited resources to deal with major repairs needed in older housing or manufactured homes. In order to address these growing needs, the City will be offering a pilot program that offers a zero-interest rate loan for low-income homeowners for major home repairs related to accessibility, safety and the health of the home.

**Conclusion 7:** Thornton continues to provide forward thinking approaches to community revitalization. This effort could be enhanced by greater emphasis and resources directed to improving the physical conditions of both the owned and rental housing in the older neighborhoods.

8. Transportation Linkage

Thornton has several opportunities to improve transit and housing options for its residents through the FasTracks North Metro Rail Line expansion. The North Metro Rail Line is an 18.5-mile electric commuter rail line that will run from Denver Union Station through Commerce City, Thornton and Northglenn to Highway 7 in North Adams County. RTD broke ground on the North Metro Rail Line March 20, 2014 and plans to have the line up to 124th operational in 2018. There will be three commuter rail locations along this line that will be located in Thornton: one at 88th and Welby, one at 104th and Colorado and one at Eastlake (124th). The City is currently working on master plans to guide the development around these rail stations. The plans include housing and commercial uses. City will be able to make progress in achieving its affordable housing policy if they can have affordable housing, both rental and owner-occupied housing, close to the commuter rail stations.

The City’s affordable housing policy, found in the Housing Master Plan, states that “access to public transit plays a critical role for those who are served by affordable housing. The City desires that new affordable housing construction be located within a quarter mile of public transit and in close proximity to basic services, such as schools, child care facilities, grocery stores, pharmacies and medical services.” The City may need to make commitments to ensure that affordable housing receives the necessary subsidies and incentives to make it viable to develop around TOD sites, which tend to have higher development costs than areas where the transit linkages are less accessible.
Since the FasTracks line will run north and south, Thornton is planning to work with RTD on east-west transit linkages that will ensure that residents have transit connections between their homes and commuter rail. Also, there will be businesses that will develop along the commuter rail and on the perimeter of Denver International Airport. Public transit will allow people of all income levels to get to those employment opportunities.

**Conclusion 8:** Thornton is making strides in providing better transit options for its residents. The City has articulated a vision for better linkages between transit and housing and it is willing to back that vision with policy that will make that vision a reality. The City should encourage developers, both through plans and incentives, to ensure that affordable housing units are included in any station area developments.

9. **Public Housing**

**PUBLIC HOUSING AND OTHER ASSISTED/INSURED HOUSING PROVIDER TENANT SELECTION PROCEDURES; HOUSING CHOICES FOR VOUCHER HOLDERS:**

The Adams County Housing Authority (ACHA) provides a wide range of housing options and services to residents of Thornton, including rental housing, subsidies for individuals, veterans, seniors and persons with disabilities and programs to support their residents’ efforts to obtain economic self-sufficiency. In addition, ACHA offers homeownership with down payment assistance dollars and housing counseling for both potential buyers and owners who are at risk of foreclosure.

ACHA is aware of Fair Housing laws and requirements and takes steps to ensure these are followed. ACHA refers individuals who believe they may be victims of discrimination in housing choice to HUD and the Colorado Civil Rights Division. ACHA provides printed guidance material and a form for filing a discrimination complaint in their orientation packet to households receiving rental assistance through ACHA. The portability of Section 8 vouchers allows households to move around the Metro Area to find suitable housing at a price they can afford. ACHA works with voucher holders “porting” in to Thornton to assure that their housing search is as seamless as possible.

**Conclusion 9:** The public housing policies and actions pursued by ACHA contribute to a wider range of housing choices, particularly for low-income households who reside in Thornton.

10. **Sale of Subsidized Housing/Displacement**

ACHA has no plans for selling subsidized housing that it owns in Thornton.

**Conclusion 10:** Liquidation of subsidized housing units in Thornton is not a threat at this time.

11. **Property Tax policies**

Property tax policies are set by state statute. Most residential structures are appraised every two years so that assessments are based on current market values. Property owners have the ability to protest their property assessments. The first step in the process is to lodge a protest at the county level. Ultimately, the property owner can appeal up to the State Board of Assessment Appeals.

State statute also has provisions for partial waivers of property taxes for properties containing units for very low-income households, formerly homeless, and frail elderly. These waivers are fairly narrow in scope, but do provide an important incentive to assist low-income housing providers in keeping their operating expenses lower. By saving dollars on operating expense, owners are able to keep their rents lower than they would be if they had to pay property taxes on all units. Public housing authorities have a property tax exemption for their residential
properties, so that if a local housing authority has an ownership or part ownership interest in a property, they can obtain the exemption. The statute interprets an ownership interest broadly. This tax exemption has prompted joint ventures between private developers and housing authorities. When a local housing authority is a part owner of the property, the tax exemption can be obtained and all units in the complex can attain the benefit of lowering operating expenses by being relieved of the property tax burden.

**Conclusion 11:** Colorado property tax statutes and policies provide some financial incentives to public and private developers wishing to broaden housing choice for very low-income households.

**12. Administrative policies**

CONCERNING COMMUNITY DEVELOPMENT AND HOUSING ACTIVITIES, SUCH AS URBAN HOMESTEADING, MULTIFAMILY REHABILITATION, AND ACTIVITIES CAUSING DISPLACEMENT, WHICH AFFECT OPPORTUNITIES OF MINORITY HOUSEHOLDS TO SELECT HOUSING INSIDE OR OUTSIDE OF AREAS OF MINORITY CONCENTRATION:

The City of Thornton established the Neighborhood Services Division in 2008 to more effectively lead the effort to improve the physical and social conditions in Thornton neighborhoods. Neighborhood Services provides a number of programs and events to bring neighbors together and to focus on improving the quality of life in Thornton. The Neighborhood Services Division administers the federally funded programs like CDBG and HOME and interfaces with other county, state and non-profit agencies to leverage these resources for both affordable housing and public facility projects in Thornton. The division staff assists agencies that serve Thornton residents to identify public facility and public service needs in the community and then assists them formulate plans and programs to address those needs.

One goal of the City of Thornton’s Affordable Housing Policy is to encourage the dispersal of affordable housing throughout the community in order to prevent the concentration or isolation of housing for specific income groups in any one area and promote the development of multifamily affordable housing in areas where this concentration does not exist. When housing that serves people of various incomes is dispersed throughout the community, neighborhoods have a balance between rental and owner-occupied housing. This policy supports affordable multifamily development located close to mass transit and within walking distance to basic services such as schools, stores and medical offices. The policy states that the City may consider providing incentives to housing developers that construct or rehabilitate housing that meets the goals of the Affordable Housing Policy and serve people at or below 40% Area Median Income.

In areas of the city where there are older rental complexes, the Neighborhood Services Division has worked with owners and non-profit organizations to layer financing packages for rehabilitation and modernization of some of the older complexes. The only recent case of displacement which resulted because a housing complex was undergoing revitalization occurred at a property owned by Adams County Housing Authority. For this project, some of the current residents needed to be moved in order to conduct the interior improvements while others no longer met the income guidelines for the property as required by the funding sources used for the rehabilitation. In the case of the residents that needed to be relocated because they didn’t meet the new income limits, the housing authority worked with the residents to provide relocation assistance either for renting a new apartment or purchasing a home. For the individuals who were eligible to remain on the property but needed to be relocated into other units, the housing authority assisted with the moving. In many cases, the residents were moved into units that had already been rehabilitated and would become their permanent residence, diminishing the need for further relocation. Also, for major rehabilitation and new construction projects, the City monitors plans to ensure Section 504 compliance for households with physical or mental challenges.
The City provides an application process so that community groups wishing to access both federal and city resources have a fair chance to receive funding to support their efforts. The City uses a contracting process for the award of funds and performs periodic monitoring of sub-grantee performance to ensure compliance with federal requirements.

**Conclusion 12:** The City provides support and effective program management for City-wide efforts to expand Housing Choice and to expand opportunities for low-income and minority populations.

**13. Unlawful segregation or discrimination**

WHERE THERE IS A DETERMINATION OF UNLAWFUL SEGREGATION OR OTHER HOUSING DISCRIMINATION BY A COURT, OR A FINDING OF NONCOMPLIANCE BY HUD REGARDING ASSISTED HOUSING WITHIN A RECIPIENT’S JURISDICTION, AN ANALYSIS OF THE ACTIONS WHICH COULD BE TAKEN BY THE RECIPIENT TO HELP REMEDY THE DISCRIMINATORY CONDITION, INCLUDING ACTIONS INVOLVING THE EXPENDITURE OF FUNDS MADE AVAILABLE: N/A

**Conclusion 13:** N/A

**PRIVATE SECTOR FOR SALE HOUSING**

Home Mortgage Disclosure Act (HMDA) data is available for loans made on properties in Thornton. This information provides an overview of mortgage lending practices within Thornton in 2011. The reason to review this data is to explore whether or not there could be predatory lending practices. Data that could indicate potential discriminatory practices might include high denial rates for minority or female applicants; very low denial rates for minorities; unusually low levels of applications from women, minorities or low and moderate-income persons; or a disproportionate percentage of high cost loans used by minority households.

Data from HMDA was obtained for a total of 2,206 loan applications made in 2011 in Thornton. Of these, 60.6% were for conventional loans, 32.5% for Federal Housing Administration (FHA) loans, and 6.8% for Veterans Administration (VA) loans. Only 39.9% of loan applications were to purchase a home, while 57.6% were for to refinance a home and 2.5% were to make home improvements. The large number of refinance loans is a reflection of both the low interest rates in 2011 and the low number of homes being sold at that time in Thornton.

Loan origination fees are the fees associated with the creation of a mortgage or other loan. They are typically broken down into points, which are expressed as a percentage of the loan amount. This fee is the originator’s commission for obtaining someone a loan and is paid when the loan funds to the loan officer or broker who initiates and completes the loan transaction with the borrower. Loan origination rates ranged from a low of 46.6% for Latino households to a high of 63.9% for white households. Loan origination rates have increased for all households since the last AI report in 2009. Hispanic households had a lower loan origination rate than non-Hispanic households and the lowest loan origination rate of all household types. Hispanic household loan origination rates are on the rise since 2009. Women had origination similar to all households in Thornton.

Loan denial rates ranged from a low of 18.7% for whites to a high of 25.3% for Asian/Pacific Islander households. Hispanic households had a higher loan denial rate than non-Hispanic households; these were almost twice as high as non-Hispanic households. However, Hispanic household loan denial rates are declining. The data indicates that Asian households are denied loans at a rate higher than white and African American households. Women were denied home loans at a similar rate as all households in Thornton.
### Table 79: Action Taken on Loan by Race, Ethnicity, and Sex in Thornton, 2011

<table>
<thead>
<tr>
<th>Race/Ethnicity</th>
<th>Loan Originated</th>
<th>Loan Not Accepted by Applicant</th>
<th>Loan Denied</th>
<th>Application Withdrawn</th>
<th>File Closed</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Race</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>African American</td>
<td>55.9%</td>
<td>17.6%</td>
<td>17.6%</td>
<td>8.8%</td>
<td>0.0%</td>
<td>34</td>
</tr>
<tr>
<td>Asian/Pacific Islander</td>
<td>62.6%</td>
<td>2.0%</td>
<td>25.3%</td>
<td>10.1%</td>
<td>0.0%</td>
<td>99</td>
</tr>
<tr>
<td>White</td>
<td>63.9%</td>
<td>4.6%</td>
<td>18.7%</td>
<td>10.6%</td>
<td>2.3%</td>
<td>2,085</td>
</tr>
<tr>
<td>Ethnicity</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hispanic/Latino</td>
<td>46.6%</td>
<td>5.5%</td>
<td>33.7%</td>
<td>11.7%</td>
<td>2.5%</td>
<td>163</td>
</tr>
<tr>
<td>Non-Hispanic</td>
<td>66.9%</td>
<td>6.0%</td>
<td>15.5%</td>
<td>10.3%</td>
<td>1.3%</td>
<td>899</td>
</tr>
<tr>
<td>Women</td>
<td>58.9%</td>
<td>3.6%</td>
<td>22.2%</td>
<td>12.1%</td>
<td>3.3%</td>
<td>785</td>
</tr>
<tr>
<td>Total</td>
<td>59.6%</td>
<td>5.0%</td>
<td>21.5%</td>
<td>10.9%</td>
<td>3.0%</td>
<td>2,682</td>
</tr>
</tbody>
</table>

Source: 2011 HMDA Raw Data and CSI

Reasons for the denial of applications are listed on the table below by race, ethnicity, and gender. “Credit history” and “debt to income ratio” were the most common reasons for denial, which are both justifiable denial reasons. No one racial or ethnic group had higher denial rates in a majority of categories than other groups.

### Table 80: Loan Denial Reason by Race, Ethnicity, and Gender in Thornton, 2011

<table>
<thead>
<tr>
<th>Reason</th>
<th>All</th>
<th>White</th>
<th>Black</th>
<th>Asian</th>
<th>Hispanic</th>
<th>Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Debt-to-Income Ratio</td>
<td>17.5%</td>
<td>15.8%</td>
<td>50.0%</td>
<td>27.3%</td>
<td>15.1%</td>
<td>17.8%</td>
</tr>
<tr>
<td>Employment History</td>
<td>0.9%</td>
<td>0.9%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Credit History</td>
<td>23.4%</td>
<td>23.6%</td>
<td>25.0%</td>
<td>13.6%</td>
<td>33.3%</td>
<td>22.2%</td>
</tr>
<tr>
<td>Collateral</td>
<td>23.1%</td>
<td>23.3%</td>
<td>0.0%</td>
<td>13.6%</td>
<td>18.3%</td>
<td>20.7%</td>
</tr>
<tr>
<td>Insufficient Cash</td>
<td>3.1%</td>
<td>3.3%</td>
<td>0.0%</td>
<td>4.5%</td>
<td>5.4%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Unverifiable Information</td>
<td>9.0%</td>
<td>9.3%</td>
<td>0.0%</td>
<td>9.1%</td>
<td>9.7%</td>
<td>12.6%</td>
</tr>
<tr>
<td>Credit Application Incomplete</td>
<td>11.5%</td>
<td>12.2%</td>
<td>0.0%</td>
<td>18.2%</td>
<td>8.6%</td>
<td>10.4%</td>
</tr>
<tr>
<td>Mortgage Insurance Denied</td>
<td>0.2%</td>
<td>0.3%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.7%</td>
</tr>
<tr>
<td>Other</td>
<td>11.2%</td>
<td>11.3%</td>
<td>25.0%</td>
<td>13.6%</td>
<td>9.7%</td>
<td>11.1%</td>
</tr>
</tbody>
</table>

Source: 2011 HMDA Raw Data and CSI

The table below, shows the number of high cost loans in Thornton. High cost loans are defined as loans with a reported rate spread. The rate spread on a loan is the difference between the annual percentage rate on the loan and the estimated average prime offer rate. Rate spreads are only reported by financial institutions if the annual percentage rate is more than 1.5 percentage points higher for a first lien loan, or more than 3.5 percentage points higher for a second lien loan. The recent national foreclosure crisis illuminated the risks to borrowers who used high cost loans and ended up losing their homes. Thornton borrowers had a lower instance of high cost purchase loans and high cost refinance loans than these loans nationwide. There were only 37 high cost loans in Thornton in 2011, and most were used by whites.
Table 81: High Cost Loans, 2011

<table>
<thead>
<tr>
<th></th>
<th># of Loans</th>
<th>High Cost Loan %</th>
<th>Purchase Loans</th>
<th>High Cost Purchase Loans %</th>
<th>Refinance Loans</th>
<th>High Cost Refinance Loans %</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Thornton</td>
<td>2,206</td>
<td>1.68%</td>
<td>828</td>
<td>2.05%</td>
<td>20</td>
<td>1.45%</td>
</tr>
<tr>
<td>Adams County</td>
<td>10,778</td>
<td>2.02%</td>
<td>4,528</td>
<td>3.00%</td>
<td>6,250</td>
<td>1.31%</td>
</tr>
<tr>
<td>State of Colorado</td>
<td>150,371</td>
<td>1.47%</td>
<td>50,700</td>
<td>2.00%</td>
<td>99,671</td>
<td>1.19%</td>
</tr>
<tr>
<td>National</td>
<td>5,917,574</td>
<td>2.77%</td>
<td>2,037,856</td>
<td>3.57%</td>
<td>3,879,718</td>
<td>2.35%</td>
</tr>
</tbody>
</table>

Source: PolicyMap, HMDA Data

Figure 43: High Cost Loans in Thornton, 2011

Source: PolicyMap, HMDA Data

Table 82: High Cost Loans by Race and Ethnicity, 2011

<table>
<thead>
<tr>
<th></th>
<th>Adams County</th>
<th>City of Thornton</th>
<th>State of Colorado</th>
<th>National</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Cost Loans</td>
<td>218</td>
<td>37</td>
<td>2,205</td>
<td>163,776</td>
</tr>
<tr>
<td>Loans to Whites</td>
<td>176</td>
<td>30</td>
<td>1,886</td>
<td>135,754</td>
</tr>
<tr>
<td>Percent of all Loans to Whites</td>
<td>1.95%</td>
<td>1.65%</td>
<td>1.47%</td>
<td>2.87%</td>
</tr>
<tr>
<td>Percent of High Cost Loans</td>
<td>80.73%</td>
<td>81.08%</td>
<td>85.53%</td>
<td>82.89%</td>
</tr>
<tr>
<td>Loans to African Americans</td>
<td>9</td>
<td>1</td>
<td>66</td>
<td>14168</td>
</tr>
<tr>
<td>Percent of all Loans to African Americans</td>
<td>5.77%</td>
<td>3.70%</td>
<td>2.55%</td>
<td>5.80%</td>
</tr>
<tr>
<td>Percent of High Cost Loans</td>
<td>4.13%</td>
<td>2.70%</td>
<td>2.99%</td>
<td>8.65%</td>
</tr>
<tr>
<td>Loans to Asians</td>
<td>4</td>
<td>0</td>
<td>47</td>
<td>3177</td>
</tr>
<tr>
<td>Percent of all Loans to Asians</td>
<td>1.05%</td>
<td>0.00%</td>
<td>1.23%</td>
<td>0.97%</td>
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<tr>
<td>Percent of High Cost Loans</td>
<td>1.83%</td>
<td>0.00%</td>
<td>2.13%</td>
<td>1.94%</td>
</tr>
<tr>
<td>Loans to Hispanics</td>
<td>53</td>
<td>3</td>
<td>290</td>
<td>19129</td>
</tr>
<tr>
<td>Percent of all Loans to Hispanics</td>
<td>3.20%</td>
<td>0.94%</td>
<td>2.99%</td>
<td>5.10%</td>
</tr>
<tr>
<td>Percent of High Cost Loans</td>
<td>24.31%</td>
<td>8.11%</td>
<td>13.15%</td>
<td>11.68%</td>
</tr>
</tbody>
</table>

Source: PolicyMap, HMDA Data
Conclusion: Area lending policies do not appear to be an impediment to fair housing. The HMDA data numbers indicate that loan applications are proportional to the demographic makeup of Thornton, with slight underrepresentation from the minority community. Loan denials seem to be most associated with bad credit and debt to income ratios rather than non-housing related reasons.

PUBLIC AND PRIVATE SECTOR EFFORTS

Fair Housing Enforcement
Fair housing enforcement is handled by the U. S. Department of Housing and Urban Development Office of Fair Housing in Denver, as well as the Colorado Civil Rights Division. The Denver Metro Fair Housing Center can assist people with understanding discrimination and filing complaints. The City of Thornton, Adams County Housing, and non-profit housing organizations refer people with potential discrimination issues to these agencies.

Information Programs
The Colorado Association of Realtors® and Denver Metro Board of Realtors offer fair housing training classes periodically. Realtors are required to take this class in order to renew their license. The Denver Metro Fair Housing Center provides regular training seminars for both home seekers and housing providers to educate and inform about fair housing law, as well as both consumer-rights and risk management for housing providers.

City of Thornton Realtor/Lender/Provider Fair Housing Survey
CSI created and distributed an online survey to collect primary data about the realty and lending practices in Thornton, particularly as they relate to fair housing. This electronic survey was distributed to realtors and bankers via the Metro Denver Realtors Association, the Colorado Mortgage Lenders Association and the Colorado Housing Assistance Corporation, which provides down payment assistance loans throughout Denver metro. A total of 19 professionals responded to the survey, including five realtors, four bankers/lenders, six service providers, a fair housing center, and staff of other non-profit agencies. Although extensive efforts were made to reach out to bankers/lenders and encourage them to participate in the survey, response rates were low.

The results of the 13-question survey are summarized below. Survey results are based upon only complete responses to a particular question. The survey was open to any professional working in residential real estate, lending, or social service providers in Thornton. After asking respondents to define their professional affiliation, the survey opened with questions to seek the fair housing knowledge of respondents.

- All respondents responded that are aware of fair housing laws.
- Training is provided to the majority of professionals responding to the survey, and was utilized in the past year by 73.7% of respondents. All lenders that responded attended training, and 75% of realtors attended training.
- Most respondents are providing fair housing information to clients, and informing them of their rights to protection from housing discrimination.
- Of the two lenders who answered a question about Community Reinvestment Act activities, one indicated that their lending institution does participate in these activities, and one indicated that their institution did not.
- Lenders are providing information to borrowers about affordable loan products, down payment assistance available through the Colorado Housing Assistance Center, and the Colorado Housing Finance Authority. They are also informing borrowers about the availability of homebuyer education classes and
workshops which inform borrowers about the home purchase process, safe borrowing, and home maintenance.

- While just under half of survey takers did not know or did not provide a response to the question of whether there is an adequate supply of affordable rental housing in Thornton, of those who did, 70% think the supply is adequate, while 30% do not.
- Seventy-five percent, or six, of the eight respondents asked about the supply of affordable for-sale housing think that the supply in Thornton is adequate. Over half of survey takers did not know.
- Fifty-five percent of the 11 respondents who provided an opinion about distribution of affordable housing in Thornton think that it is not evenly distributed. Many survey takers did not know.

Five respondents provided their opinion of the most pressing housing needs in Thornton. The responses include:

- “The housing stock that is affordable to lower income households is limited in terms of geographic diversity. This may have a disparate impact on protected classes (Race, National Origin, Color). There are pockets of heavily populated minority neighborhoods. These neighborhoods should offer opportunity to assets (transportation, education, healthy foods, economic opportunity, etc.).”
- “Availability”
- “More affordable housing for low/moderate income residents to help with the growth in the minimum wage arena.”
- “The lack of inventory of houses for sale in the 100,000 to 200,000 range for low and moderate income families.”
- “The availability of rental units that are affordable to very low-income households; this is not unique to Thornton as low vacancy rates have caused rents to increase dramatically across the Metro area.”

**Survey Conclusions:** Fair housing training and loan programs designed to help lower income and first-time homebuyers appear to be widely utilized. Promoting fair housing classes and programs offered by the Denver Metro Fair Housing Center to non-profit housing and service providers, realtors and lenders can further fair housing knowledge among those who are in contact with low and moderate, minority, disabled, and members of other population groups protected under fair housing laws.

**ASSESSMENT OF CURRENT PUBLIC AND PRIVATE FAIR HOUSING PROGRAMS AND ACTIVITIES IN THORNTON**

**Actions and Programs**

The City has organized its fair housing programs around expanding housing choice across the entire city and by preserving existing neighborhoods and the affordable single-family housing stock within those neighborhoods. In order to meet that goal, the bulk of City’s efforts, lead by the Division of Neighborhood Services, are designed to address the identified impediments that influence the supply of affordable housing. The City emphasizes infill and new projects that are served by municipal services, have good transportation linkages, and good accessibility to basic services. A major goal of the City’s affordable housing policy encourages the disbursement of affordable housing throughout the city so that concentration of minority residents or low-income residents does not occur.
The City of Thornton has a number of plans and policies designed to encourage and expand housing choice in the jurisdiction. Within the Housing Master Plan the City has four goals to encourage the expansion of housing choice in the City:

- “Provide a range of housing options suitable for all stages/phases of the life cycle.
- Work towards achieving a more even distribution of housing types throughout the city.
- Address existing housing gaps as identified in housing needs assessments.
- Facilitate opportunities for homeownership.”

The City works closely with developers proposing new developments early on in the process so that they can more readily incorporate City codes and priorities into their plans. The City also works with affordable housing developers in the predevelopment phase, to assist them in identifying both regulatory and financial resources that may be available. The City partners with other funders to help fill the gaps that exist for developers when they bring units on-line that will address low-income housing needs.

The City’s previous Consolidated Plan identifies that the high priorities in affordable housing include housing construction, rehabilitation of single-family housing, and direct assistance for first time homeownership. The City of Thornton is part of the Adams County HOME Consortium. Through the funds obtained from the Consortium, the City assists community based organizations to provide rehabilitation on single-family residences and to facilitate acquisition and rehabilitation of foreclosed properties.

The City works with local and regional homeless service providers to expand the availability of emergency and transitional housing options in the County. The City supports accessibility improvements for the Renaissance 88 apartments, which provide transitional and permanent affordable housing to formerly homeless households. The City participates in the Metro Continuum of Care to assist in building a comprehensive homeless assistance system in the Denver Metro Area and the Adams County Homeless to Home Partnership. The partnership is comprised of non-profit organizations, public agencies, churches, businesses, local governments and community leaders. The purpose of the partnership is to eradicate homelessness in Adams County through shared responsibility and community engagement. The partnership has launched the Adams County Cold Weather Care program, the Strong Families Initiative and LIFE Low-Income Family Empowerment (LIFE). Through non-federal sources, the City also supports the Adams County Cold Weather Care program, which provides emergency shelter and assistance to individuals who are homeless during the cold weather months.

**IMPEDIMENTS TO FAIR HOUSING CHOICE**

Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices based on race, color, religion, sex, disability, familial status, or national origin. HUD requires that jurisdictions review previously identified impediments to fair housing choice, as well as identify new impediments as part of the AI update. Therefore, this section will cover challenges identified in the 2009 AI as well as new impediments and action steps.

**Challenges Identified in 2009**

There were four impediments identified in the 2009 AI. CSI did not find evidence that two of the impediments exist in Thornton; the other two impediments have been addressed but still exist in some form.
Residents in certain areas of the city may have trouble obtaining home mortgages. Although the data does not directly support evidence of any systemic attempts to limit the availability of credit to minority borrowers in Thornton nor is there any known conscious effort to exclude parts of Thornton from lending activity, these impediments may still exist. Further study might be able to clarify if discrimination exists, if renters have a general lack of knowledge about financing a home or if it is just that there is large amount of rental housing in the southern part of the city, so it appears that those living in this area of the city and applying for mortgages have trouble qualifying for a home. Since no information was uncovered during this assessment to confirm discrimination, CSI recommends this listed impediment is removed for this update. Noting that there is still a possibility of this barrier, the City plans to continue educational outreach to minorities with efforts focusing on rental and homeownership activities.

Residents have limited information about fair housing. The City of Thornton maintains an ongoing outreach effort of printed and electronic information available to residents, property owners and managers on Fair Housing regulations and information on how residents can obtain assistance in understanding Fair Housing facets, as well as how to file complaints if they feel discrimination has occurred. However, based on research and information obtained in completing this update, CSI has found that there continues to be a need for better accessibility to information concerning Fair Housing. This ongoing need has been addressed in a revised impediment in the 2014 AI with expanded language citing the need for understandable fair housing information for consumers, lenders, Realtors®, and other housing providers including property managers and HOA managers.

Complaint evidence suggests that some real estate companies are ignorant and/or don’t comply with Fair Housing laws. The terminology used in this 2009 impediment is not clear about the definition of real estate companies. Generally, the term “real estate company” means a company engaged in the listing and sale of real estate. Homeowner Associations and rental complex managers fall into a different category of real estate activity. Current research on complaints indicates that most complaints have to do with obtaining a rental unit. A portion of those complaints has to do with landlords who are not willing to make reasonable accommodations for various types of disabilities. Based on information obtained from HUD and the Colorado Civil Rights Division, all of those complaints have been determined to have no grounds for further investigation. Currently, realtors are required to take Fair Housing training in order to renew their license. Since there are no complaints that point to discriminatory practices in real estate companies, this impediment is not included as an impediment for 2014.

NIMBYism. The City of Thornton has worked to increase the public’s awareness of the need for multifamily development, housing for various incomes and the inaccurate perception that low income housing has a negative impact on property values. As part of the process for developing neighborhood plans and plans for commuter rail stations, the City Planning division has provided workshops and community meetings to help citizens gain a better understanding of the Thornton housing market and the need for housing that is affordable to all the households living and working in Thornton. Through this process the City hopes to build an increased awareness of housing needs and to engage citizens in formulating plans that neighborhoods will embrace when the planning phase ends and the implementation phase begins. They have also worked with service and housing providers on ways to identify and relieve neighborhood opposition to affordable housing efforts. With the previous downturn in multifamily development, there have been few projects that have encountered NIMBY issues. However, recent preliminary community meetings centered on transit oriented development at 88th and Welby have surfaced neighborhood opposition to multifamily developments and affordable housing which residents have equated as the same thing. Because NIMBY opposition can be a barrier to creating a diverse housing supply, the City of Thornton should continue to address this barrier with the actions outlined in the 2014 AI.
2014 Impediments and Action Steps

As a result of the research and analysis conducted for this report, CSI found low reported levels of discrimination and no major barriers to fair housing in Thornton. There are some items that could become barriers in the future if the City does not take action to ameliorate in the next few years. The Fair Housing Action Plan below identifies these potential impediments to fair housing choice and recommended actions. The impediments are not listed in any particular order of priority. These recommended actions are intended to assist the City of Thornton in affirmatively furthering fair housing and reducing fair housing impediments.

Impediment 1. Housing discrimination for people with disabilities is an impediment to fair housing choice.

People with disabilities have a higher propensity to experience discrimination when looking for housing, have a limited amount of rental housing that offer accessible features and are more likely to fall below the poverty level, thus, finding it harder to find an affordable place to live.

Housing discrimination, based upon HUD and the Colorado Civil Rights Division complaints, occurs on a limited basis related to disabilities. Since 2008, 11 out of the 12 cases that were reported cited physical or mental disability as the most common protected class affected. All of the cases were found to have no cause and were dismissed. This data supports a trend that people with disabilities may be experiencing discrimination on some level. The housing profile section of this document also found that there was an overall lack of multifamily housing units that are fully accessible to people with disabilities. Providing reasonable accommodations is a requirement of the Fair Housing Act. In addition, people with disabilities are more likely to fall below the poverty level and may find it difficult to find a place to live that they can afford.

Action 1A: The City will work with service providers, the Adams County Housing Authority, HUD-Fair Housing office, and the Colorado Civil Rights Division to increase awareness and understanding of fair housing as it pertains to people with disabilities, including what is considered reasonable accommodations.

Action 1B. The City should support developers in building new affordable, accessible units, and rehabilitating existing affordable units or apartment owners accepting Section 8 vouchers or setting aside a few apartments for low income people.

Impediment 2. A concentration of low-income housing in areas where a high concentration of protected classes live is an impediment to fair housing choice.

Data confirms that the City’s affordable rental and lower priced for-sale housing is concentrated in the southern part of the city. There is a higher concentration of those who are in a protected class in these same areas. This may constitute an impediment to fair housing choice, because, as the demographic and housing profile sections of this document indicated, minorities are significantly more likely to be low-income and to be cost burdened by their housing payments. In addition, there is an overall gap in rental and for-sale units affordable to low-income households, and a lack of affordable units that are large enough for larger families. As a result, the lack of affordable housing units may constitute an impediment to fair housing choice for protected classes including race, color, national origin, and familial status. While those of the protected class may be choosing to move into this area, they may feel that this area is their only option. The private housing market may be inadvertently segregating people of protected classes to one area of the community.

Action 2A: The City should support the development of new or rehabilitation of existing affordable housing units north of 104th.
Action 2: The City should look for opportunities to encourage developers or property owners in the northern section of the city to establish a few units in a larger housing development at below market rate.

Impediment 3. NIMBYism (“Not In My Backyard”): Public opposition to affordable housing is an impediment to fair housing choice.

Public opposition to proposed affordable housing rental complexes may limit the types of housing and opportunities for protected classes to find a place to live. While public comment is valued by HUD, the federal agency is aware that the public can discriminate against people of a certain race, ethnicity, religion, sex, familial status, disability, and or national origin through strong opposition and pressure to eliminate or prevent certain types of housing that these classes may need in or near their neighborhoods.

Proposals for affordable housing have met with some opposition from residents who live near the proposed sites. At a recent community meeting for the 88th and Welby TOD station, residents expressed opposition to affordable housing and multifamily developments, because of their perception that affordable housing or multifamily developments brought more noise and crime to the neighborhood. This is common when housing developers propose to build new rental housing at other places in the city. As the City strives to obtain a better balance of housing for all income levels and ensure that more affordable housing options are available north of 104th, opposition by residents is likely to continue.

Action 3A: The City should look for ways to promote affordable housing that has successfully integrated into the community and reduce the perception that a low-income person is a criminal.

Action 3B: The City should openly support affordable and mixed income housing that meets the City’s requirements and Affordable Housing Policy.

Potential Impediment. Minority populations may be more likely to experience discrimination is an impediment to fair housing choice.

People of minority races and ethnicities could experience discrimination if they are not aware of their rights or what constitutes discrimination. While this is not an impediment that has been found in Thornton, it is a potential impediment considering reports in the metro area indicate that minorities have experienced discrimination when looking for rental housing. Thornton data indicated Hispanic households had a loan denial rate almost twice as high as non-Hispanic households. The denials were attributed to poor credit history and debt to income ratio, which are justifiable reasons to deny a loan. However, it may indicate that there is lack of information about home purchase requirements.

Action 4A: The City should participate in any regional fair housing educational campaign that DRCOG or DMFHC may conduct.

Action 4B: The City should continue its verbal and written translation services and seek ways to increase bilingual communication about homebuyer education opportunities or renter rights information hosted at or supported by the City.

Continued Actions

As part of the fair housing action plan, there are steps that the City should continue to take to ensure it does not create new impediments to fair housing choice in the future.
The City should continue to provide educational information on the website and at front counters of the City Development building. They should continue to reach out to homeowner associations and through meetings with apartment and manufactured home park managers regarding fair housing law and requirements.

The City should continue to evaluate its Limited English Proficiency Plan to ensure that any changes in the demographics of Thornton are reflected in its Annual Action Plan. Spanish is the second most widely spoken language in Thornton.

The City will maintain its outreach to citizens and housing industry personnel to increase awareness of Fair Housing regulations and the avenues which exist for obtaining redress in situations where discrimination has allegedly occurred.

The City adopted an Affordable Housing Policy to support development of affordable housing near transit and other key services that the protected class populations may need. CSI also reviewed the City’s current regulations and fees which were not found to be a significant impediment. In the future, the City should be cognizant of how regulations and fee changes may impact fair housing choice.
APPENDICES

APPENDIX 1: PUBLIC PARTICIPATION

As part of the public participation process, CSI conducted surveys and interviews with residents and service providers as outlined below. In addition, the draft document was available for public comment from September – November 2014.

SURVEYS

Resident Survey

An online resident survey was created and made available to residents during the month of January, 2014. The survey was distributed by the City of Thornton to residents via utility bill flyers, it was available on the City’s website, and by email distribution when requested. In total, 611 residents responded to the survey, 594 of whom lived within the city limits of Thornton. Housing Survey respondents were asked questions about their household members, incomes, jobs, homes, and perception of housing needs in Thornton. Respondents were not representative of entire Thornton population. Over 94% of survey respondents were homeowners, while only 67% of all Thornton households are owners. Respondents were also disproportionately in the 45 – 75 year old range, and the survey did not attract a proportionate share of respondents in the population under age 45. Respondents were also more likely to be a married couple with or without children, and had higher incomes than the entire Thornton population.

Fair Housing Survey

The City created and administered an online survey for real estate, banking, and housing/service providers focused on Fair Housing concepts. A letter with a link to the survey was mailed to 38 banks and financial institutions, based on contact information received from Thornton’s economic development department. In addition, emails were sent to seven housing providers, and a short article on the survey was sent in the Denver Metro Association of Realtors’ January newsletter. The survey was also announced at the January meeting of the Thornton Partnerships for Multifamily communities, and the link was emailed to 48 member apartment complexes, Home Owners Associations, and property managers. The survey was completed by 19 individuals.

Developer Survey

The City also circulated a survey for housing developers focused on housing needs and concerns. Twenty-two developers with experience working in Thornton were emailed information about and a link to the survey. The survey was taken by five respondents.

SERVICE PROVIDER INTERVIEWS

CSI conducted a series of interviews with service providers throughout October and November of 2013. 37 groups were invited to participate in interviews either face to face or over the phone. Of those, the following 25 groups provided input.
The information collected during the interviews were used to inform this document. Providers interviewed note that a lack of accessible, affordable units is the biggest gap that their clients face.

PUBLIC COMMENT PERIOD
All agencies that provided feedback to the City or the consultant as well as the HUD Office of Fair Housing and Equal Opportunity (FHEO) staff were notified that the draft HNA was posted on the City’s website. In addition, residents had an opportunity to provide feedback during the public comment period which ran from September – November. Three comments were received. The first was from the Homeless Education Liaison-Adams 12, “I’ve read the report and it is outstanding. Thank you for the hard work you’ve put into this and for the work you do for the citizens of Thornton.” The second comment was from the Denver Metro Fair Housing Center (DMFHC) staff on
the Analysis of Impediments section which discusses fair housing and discrimination. City staff met with DMFHC staff to discuss their comments in person and have updated the language in the document to provide additional information on how the City is addressing the possibility of discrimination regarding denial of home mortgages and minorities. The City had already included this in the new impediments that have been identified and will continue to provide educational opportunities for all Thornton residents, including minorities, to overcome this perceived barrier.

The third comment from FHEO, Equal Opportunity Specialist was received on November 19, 2014. There was a concern regarding the language in the City’s Development Code on group homes on page 115, specifically the italicized words in (c) and (d) below.

“Thornton’s requirements for group homes are standard and have fewer limitations than some other jurisdictions. Section 18.228 of the Development Code lays out the following requirements:

(a) A group home shall be State licensed.
(b) A separate kitchen shall not be installed for any person being kept.
(c) Persons being kept shall not be bedfast or suffering from a communicable disease.
(d) No group home established for the aged or persons with mental illness shall be established within 750 feet of another such group home.

Based upon this feedback, it is recommended that the City review and consider updating this language to ensure that the Development Code does not violate the rights of any protected class under the Fair Housing Act or Colorado law.
APPENDIX 2: GLOSSARY OF TERMS

Accessible: Accessibility refers to facilities (including buildings and sidewalks) which are built to be easily usable and maneuverable by people with disabilities. Most accessibility standards address the needs of people with physical disabilities related to mobility (i.e. someone in a wheelchair). There are three main standards for accessibility:

- Americans with Disabilities Act (ADA) – ADA design standards for accessibility apply to state and local government facilities, public accommodations (private businesses and non-profits), commercial facilities, as well as employment, transportation, and telecommunications.
- Fair Housing Act (FHA) – FHA design standards for accessibility apply to "covered multifamily dwellings" designed and constructed "for first occupancy" after March 13, 1991. This includes both private and publicly owned multifamily, and both rental and owner-occupied dwellings.
- Section 504 of the Rehabilitation Act of 1973 (Section 504) –Section 504 is a national law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

Affordable Rental Units: According to HUD, housing affordability is generally defined as paying no more than 30% of monthly household income for housing expenses (rent/mortgage payment and utilities (water, heat, electricity). For homeowners, it could also include homeowners insurance and homeowner association (HOA) fees. However the term affordable housing is often used to refer more specifically to housing that is subsidized to ensure it is affordable to low-income households (households that earn 80% or less of the Area Median Income). Households paying more than 30% of their income are considered cost burdened.

Age-Restricted: For the purposes of this document, an age-restricted community is a housing community, either rental or owner-occupied, that limits residency to individuals who are over a set age. In Thornton, most age-restricted communities have a minimum age of 55.

Area Median Income (AMI): AMI is the income level that represents the midpoint of household incomes in a given area; 50% of the households earn more than the amount and 50% earn less. This number is different from average income, which may be skewed higher or lower if there are some extreme variations in comes. The area used for calculating AMI is most often the County level. AMI levels are set by HUD each year and used to determine eligibility for receiving public benefits, including housing assistance. Households earning at or below 80% AMI are considered low-income according to federal guidelines. Households at or below 50% AMI are considered very low-income, and at or below 30% AMI are extremely low-income.

Analysis of Impediments to Fair Housing (AI): AI is a review of impediments or barriers that affect the rights of fair housing choice. Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices for protected classes.

Assisted Living: Generally, assisted living refers to housing facilities with basic services for the elderly or individuals with disabilities. Services typically include assistance with activities of daily living, health care
provision, and monitoring of resident activities. The cost of most assisted living facilities includes shelter, food and these services.

**Average Rent:** Average rent is defined as the average of what all renters are currently paying for rent in a given area. This is different from Fair Market Rent.

**Chronically Homeless:** HUD defines chronically homeless individuals as someone who is “either an unaccompanied homeless individual with a disabling condition who has been continuously homeless for a year or more, OR an unaccompanied individual with a disabling condition who has had at least four episodes of homelessness in the past three years.

**Community Development Block Grant (CDBG):** CDBG is one of the longest-running programs of the U.S. Department of Housing and Urban Development. The funds are granted to state, city and county governments to be used for local community development activities such as affordable housing, anti-poverty programs, and infrastructure development.

**Comprehensive Housing Affordability Strategy (CHAS) data:** CHAS data tracks housing problems and the availability of affordable housing, it is used by HOME and CDBG jurisdictions to prepare their consolidated plans.

**Consolidated Plan:** The Consolidated Plan is a planning document required by HUD for jurisdictions that receive federal funding. The plan is designed to help states and local jurisdictions assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions. The consolidated planning process serves as the framework for a community-wide dialogue to identify housing and community development priorities and priorities for utilizing HUD funding.

**Continuum of Care (CoC):** CoC represents community’s system for delivering housing and services to meet the specific needs of people who are homeless as they move to stable housing and maximum self-sufficiency. The CoC includes emergency shelters, transitional housing, and permanent supportive housing. MDHI is the CoC for a seven-county region including Adams County.

**Cost burdened:** Cost burden is defined as paying more than 30% of monthly household income for housing expenses. For renters and homeowners, housing expenses include their rent or mortgage as well as utilities (water, heat and electricity). For homeowners, it could also include homeowners insurance and homeowner association (HOA) fees.

**Discrimination:** According to the Fair Housing Act, discriminatory practices against protected classes include refusing to rent or sell housing, refusing to negotiate for housing, making housing unavailable, denying a dwelling, setting different terms, conditions or privileges for sale or rental of a dwelling, and providing different housing services or facilities.

**Elderly:** Defined by HUD as a household whose head of household or spouse is a person who is at least 62 years old.

**Emancipation (from foster care):** Emancipation from foster care refers to youth that exit the foster care program due to reaching the maximum age (18).

**Emergency Shelter:** Emergency shelters are the most recognized approach to addressing homelessness. They provide short term shelter (less than 6 months), and offer minimal or no supportive services. Most emergency shelters do not charge residents money in exchange for shelter.
Episodic Homelessness: Becoming homeless multiple times, when they are having recurrent problems with housing.

Ethnicity: According to the U.S. Census, ethnicity refers to Hispanic origin; One’s ethnicity can either be Hispanic or Non-Hispanic. However, someone of Hispanic origin can have one (or more) of many races.

Fair Housing: Fair housing refers to the 1968 federal Fair Housing Act, which seeks to end housing discrimination and to promote diverse, inclusive communities. The first goal prohibits discrimination in housing on the basis of: race or color, national origin, religion, sex, disability, or familial status (“protected classes”). The Act general applies to all public and private housing activities. The second goal establishes design criteria for accessibility which must be followed by new construction of multifamily dwellings. Per the Housing and Community Development Act of 1974, all communities receiving CDBG funds must also work to affirmatively further fair housing.

Fair Market Rent (FMR): FMR refers the average rental rate that properties would command, if they were open for leasing at the moment. This is different from average rent. FMR is used as a maximum acceptable rate for subsidized affordable housing projects and for use of Section 8 Housing Choice Vouchers.

Family Unification Program Voucher: Housing Choice Vouchers provided to youth aging out of the foster care system and to families involved with the child welfare system.

Frail Elderly: Defined by HUD as a person 62 years of age or older that is unable to perform at least three "activities of daily living" comprising of eating, bathing, grooming, dressing, or home management activities.

Gap Analysis: When there is a smaller number of housing units affordable to households within a certain income range than there are households within that range, a housing gap exists for that income range. A gap does not necessarily indicate a need to build more units, but shows an imbalance between what is available and what households can comfortably afford.

Home Mortgage Disclosure Act (HMDA): The HMDA of 1975 requires certain financial institutions to provide mortgage data to the public. This data includes types of demographic data of clients served as well as a description of services provided (for example, what type of loan was made). HMDA data is frequently used to analyze the level of discrimination in lending practices.

HOME Investment Partnerships Program (HOME): HOME funds are HUD grants to States and localities that communities use - often in partnership with local non-profit groups - to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people.

U.S. Department of Housing and Urban Development (HUD): The Department of Housing and Urban Development is the Federal agency responsible for national policy and programs that address America’s housing needs that improve and develop the nation’s communities, and enforce fair housing laws. HUD was created in 1965 as part of President Lyndon B. Johnson's War on Poverty and consolidated a number of other older federal agencies. HUD distributes CDBG and HOME funds to qualified jurisdictions.

Integrated Disbursement and Information System (IDIS): IDIS is the nationwide draw down and reporting system for several of the grant program administered by HUD including, CDBG, HOME, ESG, and HOPWA. The system allows grantees to request their grant funding from HUD and report on what is accomplished with these funds.
The system provides HUD with current information regarding the program activities underway across the Nation, including funding data. HUD uses this information to report to Congress and to monitor grantees.

Impact Fees: Impact fees are imposed by a local government on new development projects. These fees are typically utilized to cover the costs of providing various public improvements that serve the property such as streets, parks, etc.

Independent Living: Independent living facilities are those which have age or disability restrictions for residents, but which allow individuals to live on their own. For the purposes of this document, independent living facilities also offer amenities, activities, and services for residents, and many are combined with assisted living to allow older adults to age in the same community.

Labor Force: Labor force refers to the employable portion of the population. According to the U.S. Census, the labor force includes all people who are age 16 years or older, and are not in institutions such as prisons, mental hospitals, or nursing homes.

Land Use: Land Use refers to the management of land for various broad use categories, such as agricultural, residential, industrial, etc. Most municipalities establish regulations that govern land use patterns and uses.

Memory Care: Memory care facilities, also known as Alzheimer’s care, are facilities which are specifically designed to serve residents with Alzheimer’s disease or related dementias. They are typically offered as part of an assisted living or skilled nursing community.

Metropolitan Statistical Area (MSA): MSA is a term utilized by the U.S. Census to define a geographical area with a relatively high population density at its core and close economic ties throughout the area. Thornton is part of the Denver-Aurora-Broomfield MSA.

Metro Denver Homeless Initiative (MDHI): MDHI is a non-profit that seeks to prevent and end “homelessness in the seven county Metro Denver Region by facilitating, integrating and tracking cooperative, community-wide and regional systems of care for people who have become homeless, but seek to live in a stable home and maximize self-sufficiency.”

Not In My Backyard (NIMBY): NIMBYISM refers to opposition to something considered undesirable in one’s neighborhood.

Permanent Supportive Housing: Permanent Supportive Housing is an approach to addressing and eliminating homelessness that combines permanent shelter with needed services such as case management. It operates like an affordable rental property, charging residents no more than 30% of their income. Residents may remain in permanent supportive housing as long as they qualify.

Poverty Rate: The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the threshold amount, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index (CPI-U). The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps).
Protected Class: Protected classes in the United States are race, color, religion, sex, disability, familial status, or national origin. The Fair Housing Act prohibits discrimination against members of protected classes in any housing choice.

Public Housing: A program established by the U.S. government to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities. The U.S. Department of Housing and Urban Development (HUD) administers Federal aid to local housing agencies that manage the housing for low-income residents at rents they can afford. Generally, public housing refers to housing owned and operated by a government agency, typically a local housing authority.

Public Use Microdata Sample Data (PUMS): A subset of census data from the American Community Surveys, it show the full range of population and housing unit responses collected on individual ACS questionnaires.

Rapid Re-Housing: Rapid re-housing is an approach to addressing and eliminating homelessness that seeks to get homeless individuals and families into permanent stable shelter as quickly as possible, ideally within 30 days. Once housed, the individuals can then work with case managers to address the causes of homeless.

Rent Restricted Units (also referred to as restricted): Rent restricted units are units that are designated for use by individuals or households that earn no more than a specific income threshold. Households earning less than that income level may qualify for the unit but they may not earn more than the maximum.

Race: According to the U.S. Census, race refers to the following categories: White; Black or African American; American Indian and Native Alaskan; Asian; Native Hawaiian and other Pacific Islander; Two or More Races. Race is separate from ethnicity/Hispanic Origin. For example could be White and Hispanic or White Non-Hispanic.

Self-Care Disability: Self-care disability is a category used by the U.S. Census to refer to people who have difficulty dressing, bathing, or getting around inside the home, due to a physical, mental or emotional condition.

Senior: For the purpose of this assessment, the term senior is defined as the age of Medicare eligibility – 65 years old. This term is not to be confused with frail elderly, which is defined by HUD based on one’s ability to perform basic activities of daily living and not on one’s age. While a person who is 65 years of age may meet the definition of frail, many do not.

Skilled Nursing: Skilled nursing facilities are a type of assisted living facility in which residents require the medical care or assistance that can only be provided by a registered nurse or doctor. Most skilled nursing facilities offer both rehabilitation services (for individuals of any age) and long term care (most individuals are elderly).

Tenure: Tenure refers to whether an individual or household rents or owns the home they live in.

Transitional Housing: Transitional housing is an approach to addressing and eliminating homelessness that provides people experiencing homelessness with temporary housing, from six to 24 months, to allow them to transition out of homelessness. Transitional housing operates like an affordable rental property, charging residents no more than 30% of their income. However it is often combined with supportive services such as case management. Transitional housing is the next level up from emergency shelters.

Veterans Administration Supportive Housing (VASH): HUD-VASH is a joint program between HUD and the U.S. Department of Veterans Affairs (VA). HUD provides housing choice vouchers and VA provides case management and outreach. This program targets veterans who are currently homeless.
Visitability: Homes are designed in such a way that it can be lived in or visited by people who have trouble with steps or who use wheelchairs or walkers.

Vouchers: Housing vouchers allow low-income households to pay only 30% of their income on a qualified rental unit, with the voucher covering any remainder. Vouchers are allocated by the federal government to the Adams County Housing Authority, who assigns them to qualified applications. Vouchers can also be brought into the county by residents who obtained them in other jurisdictions. Project Based Section 8 Vouchers must be used within a specific property. Tenant based Housing Choice Vouchers are allocated to a household, who can use the voucher in any qualifying rental housing unit. To qualify, rental units must not charge more than Fair Market Rent and must meet health and safety quality standards.

Ward: A ward is a geographic division of a city used administratively to ensure equal representation of residents from all areas of a city. Thornton has four Wards, each of which is represented by two City Council members.

Zoning: Zoning is a land use planning tool that assigns specific allowed uses for specific geographic areas within a city or county. Examples of zoning designations in Thornton include single-family attached and detached, multifamily, regional commercial, and business park.
APPENDIX 3: HUD TABLES

DEMOGRAPHICS

Between 2000 and 2010, the population in Thornton increased by 36%, households increased by 33%, and median incomes increased by 20%. However since 2012, the median income has actually declined each year.

Table A-1: HUD Tables NA-10, Demographics, Thornton

<table>
<thead>
<tr>
<th>Demographics</th>
<th>Base Year: 2000</th>
<th>Most Recent Year: 2010</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>82,384</td>
<td>112,374</td>
<td>36%</td>
</tr>
<tr>
<td>Households</td>
<td>29,018</td>
<td>38,574</td>
<td>33%</td>
</tr>
<tr>
<td>Median Income</td>
<td>$54,445.00</td>
<td>$65,578.00</td>
<td>20%</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 20010 CHAS, CSI

In Thornton, when you evaluate the overall percentage of household types compared to the total number of households, large family households make up the majority of very-low income households (50% or below the area median income).

Table A-2: HUD Tables NA-10, Number of Households, Thornton

<table>
<thead>
<tr>
<th>Household Type</th>
<th>0-30% HAMFI</th>
<th>&gt;30-50% HAMFI</th>
<th>&gt;50-80% HAMFI</th>
<th>&gt;80-100% HAMFI</th>
<th>&gt;100% HAMFI</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Households</td>
<td>3,395</td>
<td>3,620</td>
<td>7,055</td>
<td>4,675</td>
<td>19,825</td>
</tr>
<tr>
<td>Small Family Households</td>
<td>1,345</td>
<td>1,455</td>
<td>2,885</td>
<td>2,340</td>
<td>13,055</td>
</tr>
<tr>
<td>Large Family Households</td>
<td>535</td>
<td>455</td>
<td>1,050</td>
<td>615</td>
<td>1,835</td>
</tr>
<tr>
<td>Household contains at least one person 62-74 years of age*</td>
<td>395</td>
<td>690</td>
<td>995</td>
<td>510</td>
<td>1,680</td>
</tr>
<tr>
<td>Household contains at least one person age 75 or older*</td>
<td>329</td>
<td>355</td>
<td>400</td>
<td>170</td>
<td>535</td>
</tr>
<tr>
<td>Households with one or more children 6 years old or younger *</td>
<td>1,080</td>
<td>785</td>
<td>1,860</td>
<td>1,125</td>
<td>3,910</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS, CSI (for some groups, there is no >100% AMI category and those households are included in the 80% AMI category), * May be duplicated in the number of small or large families.

HUD requires that the Consolidated Plan include the following table estimating the number of households by AMI level and tenure where children are present. The U.S. Census does not provide this data. However, the census does estimate the number of households by tenure that have children age 18 and under. CSI has used this information for all households to estimate the numbers by AMI level. The following table shows that in Thornton, there are an estimated 4,818 renter households and 6,242 owner households at or below 80% of the AMI who have children.

Table A-3: HUD Tables NA-10, Households with Children Present, Thornton

<table>
<thead>
<tr>
<th>Renter</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-30% AMI</td>
<td>&gt;30-50% AMI</td>
</tr>
<tr>
<td>Households with Children Present</td>
<td>1,397</td>
</tr>
</tbody>
</table>

Source: 2011 American Community Survey, CSI
HOUSING CONDITIONS AND PROBLEMS

The U.S. Department of Housing and Urban Development (HUD) utilizes census data to understand housing conditions and problems. HUD calculates the number of occupied housing units by tenure that have one or more adverse “selected conditions.” These conditions include:

- Lack of complete plumbing
- Lack of complete kitchen facilities
- More than one person per room
- Cost burden greater than 30%

### Table A-4: HUD Tables MA-20 Condition of Units

<table>
<thead>
<tr>
<th>Condition of Units</th>
<th>Owner-Occupied</th>
<th>Renter-Occupied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
<td>%</td>
<td>Number</td>
</tr>
<tr>
<td>With one selected Condition</td>
<td>8,992</td>
<td>4,928</td>
</tr>
<tr>
<td>With two selected Conditions</td>
<td>324</td>
<td>435</td>
</tr>
<tr>
<td>With three selected Conditions</td>
<td>0</td>
<td>66</td>
</tr>
<tr>
<td>With four selected Conditions</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>No selected Conditions</td>
<td>18,681</td>
<td>5,148</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>27,997</strong></td>
<td><strong>10,577</strong></td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System, 2006 – 2010 American Community Survey

The percentage of overcrowded households in Thornton is small. The largest groups of overcrowded households in Thornton were renter households made up of one family followed closely by 50-80% AMI single-family owner households. HUD reports that there are 15 renter households and 183 owner households with multiple unrelated families who are crowded, and 55 owner-occupied non-family households that are crowded. Overcrowded families can be made up of multiple generations and extended families all living in one housing unit. Housing agencies interviewed for this assessment noted that some households have doubled up after the economic downturn, and rising housing costs have pushed some families into small housing units.

### Table A-5: HUD Tables NA-10, Crowding, Thornton

<table>
<thead>
<tr>
<th></th>
<th>Renter</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-30%</td>
<td>&gt;30-50%</td>
</tr>
<tr>
<td>Single-family households</td>
<td>320</td>
<td>80</td>
</tr>
<tr>
<td>Multiple, unrelated family households</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Other, non-family households</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total need by income</td>
<td>320</td>
<td>95</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

HUD estimates the number of households in each income range that have one or more of the above housing problems, focusing on low-income households earning less than 80% AMI. By far, renters in the 0 – 30% AMI income range have the highest number of households with housing problems, followed by owner households earning 50 – 80% of the AMI. However the percentage of owners (75%) and renters (81%) at 0 – 30% AMI with a housing problem are similar.
HUD also calculates the number of housing units that may be at risk for lead based paint hazards. Units built before 1980 may have lead based paint, which can be dangerous to children if not properly encapsulated or remediated. The following table shows the number of homes built in Thornton before 1980 where children are present. Owners of rental housing units should test for lead to ensure that rental units are safe for children living in them. In Colorado, owners are required to disclose any knowledge of lead hazards when selling their homes. Homes rehabilitated with CDBG must meet all HUD lead based paint safety requirements.

Table A-6: HUD Tables MA-20, Risk of Lead Based Paint Hazard

<table>
<thead>
<tr>
<th>Risk of Lead-Based Paint Hazard</th>
<th>Owner-Occupied</th>
<th>Renter-Occupied</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
<td>%</td>
</tr>
<tr>
<td>Total Number of Units Built Before 1980</td>
<td>7,846</td>
<td>28%</td>
</tr>
<tr>
<td>Housing Units built before 1980 with children present</td>
<td>2,115</td>
<td>8%</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System, 2005 – 2009 American Community Survey

Finally, HUD requests that grantees estimate the number of vacant housing units, those suitable for rehabilitation and those not suitable for rehabilitation. This information is not tracked by the City of Thornton. However, American Community Survey data indicates that there are 818 vacant units in Thornton, which are not for rent, for sale, or second homes. RealtyTrac, a service which tracks forecloses and REO bank owned properties, reports that there are currently 140 REO owned units currently for sale in Thornton. CSI does not believe that there are any abandoned REO properties in Thornton.

Table A-7: HUD Tables MA-20 Vacant

<table>
<thead>
<tr>
<th>Vacant Units</th>
<th>Suitable for Rehabilitation</th>
<th>Not Suitable for Rehabilitation</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abandoned Vacant Units</td>
<td>NA</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>REO Properties</td>
<td>140</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abandoned REO Properties</td>
<td>0</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: U.S. Census American Community Survey 2011, RealtyTrac, CSI

**DISPROPORTIONATE NEED**

A disproportionately greater need is defined as the members of one racial or ethnic groups at an income level experience housing problems at a greater rate (10% or more) than the income level as a whole. The following data has been provided by HUD to conduct an analysis of disproportionate needs in Thornton.

The four housing needs identified by HUD and included in this analysis are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

**Housing Problems**

All Asian households earning between 0 – 30% AMI in Thornton experience one of the four housing needs at a higher rate than for households overall. Other groups do not have disproportionate needs.
Table A-8: HUD Tables NA-15 Disproportionate Need, Housing Problems, Households 0 – 30% AMI

<table>
<thead>
<tr>
<th>Housing Problems</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>2,830</td>
<td>88.7%</td>
<td>225</td>
<td>135</td>
</tr>
<tr>
<td>White</td>
<td>1,415</td>
<td>85.2%</td>
<td>135</td>
<td>110</td>
</tr>
<tr>
<td>Black / African American</td>
<td>45</td>
<td>52.9%</td>
<td>40</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>130</td>
<td>100.0%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>1,210</td>
<td>94.2%</td>
<td>50</td>
<td>25</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

For households earning between 31 – 50% AMI, all racial groups except whites and American Indian/Alaska Native, have a higher incidence of housing problems than in the jurisdiction overall. This information may indicate that these groups are experiencing more overcrowding than white citizens, and paying more for housing, as other housing problems in Thornton were not as prevalent. These households are also more likely to be renting market rate units, and less likely to be living in subsidized housing than those at lower incomes.

Table A-9: HUD Tables NA-15 Disproportionate Need, Housing Problems, Households 31 – 50% AMI

<table>
<thead>
<tr>
<th>Housing Problems</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>2,635</td>
<td>77.4%</td>
<td>770</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>1,375</td>
<td>71.2%</td>
<td>555</td>
<td>0</td>
</tr>
<tr>
<td>Black / African American</td>
<td>60</td>
<td>100.0%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>105</td>
<td>100.0%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>25</td>
<td>38.5%</td>
<td>40</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>1,060</td>
<td>85.5%</td>
<td>180</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

Households from 51 – 80% AMI who are Black/African American or American Indian/Alaska Native have a disproportionately greater need than other households.
Table A-10: HUD Tables NA-15 Disproportionate Need, Housing Problems, Households 51 – 80% AMI

<table>
<thead>
<tr>
<th>Housing Problems</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>4,395</td>
<td>60.5%</td>
<td>2,865</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>2,670</td>
<td>58.7%</td>
<td>1,875</td>
<td>0</td>
</tr>
<tr>
<td>Black / African American</td>
<td>100</td>
<td>74.1%</td>
<td>35</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>174</td>
<td>68.5%</td>
<td>80</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>59</td>
<td>79.7%</td>
<td>15</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>1,355</td>
<td>62.0%</td>
<td>830</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

Asians earning 81 – 100% of the AMI have a disproportionately greater need than other households.

Table A-11: HUD Tables NA-15 Disproportionate Need, Housing Problems, Households 81 – 100% AMI

<table>
<thead>
<tr>
<th>Housing Problems</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>2,165</td>
<td>47.7%</td>
<td>2,375</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>1,480</td>
<td>45.3%</td>
<td>1,790</td>
<td>0</td>
</tr>
<tr>
<td>Black / African American</td>
<td>29</td>
<td>29.3%</td>
<td>70</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>155</td>
<td>72.1%</td>
<td>60</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>490</td>
<td>52.7%</td>
<td>440</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

A review of the data above, indicates that Asian, African American, Hispanic and American Indian/Alaska Native households may need housing assistance to ensure that they have affordable, and size appropriate units in Thornton. Minority households at 31 – 50% AMI are experiencing disproportionate housing problems at a higher rate than other income levels. Housing providers interviewed for this study indicated that they do not feel that their clients are discriminated against or have any Fair Housing issues because of race or ethnicity. They did indicate that larger households, especially those with large extended families, have a hard time finding affordable, size appropriate units, especially immigrant families who also may not speak English.

Severe Housing Problems

Severe housing problems are defined as overcrowded households with more than 1.5 persons per room (not including bathrooms, porches, foyers, halls, or half-rooms), or households with cost burdens of more than 50 percent of income. The following tables show disproportionate housing needs for those with severe housing problems.
**Table A-12: HUD Tables NA-10, Severe Housing Problems 2, Thornton**

<table>
<thead>
<tr>
<th></th>
<th>Renter</th>
<th></th>
<th>Owner</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-30% AMI</td>
<td>&gt;30-50% AMI</td>
<td>&gt;50-80% AMI</td>
<td>&gt;80-100% AMI</td>
</tr>
<tr>
<td>Having 1 or more of four housing</td>
<td>1,745</td>
<td>785</td>
<td>279</td>
<td>90</td>
</tr>
<tr>
<td>problems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Having none of four housing</td>
<td>300</td>
<td>1,085</td>
<td>2,490</td>
<td>1,330</td>
</tr>
<tr>
<td>problems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household has negative income, but</td>
<td>120</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>none of the other housing problems</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

The same population groups show a disproportionate need throughout the analysis – Asian, American Indian or Alaska Natives, African American, and Hispanic households.

**Table A-13: HUD Tables NA-20 Disproportionate Need, Severe Housing Problems, Households 0 – 30% AMI**

<table>
<thead>
<tr>
<th>Severe Housing Problems*</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>2,330</td>
<td>72.9%</td>
<td>730</td>
<td>135</td>
</tr>
<tr>
<td>White</td>
<td>1,125</td>
<td>67.4%</td>
<td>435</td>
<td>110</td>
</tr>
<tr>
<td>Black / African American</td>
<td>0</td>
<td>0.0%</td>
<td>85</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>130</td>
<td>100.0%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>1,050</td>
<td>81.7%</td>
<td>210</td>
<td>25</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

**Table A-14: HUD Tables NA-20 Disproportionate Need, Severe Housing Problems, Households 31 – 50% AMI**

<table>
<thead>
<tr>
<th>Severe Housing Problems*</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>1,500</td>
<td>44.0%</td>
<td>1,910</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>710</td>
<td>36.9%</td>
<td>1,215</td>
<td>0</td>
</tr>
<tr>
<td>Black / African American</td>
<td>55</td>
<td>84.6%</td>
<td>10</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>25</td>
<td>22.7%</td>
<td>85</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>0</td>
<td>NA</td>
<td>65</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>710</td>
<td>57.3%</td>
<td>530</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS
### Table A-15: HUD Tables NA-20 Disproportionate Need, Severe Housing Problems, Households 51 – 80% AMI

<table>
<thead>
<tr>
<th>Severe Housing Problems*</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>1,385</td>
<td>19.1%</td>
<td>5,875</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>765</td>
<td>16.8%</td>
<td>3,780</td>
<td>0</td>
</tr>
<tr>
<td>Black / African American</td>
<td>25</td>
<td>18.5%</td>
<td>110</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>75</td>
<td>29.4%</td>
<td>180</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>44</td>
<td>59.5%</td>
<td>30</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>460</td>
<td>21.1%</td>
<td>1,725</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

### Table A-16: HUD Tables NA-20 Disproportionate Need, Severe Housing Problems, Households 81 – 100% AMI

<table>
<thead>
<tr>
<th>Severe Housing Problems*</th>
<th>Has one or more of four housing problems</th>
<th>% of Total Households</th>
<th>Has none of the four housing problems</th>
<th>Household has no/negative income, but none of the other housing problems</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>360</td>
<td>7.9%</td>
<td>4,185</td>
<td>0</td>
</tr>
<tr>
<td>White</td>
<td>200</td>
<td>6.1%</td>
<td>3,060</td>
<td>0</td>
</tr>
<tr>
<td>Black / African American</td>
<td>0</td>
<td>0.0%</td>
<td>100</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>25</td>
<td>11.6%</td>
<td>190</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>135</td>
<td>14.5%</td>
<td>795</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

### HOUSING COSTS

### Table A-17: HUD Tables MA-15, Cost of Housing

<table>
<thead>
<tr>
<th></th>
<th>Base Year: 2000</th>
<th>Most Recent Year: 2012</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Median Home Value</td>
<td>$152,100</td>
<td>$194,800</td>
<td>28%</td>
</tr>
<tr>
<td>Median Contract Rent</td>
<td>$730</td>
<td>$1,070</td>
<td>47%</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

The following table, provided by HUD, shows the number and percentage of renters in Thornton in 2010 paying rents in certain rent ranges. The data shows that 63% of renters paid between $500 and $999 in rent. Only 6.7% paid less than $500 and 5.7% paid $1,500 and over for rent in Thornton.
Table A-18: HUD Tables MA 15 Cost of Housing, Rent Paid

<table>
<thead>
<tr>
<th>Rent Paid</th>
<th>Number</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $500</td>
<td>712</td>
<td>6.7%</td>
</tr>
<tr>
<td>$500-999</td>
<td>6,666</td>
<td>63.0%</td>
</tr>
<tr>
<td>$1,000-1,499</td>
<td>2,592</td>
<td>24.5%</td>
</tr>
<tr>
<td>$1,500-1,999</td>
<td>510</td>
<td>4.8%</td>
</tr>
<tr>
<td>$2,000 or more</td>
<td>97</td>
<td>0.9%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>10,577</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System, 2006 – 2010 American Community Survey

Finally, the table below (provided by HUD) compares the number of housing units estimated to be affordable for renters in Thornton in affordable income bands, with units that will be available for sale that are affordable to these households within a 12 month period. The numbers for renter households is similar to CSI calculations, except for units in the 30% AMI range. The gap analysis completed by CSI shows a lack of housing units for households in the 0 – 60% AMI range for renters and 0 – 80% AMI range for owners.

Table A-19: HUD Tables MA-15 Housing Affordability

<table>
<thead>
<tr>
<th>Units affordable to Households earning</th>
<th>Renter</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td>30% HAMFI</td>
<td>395</td>
<td>No Data</td>
</tr>
<tr>
<td>50% HAMFI</td>
<td>1,950</td>
<td>1,185</td>
</tr>
<tr>
<td>80% HAMFI</td>
<td>6,735</td>
<td>5,620</td>
</tr>
<tr>
<td>100% HAMFI</td>
<td>No Data</td>
<td>9,735</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>9,080</strong></td>
<td><strong>16,540</strong></td>
</tr>
</tbody>
</table>

Source: HUD Consolidated Plan data, 2006 – 2010 ACS

According to HUD provided Consolidated Planning system data, the greatest problem facing households in Thornton is housing cost, especially for households at 0 – 30% AMI and 31 – 50% AMI. There are also many owners with incomes between 50% and 100% of the AMI that are cost burdened. This is especially true for renters, though very low and low-income owners also face cost burden. Overcrowding is also a problem for almost 500 renter households and 355 owner households.

The following tables and narratives follow the HUD IDIS Consolidated Plan Housing Needs Assessment format and can be used to complete this section of the Five Year Consolidated Plan. According to HUD-provided housing needs data, the greatest need facing households in Thornton is housing cost. Many low and moderate income renter and owner households are cost burdened, paying more than 30% of their income for rent or mortgage payments, and utilities. Overcrowding is an issue experienced by a smaller group of households in Thornton who have more than one person per room in their home. As housing prices rise in Thornton, a gap continues to exist in the housing stock affordable to renters at 60% of the AMI or less, and for potential homeowners earning 80% of the AMI or less. A need also exists for low cost rental units that are physically accessible to persons with disabilities, and for seniors and other persons with disabilities in need of supportive services.

HOUSING COST BURDENS

There were 4,844 renter households and 5,257 owner households earning 80% or less of the area median income who pay 30% or more for housing in Thornton in 2010, according to HUD CHAS data. This is out of a total of
10,575 renters and 27,995 owners. These households are considered cost burdened. When households pay more than 30% of their income for rent or a mortgage, and utilities, they often have to cut back on other essential household expenses such as healthcare, daycare, or food to make ends meet. Of the cost burdened households identified in Thornton, 39% of renters have incomes at 30% or less of the area median income. Owner cost burden is found most often at somewhat higher incomes, in the 51 – 80% AMI range. The largest numbers of cost burdened households are small related owners, followed by small related renters. The percentage of small related renters that are cost burdened is 43%, while the rate for small related owners is 41%.

Table A-20: HUD Tables NA-10, Cost Burden >30%, Thornton

<table>
<thead>
<tr>
<th></th>
<th>Renter</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-30% AMI</td>
<td>&gt;30-50% AMI</td>
</tr>
<tr>
<td>Small Related</td>
<td>840</td>
<td>680</td>
</tr>
<tr>
<td>Large Related</td>
<td>380</td>
<td>160</td>
</tr>
<tr>
<td>Elderly*</td>
<td>170</td>
<td>215</td>
</tr>
<tr>
<td>Other</td>
<td>500</td>
<td>560</td>
</tr>
<tr>
<td>Total need by income</td>
<td>1,890</td>
<td>1,615</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS
* Defined by HUD as a household whose head of household or spouse is a person who is at least 62 years old.

Severe cost burden is experienced when a household pays more than 50% of their household income for housing costs. In Thornton, there were 2,419 renter households and 2,649 owner households earning 80% AMI or less than pay more than 50% of their income for housing. The highest numbers of severely cost burdened renter households are those at 30% or less of the AMI. Owners at 0 – 30% AMI and 51 – 80% AMI had the highest percentage of cost burden for owners.

Table A-21: HUD Tables NA-10, Cost Burden >50%, Thornton

<table>
<thead>
<tr>
<th></th>
<th>Renter</th>
<th>Owner</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-30% AMI</td>
<td>&gt;30-50% AMI</td>
</tr>
<tr>
<td>Small Related</td>
<td>715</td>
<td>220</td>
</tr>
<tr>
<td>Large Related</td>
<td>365</td>
<td>75</td>
</tr>
<tr>
<td>Elderly</td>
<td>170</td>
<td>110</td>
</tr>
<tr>
<td>Other</td>
<td>410</td>
<td>270</td>
</tr>
<tr>
<td>Total need by income</td>
<td>1,660</td>
<td>675</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2010 CHAS

Hispanic households have higher incidences of cost burden and severe cost burden than other households. However, this group does not have disproportionate need, defined as being greater than 10% more than the throughout Adams County.
Table A-22: HUD Tables NA-25 Disproportionately Greater Need – Housing Cost Burdens

<table>
<thead>
<tr>
<th>Housing Cost Burden</th>
<th>&lt;=30%</th>
<th>30-50%</th>
<th>% of Total Households</th>
<th>&gt;50%</th>
<th>% of Total Households</th>
<th>No / negative income (not computed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction as a whole</td>
<td>24,195</td>
<td>8,770</td>
<td>23.1%</td>
<td>4,945</td>
<td>13.0%</td>
<td>145</td>
</tr>
<tr>
<td>White</td>
<td>17,615</td>
<td>5,610</td>
<td>21.6%</td>
<td>2,720</td>
<td>10.5%</td>
<td>120</td>
</tr>
<tr>
<td>Black / African American</td>
<td>485</td>
<td>155</td>
<td>22.1%</td>
<td>60</td>
<td>8.6%</td>
<td>0</td>
</tr>
<tr>
<td>Asian</td>
<td>800</td>
<td>400</td>
<td>28.1%</td>
<td>225</td>
<td>15.8%</td>
<td>0</td>
</tr>
<tr>
<td>American Indian, Alaska Native</td>
<td>200</td>
<td>40</td>
<td>16.4%</td>
<td>4</td>
<td>1.6%</td>
<td>0</td>
</tr>
<tr>
<td>Pacific Islander</td>
<td>0</td>
<td>0</td>
<td>NA</td>
<td>0</td>
<td>NA</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic</td>
<td>4,635</td>
<td>2,455</td>
<td>27.3%</td>
<td>1,890</td>
<td>21.0%</td>
<td>25</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System 2005 – 2009 CHAS

PUBLIC AND ASSISTED HOUSING

The Consolidated Plan must include a summary of the needs of public and assisted housing residents. The Adams County Housing Authority does not own or operate any public housing units within Thornton. However, there are several assisted housing options, specifically vouchers for subsidized housing.

The following table, provided by HUD from the Public and Indian Housing data set (PIC), shows that in Thornton, there are a total of 1,374 tenant based vouchers currently being used in Adams County, 384 of which are used in Thornton and come from the Adams County Housing Authority. Vouchers are allocated through the Adams County Housing Authority, and can be brought into the county by residents who obtained them in other jurisdictions. Project based vouchers must be used within a specific property. Tenant based vouchers are allocated to a household, who can use the voucher in any qualifying rental housing unit. The Veterans Affairs Supportive Housing vouchers are allocated to qualified veterans to use through a specific housing authority.

Table A-23: HUD Tables NA-35, Vouchers in Use in Adams County, PIC System

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Certificate</th>
<th>Mod-Rehab</th>
<th>Public Housing</th>
<th>Vouchers</th>
<th>Project-based</th>
<th>Tenant-based</th>
<th>Special Purpose Voucher</th>
<th>Disabled *</th>
</tr>
</thead>
<tbody>
<tr>
<td># of units vouchers in use</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,374</td>
<td>4</td>
<td>1,333</td>
<td>1</td>
<td>36</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System (with CSI correction for public housing units)

The Adams County Housing Authority owns three properties in Thornton: the Aztec Villa Apartments, the Overlook at Thornton, and the Village of Yorkshire. They are also limited partners in the Creekside and Orchard Hill Apartments. None of these are HUD public housing or Section 8 properties, but the properties do allow holders of Section 8 tenant based vouchers to live in the properties.
The table below shows that tenants who have Section 8 vouchers use the assistance for an average of six years. Section 8 voucher holders have small families, with an average size of one or two, smaller than the average household size throughout Thornton.

The Adams County Housing Authority serves a large number of residents who are disabled, and who have requested accessibility features. In Thornton, 49% of all voucher holders have a disability or are elderly. Public Housing Information Center (PIC) data below shows that all families accessing rental assistance also requested accessibility features for family members.

**Table A-24: HUD Tables NA-35, Characteristics of Residents**

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Certificate</th>
<th>Mod-Rehab</th>
<th>Public Housing</th>
<th>Vouchers Total</th>
<th>Project-based</th>
<th>Tenant-based</th>
<th>Special Purpose Voucher</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Veterans Affairs</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Supportive Housing</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Family Unification</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Program</td>
</tr>
<tr>
<td>Average Annual Income</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>11,529</td>
<td>7,887</td>
<td>11,617</td>
<td>8,088</td>
</tr>
<tr>
<td>Average length of stay</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>6</td>
<td>0</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Average Household size</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td># Homeless at admission</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td># of Elderly Program Participants (&gt;62)</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>218</td>
<td>0</td>
<td>218</td>
<td>0</td>
</tr>
<tr>
<td># of Disabled Families</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>280</td>
<td>2</td>
<td>277</td>
<td>0</td>
</tr>
<tr>
<td># of Families requesting accessibility features</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,374</td>
<td>4</td>
<td>1,333</td>
<td>1</td>
</tr>
<tr>
<td># of HIV/AIDS program participants</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td># of Domestic Violence victims</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System, PIC System (modified by CSI for accuracy)

Voucher holders are more likely to be a white in Adams County than a racial minority. Eighty-five percent (85%) of voucher holders are white, 11% are African American, and approximately 2% are Asian and another 2% American Indian or Alaska Native. White households make up a higher percentage of voucher holders than in the population overall in Thornton.
Table A-25: HUD Tables NA-35, Race of Residents

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Certificate</th>
<th>Mod-Rehab</th>
<th>Public Housing</th>
<th>Vouchers</th>
<th>Project-based</th>
<th>Tenant-based</th>
<th>Special Purpose Voucher</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Race</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>White</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1,167</td>
<td>2</td>
<td>1,130</td>
</tr>
<tr>
<td></td>
<td>Black/African American</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>146</td>
<td>0</td>
<td>144</td>
</tr>
<tr>
<td></td>
<td>Asian</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>27</td>
<td>0</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>American Indian/Alaska Native</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>29</td>
<td>2</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Pacific Islander</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System, PIC System (adjusted by CSI for accuracy)

Twenty percent (20%) of voucher holder residents are Hispanic in Adams County. This is slightly lower than the percentage of Hispanic households in Thornton overall of 25%.

Table A-26: HUD Tables NA-35, Ethnicity of Residents

<table>
<thead>
<tr>
<th>Program Type</th>
<th>Cert.</th>
<th>Mod-Rehab</th>
<th>Public Housing</th>
<th>Total</th>
<th>Project-based</th>
<th>Tenant-based</th>
<th>Special Purpose Voucher</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Race</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hispanic</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>216</td>
<td>0</td>
<td>214</td>
</tr>
<tr>
<td></td>
<td>Not Hispanic</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>841</td>
<td>0</td>
<td>837</td>
</tr>
</tbody>
</table>

Source: HUD IDIS Consolidated Plan Data System, PIC System

The following table shows the 2014 HUD Fair Market Rent limits for the Denver-Aurora-Broomfield MSA, which includes Thornton. Owners of affordable properties must meet these and other rent guidelines. Section 8 voucher holders must find units at or below the Fair Market Rents, with landlords willing to take a Section 8 voucher. This is becoming a challenge, according to the local housing authorities and non-profit housing providers. As of February 2014, twelve of the City’s 33 apartment complexes accept rental vouchers.

Table A-27: HUD Tables MA-15, Rents – HUD Rent Limits 2014

<table>
<thead>
<tr>
<th>Monthly Rent ($)</th>
<th>Efficiency (no bedroom)</th>
<th>1 Bedroom</th>
<th>2 Bedroom</th>
<th>3 Bedroom</th>
<th>4 Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fair Market Rent</td>
<td>$600</td>
<td>$742</td>
<td>$960</td>
<td>$1,409</td>
<td>$1,633</td>
</tr>
</tbody>
</table>

Source: HUD CPD

HOMELESS

In January of 2013, there were a total of 1,264 homeless persons counted in Adams County. Of these, 159 were in Thornton. The following table organizes homeless individuals in Adams County into HUD required categories. This information is not available only for Thornton.
The Point-in-Time tabulates sheltered and unsheltered, but does not break this information down into sub-population categories required for Consolidated Plans by HUD. CSI estimated sheltered and unsheltered based upon the total ratio of unsheltered individuals (6.1%) to sheltered individuals (93.9%). In reality, some groups are more likely to be unsheltered than others. CSI also estimated the total number of persons experiencing homelessness each year by multiplying those homeless on a given night by 1.6, as 60% of those counted had been homeless for less than 12 months. The number exiting homelessness was estimated by taking the total number who may be homeless in a year and subtracting those counted in shelters during the count. The estimated days persons experienced homelessness could not be calculated by population group, and was estimated using weighted averages of the length of homelessness for all persons who reported in the count.

Eighty percent (80%) of homeless counted in Adams County as part of the 2013 Point-in-Time were persons in households that included adults and children. Twenty percent (20%) were persons in households with only adults. Of the 6,358 individuals experiencing homelessness each year in the Denver metro area, 58% are persons in households with adults and children. The homeless in Adams County are more likely to be families than throughout the Denver metro area overall.

Table A-28: HUD Tables NA-40 Homeless Needs

<table>
<thead>
<tr>
<th>Population</th>
<th>Estimate the # of persons experiencing homelessness on a given night</th>
<th>Estimate the # experiencing homelessness each year</th>
<th>Estimate the # becoming homeless each year</th>
<th>Estimate the # exiting homelessness each year</th>
<th>Estimate the # of days persons experience homelessness</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheltered</td>
<td>Unsheltered</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Persons in Households with Adult(s) and Child(ren)</td>
<td>973</td>
<td>33</td>
<td>1,604</td>
<td>604</td>
<td>570</td>
</tr>
<tr>
<td>Persons in Households with Only Children</td>
<td>2</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Persons in Households with Only Adults</td>
<td>241</td>
<td>16</td>
<td>410</td>
<td>154</td>
<td>139</td>
</tr>
<tr>
<td>Chronically Homeless Individuals</td>
<td>18</td>
<td>1</td>
<td>19</td>
<td>11</td>
<td>10</td>
</tr>
<tr>
<td>Chronically Homeless Families</td>
<td>12</td>
<td>1</td>
<td>13</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Veterans</td>
<td>24</td>
<td>2</td>
<td>41</td>
<td>16</td>
<td>14</td>
</tr>
<tr>
<td>Unaccompanied Child</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Persons with HIV</td>
<td>6</td>
<td>0</td>
<td>10</td>
<td>4</td>
<td>3</td>
</tr>
</tbody>
</table>


Thornton is part of the metro Denver Continuum of Care. Homeless individuals and families access services in Thornton and at agencies and facilities throughout the entire metro Denver area. The table below summarizes the number of beds and units that are available only within Adams County.
Table A-29: HUD Tables MA-30 Facilities Targeted to Homeless Persons

<table>
<thead>
<tr>
<th></th>
<th>Emergency Shelter Beds</th>
<th>Transitional Housing Beds</th>
<th>Permanent Supportive Housing Beds</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Year Round Beds</td>
<td>Voucher / Seasonal / Overflow Beds</td>
<td>Current &amp; New</td>
</tr>
<tr>
<td>Households with Adult(s) and Child(ren)</td>
<td>100</td>
<td>15</td>
<td>34</td>
</tr>
<tr>
<td>Households with Only Adults</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chronically Homeless Households</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterans</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unaccompanied Child(ren)</td>
<td>20</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Metro Denver Homeless Initiative, CSI
APPENDIX 4: ACTIONS COMPLETED SINCE 2009 HNA AND AI

The 2009 Housing Needs Assessment and Analysis of Impediments to Fair Housing Choice was the first one produced by the City, since it was when the City applied to become a CDBG entitlement jurisdiction. Since that assessment, the City has accomplished much in the area of housing and community development:

- Became a CDBG entitlement jurisdiction in March 2010;
- Adopted the Affordable Housing Policy in July 2011;
- Adopted the accessory dwelling unit ordinance for single-family homes;
- Amended the Code to allow for churches to operate as an emergency shelter and house homeless people or others during cold weather;
- Dispersed more than $1.1 million in Noise Mitigation Assistance funds to assist 357 residents in eligible areas to add or replace insulation, windows, doors or air conditioning units in order to lessen noise from the planes flying to and from the Denver International Airport;
- Hosted 45 free homebuyer education and foreclosure prevention workshops;
- Assisted the Adams County Housing Authority and Colorado Resources and Housing Development Corporation to find and rehabilitate 31 vacant and foreclosed homes that were sold to low- to moderate-income homeowners;
- Assisted 170 residents through the Help for Homes program;
- Reduced the gap in affordable apartments by 209 units;
- Developed a home repair loan program with Brothers Redevelopment to help low-income homeowners complete major home repairs, which will be available September 2014;
- Coordinated eight community volunteer projects to assist 28 disabled or elderly homeowners with large home maintenance projects, such as exterior painting or replacing doors;
- Awarded CDBG funds to rehabilitate 66 units at Village of Yorkshire Apartments;
- Developed the Handbook for Manufactured Home Park Residents, which includes information about laws, codes and policies that impact those who live in a Thornton home park;
- Provided letters of support for Adams County Housing Authority, InnovAge and Community Resources and Housing Development projects when they sought to obtain funding for the Village of Yorkshire Apartments, Park View Terrace, Welby Station Apartments, InnovAge Senior Housing-Thornton apartments, and the Summit at Thornton apartments;
- Assisted 600 first-time homebuyers purchase Thornton homes through the funding of low interest loans, grants and mortgage credit certifications by the Colorado Housing and Finance Authority, Colorado Housing Assistance Corporation, and Adams County Housing Authority;
- Funded the replacement of three damaged, exterior stairways at Aztec Villa Apartments;
- Facilitated the rehabilitation of a severely dilapidated townhome that sat vacant for nine years;
- Re-graded the slope and installed pipes and inlets between Thornton Parkway and Ruth Drive to improve water pooling in backyards at homes along Ruth Drive;
- Provided 524 low flow toilets and 76 showerheads to three affordable apartment complexes;
- Coordinated alternate housing with the Adams County Housing Authority for multiple residents at Summit Apartments that experienced water streaming into their apartments due to a heavy snowfall and damaged roof;
- Assisted a resident that is paralyzed from the neck down get the back of her house repaired after an electrical fire burned her garage and back porch;
• Created the Affordable Rental and Emergency Housing Brochure in English and Spanish, Senior Living Options brochure, Home Modification and Repair Services flyer, and translated the Help for Homes application to Spanish;

• Created housing webpages to inform residents on home ownership, buying a home, foreclosure assistance, home repair, maintenance and improvement, financing a home remodel or renovation, energy efficiency and green building resources, rental housing, senior housing, housing for people with disabilities, veterans housing resources, homeless and transitional housing and housing discrimination;

• Coordinated meetings with the housing managers at Thornton apartment complexes and manufactured home parks to communicate with them on housing and safety issues;

• Promoted the Colorado Foreclosure Hotline in Spanish and English on trash trucks, bus shelters, utility bills and City newsletters;

• Met with HOA and manufactured home park residents to answer questions on housing and neighborhood issues;

• Trained with HUD and the Colorado Civic Rights Division on housing discrimination in order to assist residents with questions on housing discrimination;

• Funded the Senior Hub’s Meals on Wheels, Senior Solutions, respite and home supportive services programs to support efforts to allow elderly to age in their homes;

• Funded and promoted programs that assist people who are homeless or near homeless, such as food banks and medical services;

• Included housing as an essential component of the South Thornton Revitalization Subarea Plan, Senior Services Master Plan, Thornton Urban Center Study, Station Area Master Plans;

• Collected copies of the HOA covenants in an effort to better understand the policies in these communities and work together with the HOAs on housing and neighborhood issues;

• Expanded the annual survey of apartments to assess vacancy rates and accessibility features.
COUNCIL COMMUNICATION

<table>
<thead>
<tr>
<th>Meeting Date:</th>
<th>Agenda Item:</th>
<th>Agenda Location:</th>
<th>Work Plan #:</th>
<th>Legal Review:</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 25, 2014</td>
<td>9A</td>
<td>Public Hearing</td>
<td>N/A</td>
<td>X 1st Reaching</td>
</tr>
</tbody>
</table>

Subject: A request for a continuance of the review of the rezoning request from Single-Family Detached (SFD) to Planned Development (PD) to reduce the interior side yard setbacks for the Morrison Subdivision located at the northeast corner of East 160th Avenue and York Street. (Morrison Subdivision).

Recommended by: Jeff Coder  
Approved by: Jack Ethridge

Presenter(s): Mike Mallon, Current Planning Manager

SYNOPSIS:

The initial public hearing to request a rezoning of the property from SFD to PD was continued from the October 28, 2014 Council meeting to allow time for consideration of enhancements to the development to justify the reduction in the interior side yard setback. Council opened the public hearing on October 28, 2014 and took testimony and then continued the hearing to the November 25, 2014 Council meeting.

Staff and the applicant have made some progress in developing enhanced PD standards for the proposed rezoning but believe that more time is needed to make further progress and reach an acceptable proposal. The applicant has requested through the attached letter, a continuance to the December 16, 2014 Council meeting to reach a final agreement on the proposal that will be acceptable to Council.

RECOMMENDATION:

Staff supports the applicant’s request for a continuance in order to reach a proposal that will be acceptable to Council. Staff recommends that Council approve a motion to continue the public hearing to December 16, 2014 Council meeting.
November 13, 2014

Mr. Jay Ruchti
City of Thornton
9500 Civic Center Dr.
Thornton, CO 80229

RE: MORRISON SUBDIVISION PD REZONING REQUEST

Dear Jay,

Please be advised that TCIRATO, LLC requests a continuance of the rezoning request presently scheduled before City Council on November 25, 2014. We appreciate City Council affording us the time to work with Staff to develop additional PD standards for our proposed rezoning and we have made good progress working with Staff. We believe however, that additional time is necessary to reach final agreement on a proposal that we will all be comfortable bringing back to City Council.

As such, we request that the matter be continued to December 16, 2014 to enable us to complete our effort. Please let me know if there is any additional information that we need to provide.

Sincerely,

TCIRATO, LLC

Chris Elliott, Manager
COUNCIL COMMUNICATION

Meeting Date: Agenda Item: Agenda Location: Work Plan # Legal Review:
November 25, 2014 9B Public Hearing N/A

subject: An ordinance amending Thornton City Code Section 18-772 regarding temporary signs and enacting a new Section 18-775 pertaining to banners and a new Section 18-776 pertaining to feather flags to provide for additional temporary signage options for Thornton businesses.

Recommended by: Jeff Coder Approved by: Jack Ethridge
Presenter(s): Robin Brown, Code Compliance Supervisor

SYNOPSIS:

The City Code currently allows businesses to display a variety of temporary signs, but most require a permit. Business owners have expressed a desire for additional flexibility regarding day-to-day temporary signage to address concerns ranging from a lack of visibility to a desire for additional options that do not require a permit.

This ordinance amends Section 18-772 to allow businesses to choose between a freestanding temporary sign and a feather flag for display on a daily basis, and to allow the placement of the freestanding sign or feather flag on any lot within a commercial center with the approval of the property owner or designee. The ordinance also enacts a new Section 18-776 to establish size and placement requirements for feather flags, and enacts a new Section 18-775 to allow each business to display one banner on a daily basis, with the banner size determined by the floor area of the business.

RECOMMENDATION:

Staff recommends approval of the ordinance as drafted. The proposed signage allowances provide two additional temporary signage options that do not require a permit, which increase business options to advertise ongoing as well as occasional events. In addition, the ordinance provides increased flexibility by allowing businesses to place a sign in a location with better visibility.

BUDGET/STAFF IMPLICATIONS:

None anticipated.

ALTERNATIVES:

1. Approve the ordinance as drafted.
2. Approve the ordinance with changes specified by Council.
3. Do not approve the ordinance.

PUBLIC NOTICE:

Notice of the public hearing was advertised in the Northglenn-Thornton Sentinel on November 13, 2014.
BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):

Council discussed this item at a Planning Session on September 30, 2014. Council directed staff to prepare an ordinance to allow each business to display a single banner each day without a permit; to choose between a freestanding temporary sign and a feather flag for daily display; and to place the freestanding sign or feather flag on any lot within the commercial center where the business is located, with the approval of the property owner or designee.

In 2011, City Council approved changes to the Sign Code that included additional display options for temporary signage on nonresidential private properties. New options included:

- An allowance for one temporary sign that can be displayed without a permit, all day every day, for each business or lot. The sign must be freestanding and cannot exceed six square feet or four feet in height, and it must be placed on the lot where the business is located.
- Additional signage options as a part of a special event sign permit, including air dancers, balloons, feather flags, additional square footage for freestanding signs and banners, and pennants.

Since that time, business owners have contacted the City requesting additional flexibility for temporary signage options that do not require a permit. Some small businesses described having difficulty in making passersby aware of their location because it is not readily visible from a major roadway, suggesting that it would be helpful to place the allowed temporary sign on a lot where it is more visible to the traveling public. Others expressed interest in displaying a feather flag instead of a freestanding temporary sign. Still others described a need for a small banner or other sign to advertise occasional happenings, such as “now hiring.” The City Code includes options for a variety of temporary signs, but a permit is currently required for the display of any feather flags or banners.
INTRODUCED BY: ______________

AN ORDINANCE AMENDING THORNTON CITY CODE SECTION 18-772 REGARDING TEMPORARY SIGNS AND ENACTING A NEW SECTION 18-775 PERTAINING TO BANNERS AND A NEW SECTION 18-776 PERTAINING TO FEATHER FLAGS TO PROVIDE FOR ADDITIONAL TEMPORARY SIGNAGE OPTIONS FOR THORNTON BUSINESSES.

WHEREAS, the City has the authority to regulate signs under the United States Constitution, the Constitution and Statutes of the State of Colorado, and the Charter of the City of Thornton; and

WHEREAS, signs of reasonable size and dimensions are a useful means of visual display for the convenience of the public and for the efficient communications of commercial and noncommercial speech; and

WHEREAS, the City has an important and substantial interest in preventing sign clutter because sign clutter degrades the character of the community, makes the community a less attractive place for commerce and private investment, and dilutes or obscures messages by creating visual confusion and aesthetic blight; and

WHEREAS, a reasonable balance between the interests of visual signage and the interest of the City to secure for its citizens the opportunity to enjoy pleasant and attractive surroundings protected from visual discord and clutter that may result from unrestricted proliferation and placement of signs contributes to the general welfare; and

WHEREAS, regulations that balance the legitimate needs of individual property owners to convey their commercial and noncommercial messages against the comparable needs of adjacent and nearby property owners and the interest of the community as a whole are necessary to preserve and enhance the aesthetic quality of life in the community; and

WHEREAS, the uncontrolled use of off-premises outdoor advertising signs and their location, density, size, shape, motion, illumination and demand for attention can be injurious to the purposes of this article, and destructive to community character and property values, and that, as such, restrictions on the display of off-premises commercial messages are necessary and desirable; and

WHEREAS, the City has an important and substantial interest in preserving and enhancing safety for vehicular, bicyclist and pedestrian traffic; and

WHEREAS, Chapter 18, also known as the Development Code, is a compilation of the requirements, standards and performance expectations for permitted land uses, including signs, in the City of Thornton; and
WHEREAS, the City Code currently allows the display of one freestanding temporary sign per business on the lot where the business is located; and

WHEREAS, additional temporary signs may help local businesses remain competitive in the marketplace by providing additional flexibility in message delivery to the traveling public in Thornton; and

WHEREAS, this ordinance provides the minimum control of private property signs necessary to promote the health, safety, and general welfare of the citizens of Thornton.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. Section 18-772 of the Thornton City Code is hereby amended by the addition of the words double-underlined to read as follows:

Sec. 18-772. Temporary sign.
(a) Maximum sign area. Six square feet.
(b) Maximum number of signs.
   (1) One per street frontage per zone lot; or
   (2) One per business in nonresidential districts.
(c) Maximum sign height. Four feet.
(d) Minimum setback. Five feet, except 25 feet from intersecting rights-of-way.
(e) Illumination.
   (1) Concealed illumination is permitted for swing signs only, and the level of illumination shall not exceed five foot-candles when measured five feet from the sign.
   (2) Other temporary signs shall not be illuminated.
(f) Additional requirements.
   (1) No permit is required.
   (2) Temporary signs shall be freestanding signs.
   (3) Each business in a nonresidential district may display either a temporary sign as authorized by this section or a feather flag as authorized by Section 18-776. Only one sign may be displayed.
   (4) For businesses located in a commercial center, the temporary sign authorized by this section may be displayed on any lot within the commercial center with the written approval of the property owner or owner’s representative. In all other cases, the temporary sign shall be located on the lot with which it is associated.
2. A new section, Section 18-775 of the Thornton City Code is hereby enacted to read as follows:

Sec. 18-775. Banner.

(a) Applicability. Banners are permitted in nonresidential districts only, except with a valid special event sign permit issued in accordance with Section 18-773.

(b) Maximum sign area. Banners shall not exceed the maximum square footage indicated in the following table:

<table>
<thead>
<tr>
<th>Floor area of use</th>
<th>Maximum square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 25,000 square feet</td>
<td>30</td>
</tr>
<tr>
<td>25,000 square feet or larger but less than 100,000 square feet</td>
<td>75</td>
</tr>
<tr>
<td>100,000 square feet or larger</td>
<td>200</td>
</tr>
</tbody>
</table>

(c) Maximum number of signs. One per business or nonresidential use.

(d) Maximum sign height. Controlled by the structure or surface that the sign is attached to.

(e) Minimum setback. Ten feet, except 25 feet from intersecting rights-of-way.

(f) Illumination. Banners shall not be illuminated.

(g) Additional requirements.

(1) No permit is required.

(2) Banners shall be fastened securely to a building or other permanent structure located on private property.

3. A new section, Section 18-776 of the Thornton City Code is hereby enacted to read as follows:

Sec. 18-776. Feather flag.

(a) Applicability. Feather flags are permitted in nonresidential districts only, except with a valid special event sign permit issued in accordance with Section 18-773.

(b) Maximum sign area. 30 square feet.

(c) Maximum number of signs. One per business in nonresidential districts.

(d) Maximum sign height. Ten feet.

(e) Minimum setback.

(1) Five feet or the height of the feather flag, whichever is greater; and

(2) 25 feet from intersecting rights-of-way.

(f) Illumination. Feather flags shall not be illuminated.
(g) **Additional requirements.**

(1) No permit is required.

(2) Feather flags shall be securely fastened to the ground to prevent it from falling over or being blown over in the wind. Feather flags that fall onto the public rights-of-way shall be removed in accordance with the provisions in Chapter 70 of the Code.

(3) Each business in a nonresidential district may display either a feather flag as authorized by this section or a temporary sign as authorized by Section 18-772. Only one sign may be displayed.

(4) For businesses located in a commercial center, the feather flag authorized by this section may be displayed on any lot within the commercial center with the written approval of the property owner or owner's representative. In all other cases, the feather flag shall be located on the lot with which it is associated.

4. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.

5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

6. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

7. This ordinance shall take effect upon final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on ____________, 2014.

PASSED AND ADOPTED on second and final reading on ____________, 2014.
CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

__________________________
Nancy A. Vincent, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK’S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

__________________________
Margaret Emerich, City Attorney

PUBLICATION:

Posted in six (6) public places after first and second readings.

Published in the Northglenn-Thornton Sentinel after first reading on ____________, 2014, and after second and final reading on ________________, 2014.
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014  
Agenda Item: 10A  
Agenda Location: Action Item  
Work Plan #: N/A  
Legal Review:  

1st Reading  
2nd Reading  

Subject: A resolution approving an agreement for Economic Development Incentives between the City of Thornton and GoldThorn LLC.

Recommended by: John Cody  
Approved by: Jack Ethridge

Presenter(s): Julie Jacoby, Retail & Local Business Administrator of Economic Development

Ordinance previously introduced by:

SYNOPSIS:

GoldThorn L.L.C., owner of the Thornton Marketplace Center, intends to invest approximately $3.4 million to redevelop existing vacant leasable space in the Center at 550 East 102nd Avenue, with the intent to lease approximately 40,000 square-feet of the Center for a Conn’s Home Plus retail store. The improvements will take the form of tenant finish, equipment, software and signage improvements.

GoldThorn is requesting $1.2 million in economic development incentives to assist them in making this Center leasable for Conn’s Home Plus.

RECOMMENDATION:

Staff recommends Alternative #1, approval of the incentive agreement because will create retail energy in a long-vacant center, and bring a new-to-market retailer into the City of Thornton.

BUDGET/STAFF IMPLICATIONS:

The incentive would be a rebate equivalent to fifty percent (50%) of the Eligible Sales Taxes received by the City from Conn’s in excess of the Base Sales Tax; excluding Open Space Taxes. The total Economic Development Incentive shall not exceed One Million Two Hundred Thousand Dollars ($1,200,000.00) or seven (7) years, whichever is reached first.

ALTERNATIVES:

1. Approve the incentive agreement.
2. Amend the incentive agreement as specified by City Council.
3. Do not approve the incentive agreement.
BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):

Conn’s Home Plus is a 124 year old company currently operating 70 stores in Texas, Louisiana, Oklahoma, New Mexico, Arizona and Colorado. They offer appliances, electronics, furniture and mattresses, product repair, service, distribution and other related services.

Conn’s is a new-to-market retailer planning 5 stores in Metro Denver. This location would be their 5th and final store in the Denver market.
RESOLUTION

A RESOLUTION APPROVING AN AGREEMENT FOR ECONOMIC DEVELOPMENT INCENTIVES BETWEEN THE CITY OF THORNTON AND GOLDTHORN L.L.C.

WHEREAS, the City has determined that stimulating economic development and employment opportunities and establishing a sound tax base serves the general welfare of the citizens of Thornton; and

WHEREAS, GoldThorn L.L.C., owner of the Thornton Marketplace Center ("Center"), intends to invest approximately $3.4 million to redevelop and/or renovate existing vacant leasable space in the Center at 550 East 102nd Avenue, with the intent to lease approximately 40,000 square-feet of the Center for a Conn's Home Plus retail store; and

WHEREAS, GoldThorn L.L.C. will incur costs for improvements related to construction and design on the leased space, and for retrofit and new use in the space, new equipment and signage; and

WHEREAS, the City desires to offer certain economic development incentives to GoldThorn L.L.C. as an inducement to construction and renovation of the Center as shown in the attached Exhibit A; and

WHEREAS, the City has determined that the construction/renovation of the Center serves a public purpose by virtue of the creation of new employment opportunities, enhancement of the City's tax base, increased customer base, and increased retail products and services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

The Agreement between GoldThorn L.L.C. and the City of Thornton, which is attached hereto as Exhibit A, is hereby approved and the City Manager is hereby authorized to execute, and the City Clerk to attest the Agreement.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on _______________, 2014.

CITY OF THORNTON, COLORADO

__________________________
Heidi K. Williams, Mayor

ATTEST:

__________________________
Nancy A. Vincent, City Clerk
AGREEMENT FOR DEVELOPMENT INCENTIVES BETWEEN THE CITY OF THORNTON AND GOLDTHORN L.L.C.

THIS AGREEMENT is entered into between the City of Thornton, a Colorado municipal corporation ("City"), and GoldThorn L.L.C., a Utah Limited Liability Company ("Developer"), this ___ day of ______________, 2014.

RECITALS

WHEREAS, the City has determined that stimulating economic development and employment opportunities and establishing a sound tax base serves the general welfare of the citizens of Thornton; and

WHEREAS, the Developer intends to invest approximately $3.4 million to redevelop and/or renovate existing vacant retail space within the Thornton Marketplace Center ("Center") that is significant and highly visible located at 550 East 102nd Avenue ("Property") with the intent to lease approximately 40,000 square-feet of the Property for a Conn's Home Plus ("Conn’s") retail store within the Property ("Conn’s Space"); and

WHEREAS, the Developer will remodel and redevelop existing vacant retail space within a portion of the existing Center which will improve the business development of the City by returning to productive use a large, vacant storefront located in a significant commercial district within the City; by creating new employment opportunities; by providing services and goods to the residents that are not otherwise available in the area; and by enhancing the real property and sales tax base of the City; and

WHEREAS, the Developer will incur costs for improvements related to construction and design on the Property, and for retrofit and new use in the Property, and for new equipment purchase and new signage; and

WHEREAS, the City desires to offer certain Economic Development Incentives to the Developer as an inducement to construction of and upgrades to the Property; and

WHEREAS, the Developer has represented to the City that it will not proceed with development of the Property without the Economic Development Incentive as described in this Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Developer agree as follows:

AGREEMENT

1.00. DEFINITIONS. Unless the context clearly indicates otherwise, the following words and phrases shall be defined as follows:

   1.01 "Agreement" shall mean this Agreement for Development Incentives between the City of Thornton and GoldThorn L.L.C. and all exhibits hereto.
1.02. "Base Sales Tax" shall mean the first $125,000 of Sales Taxes, excluding Open Space Taxes, generated by Conn's each Incentive Year that the City shall receive and be exclusively entitled to prior to any distribution by the City to the Developer. For purposes of this Agreement, the Base Sales Taxes excludes Open Space Taxes. The Base Sales Tax shall be retained by the City and shall not be shared with the Developer as part of the Economic Development Incentive.

1.03. "Center" shall mean the Thornton Marketplace Center located at the southeast corner of 102"d Avenue and Grant Street in the City.

1.04. "City" shall mean the City of Thornton, Colorado, a municipal corporation organized pursuant to Article XX, Constitution of Colorado.

1.05. "Conceptual Site Plan" shall mean the Developer's conceptual site plan for development of the Property that meets the requirements of Chapter 18 of the City Code for such plans.

1.06. "Conn's Space" shall mean the Conn's Home Plus store to be opened on the Property, consisting of approximately 40,000 square feet in floor area.


1.08. "Economic Development Incentive" shall mean the payments by the City to the Developer pursuant to Article 3.00 of this Agreement.

1.09. "Eligible Sales Taxes" shall mean that portion of the actual Sales Taxes that are collected and properly remitted to the City by Conn's for which an Economic Development Incentive payment is calculated according to Section 3.00 of this Agreement, excluding Open Space Taxes and excluding Sales Taxes paid by Conn's to the City pursuant to an audit.

1.10. "Incentive Start Date" shall mean the first day of the month following the date on which the City issues a Certificate of Occupancy for the Conn's Space.

1.11. "Incentive Year" shall mean any twelve-month period during the term of this Agreement that begins on the Incentive Start Date, or any anniversary thereof.

1.12. "Open Space Taxes" shall mean that portion of the Sales Taxes, collected and remitted to the City by businesses to Thornton that are restricted to parks and open space acquisition, improvements and maintenance pursuant to City of Thornton Ordinance Numbers 2469 and 3277.

1.13. "Property" shall mean the real property located within the Center at 550 East 102"d Avenue in the City, within which the Conn's Space is to be constructed.

1.14. "Sales Taxes" shall mean the tax on retail sales that is collected and properly remitted to the City by Conn's pursuant to Chapter 26 of the Thornton City Code.
1.15. "Use Tax" shall mean the tax paid by a consumer for using tangible personal property or taxable services inside the City that is collected and properly remitted to the City by Conn's pursuant to Chapter 26 of the Thornton City Code.

2.00. PUBLIC PURPOSE. The purpose of this Agreement is to accomplish the redevelopment and reuse of the Property by the private Developer. The City Council hereby declares that there are particular public purposes for which the Economic Development Incentives contained in this Agreement overcome any individual interests incidentally served by the incentives. The Council finds that there will be the general benefit to the citizens of Thornton of increased employment, long-term tax base growth, and related economic development benefits. In addition to these general public benefits, the Council finds that there are the following public purposes:

2.01. These incentives will encourage the Developer to rehabilitate, lease and operate a Conn's Home Plus in the Property that will contribute to the development of new business and to the expansion of existing businesses, and that will result in substantial and long-term expansion of employment and tax base within the City; and

2.02. These incentives will provide direct and indirect benefits to the City's commercial markets in the area and the City by increasing customers to the shopping center; and

2.03. These incentives will encourage the improvement of existing properties within the area, provide beneficial and efficient utilization of real property, and contribute to a diverse mix of business, employment, and retail opportunities within the City; and

2.04. These incentives will stimulate, encourage and facilitate the development of retail and other activities in the area, will encourage the improvement of existing properties, will place vacant and underutilized commercial property to a beneficial use and will improve the physical appearance and desirability of the area.

3.00. ECONOMIC DEVELOPMENT INCENTIVE. The City shall pay to the Developer an Economic Development Incentive based on a portion of the Eligible Sales Taxes collected and remitted by Conn's during the term of this Agreement. The Economic Development Incentive shall be calculated in accordance with Sections 3.01 through 3.02 of this Agreement.

3.01. The Economic Development Incentive payments shall be an amount equivalent to fifty percent (50%) of the Eligible Sales Taxes received by the City from Conn's in excess of the Base Sales Tax; excluding Open Space Taxes. The total Economic Development Incentive shall not exceed One Million Two Hundred Thousand Dollars ($1,200,000.00).

3.02. For the purposes of the sales tax-based Economic Development Incentive, the following procedure shall apply:
(A) Incentive payments by the City to the Developer shall be made annually within 90 days of the end of the Incentive Year. The City shall be responsible for calculating the proper amount of each Economic Development Incentive payment.

(1) The Economic Development Incentive payments made to the Developer by the City are subject to the following terms:

(a) No interest shall accrue on any sum owed to the Developer pursuant to this Agreement.

(b) No credits or reimbursements, or the obligation of the City to reimburse, shall be incurred or allocated to the Developer hereunder for any sales taxes which may be collected prior to the opening date of Conn’s.

(c) Economic Development Incentives shall cease when the aggregate amount of all incentive payments equals the amount as set forth in Section 3.01, or, the date seven (7) years following the Incentive Start Date, whichever occurs first.

(d) The Developer acknowledges that this Agreement constitutes the entire Economic Development Incentive Agreement for the Property. The City is under no obligation to provide additional incentives to the Developer.

3.03. Nothing herein shall in any way bind the City to act on any Zoning, Conceptual Site Plan, Development Permit, Subdivision application, or Building Permit application related to the Property.

3.04. Nothing herein shall be construed to grant to, or create in the Developer any right, claim, lien or priority in or to the City’s Sales and Use Tax revenue superior to or on a parity with the rights, claims, or liens of the holders of any Sales and Use Tax revenue bonds, notes, certificates or debentures payable from or secured by any Sales Taxes, Use Taxes or any combination thereof, existing or hereafter issued by the City. Moreover, nothing herein shall be construed to deny or limit the City’s full authority to issue such Sales and Use Tax bonds. Accordingly, the Developer specifically acknowledges and agrees that all rights of the Developer to the Economic Development Incentive contemplated under this Agreement are, and at all times shall be, subordinate and inferior to the rights, claims and liens of the holders of any and all such Sales and Use Tax revenue bonds, notes, certificates or debentures payable from or secured by any Sales Taxes, Use Taxes, or any combination thereof existing or hereafter issued by the City. It is further acknowledged that the Economic Development Incentive to the Developer shall be available only from City revenues and only to the extent herein provided, and no obligation of the City pursuant to this Agreement shall provide access to any other City revenue source, nor shall such obligation be deemed to create any pledge of credit or invoke the full faith and credit of the City.
3.05. All payments due from the City herein shall be subject to annual appropriation by the City. Nothing herein shall be deemed to create a multiple fiscal year financial obligation of the City. In the event that the City does not appropriate sufficient funds for any payment herein at any time, the City shall provide written notice to the Developer that payment will not be made. The parties may proceed without making the payment, and the Developer may request payment of the Economic Development Incentive at the next payment time only for that period, not any prior payment period. The failure to appropriate shall not be a breach of this Agreement. Further, if any court of competent jurisdiction determines that this Agreement violates the multi-year contract restriction in Section 20, Article X of the Colorado Constitution, then the parties agree that this Agreement shall immediately convert to a one-year contract, with automatic annual renewal provisions.

4.00. CONSTRUCTION ON THE PROPERTY. The Developer shall begin and continuously pursue construction and renovation of the Property and complete the improvements to the Property and obtain a Certificate of Occupancy for the Conn's Space by no later than December 31, 2015 subject to Section 17.00 below.

5.00. GENERAL OBLIGATIONS AND REPRESENTATIONS OF THE DEVELOPER.

(A) The Developer represents and warrants that it is a Limited Liability Company duly organized, validly existing and in good standing under the laws of the State of Utah; is qualified to do business in the State of Colorado; has the right, power, and legal capacity to enter into and perform its obligations under this Agreement and the documents to be executed and delivered pursuant hereto; and the execution and delivery of this Agreement and the documents and the performance and observance of their terms, conditions, and obligations have been duly and validly authorized by all necessary action on its part to make this Agreement and such documents and such performance and observance valid and binding upon the Developer.

(B) The Developer agrees that the execution and delivery of this Agreement, the documents required hereunder and the consummation of the transaction contemplated by this Agreement will not: (i) conflict with or contravene any law, order, rule or regulation applicable to the Developer or the Developer's governing documents; (ii) result in the breach of any of the terms or provisions of, or constitute a default under, any agreement or other instrument to which the Developer is a party or by which it may be bound or affected; or (iii) permit any party to terminate any such agreement or instrument or to accelerate the maturity of any indebtedness or other obligation of the Developer.

(C) The Developer represents and warrants that the Developer knows of no action, suit, proceeding or governmental investigation that is threatened or pending contesting the powers of the Developer or any of its principals with respect to the Property or this Agreement that has not been disclosed to the City.
(D) The Developer represents and warrants that to the best of the Developer's knowledge, the Developer has the necessary financial and legal ability to perform under this Agreement and to rehabilitate the Property.

(E) The Developer agrees to lease to Conn's not less than 40,000 square feet in total building area.

(F) The Developer agrees to perform or have performed all the work necessary to make the Property suitable for operation of a home/electronics store. The Developer hereby covenants and agrees to have such work performed at its sole cost and expense. The Developer shall conform in all material respects to the requirements of the City's Code and Standards and Specifications.

(G) Unless otherwise approved by the City, the Developer agrees to construct or cause to be constructed the Property in conformance with, and of an equal or higher quality standard of design and materials than represented in the architecture of the Center. The City shall reasonably determine conformance and relative quality of the Property. Issuance of a building permit by the City shall constitute acknowledgement by the City that the plans for the permitted building and improvements in the Property are in conformance with this Agreement.

(H) The Developer agrees to comply with all City codes, ordinances, resolutions and regulations, and pay all taxes, fees and expenses due to the City throughout the term of this Agreement. If the Developer is in violation of the provisions of this section, the City may withhold any Economic Development Incentive described in Section 3.00 provided for under this Agreement until such time as the violations are cured or abated.

(I) The Developer agrees to not contest property tax assessments during the term of this Agreement.

(J) Except as otherwise provided in this Agreement, the Developer agrees that it is responsible for all the costs and expenses associated with development of the Property, including environmental assessment and remediation, development and construction. The Developer shall be solely responsible for the completion of and payment for the following items:

1. All plans and applications to the City for development of the Property in accordance with the City Code.
2. Relocation of any utilities within the Property as may be required.
3. All requirements for fire protection within the Property.
4. All drainage improvements and drainage reports for the Property consistent with City Code requirements.
(5) All water and sanitary sewer improvements to service the Property consistent with City Code requirements.

(K) The above list is not intended to be all-inclusive and other improvements may be determined reasonably necessary by the City. The parties expressly acknowledge that the City has sole jurisdiction over the development review process, and the City may impose other additional reasonable requirements or restrictions.

(L) The Developer agrees to permit the City to use the Developer’s name in promotional literature and advertising about the City; and the City encourages the Developer to use the City’s name in similar promotional literature and advertising with prior written approval by the City.

(M) The Developer agrees to participate in the Shop Thornton First campaign as well as other City-organized economic development promotions and campaigns through the seventh anniversary of the Economic Development Incentive Start Date, regardless of whether the maximum Economic Development Incentive is remitted before such date.

(N) The Developer agrees to provide a first opportunity to Thornton services, vendors, and contractors during the construction and operation of its Property through the seventh anniversary of the Economic Development Incentive Start Date, regardless of whether the maximum Economic Development Incentive is remitted before such date.

6.00. ASSIGNMENT. This Agreement is not assignable by the Developer without the prior written consent of the City. It is specifically understood and agreed that the Developer may direct that its leasehold interest in the Property be in favor of one or more single asset limited liability companies to be owned and managed by the Developer; provided, however, any such assignment shall not relieve the Developer of any liability under this Agreement.

7.00. TERMINATION. This Agreement, and the terms and provisions hereof, shall terminate upon the earlier of the following to occur:

(A) The date at which the Developer has received the maximum amount of Economic Development Incentive described in Section 3.01;

(B) The date seven (7) years following the Incentive Start Date;

(C) The Developer sells the Property, Conn’s closes (other than temporary closures due to condemnation, casualty or remodeling), or changes the use of the Property during the term of this Agreement;

(D) Conn’s has failed to obtain a Certificate of Occupancy for the Conn’s Space by the date provided in Section 4.00; or
(E) In the event of a breach of this Agreement at the option of the non-defaulting party. Any obligations for Economic Development Incentives by the City not having been satisfied on such termination date shall be discharged.

8.00. INDEMNIFICATION. The Developer shall defend, indemnify, assume all responsibility for and hold the City, its officers and employees, harmless from all claims or suits for, and damages to, property and injuries to persons, including accidental death that may be caused by any of the Developer's negligence in performing this Agreement whether such activities are undertaken by the Developer or any directly or indirectly employed or under contract to the Developer.

9.00. NOTICES. All notices required or permitted hereunder shall be in writing and shall be effective upon mailing, deposited in the U.S. mail, postage prepaid, and to the intended recipient as follows:

(A) CITY OF THORNTON  
9500 Civic Center Drive  
Thornton, CO 80229  
ATTN: City Manager

(B) GOLDTHORN L.L.C.  
2733 East Parleys Way, Suite 300  
Salt Lake City, UT 84109-1662  
Attn: Office of General Counsel

Any party can change its address by written notice to the other given in accordance with this paragraph.

10.00. BINDING EFFECT. This Agreement shall be binding upon the City and the Developer. This Agreement shall be binding upon the parties, their respective legal representatives, assigns, successors, and heirs; provided that nothing in this Article shall be construed to permit assignment unless the provisions of Section 6.00 have been met.

11.00. VENUE. This Agreement is being executed and delivered and is intended to be performed in the State of Colorado, and the laws of Colorado shall govern the validity, construction, enforcement and interpretation of this Agreement. Further, venue for any and all legal action at law or in equity regarding this Agreement shall be in the Adams County District Court, State of Colorado.

12.00. GOOD FAITH. The parties shall exercise good faith in the performance and enforcement of this Agreement.

13.00. LOCAL LABOR. The City encourages the use of local Thornton residents and subcontractors in the performance of the construction work by the Developer. The Developer voluntarily agrees to utilize to the extent commercially reasonably possible qualified and available local labor and subcontractor businesses.
14.00. ENTIRE AGREEMENT. This Agreement embodies the whole agreement of the parties. There are no promises, terms, conditions, or obligations other than those contained herein; and this Agreement shall supersede all provisions, communications, representations, or agreements, either verbal or written, between the parties hereto.

15.00 WAIVER OF BREACH. No failure by either party hereto to insist upon the strict performance of any covenant, duty, agreement or condition of this Agreement, or to exercise any right or remedy consequent to a breach of this Agreement, shall constitute a waiver of any such breach or of such or any other covenant, agreement, term or condition. Either party by giving written notice to the other party may, but shall not be required to, waive any of its rights or any condition or action to be undertaken by the other party. A written waiver by either party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.

16.00. CAPTIONS. The captions of the articles and sections of this Agreement are set forth only for the convenience and reference of the parties and are not intended in any way to define, limit, or describe the scope or intent of this Agreement.

17.00. DELAYS. Any delays in or failure of performance by any party of its obligations under this Agreement shall be excused if such delays or failure are a result of acts of God, fires, floods, strikes, orders of civil or military authorities, failure to obtain permits from state or federal agencies, or other causes, which are beyond the reasonable control of such parties.

18.00. CITY NOT A PARTNER. Notwithstanding any language in this Agreement, the City shall not be deemed to be a member, partner or joint venturer of the Developer, and the City shall not be responsible for any debt or liability of the Developer or its contractors or agents.

19.00. INTEGRATION AND AMENDMENT. This Agreement represents the entire agreement between the parties and there are no oral or collateral agreements or understandings. This Agreement may be amended only by an instrument in writing signed by the parties.

20.00 NO THIRD PARTY BENEFICIARIES. The City shall not be obligated or liable under the terms of this Agreement to any person or entity not a party hereto. Further, the City shall not be bound by any contracts or conditions that the Developer may negotiate with third parties related to the redevelopment of the Property. Nothing expressed or to be implied by this Agreement is intended or shall be construed to give to any person other than the parties hereto any legal right, remedy or claim under or in respect to this Agreement or any covenants, conditions and provisions hereof.

21.00 AUTHORITY TO EXECUTE. The Developer hereby warrants that the party signing below has full and lawful authority to execute this Agreement on behalf of the Developer.

22.00 TIME OF ESSENCE. Time is of the essence of this Agreement. The parties will make every reasonable effort to expedite the subject matters hereof and acknowledge that the successful performance of this Agreement requires their continued cooperation.
23.00 SEVERABILITY. If any provision, covenant, agreement or portion of this Agreement, or its application to any person, entity or property, is held invalid, such invalidity shall not affect the application or validity of any other provisions, covenants or portions of this Agreement so long as the intent of the parties as expressed in this Agreement may still be accomplished. To that end, any such provisions, covenants, agreements or portions of this Agreement are declared to be severable.

24.00 NONLIABILITY OF EMPLOYEES. No Councilmember, employee, agent or consultant of the City shall be personally liable to the Developer in the event of a default, or breach by the City.

25.00 INCORPORATION OF EXHIBITS. All exhibits attached to this Agreement are incorporated into and made a part of this Agreement.
IN WITNESS WHEREOF, the City and the Developer have executed this Agreement as of the date first written above.

CITY OF THORNTON, COLORADO
A MUNICIPAL CORPORATION

________________________________________
Jack Ethredge, City Manager

ATTEST:

________________________________________
City Clerk

APPROVED AS TO FORM:

________________________________________
City Attorney
GOLDTHORN L.L.C., a Utah limited liability
compny

By: WOODBURY CORPORATION, a Utah
corporation, Its Manager

By: [Signature]
O. Randall Woodbury, President

By: [Signature]
Jeffery K. Woodbury, Vice President

ACKNOWLEDGMENT

STATE OF UTAH  )
COUNTY OF SALT LAKE  )

On the 5th day of November, 2014, before me personally appeared O. RANDALL WOODBURY and JEFFERY K. WOODBURY, to me personally known to be the President and Vice President of WOODBURY CORPORATION, known to be the Manager of GOLDTHORN L.L.C., the company that executed the within instrument, known to me to be the person who executed the within instrument on behalf of said company therein named, and acknowledged to me that such company executed the within instrument pursuant to its articles of organization.

[Signature]
Notary Public
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: 10B
Agenda Location: Action Item
Work Plan #: Legal Review:

Subject: An ordinance adopting the sixth amendment to the 2014 Budget amending section one of Ordinance 3267, making appropriations for the City of Thornton, Colorado for the fiscal year 2014 for all funds except that appropriations for certain individual projects shall not lapse at year end but continue until the project is completed or cancelled.

Recommended by: Robb Kolstad
Approved by: Jack Ethredge
Presenter(s): Robb Kolstad, Management and Budget Director

Ordinance previously introduced by:

SYNOPSIS:

This ordinance is for the sixth amendment to the 2014 Budget and authorizes funding for incentive agreements, reimbursement agreements, and an upgrade to the police records management system.

RECOMMENDATION:

The 2014 Budget, which authorizes expenditures of $204,479,778, is proposed to increase by $3,336,000. The amended budget will be $207,815,778. This amendment will accomplish the following:

1. Appropriate $2,127,083 in the Governmental Capital Fund, $154,282 in the Water Fund, and $118,635 in the Sewer Fund ($2,400,000 total) for reimbursement payments of regional infrastructure improvements completed by the Evergreen Development. These needed road, water, and sewer improvements will be completed by the developer as the project is constructed. The City will then reimburse the developer for those improvements based on the additional sales, use, and property tax revenue generated by the development. The reimbursement will be paid over a number of years and is capped at $2,400,000.

2. Appropriate $75,000 in the Governmental Capital Fund for additional business development incentives. Since the adoption of the 2014 Budget there has been a new incentive agreement approved with Total Beverage that will require reimbursement of sales and use tax beginning in 2014. The incentive is based on performance and these businesses will bring additional jobs and revenue to the City.

3. Appropriate $861,000 in the Governmental Capital Fund for an upgrade of the Police Records Management System (RMS). The Police RMS is the software used by the Police Department to record and track public safety records. The current version will no longer be supported by the vendor and the upgrade was originally planned for completion in 2015. However, the City was able to negotiate a $200,000 discount if a signed contract was executed in 2014. The upgrade will be completed in the first half of 2015.
BUDGET/STAFF IMPLICATIONS:

The source of funding for the business development incentives will come from additional revenue generated by the two businesses. The source of funding for the Evergreen Development reimbursement payments will come from additional revenue generated by the development. The source of funding for the Police RMS upgrade will come from unappropriated fund balance above the City Council reserve policy.

ALTERNATIVES:

1. Approve the ordinance amending the 2014 Budget.
2. Do not approve the ordinance amending the 2014 Budget.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):

City Council approved Ordinance 3267 making appropriations for the 2014 Budget on September 24, 2013.

City Council approved Ordinance 3284 adopting the first amendment to the 2014 Budget on January 28, 2014; Ordinance 3287 adopting the second amendment to the 2014 Budget on March 18, 2014; Ordinance 3301 adopting the third amendment to the 2014 Budget on May 27, 2014; Ordinance 3305 adopting the fourth amendment to the 2014 Budget on July 22, 2014; and Ordinance 3311 adopting the fifth amendment to the 2014 Budget on September 9, 2014.
AN ORDINANCE ADOPTING THE SIXTH AMENDMENT TO THE 2014 BUDGET AMENDING SECTION ONE OF ORDINANCE 3267, MAKING APPROPRIATIONS FOR THE CITY OF THORNTON FOR THE FISCAL YEAR 2014 FOR ALL FUNDS EXCEPT THAT APPROPRIATIONS FOR CERTAIN INDIVIDUAL PROJECTS SHALL NOT LAPSE AT YEAR END BUT CONTINUE UNTIL THE PROJECT IS COMPLETED OR CANCELLED.

WHEREAS, the City Council is required to adopt a budget for fiscal year 2014; and

WHEREAS, the City Council has adopted a budget for fiscal year 2014 and desires to amend the budget to appropriate additional funds.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That Section 1 of Ordinance 3267 is hereby amended as follows:

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<th>2014 Amended Budget</th>
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<td>Risk Management Fund</td>
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<tr>
<td>Consolidated Service Center Fund</td>
<td>790,368</td>
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<tr>
<td>Maintenance Services Fund</td>
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<tr>
<td>Subtotal</td>
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<td>$17,595,161</td>
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<td><strong>Debt Service Fund</strong></td>
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<tr>
<td>Debt Service Fund</td>
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<td>$1,804,950</td>
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<td><strong>Special Revenue Funds</strong></td>
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<td>Adams County Open Space Fund</td>
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<td>Subtotal</td>
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<td><strong>Enterprise Funds</strong></td>
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<td>Water Fund</td>
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<td><strong>TOTAL ALL FUNDS</strong></td>
<td>$204,479,778</td>
<td>$207,815,778</td>
<td>$3,336,000</td>
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</table>

2. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.

3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

4. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

5. This ordinance shall take effect upon final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on ________________, 2014.

PASSED AND ADOPTED on second and final reading on ________, 2014.

CITY OF THORNTON, COLORADO

______________________________
Heidi K. Williams, Mayor

ATTEST:

______________________________
Nancy A. Vincent, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK’S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

______________________________
Margaret Emerich, City Attorney
PUBLICATION:

Posted in six (6) public places after first and second readings.

Published in the *Northglenn-Thornton Sentinel* after first reading on _____________, 2014,
and after second and final reading on _____________, 2014.
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: LOC
Agenda Location: Action Item
Work Plan #: N/A
Legal Review: 

Subject: An ordinance adding Section 18-370, and amending Sections 18-160 and 18-901 of the Thornton City Code to allow temporary donation collection bins.

Recommended by: Jeff Coder
Approved by: Jack Ethridge
Presenter(s): Jeff Coder, Deputy City Manager of City Development
           Robin Brown, Code Compliance Supervisor

Ordinance previously introduced by:

1st Reading
2nd Reading

SYNOPSIS:

Council unanimously approved this ordinance on first reading on September 23, 2014. However, Council expressed concern that the ordinance did not clearly articulate City expectations regarding graffiti removal on temporary donation collection bins. Also, Council requested clarification regarding the process for addressing any items left outside a donation collection bin that the bin owner does not clean up. Those concerns are addressed below. In addition, the use chart in Section 18-160 has also been amended to reflect that a temporary use permit is required for placement of a donation collection bin, with a cross reference to the additional requirements in the new Section 18-370; the chart previously indicated the donation bins were a permitted use by right. Finally, Subsection 18-370(a)(6)j, which stated, “Each bin may display a 10 square foot sign,” has been removed from the ordinance. Subsection 18-370(a)(2) already addresses signage, so this language was unnecessary.

GRAFFITI

Donation collection bins are tagged with graffiti only occasionally. Chapter 38 of the City Code already includes specific provisions for graffiti removal that can be used on any occasion when the donation collection bin organization is unresponsive. However, because the responsible recycling organization is on-site regularly to pick up any donated items, they are typically quick to respond whenever graffiti occurs. The logo, organization name, and donation information on the containers is typically on a sticker that can be removed and replaced easily.

In order to address Council’s concerns about graffiti, two changes are proposed to the ordinance:

1. A new subsection, 18-370(a)(7)a, has been added which requires submittal of a signed waiver and consent form authorizing the City to remove graffiti if the responsible organization does not remove graffiti within 48 hours of notice. It states:
   Each application for a temporary use permit shall include a waiver and consent form authorizing the city to remove graffiti vandalism from the donation collection bin if the person, business, or organization responsible for the bin does not do so within 48 hours of notice by the city.

2. The phrase, “the prompt removal of graffiti” has been added to Subsection 18-370(b)(4), which now states:
   It shall be unlawful to fail to maintain or keep in good repair any donation collection bin and the area around such bin, including without limitation the prompt removal of graffiti, dumped items, and the repairing of any part of the bin that is missing, broken, damaged, or deteriorated.
Uncollected Donated Items / Junk

Large items or bags of items are sometimes left outside the donation containers, despite signage installed by the donation collection bin organizations. The recycling organization collects these items during their regular site maintenance visits, typically within 48 hours. If staff observes that items have been present outside the donation bin for a longer time, the donation collection bin organization is notified of the problem and they typically respond promptly. If the organization does not clean up the items, the City Code includes provisions to address the situation. The City can remove the items after at least 24 hours’ notice and issuance of a search warrant by the Municipal Court judge, if there is a serious public health or safety concern. Otherwise, the City can address the issue via the Blighted Property Rehabilitation Code, which requires a hearing and an order issued by a hearing officer to remove the items. That process typically takes at least two weeks to complete. Staff could not identify an occasion where it has been necessary to address items via an abatement process.

In order to shorten the time required for addressing situations where donated items are not cleaned up and clarify authorization for placement of the bins on private property, two additional changes to the ordinance are proposed to be added.

1. Additional phrasing regarding the expected removal of dumped items has been added to Subsection 18-370(b)(4), which now states:
   It shall be unlawful to fail to maintain or keep in good repair any donation collection bin and the area around such bin, including without limitation the prompt removal of graffiti, dumped items, and the repairing of any part of the bin that is missing, broken, damaged, or deteriorated.

2. Section 18-370(a)(7) has been amended to require the following authorizations be submitted at the time of application for a temporary use permit for a donation collection bin:
   • An authorization form signed by the property owner or property owner’s agent authorizing the placement of the bin on the private property.
   • An authorization form signed by the property owner or property owner’s agent authorizing removal by the city of the bin and any items dumped outside the bin if the maintenance requirements specified in subsection (b) are not met.

The proposed ordinance will define and add a new section entitled, “Temporary donation collection bin” as a new use within the City Code. The City will require a Temporary Use Permit (TUP) for each bin location proposed upon payment of an annual permit fee. The director may issue a TUP that is valid for a period of one year, with the option of renewal subject to payment of a new permit fee. In addition, individual property owner(s) must provide written consent for the location prior to installing the temporary donation collection bin. The City will not grant an application for a TUP to place, use, or employ a bin if it is determined that the placement of the bin could constitute a safety hazard. Temporary donation collection bins would be prohibited on land zoned for residential use.

RECOMMENDATION:

Staff recommends Alternative #1, approval of the ordinance with the proposed changes to clarify graffiti removal, maintenance and clean up expectations, as well as the correction to the use chart. The proposed temporary collection donation bin ordinance provides opportunities for both non-profit and for-profit recyclers to operate collection bins while addressing impacts on adjacent properties by regulating the size, location, and number of bins, as well as maintenance and enforcement on properties within the City.
BUDGET/STAFF IMPLICATIONS:

The fee associated with the processing of the temporary donation collection bin review and approval is $90.00 per TUP application. The permits are valid for one year, and the applicant may apply for annual renewal subject to the payment of a new permit fee.

ALTERNATIVES:

1. Approve the ordinance as amended.
2. Continue the ordinance for further changes as directed by City Council.
3. Do not approve the ordinance.

PUBLIC NOTICE:

Notice of the public hearing was advertised in the Northglenn-Thornton Sentinel on September 11, 2014. After the adoption of the ordinance, staff will notify the organizations that currently have temporary collection bins within the City of the new requirements.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

Currently, temporary donation collection bins are not a listed use within the City Code. The proposed ordinance includes the addition of Section 18-370, and the amendment of Sections 18-160 and 18-901 to allow temporary donation collection bins as a permitted use within all districts except those zoned for residential uses. Staff has proposed a Code Amendment in order to help regulate the location, size, maintenance and enforcement of the bins which do exist within the City. The intent of the ordinance is to facilitate temporary donation collection bins in the City so that they remain clean, safe, and do not create hazards to pedestrians or to vehicular traffic. The proposed ordinance will ensure that the entities responsible for the placement of the bins comply with standards which will prevent donated items, garbage or other debris from being left outside of the designated bins.
AN ORDINANCE ADDING SECTION 18-370, AND AMENDING SECTIONS 18-160 AND 18-901 OF THE THORNTON CITY CODE TO ALLOW TEMPORARY DONATION COLLECTION BINS.

WHEREAS, Chapter 18 of the City Code regulates land development in the City and allows for the classification of uses; and

WHEREAS, currently the City Code does not allow temporary collection donation bins; and

WHEREAS, to achieve a reasonable balance between the interests of temporary collection donation bins and the interest of the City to secure for its citizens the opportunity to enjoy pleasant and attractive surroundings protected from visual discord and clutter that may result from unrestricted proliferation and placement of temporary collection donation bins; and

WHEREAS, Chapter 18, also known as the Development Code, is a compilation of the requirements, standards and performance expectations for permitted land uses in the City of Thornton.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. Section 18-160 of the Thornton City Code is hereby amended by the addition of the words double-underlined to read as follows:

**Sec. 18-160. Use chart.**

This chart identifies the uses allowed in the listed zoning districts. Additional regulations may be referenced in the chart or in the zoning district regulations in Article III. The applicable off-street parking and loading requirements are listed in Division 6 of Article V of this chapter.

<table>
<thead>
<tr>
<th>Legend:</th>
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<tbody>
<tr>
<td>R = Permitted use by right</td>
</tr>
<tr>
<td>S = Use permitted by Specific Use Permit</td>
</tr>
<tr>
<td>L = Limited use permitted by right</td>
</tr>
<tr>
<td>T = Use permitted by Temporary Use Permit</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Temporary donation collection bin</th>
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</thead>
<tbody>
<tr>
<td>Agricultural</td>
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<td>T</td>
</tr>
</tbody>
</table>

Additional provisions. See Sec. 18-370.
A new section, Section 18-370 of the Thornton City Code is hereby enacted to read as follows:

**Sec. 18-370. Temporary donation collection bin.**

(a) **Requirements.**

(1) No person shall place, use or operate a donation collection bin without first obtaining a temporary use permit pursuant to this article. Upon approval, the director shall issue a temporary use permit that is valid for a period of one year. The director may approve the renewal of the permit for subsequent one-year periods, subject to payment of a new permit fee, if the use has fully complied with all applicable city ordinances and conditions of the TUP.

(2) At a minimum, each bin shall display the name, address and telephone number for the person, business, or organization responsible for placing and maintaining the bin.

(3) Only one bin is permitted per lot, and each bin shall not exceed 200 square feet or be taller than six feet in height. Bins shall be made of metal, steel, or similar durable product.

(4) No donation collection bin shall be located on property zoned for residential use.

(5) Each bin shall be located on an improved durable, drainable surface. If placed in a parking area, the bin shall not reduce the number of available parking spaces below the minimum number required for the lot.

(6) No bin shall be placed in the following locations:
   a. Within a required building setback;
   b. Within a site visibility triangle;
   c. Within an access easement;
   d. In a driveway, sidewalk, or other pedestrian circulation area;
   e. Within 3 feet of any fire hydrant;
   f. Within any fire lane;
   g. Within required landscaped areas;
   h. In whole or in part upon any portion of a public-right-of-way or projecting onto or over any part of a public right-of-way; or
   i. On an undeveloped parcel.

(7) Each application for a temporary use permit shall include:
   a. A waiver and consent form authorizing the city to remove graffiti vandalism from the donation collection bin if the person, business, or organization responsible for the bin does not do so within 48 hours of notice by the city.
   b. An authorization form signed by the property owner or property owner’s agent authorizing the placement of the bin on the private property.
   c. An authorization form signed by the property owner or property owner’s agent authorizing removal by the city of the bin and any items dumped
outside the bin if the maintenance requirements specified in subsection (b) are not met.

(b) Maintenance; Enforcement

(1) Each bin shall be serviced and emptied as needed or within 24 hours of a request by the property owner or City.

(2) Each bin shall be enclosed by use of a one-way receiving door and locked so that the contents of the bin may not be accessed by anyone other than those responsible for the retrieval of the contents.

(3) If a donation collection bin is placed on a lot without a permit, or if an inspection reveals that a bin is not in compliance with this section, enforcement and abatement shall take place as generally provided under Section 18-4.

(4) It shall be unlawful to fail to maintain or keep in good repair any donation collection bin and the area around such bin, including without limitation the prompt removal of graffiti, dumped items, and the repairing of any part of the bin that is missing, broken, damaged, or deteriorated.

(5) Each bin shall clearly display a sign indicating that no donated items, garbage or other debris is to be left outside of the bin.

(6) Upon completion of the temporary use the bin shall be removed, the site shall be cleaned, all evidence of its use removed, and left in a condition that minimizes adverse impacts to the site itself and to surrounding properties.

3. Section 18-901 of the Thornton City Code is hereby amended by the addition of the words double-underlined to read as follows:

18-901. Definitions.

Temporary Donation collection bin means a small receptacle used to collect donated materials from the public for temporary holding prior to delivery of the materials to a broker for additional processing.

4. The City Council hereby finds, determines, and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, and improve the order of the City and the residents thereof.

5. The City Council hereby finds, determines and declares that it has the power to adopt this Ordinance pursuant to: (i) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (ii) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (iii) Section 31-15-103, C.R.S. (concerning municipal police powers); (iv) Section 31-15-401, C.R.S. (concerning municipal police powers); (v) Section 31-15-501 (concerning municipal power to regulate businesses); (vi) the authority granted to home rule municipalities by Article XX of the Colorado Constitution; and (vii) the powers contained in the Thornton City Charter.
6. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.

7. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

8. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

9. This ordinance shall take effect upon final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on ____________, 2014.

PASSED AND ADOPTED on second and final reading on ____________, 2014.

CITY OF THORNTON, COLORADO

______________________________
Heidi K. Williams, Mayor

ATTEST:

______________________________
Nancy A. Vincent, City Clerk
THIS ORDINANCE IS ON FILE IN THE CITY CLERK’S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

__________________________________________
Margaret Emerich, City Attorney

PUBLICATION:

Posted in six (6) public places after first and second readings.

Published in the Northglenn-Thornton Sentinel after first reading on ____________, 2014, and after second and final reading on ________________, 2014.
COUNCIL COMMUNICATION

Meeting Date: November 25, 2014
Agenda Item: 1D
Agenda Location: Action Item
Work Plan #: 
Legal Review: 

1st Reading
2nd Reading

Subject: A resolution adopting the Vision, Mission, Values and Guiding Principles for the Thornton Water Project.

Recommended by: Joyce Hunt

Approved by: Jack Ethridge, City Manager

Ordnance previously introduced by:

Presenter(s): Joyce Hunt, Assistant City Manager

SYNOPSIS:

This resolution adopts the vision, mission, values, and guiding principles for the Thornton Water Project which guided the acquisition of the water resources in the mid-1980s and will continue to guide the implementation of the Project to achieve the community’s vision for Thornton in the future.

RECOMMENDATION:

Staff recommends Alternative #1, approval of this document in order to formally recognize Vision, Mission, Values and Guiding Principles for the Thornton Water Project that have been followed since origination of the Project in the mid-1980s.

BUDGET/STAFF IMPLICATIONS:

No direct budget implication.

ALTERNATIVES:

1. Approve the resolution in order to clearly articulate the Vision, Mission, Values and Guiding Principles for the Thornton Water Project.
2. Do not approve the resolution.

BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY): (includes previous City Council action)

The City Council discussed this at the October 7, 2014 Planning Session and requested it be brought back for formal action.

In the mid-1980s, the City purchased water shares in the Water Supply and Storage Company through the acquisition of 21,000 acres of land in Larimer and Weld Counties to secure a long-term, reliable water supply for the City. After nearly ten years working through the Water Courts, the City received its final Water Court Decree in 1998 allowing Thornton’s use of the water rights it had acquired in 1985 and 1986.

Since acquiring the water rights and land in the mid-1980s, the City has maintained a farm management program to ensure good agricultural practices, while also beginning the process of converting some of the irrigated farm land to non-irrigated native grasses. The City has continued to
invest in the local economy through on-going agricultural leases of the farms to local farmers, keeping them in production, utilizing local businesses to service/maintain the farms, and providing a voluntary payment in lieu of taxes to the governments, schools and other taxing districts who would otherwise not have received taxes for properties owned by a governmental entity.

In addition, to comply with the Water Court Decree, the City continues to take steps and make improvements to its raw water infrastructure system to use its existing water resources before embarking on delivering the water.

Beginning in 2005, the City began exploring water delivery concepts that could be utilized to deliver the water to Thornton when it would be needed. Those efforts included exploration of partnering arrangements with various entities, river exchanges, a Colorado Big Thompson water exchange, and construction of a pipeline. In 2011, City staff began investigating the various approaches the City could use to more closely identify and evaluate concepts including high level planning for permitting, design and construction phases. After an extensive process, the City hired CH2MHill in August 2013 to assist the City in this process. At the June 3, 2014 Planning Session, CH2MHill reviewed the results of evaluation of four water project delivery concepts (two exchange approaches and two pipeline approaches) and the relative probability of success as a function of cost and non-economic factors. The two exchange approach concepts were eliminated from further study. CH2MHill is currently engaged in the task of conducting a preliminary investigation as to the permitting requirements and other factors associated to the pipeline approaches. At the end of this task, a recommendation will be made to City Council as to a preferred pipeline delivery concept.

At the July 15, 2014 Planning Session, staff reviewed the significant and necessary Water Utility capital projects planned for the 2015 to 2030 planning period, which included the water project and the replacement of the Thornton Water Treatment Plant. Also at this Planning Session, staff discussed the funding plan that would be necessary to pay for the capital projects identified in the Water Utility Capital Projects planned for 2015 to 2030.
RESOLUTION

A RESOLUTION ADOPTING THE VISION, MISSION, VALUES AND GUIDING PRINCIPLES FOR THE THORNTON WATER PROJECT.

WHEREAS, previous City Councils approved the program to secure the City’s long-term water supply in the mid-1980s to provide for the community’s vision of the Thornton of the future; and

WHEREAS, the concepts laid out in the Vision, Mission, Values and Guiding Principles for the Thornton Water Project were put in place in the mid-1980s to guide the actions necessary to implement the Project but not formally approved by City Council; and

WHEREAS, the City Council desires to adopt the Vision, Mission, Values and Guiding Principles for the Thornton Water Project to formally recognize and guide the implementation of the Project as it continues into the future; and

WHEREAS, it is anticipated that the next phases in implementation will take a number of years to complete and the City Council desires to ensure this approach continues into the future.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

That City Council hereby adopts the Vision, Mission, Values and Guiding Principles for the Thornton Water Project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on ____________________________, 2014.

CITY OF THORNTON, COLORADO

Heidi K. Williams, Mayor

ATTEST:

_________________________
Nancy A. Vincent, City Clerk
THORNTON WATER PROJECT
VISION, MISSION, VALUES, GUIDING PRINCIPLES
November 25, 2014

VISION – Sustaining a Quality Community

The current 2012 Comprehensive Plan continues the tradition started in 1975 to clearly state our vision and expectations for Thornton’s future. Thornton’s leadership has always strived to create and sustain a great community with livable and secure neighborhoods, quality schools, safe and convenient roadways, multi-modal transportation/transit opportunities, quality jobs, and a wide range of public amenities as envisioned in the Comprehensive Plan. But underpinning all this is something so basic one might forget how crucial it is to achieving this vision, and that is water. Without a reliable water supply, our community cannot provide the housing to allow our children, grandchildren and seniors to stay in this community; new businesses to develop good paying jobs for our residents and contribute to our economy; existing businesses to expand and prosper; or provide the financial resources to enhance our quality of life and amenities. That is why the City acquired the water shares in the Water Supply and Storage Company in the mid-1980s and obtained water court approval of our plan so that we can secure the water resources needed to achieve our Comprehensive Plan for Thornton’s future.

Over the last thirty years, the City has been working steadily to ensure that we meet our responsibility to provide water for our future citizens and businesses by updating the existing system and implementing the Water Project. The City has annexed and zoned property based on the adopted Comprehensive Plan and, as of today, currently half of the City is developed. While build-out of the City is expected to take some time, it is estimated that it will take 10 to 15 years to obtain the necessary approvals to construct the Water Project from northern Colorado to Thornton. That is why we need to move ahead with implementing the Water Project now.

MISSION – Securing our Water Future

In order to achieve Thornton’s objective to provide a reliable supply of water to meet the needs of its current citizens and businesses and prepare for the City’s future residents and businesses, the City is taking the steps necessary to build a pipeline and related facilities to deliver the water acquired in the mid-1980’s to our community in a timely, efficient, cost effective, and environmentally responsible manner.

VALUES – Implementation of a model agricultural to municipal water development program that benefits the City as well as the agricultural community

When the City embarked on the project to secure its future water supply needs through the acquisition of agricultural water rights in northern Colorado, it did so in a manner that was consistent with its values to be accountable and conscientious stewards of the resources necessary to meet the growth in the City of Thornton. Towards that end, the following values have been, and will continue to be, reflected in how the City approaches implementing the Water Project:
• Protecting the agricultural community through a responsible farm management program to transition irrigated land to established non-irrigated native grasses over an extended period.

• Ensuring that when the City delivers its share of water out of the Water Supply and Storage Company system, the water rights of the remaining shareholders will not be injured.

• Continued financial support of governmental entities, schools and special districts through the provision of voluntary, payment-in-lieu of taxes until the properties are no longer owned by Thornton.

• Continued commitment to be leaders in the efficient use of the City’s water resources now and into the future.

• Continued commitment to be a good neighbor in the management of our farms and to be a responsible partner in sustaining local communities.

• Continued commitment to support local businesses and the area’s agriculture businesses.

GUIDING PRINCIPLES

The principles that guide implementation of the project are:

• Open communication and collaboration with neighboring communities, property owners, public officials and others to find common-sense solutions that are financially responsible and achievable.

• Design and construction of the project in a timely and efficient manner that, when possible, avoids, or minimizes, the impact to the environment and neighboring communities.

• A commitment to return the farm properties to private ownership in a manner that is in keeping with the respective jurisdictional master plans that apply to the properties; and if the property remains in agriculture, to return the property to private ownership in a manner that allows the property to be combined with other properties or utilized in a manner that contributes to the agricultural economy.