



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 15-cv-0281-WJM-KMT

ABBY LANDOW,
JEFFREY ALAN,
SUSAN WYMER,
LAWRENCE BEALL,
GREENPEACE INC., and
NANCY YORK,
Plaintiffs

v.

CITY OF FORT COLLINS,
Defendant

AFFIDAVIT CARRIE M. DAGGETT

Affiant, Carrie M. Daggett, after being duly sworn, states as follows:

1. I am the Interim City Attorney for the City of Fort Collins.
2. I was named the Interim City Attorney on July 8, 2014.
3. The City Attorney's Office has undertaken efforts to work with Fort Collins Police Services to ensure that all law enforcement personnel have been advised that certain portions of Ordinance No. 70, 1995, of the City Council of the City of Fort Collins ("Ordinance No. 70") have been repealed, effective as of the date of adoption of Emergency Ordinance No. 040, 2015, of the City Council of the City of Fort Collins ("Ordinance No. 040") on February 27, 2015.
4. The City Attorney's Office has undertaken efforts to help sworn officers of Fort Collins Police Services to understand the meaning of Ordinance No. 70, particularly as it relates to enforcement of the provisions that remain in effect after the adoption of Ordinance No. 040.

5. The City Attorney's Office has made good faith efforts to ensure that the sworn officers of Fort Collins Police Services do not enforce the provisions of Ordinance No. 70 that were repealed by Ordinance No. 040.
6. The City Attorney's Office has undertaken efforts to ensure that persons will not be prosecuted for any past or future violations of the repealed provisions of Ordinance No. 70.
7. Prior to development of new provisions to regulate panhandling activities in Fort Collins, the City Attorney's Office intends to canvas the developing legal authority related to regulation of panhandling activities, and to confer with and obtain comparative information from other organizations that may have already analyzed or may be in the process of analyzing the same or similar issues, such as the Colorado Municipal League, the National League of Cities, the International Municipal Lawyer's Association, and other municipal law offices.
8. The City Council has directed City management to conduct outreach activities regarding panhandling with the Fort Collins public, invite related community and general public input (including input from the Plaintiffs and the ACLU, should they choose to offer it), and engage in discussion with the various interested City departments, and to develop and review geographic information related to panhandling activities and the way in which they are regulated by the City.
9. The City will conduct on April 7, 2015 a regular municipal election for four of its seven City Council seats. As a result, the composition of the City Council

