

Fort Collins City Council Agenda

Regular Meeting

6:00 p.m., Tuesday, February 4, 2025

City Council Chambers at City Hall, 300 Laporte Avenue, Fort Collins, CO 80521

Zoom Webinar link: <https://zoom.us/j/98241416497>

NOTICE:

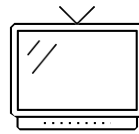
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:



Meetings are open to the public and can be attended in person by anyone.



Meetings are televised live on Channels 14 & 881 on cable television.



Meetings are available through the Zoom platform, electronically or by phone.



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Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide advance notice. Requests for interpretation at a meeting should be made by noon the day before.

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There are in person and remote options for members of the public who would like to participate in Council meetings:

Comment in real time:

During the public comment portion of the meeting and discussion items:



In person attendees can address the Council in the Chambers.
The public can join the Zoom webinar and comment from the remote meeting, joining online or via phone.



All speakers are required to sign up to speak using the online sign up system available at www.fcgov.com/agendas.
Staff is also available outside of Chambers prior to meetings to assist with the sign up process for in person attendees.

Full instructions for online participation are available at fcgov.com/councilcomments.

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience.

To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using this call in number and meeting ID:

Call in number: 720 928 9299

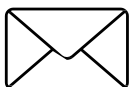
Meeting ID: 982 4141 6497

During public participation opportunities in the meeting, press *9 to indicate a desire to speak.

Submit written comments:



Email comments about any item on the agenda to cityleaders@fcgov.com



Written comments can be mailed or dropped off at the City Manager's Office at City Hall, at 300 Laporte Ave, Fort Collins, CO 80521

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

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



City Council Regular Meeting Agenda

February 4, 2025 at 6:00 PM

Jeni Arndt, Mayor
Emily Francis, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Tricia Canonico, District 3
Melanie Potyondy, District 4
Kelly Ohlson, District 5

City Council Chambers
300 Laporte Avenue, Fort Collins
& via Zoom at
<https://zoom.us/j/98241416497>
Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Xfinity

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Delynn Coldiron
City Clerk

PROCLAMATIONS & PRESENTATIONS 5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

None scheduled.

REGULAR MEETING 6:00 PM

B) CALL MEETING TO ORDER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

E) CITY MANAGER'S AGENDA REVIEW

- City Manager Review of Agenda
- Consent Calendar Review, including removal of items from Consent Calendar for individual discussion.

F) COMMUNITY REPORTS - None.

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS (Including requests for removal of items from Consent Calendar for individual discussion.)

*Individuals may comment regarding any topics of concern, whether or not included on this agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process** and not to Council.*

- *Those who wish to speak are required to sign up using the online sign-up system available at www.fcgov.com/council-meeting-participation-signup/*
- *Each speaker will be allowed to speak one time during public comment. If a speaker comments on a particular agenda item during general public comment, that speaker will not also be entitled to speak during discussion on the same agenda item.*

- All speakers will be called to speak by the presiding officer from the list of those signed up. After everyone signed up is called on, the presiding officer may ask others wishing to speak to identify themselves by raising their hand (in person or using the Raise Hand option on Zoom), and if in person then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).
- The presiding officer will determine and announce the length of time allowed for each speaker.
- Each speaker will be asked to state their name and general address for the record, and, if their comments relate to a particular agenda item, to identify the agenda item number. Any written comments or materials intended for the Council should be provided to the City Clerk.
- A timer will beep one time and turn yellow to indicate that 30 seconds of speaking time remain and will beep again and turn red when a speaker's time has ended.

[**For questions about the development review process or the status of any particular development, consult the City's Development Review Center page at <https://www.fcgov.com/developmentreview>, or contact the Development Review Center at 970.221.6760.]

H) PUBLIC COMMENT FOLLOW-UP

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

CONSENT CALENDAR

The Consent Calendar is intended to allow Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Agenda items pulled from the Consent Calendar by either Council or the City Manager will be considered separately under their own Section, titled "Consideration of Items Removed from Consent Calendar for Individual Discussion." Items remaining on the Consent Calendar will be approved by Council with one vote. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

1. **Consideration and Approval of the Minutes of the January 21, 2025 Regular meeting.**

The purpose of this item is to approve the minutes of the January 21, 2025 Regular meeting.

2. **Second Reading of Ordinance No. 004, 2025, Vacating the Riverbend Court Right-of-Way and Approving Easements.**

This Ordinance, unanimously adopted on First Reading on January 21, 2025, vacates the public right-of-way at Riverbend Court and creates drainage, utility, access, and emergency access easements over the property.

3. **Second Reading of Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan.**

This Ordinance, unanimously adopted on First Reading on January 21, 2025, adopts the First Amendment to the Planned Unit Development (PUD) Master Plan Development Agreement for the

Montava PUD Overlay and Master Plan between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

4. Second Reading of Ordinance No. 006, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the West Elizabeth Corridor Final Design and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on January 21, 2025, appropriates additional design/project development funds in the amount of \$5.539M for advancing the design to 100% for the entire corridor, necessary scope additions and design changes such as protected bike/ped infrastructure, BRT routing revisions and right-of-way services. The West Elizabeth travel corridor is currently the highest priority pedestrian/alternative mode corridor for improvement in the City and was highlighted in City Plan and the Transit Master Plan. This appropriation would follow the same minimum grant/local match ratio of 80/20 that would apply to the Small Starts grant. The local funding source identified for the local match is the "2050 tax." Details of the amounts requested for the grant funds and local match fund appropriation are included in the Background/Discussion section of this AIS.

5. Items Relating to Adopting Landscaping Amendments to the City Code and Land Use Code.

A. Second Reading of Ordinance No. 007, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Revise Soil Loosening and Amendment Requirements.

B. Second Reading of Ordinance No. 008, 2025, Repealing and Reenacting Section 5.10.1 of the Land Use Code and Amending Definitions in Section 7.2.2 of the Land Use Code to Advance Adopted City Policy Goals to Reduce Water Usage in Landscapes to Comply with State Law and to Clarify and Reorganize Landscaping, Tree Protection, and Irrigation Standards.

These Ordinances, unanimously adopted on First Reading on January 21, 2025, adopt City Code and Land Use Code amendments related to landscape and soil that help to address Council's adopted priorities for 2021-2023.

The proposed amendments to the Land Use Code are designed to minimize water consumption in landscaping for most new and redeveloped properties; they would not apply to single-unit, duplex, and accessory dwelling unit housing types. The code amendments ensure compliance with Colorado Senate Bill 24-005 (SB 24-005), which prohibits specific landscaping practices.

The proposed City Code amendments on soil amendment and soil loosening requirements aim to enhance clarity for applicability and allow soil amendments to be tailored to specific site conditions, which will support successful vegetation establishment and long-term growth.

6. First Reading of Ordinance No. 010, 2025, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Mulberry Metropolitan Districts No. 1– 6, Bloom Filing One Development for Construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road Improvements.

The purpose of this item is to appropriate \$2,069,417 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Bloom Filing One developer's combined metro district, Mulberry Metropolitan District Nos. 1-6 (Developer), for its funding of the oversizing construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road. As part of the Bloom Filing One development plans and development agreement and permitted for construction under the Development Construction Permit, the Developer has constructed to City standards Greenfields Drive and International Boulevard, each as a two-lane arterial street, and Sykes Drive, Donella Drive, and Delozier Road as collector streets. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road, not attributed to the local portion obligation.

7. First Reading of Ordinance No. 011, 2025, Making a Supplemental Appropriation from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.

The purpose of this item is to support the Fort Collins Police Services' Property Crimes Unit by appropriating \$80,790 of unanticipated grant revenue awarded by the Colorado State Patrol.

In December 2024 the Colorado State Patrol awarded Fort Collins Police Services \$80,790 in capacity as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$80,790 award is under the BATTLE program's FY25 cycle as provided in the BATTLE Grant Award Letter. These state funds will be used for purchase of a vehicle and equipment to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

8. First Reading of Ordinance No. 012, 2025, Making Supplemental Appropriations from the Colorado Department of Transportation Congestion Mitigation and Air Quality Grant and Authorizing Transfers from the Conservation Trust Fund for the Power Trail and Harmony Grade Separated Crossing Project.

The purpose of this item is to enable the City to receive and expend federal pass-thru funds for the Power Trail and Harmony Grade Separated Crossing Project (the Project). The funds will be used for construction of a pedestrian and bicycle underpass located approximately 500 feet west of the intersection of Harmony Road and Union Pacific Railroad. If approved this item will appropriate \$3,239,300 of Congestion Mitigation and Air Quality (CMAQ) grant funds for the Project. Additionally, this item will transfer \$1,600,000 in Conservation Trust Funds to the Capital Project Fund for the Project

Previously appropriated funds will be used for local match requirements.

9. First Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance.

The purpose of this item is to update municipal code to be consistent with the state's Plastic Pollution Reduction Act (PPRA), in effect on January 1, 2024, that prohibits stores from providing

single-use plastic carryout bags and retail food establishments from distributing expanded polystyrene containers. Updating the code to include a new Article XIV, Regulation of Disposable Bags and Mitigation of Other Sources of Single Use Plastic Pollution, and sunsetting the City's existing Disposable Bag Ordinance will expand enforcement against the distribution of plastic carryout bags and establishes enforcement on the ban of expanded polystyrene foam cups and food containers. Additionally, the Code revisions will provide the City Council with the opportunity to enact more stringent policies aimed at reducing single-use plastics within Fort Collins.

10. Items Relating to the 2025 City Classified Employee Pay Plan as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

A. First Reading of Ordinance No. 014, 2025, Adopting the 2025 Amended City Classified Employee Pay Plan to Update Classified Positions as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

B. First Reading of Ordinance No. 015, 2025, Appropriating Prior Year Reserves in the General Fund for the Cost of Police Services Salary and Benefit Increases as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

The purpose of this item is to recommend changes to the 2025 City Classified Employee Pay Plan based on an annual market analysis conducted as agreed upon through the 2025-2027 Collective Bargaining Agreement (the "Agreement") with the Northern Colorado Lodge #3 of the Fraternal Order of Police ("FOP"). The Agreement was approved by Council by Resolution on December 3, 2024. The Agreement specifies a salary data collection method and evaluation process that includes market data as of early January. This data has been collected and analyzed, resulting in the revised 2025 City Classified Employee Pay Plan.

11. First Reading of Ordinance No. 016, 2025, Authorizing the Conveyance of a Permanent Non-Exclusive Utility Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport to the Fort Collins-Loveland Water District.

The purpose of this item is to authorize a permanent, non-exclusive utility easement over a portion of Northern Colorado Regional Airport property to allow for the installation and maintenance of a waterline to serve the Fort Collins-Loveland Water District's (the "District") public water system. The project will improve reliability and redundancy of the water system that serves the Airport and surrounding area. The Airport will receive fair market value compensation for the easement.

12. Resolution 2025-005 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins Downtown Development Authority Regarding the Renovation and Redevelopment of East Mulberry and Chestnut Street Alleys.

The purpose of this item is to request Council adoption of an Intergovernmental Agreement (IGA) between the City and the Downtown Development Authority (DDA) for renovation and redevelopment of the East Mulberry Street and Chestnut Street Alleys. The alley names listed are temporary and only specified for the purpose of this IGA and for identification during design and construction. They will be officially named in the future and with consideration of the City's theme of naming downtown alleys to honor exemplary individuals who reflect the historic and cultural geography of the downtown area.

13. Items Relating to FLEX Route Regional Transit Services Intergovernmental Agreements.

A. Resolution 2025-006 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Loveland for FLEX Route Regional Transit Services.

B. Resolution 2025-007 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the Town of Berthoud for FLEX Route Regional Transit Services.

C. Resolution 2025-008 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the County of Boulder for FLEX Route Regional Transit Services.

D. Resolution 2025-009 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Boulder for FLEX Route Regional Transit Services.

E. Resolution 2025-010 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Longmont for FLEX Route Regional Transit Services.

The purpose of these items is to authorize the City Manager to sign separate Intergovernmental Agreements (“IGAs”) with the City of Loveland, the Town of Berthoud, the City of Boulder, the County of Boulder, and the City of Longmont (collectively, the “FLEX Partners”) by which the FLEX Partners will contribute funds toward the operating cost of the FLEX Route Regional Transit Service bus route to further the goals of regional connectivity through transit.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

K) CONSENT CALENDAR FOLLOW-UP *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*

L) STAFF REPORTS - None.

M) COUNCILMEMBER REPORTS

N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

The method of debate for discussion items is as follows:

- *Mayor introduced the item number and subject; asks if formal presentation will be made by staff*
- *Staff presentation (optional)*
- *Mayor requests public comment on the item (three minute limit for each person)*
- *Council questions of staff on the item*
- *Council motion on the item*
- *Council discussion*

- *Final Council comments*
- *Council vote on the item*

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all have an opportunity to speak. The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

14. Second Reading of Ordinance No. 009, 2025, Amending the Land Use Code to Align with Two Adopted State House Bills Concerning Accessory Dwelling Units and Parking for Multi-Unit Dwellings and to Clarify and Correct Certain Provisions.

This Ordinance, adopted on First Reading on January 21, 2025, by a vote of 6-1 (Nay: Ohlson) adopts revisions, clarifications, and organization to the Land Use Code provisions that address specific areas that are the subject of two Colorado State House Bills passed last year. HB24-1152 requires the ability to build an ADU in more areas of the City, and HB24-1304 removes the minimum parking requirements for new multi-unit and residential mixed-use development. This item also includes clean-up to the Land Use Code.

Attached to this AIS is Section 10 of the Ordinance, which shows the changes adopted on First Reading. **Since this Ordinance was adopted on First Reading, staff has identified the need to clarify the definitions in Section 7.2.2 of the Land Use Code related to the identification of an ADU. As a result, staff is requesting that Council move to amend the Ordinance on Second Reading to fix these conflicting definitions in the manner described below.**

15. First Reading of Ordinance No. 017, 2025, Adopting Rooted in Community, Fort Collins' Urban Forest Strategic Plan as a Component of City Plan.

The purpose of this item is to formally adopt Rooted in Community, Fort Collins' first Urban Forest Strategic Plan. The adopted plan will align and guide future growth strategies for sustaining and growing a healthy and resilient urban forest for the people of Fort Collins and benefit the greater community as a whole.

Staff recommends scheduling second reading of this Ordinance on March 4, 2025, to allow the Planning and Zoning Commission to provide a recommendation during their meeting on February 20, 2025.

P) RESUMED PUBLIC COMMENT (if applicable)

Q) OTHER BUSINESS

OB 1. Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.

(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

OB 2. Consideration of a motion to go into Executive Session to discuss Connexion:

"I move that City Council go into executive session to consider matters pertaining to issues of competition in providing telecommunication facilities and services including matters subject to negotiation , strategic plan, price, sales and marketing, development phasing and any other related matter allowed under Colorado Law, as permitted under Article XII, Section 7(d) of the City Charter and Section 2-31(a)(5) of the City Code."

R) ADJOURNMENT

Every regular Council meeting will end no later than midnight, except that: (1) any item of business commenced before midnight may be concluded before the meeting is adjourned and (2) the Council may, at any time prior to adjournment, by majority vote, extend a meeting beyond midnight for the purpose of considering additional items of business. Any matter that has been commenced and is still pending at the conclusion of the Council meeting, and all matters for consideration at the meeting that have not yet been considered by the Council, will be deemed continued to the next regular Council meeting, unless Council determines otherwise.

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File Attachments for Item:

1. Consideration and Approval of the Minutes of the January 21, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the January 21, 2025 Regular meeting.

February 4, 2025



AGENDA ITEM SUMMARY

City Council

STAFF

Delynn Coldiron, City Clerk

SUBJECT

Consideration and Approval of the Minutes of the January 21, 2025 Regular meeting.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the January 21, 2025 Regular meeting.

STAFF RECOMMENDATION

Staff recommends approval of the minutes.

ATTACHMENTS

1. Draft Minutes, January 21, 2025

January 21, 2025

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Council-Manager Form of Government

Regular Meeting – 6:00 PM

**PROCLAMATIONS AND PRESENTATIONS
5:00 PM**

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. Declaring January 26-February 1, 2025 as National Catholic Schools Week.

Mayor Jeni Arndt presented the above proclamation at 5:00 p.m.

**REGULAR MEETING
6:00 PM**

B) CALL MEETING TO ORDER

Mayor Jeni Arndt called the regular meeting to order at 6:00 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City’s Zoom platform.

C) PLEDGE OF ALLEGIANCE

Mayor Jeni Arndt led the Pledge of Allegiance to the American Flag.

D) ROLL CALL

PRESENT

- Mayor Jeni Arndt
- Mayor Pro Tem Emily Francis
- Councilmember Susan Gutowsky
- Councilmember Julie Pignataro
- Councilmember Tricia Canonico
- Councilmember Melanie Potyondy
- Councilmember Kelly Ohlson

ABSENT

None.

STAFF PRESENT

- City Manager Kelly DiMartino
- City Attorney Carrie Daggett
- City Clerk Delynn Coldiron

E) CITY MANAGER'S AGENDA REVIEW

Item 1.

City Manager Kelly DiMartino provided an overview of the agenda, including:

- No changes to the published agenda.
- Items 1-7 on the Consent Calendar are recommended for adoption.
- Three Discussion items with Item No. 8, First Reading of Ordinance No. 006, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the West Elizabeth Corridor Final Design and Related Art in Public Places, being on the Discussion Agenda as the Mayor needs to recuse herself due to a conflict of interest.

F) COMMUNITY REPORTS

None.

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS *(Including requests for removal of items from Consent Calendar for individual discussion.)*

Joe Rowan commented on Kevin Jones' retirement from the Fort Collins Chamber of Commerce and stated he will be sorely missed. Additionally, Rowan stated he was encouraged by the conversation at last week's work session and commented on the importance of small businesses in the community and ensuring their needs are considered when approving new regulations.

Jenna Robinson, Executive Director of Saint Volunteer Transportation, discussed the organization which provides rides to seniors and people with disabilities, and is partly funded by the City. Robinson provided statistics on the on the trips provided in 2024 and thanked Council for its support.

Rich Stave expressed concern regarding Item No. 4 related to the appeals process. Additionally, he opposed the opt out fee for the City's contracted trash service stating it is akin to a police powers reference. He stated a private contractor should not be able to charge him for a service it does not provide to him.

Nicholas Sahwin, Connexion Workers' Coalition, spoke in favor of the union and commented on the need for Fort Collins to develop a framework similar to Denver's 2U measure that can go on the ballot to allow for unions to be recognized.

Adam Hirshhorn noted there will be a new Director of National Intelligence, Tulsi Gabbard, and stated he trusts that she will bring civil and productive dialogue to the position. Hirshhorn also concurred that small businesses need to be supported and find a way to form cooperatives, so they are not forced out by larger companies. He congratulated Hamas on their victory.

Greg Zoda noted that last night President Trump signed an executive order that reclassified federal workers as political appointees subjecting them to firing without union protection. He noted the National Treasury Employees Union sued the administration aiming to block that reclassification process and stated federal workers are not the only public sector workers who face risks under the administration. Zoda stated the Connexion Workers' Coalition is needed to protect Connexion employees and stated the City Manager's refusal to recognize the union puts all similar organizations at risk.

Public comment concluded at 6:24 p.m.

H) PUBLIC COMMENT FOLLOW-UP

Item 1.

Councilmember Canonico thanked Saint for the services it provides and noted Ride NoCo is another organization set up for Larimer and Weld counties that can help people find rides or transit.

Mayor Arndt commended Kevin Jones on being a steadfast observer and trusted source of information. She thanked him for his years of service and noted how much she appreciated him.

Councilmember Pignataro responded to Mr. Stave's concerns about the appeals process and stated she views the changes as being less bureaucratic and representative of actual costs. Regarding the opt out fee for trash service, she noted a great deal of research was done related to best practices and benefits of the contract. She stated staff will continue to look at the program and make changes as appropriate.

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

Councilmember Potyondy withdrew Item Nos. 6, *First Reading of Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan* and 7, *Resolution 2025-004 Approving the First Amendment to the Development Agreement to Secure Public Benefits for Development of the Montava Planned Unit Development Master Plan*, from the Consent Calendar.

J) CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the January 7, 2025 Regular meeting.

The purpose of this item is to approve the minutes of the January 7, 2025 Regular meeting.

Approved.

2. Second Reading of Ordinance No. 001, 2025, Amending Chapters 15 and 23 of the Code of the City of Fort Collins Relating to Small Cell Contractors and Provider Bond Requirements for Operating in the Public Right-of-Way.

This Ordinance, unanimously adopted on First Reading on January 7, 2025, presents a recommendation from the City Planning Development Team to:

1. Increase the bond requirements for all contractors working in the public right-of-way. These bond amounts have not been updated since 1998.

2. Increase the bond requirements for boring contractors stems from damage caused by telecommunication providers to underground facilities.

3. Create a performance bond requirement for all small cell facility installations.

Adopted on Second Reading.

3. Second Reading of Ordinance No. 002, 2025, Authorizing the Conveyance of a Temporary Construction Easement on Whitewater Park to Public Service Company of Colorado for Construction of Infrastructure Improvements at the Poudre River Regulator Station H-111-A.

This Ordinance, unanimously adopted on First Reading on January 7, 2025, authorizes the conveyance of a Temporary Construction Easement (the TCE) on 0.469 acres (the "TCE Area") being a portion of City property presently known as the Poudre River Whitewater Park and located

at 201 East Vine Drive. The TCE will be used by Public Service Company of Colorado d/b/a Xcel Energy ("Xcel") for required infrastructure improvements at the Poudre River Regulator Station, H-111-A. Item 1.

This Agenda Item Summary addresses questions raised by Council on First Reading; see underlined areas.

Adopted on Second Reading.

4. **Second Reading of Ordinance No. 003, 2025, Repealing and Reenacting Chapter 2, Article II, Division 3 of the Code of the City of Fort Collins Pertaining to Appeals Procedure.**

This Ordinance, unanimously adopted on First Reading on January 7, 2025, incorporates process improvements to the procedures for addressing appeals and other questions of final decisions that are appealable to Council. The City Code changes address previously identified concerns with the current Council appeals procedure as discussed among Council, administrative staff, hearing officers, City boards and commissions, and members of the public. The City Code changes also clarify the processes and offer different routes for different types of questions on review.

Adopted on Second Reading.

5. **First Reading of Ordinance No. 004, 2025, Vacating the Riverbend Court Right-of-Way and Approving Easements.**

The purpose of this item is to vacate the public right-of-way at Riverbend Court and create drainage, utility, access, and emergency access easements over the property.

Adopted on First Reading.

6. **First Reading of Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan.**

The purpose of this item is for Council to consider the First Amendment to the Planned Unit Development (PUD) Master Plan Development Agreement for the Montava PUD Overlay and Master Plan between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

Removed from Consent Calendar – Adopted on First Reading.

7. **Resolution 2025-004 Approving the First Amendment to the Development Agreement to Secure Public Benefits for Development of the Montava Planned Unit Development Master Plan.**

The purpose of this item is to consider the First Amendment to the Development Agreement to Secure Public Benefits for Montava Planned Unit Development (PUD) Master Plan (Public Benefits Agreement) between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered

Removed from Consent Calendar – Adopted.

END OF CONSENT CALENDAR

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to approve the recommended actions on items 1-5 on the Consent Calendar.

The motion carried 7-0.

K) CONSENT CALENDAR FOLLOW-UP (This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)

None.

L) STAFF REPORTS

None.

M) COUNCILMEMBER REPORTS

Councilmember Susan Gutowsky

- Commemoration of 5 years since the behavioral health tax initiative passed to ultimately provide the Longview Behavioral Health Center and associated work.

Councilmember Melanie Potyondy

- MLK Day event yesterday – commended the City, County, and CSU staff on the organization of the event.

Councilmember Tricia Canonico

- Met with Leadership Fort Collins to help run a mock City Council meeting.
- Attended swearing in ceremony for County officials who were recently elected.

N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION

6. First Reading of Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan.

The purpose of this item is for Council to consider the First Amendment to the Planned Unit Development (PUD) Master Plan Development Agreement for the Montava PUD Overlay and Master Plan between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

City Attorney Daggett recommended Council focus this discussion on the issue of the extension rather than details related to the project itself.

Item 1.

Councilmember Potyondy suggested members of the public may want some additional context regarding the extension of the timeline.

PUBLIC COMMENT

Max Moss stated the last seven years of his life have been dedicated to bringing the Fort Collins vision for the northeast area to life with the Montava project. He commented on the challenges with the project, infrastructure issues, and ditch company bargaining that led to a lawsuit. He stated the extension is needed due to the complexities of the project that were not anticipated.

Rich Stave stated it is not unusual for a project of this magnitude to take an excessive amount of time and money to get moving and questioned how cost-effective housing could be part of the project. Additionally, Stave questioned whether other time extensions have occurred and whether bond money has been spent.

COUNCIL DISCUSSION

Councilmember Potyondy requested additional context from staff. Clay Frickey, Planning Manager, outlined the timeline of the project and noted the PUD was approved February 18, 2020, just prior to the beginning of the pandemic which built in several delays. Frickey stated the project has been moving forward as expeditiously as possible.

Councilmember Potyondy thanked staff for the information and stated it is helpful to get an update about the status of the development.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan, on First Reading.

The motion carried 7-0.

7. Resolution 2025-004 Approving the First Amendment to the Development Agreement to Secure Public Benefits for Development of the Montava Planned Unit Development Master Plan.

The purpose of this item is to consider the First Amendment to the Development Agreement to Secure Public Benefits for Montava Planned Unit Development (PUD) Master Plan (Public Benefits Agreement) between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

Councilmember Potyondy stated she has no additional questions.

PUBLIC COMMENT

Rich Stave stated another aspect of this project is the City's expenditure of \$25 million to build bridge over a railroad that services more people in the County than the City, which he believed was done in part to serve Montava and other developments. He stated there are likely other unresolved issues and he expressed concern this would be a never-ending project.

Mayor Pro Tem Francis moved, seconded by Councilmember Gutowsky, to adopt Resolution 2025-004 Approving the First Amendment to the Development Agreement to Secure Public Benefits for Development of the Montava Planned Unit Development Master Plan.

The motion carried 7-0.

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

- 8. First Reading of Ordinance No. 006, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the West Elizabeth Corridor Final Design and Related Art in Public Places.**

The purpose of this item is to appropriate additional design/project development funds in the amount of \$5.539M for advancing the design to 100% for the entire corridor, necessary scope additions and design changes such as protected bike/ped infrastructure, BRT routing revisions and right-of-way services. The West Elizabeth travel corridor is currently the highest priority pedestrian/alternative mode corridor for improvement in the City and was highlighted in City Plan and the Transit Master Plan. This appropriation would follow the same minimum grant/local match ratio of 80/20 that would apply to the Small Starts grant. The local funding source identified for the local match is the "2050 tax." Details of the amounts requested for the grant funds and local match fund appropriation are included in the Background/Discussion section of this AIS.

*(**Secretary's Note: Mayor Arndt recused herself from the vote for this item due to a conflict of interest.)*

PUBLIC COMMENT

None.

COUNCIL DISCUSSION

Councilmember Ohlson noted he had requested a report on the total cost of the MAX project and the West Elizabeth Corridor BRT project. He hoped to receive this within the next few months.

Mayor Pro Tem Francis expressed excitement about the project to bring bus rapid transit along the West Elizabeth corridor noting it is one of the highest areas of bus ridership in the city.

Mayor Pro Tem Francis moved, seconded by Councilmember Potyondy, to adopt Ordinance No. 006, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the West Elizabeth Corridor Final Design and Related Art in Public Places, on First Reading.

The motion carried 6-0 with Arndt recused.

- 9. Items Relating to Adopting Landscaping Amendments to the City Code and Land Use Code.**

A. First Reading of Ordinance No. 007, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Revise Soil Loosening and Amendment Requirements.

B. First Reading of Ordinance No. 008, 2025, Repealing and Reenacting Section 5.10.1 of Land Use Code and Amending Definitions in Section 7.2.2 of the Land Use Code to Advance Adopted City Policy Goals to Reduce Water Usage in Landscapes to Comply with State Law and to Clarify and Reorganize Landscaping, Tree Protection, and Irrigation Standards.

Item 1.

The purpose of this item is to adopt City Code and Land Use Code amendments related to landscape and soil that help to address Council's adopted priorities for 2021-2023.

The proposed amendments to the Land Use Code are designed to minimize water consumption in landscaping for most new and redeveloped properties; they would not apply to single-unit, duplex, and accessory dwelling unit housing types. The code amendments ensure compliance with Colorado Senate Bill 24-005 (SB 24-005), which prohibits specific landscaping practices.

The proposed City Code amendments on soil amendment and soil loosening requirements aim to enhance clarity for applicability and allow soil amendments to be tailored to specific site conditions, which will support successful vegetation establishment and long-term growth.

STAFF PRESENTATION

Jill Oropeza, Senior Director of Integrated Sciences and Planning, stated this item relates to two sets of landscape code updates related to xeriscape and soil amendments and noted the changes align with new State legislation that was adopted in 2024 that limits non-functional irrigated turf statewide. Additionally, the changes aim to provide cost-effective solutions that support resilient landscapes that are better able to thrive in a hotter and dryer future, help move the City toward its water conservation goals and provide other environmental benefits.

Katheryne Marko, Environmental Regulatory Affairs Manager, noted these proposed Land Use Code and City Code amendments respond to three of the 2021-23 City Council priorities and are in alignment with Colorado Senate Bill 24-005 that goes into effect January 1, 2026, which effectively prohibits non-functional turf, artificial turf, and invasive plant species on commercial developments. Marko noted single-family, duplex, and accessory dwelling units are the only property type exceptions for the regulations and stated the requirements will not apply retroactively. Marko stated staff will continue to work on education and outreach, as well as compliance, as those are key components of an effective program.

Marko provided additional detail on the City's proposal and water allotment reduction and showed images of what the State Bill would allow versus what would be allowed per the City's proposed revisions.

Katie Collins, Water Conservation Specialist, discussed the public engagement process with a variety of stakeholders and highlighted the general themes of support, including support for expanding on existing commercial landscape regulations, specifically related to functional and non-functional grass, and support for continuing to provide education and incentives for landscaping. In terms of themes of concern, stakeholders had discouraged including single-family residential in the regulations, had expressed concern about the previous method proposed for limiting turf, had expressed concern about limiting artificial turf, though that is a requirement of the Senate Bill, and expressed concern about the incremental increase to costs, specifically the cost and maintenance of dedicated tree irrigation.

Collins discussed the analyses conducted to evaluate the potential short- and long-term cost and design impacts of the proposed Code amendments. She provided a summary of the estimated landscape and water costs for each of the water providers in the city for various landscape types. Collins stated staff believes this proposal meets the intent of the Council priorities, satisfies the requirements of the Senate Bill, and is reasonable and achievable; therefore, staff is recommending adoption of the Code amendments.

Rich Stave questioned the limitation on artificial turf and commented on the Los Angeles fires being related to landscaping. He expressed concern about landscaping requirements that may increase fire risk.

COUNCIL DISCUSSION

Councilmember Potyondy expressed support for revisiting expectations for new single-family development in the future. She asked if there are options for functional turf other than Kentucky bluegrass. Collins replied Kentucky bluegrass is a good choice for high traffic uses such as athletic fields, is fairly resilient, and has a good dormancy mechanism.

Mayor Arndt asked if the artificial turf regulations apply to school districts. Collins replied the State Bill would apply to school districts and the regulations would allow artificial turf on athletic fields of play.

Councilmember Gutowsky commented on the Ponds development's landscaping and asked if the natural grasses spread throughout the area are what staff is referring to in lieu of lawns. Collins replied the development does have many native grasses and that is the aesthetic staff is referencing when discussing that type of landscape.

Councilmember Gutowsky noted that type of landscape is more flammable than typical grass lawns. Collins replied fire-wise landscaping principles and proper maintenance of native grasses are important factors in minimizing fire risk.

Councilmember Gutowsky asked about the status along Ziegler Road. Collins replied there are challenges with renovating existing landscapes with native grasses and stated there are many community examples of great application and germination of native grasses and there are also examples of learning opportunities.

Councilmember Gutowsky asked about the dedicated tree irrigation. Marko replied the proposed requirement is for a separate irrigation system for trees to enable them to have what they need, particularly during establishment and in times of drought. Marko noted the requirement would apply to all commercial development.

Councilmember Canonico commended the work on reflecting Fort Collins' values and asked about the difference between native grasses and invasive species in terms of fire risk. Collins replied staff may need to follow-up in terms of what kind of protection native grasses could provide against fire.

Councilmember Canonico noted part of the issue in California related to invasive species such as thistles that had dried out and made things more flammable.

Councilmember Ohlson commented on the clay soil at his property when he purchased it in 1980 and stated he has worked on soil amendments since he was elected to Council in 1983. He commented on adding soil amendment standards to the Council priority list in 2021 and expressed concern about management failure over the past four years. He questioned why this item provides no significant changes or improvements to what has already been in place.

Councilmember Ohlson also noted the Planning and Zoning Commission and Water Commission both expressed support for the soil amendment standards but identified the fact that funding is not being provided. He stated inspections and enforcement are more important than any amendments and requested information as to why more improvements were not included. Marko concurred there are no large changes but stated what is currently occurring is

in line with other communities. She concurred that field verification is the only way to address soil loosening.

Item 1.

Councilmember Ohlson questioned why the City cannot provide better enforcement and field verification. City Manager DiMartino acknowledged staff purposely paired the xeriscape and soil amendments together, which did slow down the soil amendments. In terms of inspections, she stated there was originally a conversation about additional inspectors as a budget offer; however, it was not recommended for funding at this time. She stated staff will look at existing resources and how they can be deployed differently.

Councilmember Ohlson questioned why the fees could not be lower on smaller footprint properties. Collins replied the resources needed to implement standards on single-family residential would be extensive and the City would need to begin a new program for development of regulations and inspection.

Councilmember Ohlson thanked staff for their work and for answering his questions. Marko noted the current process for administrative oversight related to soil amendments involves staff that is routinely on site, but what does not occur is field verification when a soil amendment comes in for review. Sites are only inspected specific to soil amendments if there is an indication on the paperwork submitted indicating that clarification is required, which is less than 1% of the projects.

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 007, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Revise Soil Loosening and Amendment Requirements, on First Reading.

Mayor Arndt thanked staff for their work and on incorporating feedback and State requirements for a solution that is reasonable and achievable.

The motion carried 7-0.

Mayor Pro Tem Francis moved, seconded by Councilmember Canonico, to adopt Ordinance No. 008, 2025, Repealing and Reenacting Section 5.10.1 of the Land Use Code and Amending Definitions in Section 7.2.2 of the Land Use Code to Advance Adopted City Policy Goals to Reduce Water Usage in Landscapes to Comply with State Law and to Clarify and Reorganize Landscaping, Tree Protection, and Irrigation Standards, on First Reading.

The motion carried 7-0.

- 10. First Reading of Ordinance No. 009, 2025, Amending the Land Use Code to Align with Two Adopted State House Bills Concerning Accessory Dwelling Units and Parking for Multi-Unit Dwellings and to Clarify and Correct Certain Provisions.**

The purpose of this item is to propose revisions, clarifications, and organization to the Land Use Code provisions that address specific areas that are the subject of two Colorado State House Bills passed last year. HB24-1152 requires the ability to build an ADU in more areas of the City, and HB24-1304 removes the minimum parking requirements for new multi-unit and residential mixed-use development. This item also includes clean-up to the Land Use Code.

STAFF PRESENTATION

Clay Frickey, Planning Manager, stated this item would make two updates to the Land Use Code related to recently passed State legislation, one dealing with accessory dwelling units, and the other dealing with parking requirements for multi-unit dwellings in close proximity to transit. He noted House Bill 24-1152 requires municipalities over a certain size to permit accessory dwelling

units in areas where single-unit dwellings are permitted or already exist. Additionally, object requirements can be put in place, but additional design review is not permitted nor is additional parking for accessory dwelling units except in very specific circumstances. Frickey noted the State requirement is that accessory dwelling units not go before a public hearing, therefore, staff is proposing the use of basic development review and is proposing eliminating the ability for an ADU project to be appealed to City Council. Staff is proposing limiting short-term rentals in ADUs, allowing historic preservation regulations to apply, and requiring a letter from the water and utility company that they are willing and able to provide services to the ADU.

Frickey noted House Bill 24-1304 eliminates parking requirements for multi-unit dwellings within a ¼ mile proximity of existing or planned bus stops with certain route requirements. He noted no landscaping or design standards related to parking are being proposed to be changed.

Frickey stated the Planning and Zoning Commission unanimously recommended adoption of these changes and staff is also recommending adoption.

PUBLIC COMMENT

Rich Stave expressed concern that high-density development with wood fences increases fire danger and may require additional fire hydrants, stations, and water supply, none of which are included in the House Bill. Additionally, he stated it is appropriate for review to be allowed and expressed concern about existing parking issues.

COUNCIL DISCUSSION

Mayor Pro Tem Francis asked if a garage below an ADU is counted toward the 750 square foot limit. Frickey replied there is an existing Land Use Code provision that counts anything within a building as floor area, and much of that is related to the accessory dwelling unit standards that were in the previous version of the Land Use Code for Old Town specifically. He noted the number one concern at that time was the size of new construction; therefore, building sizes were limited in Old Town. He stated the purpose behind the standard of counting garages and other storage buildings is because people walking down the street just see a large building, not a divided structure. Additionally, he noted the ADU cannot be larger than the main house.

Frickey outlined some of the options for Council to ensure compliance with the State statute and noted accessory dwelling unit updates could also come as a package later in the year.

Mayor Pro Tem Francis asked if there are other ways to address compatibility while also allowing for things that make common sense. Frickey replied there are likely plenty of ways to get creative with solutions.

Mayor Pro Tem Francis stated her preference would be to make some amendments prior to Second Reading.

Councilmember Canonico concurred.

Frickey discussed the modification of standard process that someone could utilize to apply for a larger ADU under the current regulations.

Councilmember Canonico asked if staff would prefer to wait until the work session to develop language. Frickey replied that would certainly allow for more time; however, he noted the Land Use Code is a living document and there will always be opportunities for updates.

Mayor Arndt expressed support for waiting until the work session in March to allow staff some time to provide renderings or sketches of various ADU sizes comparing the original intent of the Old Town ADU requirements versus what is being proposed.

Councilmember Potyondy expressed concern about subverting the intent of the State law which is to allow people to build an ADU up to 750 square feet. She expressed support for moving more quickly given the intention to allow for a living space, though she acknowledged concerns about aesthetics.

Councilmember Ohlson stated what is before Council does comply with the State law and suggested that proper time should be taken to get things done. He asked if the City has already banned ADU's from being short-term rentals. Frickey replied short-term rentals are limited based on zone district currently and noted the Code also bans new ADU's from being short-term rentals.

Councilmember Pignataro requested additional information about what is planned for the March work session. Frickey replied staff had envisioned a discussion about some elements of the House Bill related to accessing State funds to be considered an accessory dwelling unit supportive community, including reducing impact fees for ADU's and creating off the shelf designs for ADU's that people can utilize. He stated staff was anticipating the possibility of resulting Land Use Code changes from that discussion.

Councilmember Pignataro noted ADU's will not pop up overnight, particularly given the cost of construction, and expressed support for either adding the language prior to Second Reading or striking some of the language proposed limiting the size of the ADU based on including garage or other accessory building square footage.

Mayor Arndt suggested asking staff to prepare an amendment prior to Second Reading that could be voted upon separately, and if that fails, it could be pushed to the March date for additional work. Frickey stated some additional direction would be helpful.

Councilmember Canonico suggested striking the one line of Code as the amendment and bringing back the overarching discussion about aesthetics to the work session in March.

Councilmember Gutowsky expressed support for the ordinance given the need to be in alignment with the State. She concurred with Mr. Stave's comments about needing to be attentive to the added stress on infrastructure.

Councilmember Ohlson suggested there should be a more definitive answer as to the number of existing ADU's in Fort Collins. Frickey replied the difficulty comes when people build accessory structures with habitable space without permits or without indicating habitable space will be included on permits. It is unknown whether they are rented out after they are built, etc.

Councilmember Ohlson asked if Poudre Fire Authority reviews the permits for ADU's. Frickey replied in the affirmative and stated it is likely all of them will require fire sprinklers in the future. Additionally, he noted all applications are reviewed for adequate public facilities.

Mayor Pro Tem Francis moved, seconded by Councilmember Pignataro, to adopt Ordinance No. 009, 2025, Amending the Land Use Code to Align with Two Adopted State House Bills Concerning Accessory Dwelling Units and Parking for Multi-Unit Dwellings and to Clarify and Correct Certain Provisions, on First Reading, striking 'max floor area includes garage, shed, or other accessory space under zone districts' in the ADU section.

Mayor Arndt stated she would have preferred to wait to offer staff the time to provide visual representations but will support the motion.

The motion carried 6-1.

Ayes: Mayor Arndt, Mayor Pro Tem Francis, Councilmembers Pignataro, Canonico, Gutowsky, and Potyondy.

Nays: Councilmember Ohlson.

P) OTHER BUSINESS

OB 1. **Possible consideration of the initiation of new ordinances and/or resolutions Councilmembers.**

Item 1.

(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

Mayor Arndt requested and received support for giving direction to staff to have the Ethics Review Board meet to discuss gifts and honoraria reports and financial disclosures to form a cohesive policy back to Council.

City Attorney Daggett noted the Ethics Review Board consists of Mayor Arndt, Councilmember Pignataro, and Councilmember Canonico, with Councilmember Gutowsky as the alternate.

OB 2. **Consideration of an Executive Session to Discuss Real Property Acquisition and Sale:**

Mayor Pro Tem Francis made a motion, seconded by Councilmember Potyondy, that Council go into executive session to discuss with appropriate City staff potential acquisition and sale of real property for potential court, maintenance and transportation facilities and similar uses, as permitted under:

- ***City Charter Article Roman Numeral Two, Section 11(3),***
- ***City Code Section 2-31(a)(3) and***
- ***Colorado Revised Statutes Section 24-6-402(4)(a).***

The motion carried 7-0.

City Manager DiMartino provided a reminder that Poudre Fire Authority has its Community Wildfire Protection Plan draft available to the community for comments closing on January 29th.

The executive session concluded at 9:17 p.m.

Q) ADJOURNMENT

There being no further business before the Council, the meeting was adjourned at 9:18 p.m.

Mayor

ATTEST:

City Clerk

DRAFT

File Attachments for Item:

2. Second Reading of Ordinance No. 004, 2025, Vacating the Riverbend Court Right-of-Way and Approving Easements.

This Ordinance, unanimously adopted on First Reading on January 21, 2025, vacates the public right-of-way at Riverbend Court and creates drainage, utility, access, and emergency access easements over the property.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Tim Dinger, Civil Engineer II
Will Flowers, Sr. Specialist Real Estate Services

SUBJECT

Second Reading of Ordinance No. 004, 2025, Vacating the Riverbend Court Right-of-Way and Approving Easements.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 21, 2025, vacates the public right-of-way at Riverbend Court and creates drainage, utility, access, and emergency access easements over the property.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

The Liberty Common School is currently working on two separate Site Plan Advisory Review (SPAR) processes. The first SPAR proposes an interior remodel of the existing office at 1825 Sharp Point into a charter junior high school building. The second SPAR process will include the construction of a new junior high school building with the footprint as shown on the attached Phase 2 proposed site plan. This proposed building would conflict with the public right-of-way (ROW) of Riverbend Court.

Riverbend Court does not provide any necessary connectivity to other neighborhoods or streets, but it does provide access to the surrounding properties. Liberty Common School (specifically LCS BUILDING CORP) owns all surrounding properties (Parcel numbers 8720214901, 8720206903, 8720105906, 8720105008, 8720105010, 8720105007 and 8720105004). There are existing utilities in the area of Riverbend Court; so, Riverbend Court does require public drainage, utility, access and emergency access easements. The ROW can be vacated for the proposed building to be constructed in the future, and the drainage, utility, access and emergency access needs will be dedicated to the City as easements. The second Liberty Common SPAR later this year will address the drainage and utility design and will also reconfigure the access. Riverbend Court will be a privately-owned and maintained road, and the new school building will replace much of the road. The future construction plans to relocate existing utilities, and at that time the easements can be vacated.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

According to the SPAR process under Colorado Revised Statutes § 22-32-124(1.5)(a), the Planning and Zoning Commission provided comments on November 21, 2024, for the Liberty Common School Expansion Site Plan Advisory Review application (# SPA240002) to the Liberty Common School governing board. At its December 19, 2024, meeting, the Commission further discussed the matter and Liberty Common's agreement to address the Commission's recommendations.

PUBLIC OUTREACH

Adjacent property owners were sent certified mail notifications on October 16, 2024.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration
2. Exhibit A to Ordinance
3. Exhibit B to Ordinance
4. Exhibit C to Ordinance
5. Exhibit D to Ordinance

ORDINANCE NO. 004, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
VACATING THE RIVERBEND COURT RIGHT-OF-WAY AND
APPROVING EASEMENTS

A. The plat of the Prospect Industrial Park, April 25, 1979, recorded in the Larimer County Records at Reception Number 303647, Book 1947 Page 20, included dedication to the public of right-of-way for Riverbend Court.

B. Liberty Common School (specifically LCS BUILDING CORP) owns all the properties surrounding Riverbend Court (Parcel numbers 8720214901, 8720206903, 8720105906, 8720105008, 8720105010, 8720105007, and 8720105004).

C. Liberty Common School is proceeding through site plan review processes, proposing to expand its school facilities, including building a new junior high school building.

D. The existing right-of-way is not compatible with the proposed school development, including proposed school traffic patterns and the proposed new building, which will be situated atop Riverbend Court, as illustrated in the proposed site plan in Attachment A, attached hereto and incorporated herein.

E. Riverbend Court does not provide any necessary connectivity to other neighborhoods or streets, but it does provide access to the surrounding school properties. There are existing utilities in the area of Riverbend Court; so, Riverbend Court does require drainage, utility, access and emergency access easements.

F. Liberty Common School has requested that the City vacate the Riverbend Court right-of-way described in Attachment B, attached hereto and incorporated herein, and has explained justification for the request.

G. Liberty Common School will dedicate new easements, described in Attachments C and D, attached hereto and incorporated herein, to continue the public drainage, utility, access and emergency access in the area of Riverbend Court.

H. In accordance with City Code Section 23-115(d), pertinent City staff, potentially affected utility companies, emergency service providers and affected property owners in the vicinity of the right-of-way have been contacted, no objection has been reported to the proposed vacation, and the City Engineer recommends approval of the right-of-way vacation.

I. In accordance with City Code Section 23-115(e), the Planning Development and Transportation Director recommends approval that the Riverbend Court right-of-way be vacated.

J. Vacating the Riverbend Court right-of-way will not prejudice or injure the rights of the residents of Fort Collins.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby finds and determines that the Riverbend Court right-of-way dedicated via the Prospect Industrial Park plat, more particularly described in Attachment B, is no longer needed for right-of-way purposes, except for public drainage, utility, access, and emergency access, and that it is in the public interest to vacate the same.

Section 2. The City Council hereby finds and determines that public drainage, utility, access and emergency access in the area of Riverbend Court remains needed and is in the public interest, and Council hereby approves City acceptance of the easements provided in Attachments C and D.

Section 3. The Riverbend Court right-of-way dedicated via the Prospect Industrial Park plat is hereby vacated, abated and abolished, provided that this vacation shall not take effect until the easements provided in Attachments C and D are accepted by the City and recorded with the Larimer County Clerk and Recorder and until this Ordinance takes effect and is recorded with the Larimer County Clerk and Recorder.

Section 4. In accordance with City Code Section 23-115(f), title to the Riverbend Court right-of-way vacated by this ordinance shall vest in accordance with Colorado Revised Statutes Section 43-2-302.

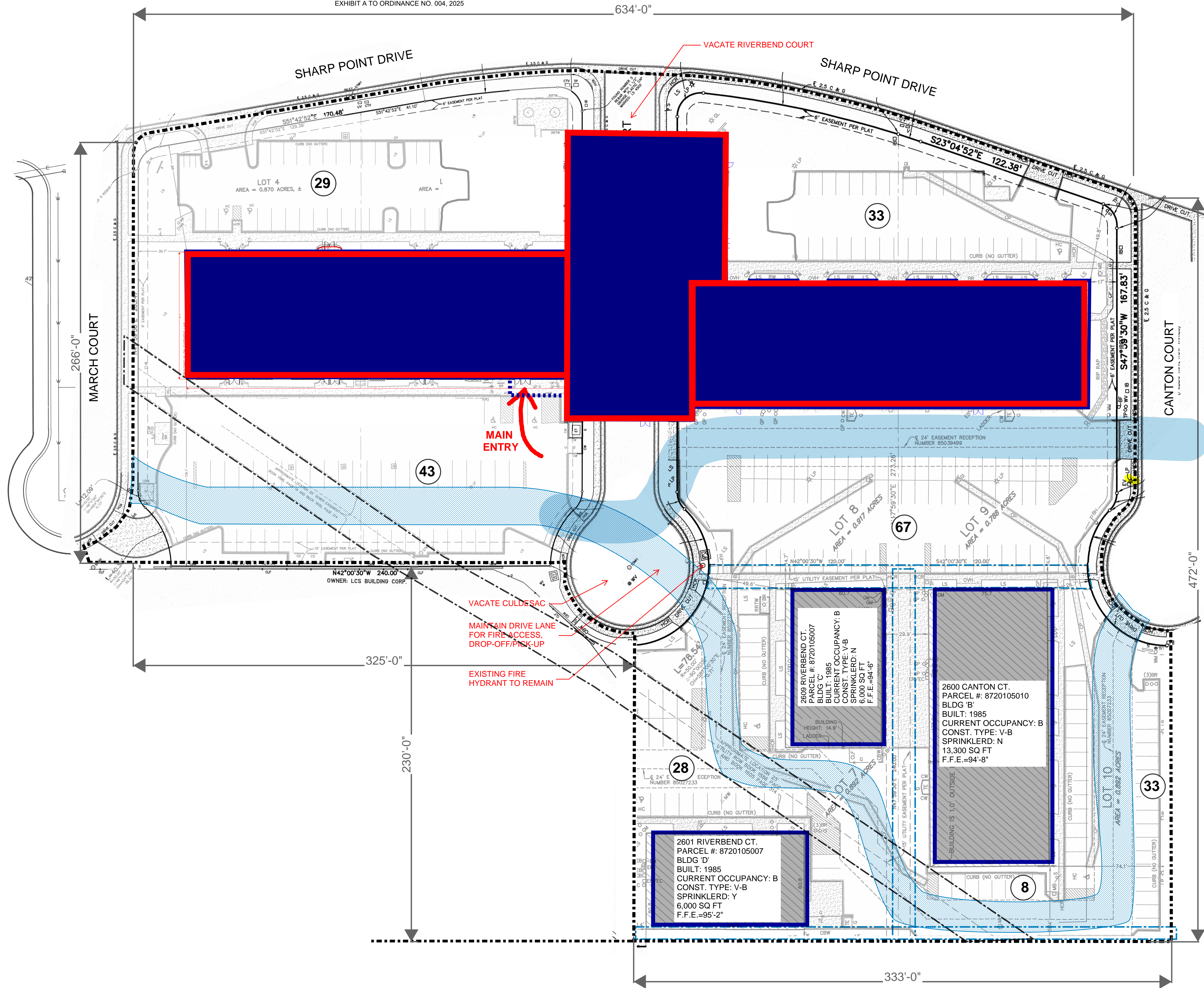
Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025
Approving Attorney: Heather N. Jarvis



1 CONCEPTUAL SITE PLAN - PROPOSED JUNIOR HIGH SCHOOL
scale: 1" = 30'-0"

PROPERTY DESCRIPTION

A tract of land, being shown and described as Riverbend Court on the plat of Prospect Industrial Park recorded April 25, 1979 as Book 1947 at Page 20 at Reception No. 303647 of the Records of Larimer County, located in the Northeast Quarter (NE1/4) of Section Twenty (20), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 20 and assuming the North line of the Northwest Quarter of said Section 20 as bearing North 89°02'00" West, as platted, a distance of 2649.40 feet and with all other bearings contained herein relative thereto;

THENCE South 13°48'33" East a distance of 1642.39 feet to the Northeast corner of Lot 5 of said Prospect Industrial Park and to the beginning point of a non-tangent curve and to the **POINT OF BEGINNING**;

THENCE along the arc of said non-tangent curve concave to the Southwest a distance of 92.31 feet, said curve has a Radius of 636.13 feet, a Delta of 08°18'53" and is subtended by a Chord bearing South 39°57'10" East a distance of 92.23 feet to the Cusp of a Curve;

THENCE along the arc of a non-tangent curve concave to the South a distance of 25.19 feet, said curve has a Radius of 15.00 feet, a Delta of 96°12'47" and is subtended by a Chord bearing North 83°54'07" West a distance of 22.33 feet to a Point of Tangency;

THENCE South 47°59'30" West a distance of 237.45 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 12.09 feet, said curve has a Radius of 15.00 feet, a Delta of 46°11'13" and is subtended by a Chord bearing South 24°53'54" West a distance of 11.77 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 237.69 feet, said curve has a Radius of 50.00 feet, a Delta of 272°22'26" and is subtended by a Chord bearing North 42°00'30" West a distance of 69.23 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the North a distance of 12.09 feet, said curve has a Radius of 15.00 feet, a Delta of 46°11'13" and is subtended by a Chord bearing North 71°05'06" East a distance of 11.77 feet to a Point of Tangency;

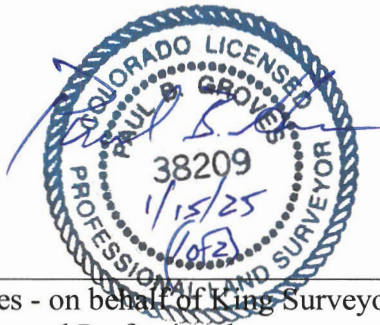
THENCE North 47°59'30" East a distance of 240.68 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the West a distance of 24.11 feet, said curve has a Radius of 15.00 feet, a Delta of 92°06'06" and is subtended by a Chord bearing North 01°56'27" East a distance of 21.60 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 23,313 Square Feet or 0.535 Acre, more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

SURVEYORS STATEMENT

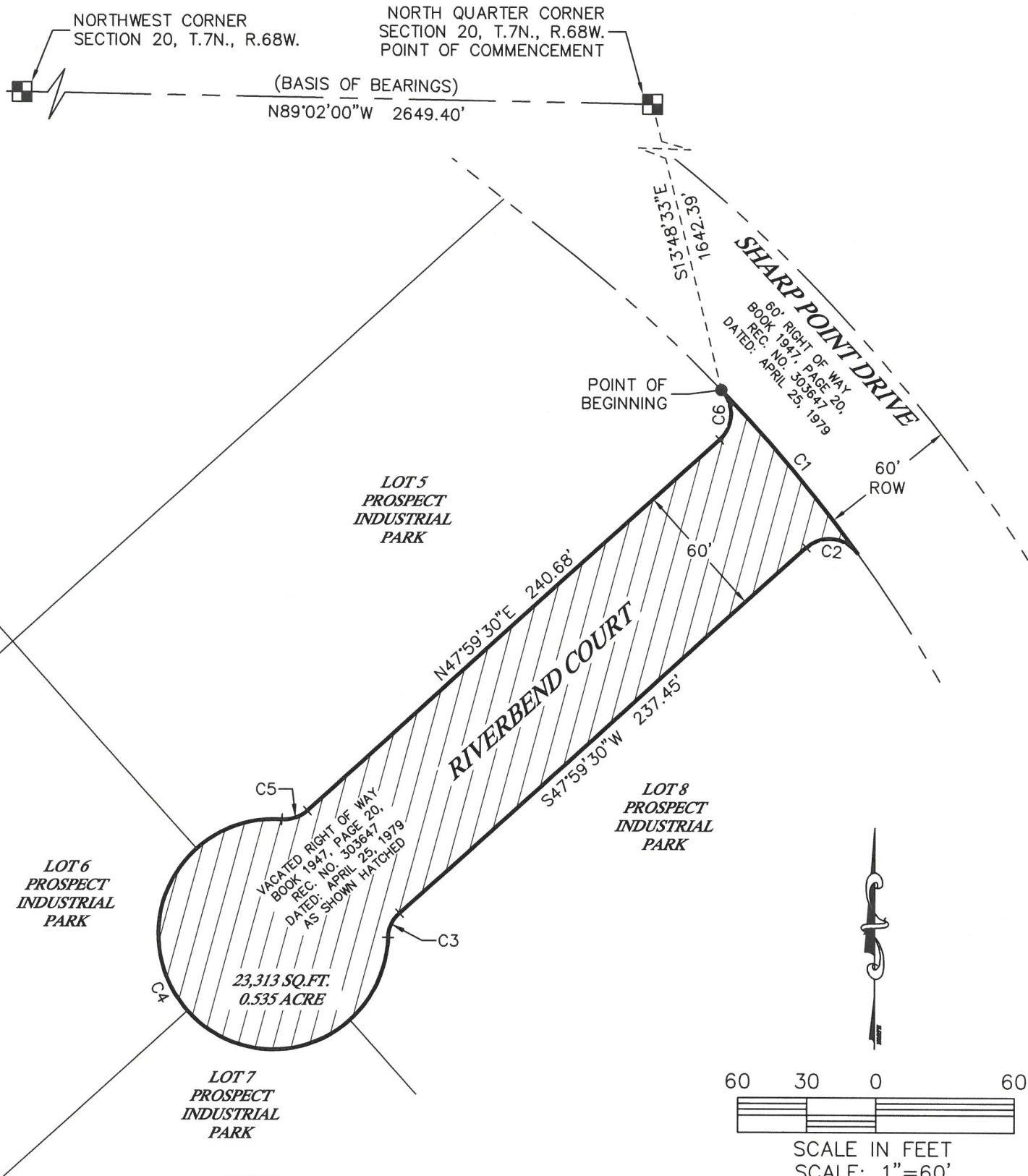
I, Paul B. Groves, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



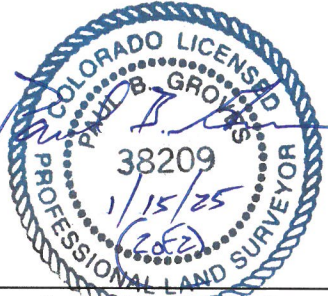
Paul B. Groves - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011

EXHIBIT



VACATED RIGHT OF WAY
BOOK REC. NO. 303647
DATED: APRIL 25, 1979
AS SHOWN HATCHED



Paul B. Groves – On Behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	92.31'	636.13'	8°18'53"	92.23'	S39°57'10"E
C2	25.19'	15.00'	96°12'47"	22.33'	N83°54'07"W
C3	12.09'	15.00'	46°11'13"	11.77'	S24°53'54"W
C4	237.69'	50.00'	272°22'26"	69.23'	N42°00'30"W
C5	12.09'	15.00'	46°11'13"	11.77'	N71°05'06"E
C6	24.11'	15.00'	92°06'06"	21.60'	N01°56'27"E

NOTE: This exhibit drawing is not intended to be a monumented land survey. Its sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

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. (13-80-105 C.R.S. 2012)



KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821
email: contact@KingSurveyors.com

PROJECT NO: 20240494
DATE: 12/20/24
CLIENT: LCS BLDG CORP
DWG: 20240494VACROW
DRAWN: CSK CHECKED: []

DEED OF DEDICATION OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned LCS Building Corporation, a Colorado nonprofit corporation (“Grantor”), being the owner of certain real property in Larimer County, Colorado legally described as provided in Exhibit “A” attached hereto and by this reference made a part hereof, in the Larimer County Records, in consideration of Ten Dollars (\$10.00) in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby dedicate, transfer, and convey to the City of Fort Collins, Colorado, a Municipal Corporation (“City”), whose mailing address for purposes of this deed is P.O. Box 580, Fort Collins, CO 80522, for public use forever a permanent easement for access, utilities, and drainage in the City of Fort Collins, County of Larimer, State of Colorado, more particularly described on Exhibit “B” attached hereto and by this reference made a part hereof (the “Easement”).

The City’s rights under the Easement include the right to install, operate, access, maintain, repair, reconstruct, remove and replace within the Easement public improvements consistent with the intended purpose of the Easement; the right to install, maintain and use gates in any fences that cross the Easement; the right to mark the location of the Easement with suitable markers; and the right to permit other public utilities to exercise these same rights. Grantor reserves the right to use the Easement for purposes that do not interfere with the full enjoyment of the rights hereby granted.

The City is responsible for maintenance of its own improvements and for repairing any damage caused by its activities in the Easement, but by acceptance of this dedication, the City does not accept the duty of maintenance of the Easement, or of improvements in the Easement that are not owned by the City. Grantor will maintain the surface of the Easement in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements.

Except as expressly permitted in an approved plan of development or other written agreement with the City, Grantor will not install on the Easement, or permit the installation on the Easement, of any building, structure, improvement, fence, retaining wall, sidewalk, tree or other landscaping (other than usual and customary grasses and other ground cover). In the event such obstacles are installed in the Easement, the City has the right to require the Grantor to remove such obstacles from the Easement. If Grantor does not remove such obstacles, the City may remove such obstacles without any liability or obligation for repair and replacement thereof, and charge the Grantor the City’s costs for such removal. If the City chooses not to remove the obstacles, the City will not be liable for any damage to the obstacles or any other property to which they are attached.

The rights granted to the City by this Deed inure to the benefit of the City’s agents, licensees, permittees and assigns.

[SIGNATURES ON FOLLOWING PAGE]

Witness our hands and seals this 20 day of Dec, 2024.

Grantor:

By: [Signature]

Title: President

Name and Address:

Peter C. Kast
3003 E HALLOWAY Rd,
Suite 300
Fort Collins, CO
80524

ATTEST:

By: TOMOKO OLSEN

Title: TRANSACTION SPECIALIST

State of COLORADO)

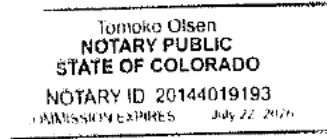
County of LARIMER) ss

The foregoing instrument was acknowledged before me this 20th day of December, 2024, by PETER KAST as PRESIDENT, and _____ as _____.

Witness my hand and official seal.

My commission expires: July 22, 2026

[Signature]
Notary Public



Acknowledged and agreed by the undersigned, U.S. Bank Trust Company, National Association.

Witness my hand and seal this 17th day of December, 2024.

Trustee: U.S. Bank Trust Company, National Association

By: _____

Title: Vice President

Name and Address:

Mike McGuire

950 17th St, DN-CO-5GCT

Denver, CO 80202

ATTEST:

By: [Signature]

Title: Secretary

State of COLORADO)

) ss

County of DENVER)

The foregoing instrument was acknowledged before me this 17th day of December, 2024, by Mike McGuire as vice president.

Witness my hand and official seal.

My commission expires: June 19, 2026

[Signature]
Notary Public

JENNIFER M PETRUNO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144024524
MY COMMISSION EXPIRES 06/19/2028

This Deed of Dedication is accepted by the Director of Community Development and Neighborhood Services pursuant to Section 6.2.5 of the Land Use Code of the City of Fort Collins this _____ day of _____, 202__.

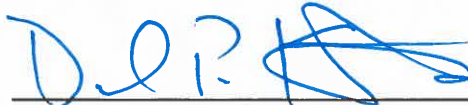
Brad Buckman, City Engineer
as delegee for the Director of Community
Development and Neighborhood Services

ATTEST:

City Clerk

ATTORNEY'S CERTIFICATION

I hereby certify that the forgoing Deed has been duly executed as required pursuant to Section 6.3.3 (C)(3)(a) through (e) inclusive of the Land Use Code of the City of Fort Collins and that all persons signing this Deed on behalf of a corporation or other entity are duly authorized signatories under the laws of the State of Colorado. This Certification is based upon an examination of the records of the Clerk and Recorder of Larimer County, Colorado as of the date of execution of the deed and other information discovered by me through reasonable inquiry and is limited as authorized by Section 6.3.3(C)(3)(f) of the Land Use Code.



Attorney: David P. Kunstle
Address Sparks Willson, P.C.
24 South Weber Street, Suite 400
Colorado Springs, CO 80903
Registration No. 28710
Date: December 20, 2024

EXHIBIT A TO DEED OF DEDICATION OF EASEMENT

Property Legal Description

LOTS 5, 6, 7, AND 8 PROSPECT INDUSTRIAL PARK, ACCORDING TO THE PLAT RECORDED
APRIL 25, 1979 IN BOOK 1947 AT PAGE 20, COUNTY OF LARIMER, STATE OF COLORADO

EXHIBIT B TO DEED OF DEDICATION OF EASEMENT

(Easement Description – Attached)

PUBLIC ACCESS, UTILITY & DRAINAGE EASEMENT DESCRIPTION

A tract of land, being shown and described as Riverbend Court on the plat of Prospect Industrial Park recorded April 25, 1979 as Book 1947 at Page 20 at Reception No. 303647 of the Records of Larimer County, located in the Northeast Quarter (NE1/4) of Section Twenty (20), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 20 and assuming the North line of the Northwest Quarter of said Section 20 as bearing North 89°02'00" West, as platted, a distance of 2649.40 feet and with all other bearings contained herein relative thereto;

THENCE South 13°48'33" East a distance of 1642.39 feet to the Northeast corner of Lot 5 of said Prospect Industrial Park and to the beginning point of a non-tangent curve and to the **POINT OF BEGINNING**;

THENCE along the arc of said non-tangent curve concave to the Southwest a distance of 92.31 feet, said curve has a Radius of 636.13 feet, a Delta of 08°18'53" and is subtended by a Chord bearing South 39°57'10" East a distance of 92.23 feet to the Cusp of a Curve;

THENCE along the arc of a non-tangent curve concave to the South a distance of 25.19 feet, said curve has a Radius of 15.00 feet, a Delta of 96°12'47" and is subtended by a Chord bearing North 83°54'07" West a distance of 22.33 feet to a Point of Tangency;

THENCE South 47°59'30" West a distance of 237.45 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 12.09 feet, said curve has a Radius of 15.00 feet, a Delta of 46°11'13" and is subtended by a Chord bearing South 24°53'54" West a distance of 11.77 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 237.69 feet, said curve has a Radius of 50.00 feet, a Delta of 272°22'26" and is subtended by a Chord bearing North 42°00'30" West a distance of 69.23 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the North a distance of 12.09 feet, said curve has a Radius of 15.00 feet, a Delta of 46°11'13" and is subtended by a Chord bearing North 71°05'06" East a distance of 11.77 feet to a Point of Tangency;

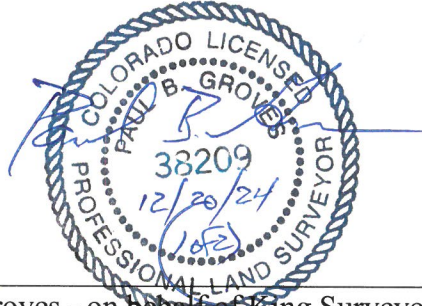
THENCE North 47°59'30" East a distance of 240.68 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the West a distance of 24.11 feet, said curve has a Radius of 15.00 feet, a Delta of 92°06'06" and is subtended by a Chord bearing North 01°56'27" East a distance of 21.60 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 23,313 Square Feet or 0.535 Acre, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

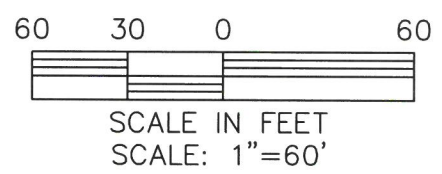
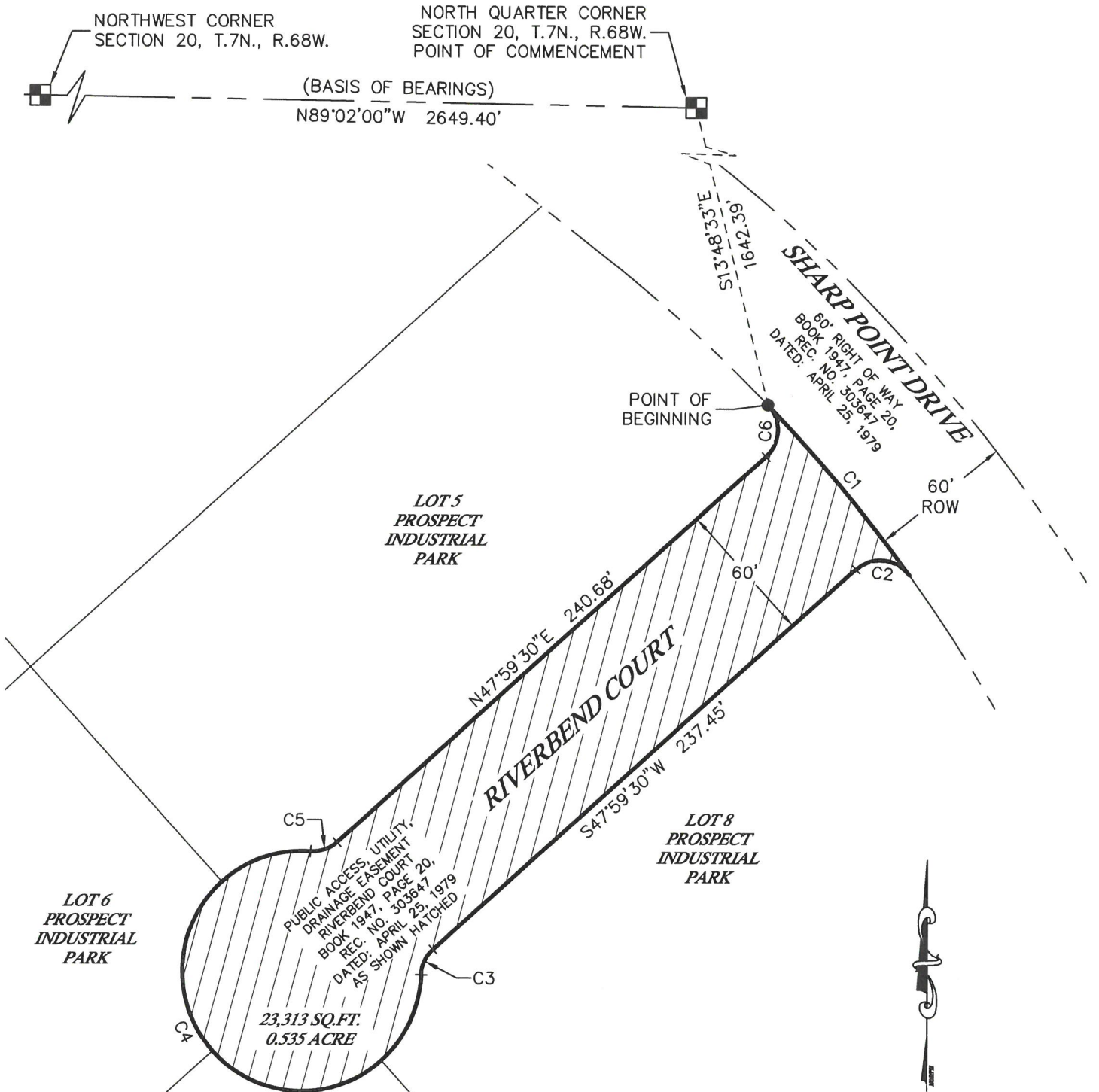
SURVEYORS STATEMENT

I, Paul B. Groves, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Paul B. Groves - on behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209

KING SURVEYORS
650 East Garden Drive
Windsor, Colorado 80550
(970) 686-5011



Paul B. Groves – On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #38209

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	92.31'	636.13'	8°18'53"	92.23'	S39°57'10"E
C2	25.19'	15.00'	96°12'47"	22.33'	N83°54'07"W
C3	12.09'	15.00'	46°11'13"	11.77'	S24°53'54"W
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C5	12.09'	15.00'	46°11'13"	11.77'	N71°05'06"E
C6	24.11'	15.00'	92°06'06"	21.60'	N01°56'27"E

NOTE: This exhibit drawing is not intended to be a monumented land survey. Its sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

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. (13-80-105 C.R.S. 2012)

DEED OF DEDICATION OF EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: That the undersigned LCS Building Corporation, a Colorado nonprofit corporation (“Grantor”), being the owner of certain real property in Larimer County, Colorado legally described as provided in Exhibit “A” attached hereto and by this reference made a part hereof, in the Larimer County Records, in consideration of Ten Dollars (\$10.00) in hand paid, receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby dedicate, transfer, and convey to the City of Fort Collins, Colorado, a Municipal Corporation (“City”), whose mailing address for purposes of this deed is P.O. Box 580, Fort Collins, CO 80522, for public use forever a permanent easement for emergency access in the City of Fort Collins, County of Larimer, State of Colorado, more particularly described on Exhibit “B” attached hereto and by this reference made a part hereof (the “Easement”).

The City’s rights under the Easement include the right of emergency vehicles and personnel to access the Easement; the right to designate the Easement as a fire lane with the enforcement of provisions required through said designation of a fire lane; and the right to cite, ticket, and/or tow vehicles and/or remove obstructions within the Easement that prevent and/or restrict the maintaining of emergency access. Grantor reserves the right to use the Easement for purposes that do not interfere with the full enjoyment of the rights hereby granted.

The City is responsible for maintenance of its own improvements and for repairing any damage caused by its activities in the Easement, but by acceptance of this dedication, the City does not accept the duty of maintenance of the Easement, or of improvements in the Easement that are not owned by the City. Grantor will maintain the surface of the Easement in a sanitary condition in compliance with any applicable weed, nuisance or other legal requirements.

Grantor will not install on the Easement, or permit the installation on the Easement, of any building, structure, improvement, fence, retaining wall, sidewalk, tree or any other obstruction that would negatively impact the ability of emergency vehicles and personnel to utilize the Easement as intended, designed and approved. In the event such obstacles are installed in the Easement, the City has the right to require the Grantor to remove such obstacles from the Easement. If Grantor does not remove such obstacles, the City may remove such obstacles without any liability or obligation for repair and replacement thereof, and charge the Grantor the City’s costs for such removal. If the City chooses not to remove the obstacles, the City will not be liable for any damage to the obstacles or any other property to which they are attached.

The rights granted to the City by this Deed inure to the benefit of the City’s agents, licensees, permittees and assigns.

[SIGNATURES ON FOLLOWING PAGE]

Witness our hands and seals this 10 day of Dec., 2024.

Grantor:

By: Peter Kast
Title: President

Name and Address:

Peter C. Kast
3003 Hawthorn, Rd.
Suite 300
Fort Collins, Co
80528

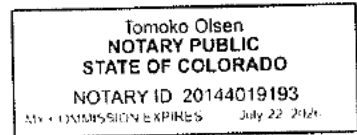
ATTEST:

By: TOMOKO OLSEN
Title: TRANSACTION SPECIALIST
State of COLORADO)
County of LARIMER) ss

The foregoing instrument was acknowledged before me this 20th day of DECEMBER, 2024,
by PETER KAST as PRESIDENT, and _____ as _____

Witness my hand and official seal.

My commission expires: JULY 22, 2026
Tomoko Olsen
Notary Public



Acknowledged and agreed by the undersigned, U.S. Bank Trust Company, National Association.

Witness my hand and seal this 17th day of December, 2024.

Trustee: U.S. Bank Trust Company, National Association

By: [Signature]

Title: Vice President

Name and Address:

Mike McGuire

950 17th St, DN-CO-5GCT

Denver, CO 80202

ATTEST:

By: [Signature]

Title: Secretary

State of COLORADO)

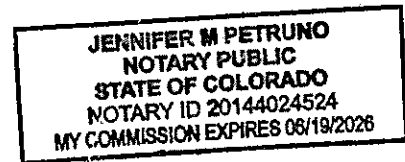
County of DENVER) ss

The foregoing instrument was acknowledged before me this 17th day of December, 2024, by Mike McGuire as Vice President.

Witness my hand and official seal.

My commission expires: June 19, 2026

[Signature]
Notary Public



This Deed of Dedication is accepted by the Director of Community Development and Neighborhood Services pursuant to Section 6.2.5 of the Land Use Code of the City of Fort Collins this _____ day of _____, 202__.

Brad Buckman, City Engineer
as delegee for the Director of Community
Development and Neighborhood Services

ATTEST:

City Clerk

ATTORNEY'S CERTIFICATION

I hereby certify that the forgoing Deed has been duly executed as required pursuant to Section 6.3.3 (C)(3)(a) through (e) inclusive of the Land Use Code of the City of Fort Collins and that all persons signing this Deed on behalf of a corporation or other entity are duly authorized signatories under the laws of the State of Colorado. This Certification is based upon an examination of the records of the Clerk and Recorder of Larimer County, Colorado as of the date of execution of the deed and other information discovered by me through reasonable inquiry and is limited as authorized by Section 6.3.3(C)(3)(f) of the Land Use Code.



Attorney: David P. Kunstle
Address Sparks Willson, P.C.
24 South Weber Street, Suite 400
Colorado Springs, CO 80903
Registration No. 28710
Date: December 20, 2024

EXHIBIT A TO DEED OF DEDICATION OF EASEMENT

Property Legal Description

LOTS 5, 6, 7, AND 8 PROSPECT INDUSTRIAL PARK, ACCORDING TO THE PLAT RECORDED
APRIL 25, 1979 IN BOOK 1947 AT PAGE 20, COUNTY OF LARIMER, STATE OF COLORADO

EXHIBIT B TO DEED OF DEDICATION OF EASEMENT

(Easement Description – Attached)

EMERGENCY ACCESS EASEMENT DESCRIPTION

A tract of land, being shown and described as Riverbend Court on the plat of Prospect Industrial Park recorded April 25, 1979 as Book 1947 at Page 20 at Reception No. 303647 of the Records of Larimer County, located in the Northeast Quarter (NE1/4) of Section Twenty (20), Township Seven North (T.7N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Fort Collins, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 20 and assuming the North line of the Northwest Quarter of said Section 20 as bearing North 89°02'00" West, as platted, a distance of 2649.40 feet and with all other bearings contained herein relative thereto;

THENCE South 13°48'33" East a distance of 1642.39 feet to the Northeast corner of Lot 5 of said Prospect Industrial Park and to the beginning point of a non-tangent curve and to the **POINT OF BEGINNING**;

THENCE along the arc of said non-tangent curve concave to the Southwest a distance of 92.31 feet, said curve has a Radius of 636.13 feet, a Delta of 08°18'53" and is subtended by a Chord bearing South 39°57'10" East a distance of 92.23 feet to the Cusp of a Curve;

THENCE along the arc of a non-tangent curve concave to the South a distance of 25.19 feet, said curve has a Radius of 15.00 feet, a Delta of 96°12'47" and is subtended by a Chord bearing North 83°54'07" West a distance of 22.33 feet to a Point of Tangency;

THENCE South 47°59'30" West a distance of 237.45 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 12.09 feet, said curve has a Radius of 15.00 feet, a Delta of 46°11'13" and is subtended by a Chord bearing South 24°53'54" West a distance of 11.77 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 237.69 feet, said curve has a Radius of 50.00 feet, a Delta of 272°22'26" and is subtended by a Chord bearing North 42°00'30" West a distance of 69.23 feet to a Point of Reverse Curvature;

THENCE along the arc of a curve concave to the North a distance of 12.09 feet, said curve has a Radius of 15.00 feet, a Delta of 46°11'13" and is subtended by a Chord bearing North 71°05'06" East a distance of 11.77 feet to a Point of Tangency;

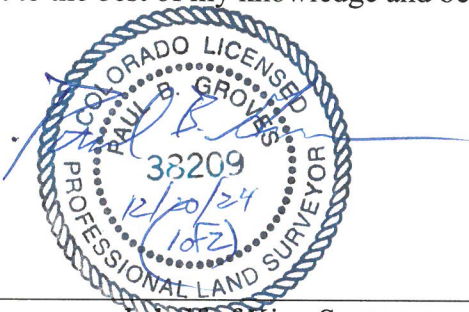
THENCE North 47°59'30" East a distance of 240.68 feet to a Point of Curvature;

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Said described parcel of land contains 23,313 Square Feet or 0.535 Acre, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

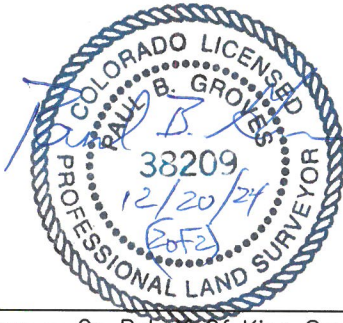
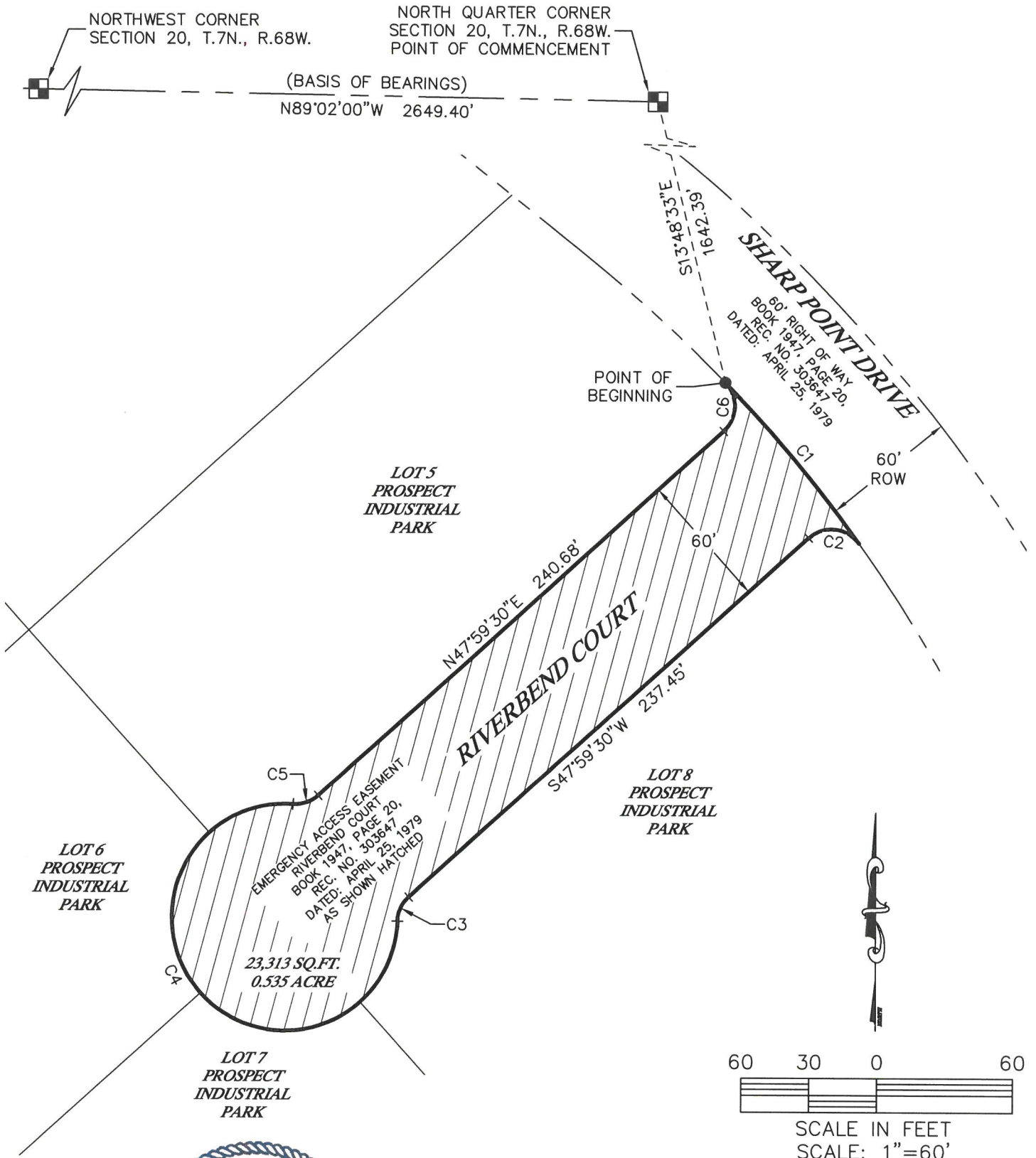
SURVEYORS STATEMENT

I, Paul B. Groves, a Colorado Licensed Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Paul B. Groves - on behalf of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #38209

KING SURVEYORS
 650 East Garden Drive
 Windsor, Colorado 80550
 (970) 686-5011



Paul B. Groves – On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #38209

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	92.31'	636.13'	8°18'53"	92.23'	S39°57'10"E
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C3	12.09'	15.00'	46°11'13"	11.77'	S24°53'54"W
C4	237.69'	50.00'	272°22'26"	69.23'	N42°00'30"W
C5	12.09'	15.00'	46°11'13"	11.77'	N71°05'06"E
C6	24.11'	15.00'	92°06'06"	21.60'	N01°56'27"E

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KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821
 email: contact@KingSurveyors.com

PROJECT NO: 20240494
 DATE: 12/13/2024
 CLIENT: LCS BLDG CORP
 DWG: 20240494EAE
 DRAWN: CSK CHECKED: P

File Attachments for Item:

3. Second Reading of Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan.

This Ordinance, unanimously adopted on First Reading on January 21, 2025, adopts the First Amendment to the Planned Unit Development (PUD) Master Plan Development Agreement for the Montava PUD Overlay and Master Plan between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Clay Frickey, Planning Manager

SUBJECT

Second Reading of Ordinance No. 005, 2025, Approving the First Amendment to the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 21, 2025, adopts the First Amendment to the Planned Unit Development (PUD) Master Plan Development Agreement for the Montava PUD Overlay and Master Plan between the City and the Developer. The amendment would extend the five (5)-year contingency for closing of the Developer's purchase from the Anheuser-Busch Foundation for two (2) additional years.

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 2(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2024-148.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

On February 18, 2020, Council approved the Montava PUD Master Plan and Montava PUD Overlay by Ordinance No. 014, 2020. In connection with the PUD Master Plan, Council also approved the PUD Master Plan Development Agreement (Development Agreement) by Ordinance No. 015, 2020. The Development Agreement primarily addresses the twenty-five (25)-year extended vested rights period and other terms of development within the Montava PUD Overlay and Master Plan.

The Development Agreement envisions Montava's acquisition of approximately 844 acres from the Anheuser-Busch Foundation and an additional 108 acres via an exchange with the Poudre School District, with the resulting property being developed in phases subject to the PUD Master Plan, the Development Agreement and the accompanying Public Benefits Agreement. The Development Agreement contains a contingency requiring the closing of Montava's purchase from the Anheuser-Busch Foundation within five (5) years after the agreement's effective date of March 13, 2020.

Montava has submitted four development applications for phases within the PUD Master Plan, one of which must be approved prior to the Anheuser-Busch Foundation closing. Montava has encountered complicated issues in finalizing long-term solutions for ditch crossings, ditch modifications and stormwater management causing years of delay and erosion of the original five (5)-year contingency period. While Montava continues to pursue resolution, Montava requests that the Council grant a two (2)-year extension of the five (5)-year contingency period to allow additional time to resolve the issues and close on the purchase to prevent a termination of the Development Agreement.

The City and Montava are authorized to amend the Development Agreement without the consent of the Anheuser-Busch Foundation or the Poudre School District, although both entities are advised of this request.

CITY FINANCIAL IMPACTS

None.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

- 1. Ordinance for Consideration
- 2. Exhibit A to Ordinance

ORDINANCE NO. 005, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING THE FIRST AMENDMENT TO THE PUD MASTER
PLAN DEVELOPMENT AGREEMENT FOR THE MONTAVA
PLANNED UNIT DEVELOPMENT OVERLAY AND MASTER PLAN

A. Montava is a Planned Unit Development (PUD) established under Transitional Land Use Code Divisions 2.15 and 4.29 for a section of rural and agricultural land next to the Anheuser-Busch facility in northeast Fort Collins, modeled after a village-style development for the wide variety of land uses planned. The development intends to include a variety of housing, amenities and public spaces. The proposal calls for a complete, connected community with new neighborhoods, parks, schools, a town center, urban agriculture, businesses and transportation connections.

B. On February 18, 2020, Council approved the Montava PUD Master Plan and Montava PUD Overlay by Ordinance No. 014, 2020. On February 18, 2020, Council also approved, in connection with the PUD Master Plan, the PUD Master Plan Development Agreement (Development Agreement) by Ordinance No. 015, 2020.

C. The Development Agreement primarily addresses an extension from three (3) to twenty-five (25) years of the vested rights period, because vested property rights are normally valid for up to three (3) years under Transitional Land Use Code Section 2.2.11(C)(2) unless an extended period of vested rights is granted as memorialized in a development agreement City Council adopts by ordinance.

D. The Development Agreement also addresses other terms of development within the Montava PUD Overlay and Master Plan. The Development Agreement envisions the Montava developer's (the "Developer") acquisition of approximately 844 acres from the Anheuser-Busch Foundation and an additional 108 acres via an exchange with the Poudre School District, with the resulting property being developed in phases subject to the PUD Master Plan, the Development Agreement and the accompanying Public Benefits Agreement.

E. The Development Agreement at Subsection V.C.1. contains a contingency requiring the closing of the Developer's purchase from the Anheuser-Busch Foundation within five (5) years after the agreement's effective date of March 13, 2020, and if the closing does not occur before the end of the five (5) years, the Development Agreement shall automatically terminate and thereafter be of no force or effect.

F. The Developer has encountered complicated issues in finalizing long-term solutions for ditch crossings, ditch modifications and stormwater management causing years of delay and erosion of the original five (5)-year contingency period.

G. The Developer has submitted four (4) development applications for phases within the PUD Master Plan, one (1) of which must be approved before the Anheuser-Busch Foundation closing.

H. While the Developer continues to pursue resolution, the Developer requests that the Council grant a two (2)-year extension of the five (5)-year contingency period to allow additional time to resolve the issues and close on the purchase to prevent a termination of the Development Agreement.

I. Under Section V.J. of the Development Agreement, the City and the Developer are authorized to amend the Development Agreement without the consent of the Anheuser-Busch Foundation or the Poudre School District; although, both entities are advised of this request.

J. There will not be financial impact on the City for extending the existing deadline.

K. It is in the best interest of the City to extend the contingency upon the closing of the Developer's purchase from the Anheuser-Busch Foundation, because extending the contingency upon the closing time should facilitate development pursuant to the Development Agreement and ultimately the Developer's significant investments in public infrastructure improvements.

In light of the foregoing Recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS:

Section 1. The First Amendment to the Development Agreement to extend the contingency period upon the closing of the Developer's purchase from the Anheuser-Busch Foundation from five (5) years after the effective date of the Development Agreement to seven (7) years after the effective date of the Development Agreement is hereby approved by the City Council.

Section 2. The Mayor is authorized to execute the First Amendment to the Development Agreement on behalf of the City in substantially the same form attached to this Ordinance as Exhibit A.

Section 3. A copy of this Ordinance with all attachments shall be recorded in the Office of the Larimer County Clerk and Recorder promptly after the effective date of this Ordinance with all recording fees paid by the Developer.

Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025
Approving Attorney: Heather N. Jarvis

**FIRST AMENDMENT TO
PUD MASTER PLAN DEVELOPMENT AGREEMENT FOR
THE MONTAVA PLANNED UNIT DEVELOPMENT OVERLAY
AND MASTER PLAN**

THIS FIRST AMENDMENT TO PUD MASTER PLAN DEVELOPMENT AGREEMENT FOR THE MONTAVA PLANNED UNIT DEVELOPMENT OVERLAY AND MASTER PLAN (the “First Amendment”) is made and entered into this _____ day of _____, 2025, by and between the CITY OF FORT COLLINS, COLORADO, a municipal corporation of the State of Colorado (“City”); and MONTAVA PARTNERS, LLC, a Colorado limited liability company (“Montava”), as successor to HF2M, INC., a Texas corporation (“HF2M”). City and Montava may be referred to individually, each as a “Party,” or collectively, the “Parties.”

RECITALS

A. City and HF2M entered into the PUD Master Plan Development Agreement for the Montava Planned Unit Development Overlay and Master Plan on May 23, 2020 (the “Original Agreement”), together with U.S. BANK NATIONAL ASSOCIATION, as successor in interest to U.S. BANK AS CORPORATE TRUSTEE OF THE ANHEUSER-BUSCH FOUNDATION, a Missouri charitable trust (“Foundation”) and POU DRE SCHOOL DISTRICT R-1, a political subdivision of the State of Colorado (“School District”); the Foundation and School District being collectively referred to herein as “Owners.” The Effective Date of the Original Agreement was March 13, 2020.

B. HF2M assigned all of its obligations, rights, title, interest in and to the Original Agreement to Montava effective March 8, 2021.

C. The closing of the sale of the Foundation Property to Montava has been delayed by unforeseen complications thus creating a risk that the Foundation Contingency in Subsection V.C.1 of the Original Agreement cannot be satisfied within the time frame originally envisioned.

D. The Parties wish to enter into this First Amendment for the purpose of amending the Foundation Contingency to extend by two (2) years the time period within which the sale of the Foundation Property to Montava must occur.

E. The Original Agreement may only be amended by the City and Montava without the consent of the Owners; Montava has not granted the right to consent to this First Amendment to any successor or assigns.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements contained herein, such consideration being acknowledged as sufficient and of significant value to the Parties, the Parties agree as follows.

AMENDMENT TO ORIGINAL AGREEMENT

A. Incorporation of Recitals. The foregoing Recitals are incorporated herein as material terms.

B. Definitions. Capitalized terms not otherwise defined herein shall retain the meanings set forth in the Original Agreement.

C. Foundation Contingency. The Parties acknowledge that the Original Agreement provides that should the Foundation Contingency not occur within five (5) years after the Effective Date, or by March 13, 2025, the Original Agreement shall automatically terminate, and the Parties agree that it is reasonable and in the best interests of the general welfare of the City to extend the deadline for satisfaction of the Foundation Contingency by an additional two (2) years.

D. Amendment of Foundation Contingency. The Parties therefore agree to amend Subsection V.C.1 of the Original Agreement to read as follows:

Foundation Contingency. The Parties hereto expressly agree that this Agreement is contingent upon the closing of the sale of substantially all of the Foundation Property to the Developer pursuant to the terms of the Foundation Agreement within seven (7) years after the Effective Date. If such closing does not occur by such date, this Agreement shall thereupon automatically terminate and thereafter be of no force or effect, and the Parties hereto shall be released from all obligations hereunder.

E. Amendment of Notices. The Parties agree to amend Subsection V.Q. of the Original Agreement to replace the Developer's contact information to read as follows:

If to Developer:	Montava Partners, LLC ATTN: Max Moss 430 N. College Ave. Suite 410 Fort Collins, CO 80524 Email: max@montava.com
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With copies to:	Brownstein Hyatt Farber Schreck, LLP ATTN: Claire N.L. Havelda 675 15 th Street, Suite 2900 Denver, CO 80202 Email: chavelda@bhfs.com
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F. Original Agreement. The Original Agreement remains in full force and effect, as amended by this First Amendment.

G. First Amendment Effective Date: This First Amendment shall be effective on the tenth day following final passage by the City Council of the ordinance approving the First Amendment.

H. Counterparts. This First Amendment may be executed in counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same amendment.

I. Recordation. The City shall record this Agreement in the Larimer County Records, and Montava shall pay the cost of the same.

IN WITNESS WHEREOF, the Parties agree to the terms and conditions of this First Amendment described above effective as of the First Amendment Effective Date.

CITY: CITY OF FORT COLLINS, COLORADO,
a Municipal Corporation

By: _____
Jeni Arndt, Mayor

Date: _____

APPROVED AS TO FORM:

Heather N. Jarvis, Assistant City Attorney

ATTEST:

Delynn Coldiron, City Clerk

MONTAVA:

MONTAVA PARTNERS, LLC, a Colorado
Limited liability company

By: CAMERON INVESTMENTS L.C., an
Idaho limited liability company, Manager

By: _____
Richard P. Clark, Manager

Date: _____

ATTEST:

Printed name, Title

File Attachments for Item:

4. Second Reading of Ordinance No. 006, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the West Elizabeth Corridor Final Design and Related Art in Public Places.

This Ordinance, unanimously adopted on First Reading on January 21, 2025, appropriates additional design/project development funds in the amount of \$5.539M for advancing the design to 100% for the entire corridor, necessary scope additions and design changes such as protected bike/ped infrastructure, BRT routing revisions and right-of-way services. The West Elizabeth travel corridor is currently the highest priority pedestrian/alternative mode corridor for improvement in the City and was highlighted in City Plan and the Transit Master Plan. This appropriation would follow the same minimum grant/local match ratio of 80/20 that would apply to the Small Starts grant. The local funding source identified for the local match is the "2050 tax." Details of the amounts requested for the grant funds and local match fund appropriation are included in the Background/Discussion section of this AIS.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Spencer Smith, Special Projects Engineer
 Monica Martinez, PDT Finance Manager

SUBJECT

Second Reading of Ordinance No. 006, 2025, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the West Elizabeth Corridor Final Design and Related Art in Public Places.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 21, 2025, appropriates additional design/project development funds in the amount of \$5.539M for advancing the design to 100% for the entire corridor, necessary scope additions and design changes such as protected bike/ped infrastructure, BRT routing revisions and right-of-way services. The West Elizabeth travel corridor is currently the highest priority pedestrian/alternative mode corridor for improvement in the City and was highlighted in City Plan and the Transit Master Plan. This appropriation would follow the same minimum grant/local match ratio of 80/20 that would apply to the Small Starts grant. The local funding source identified for the local match is the "2050 tax." Details of the amounts requested for the grant funds and local match fund appropriation are included in the Background/Discussion section of this AIS.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Grant Funding Background

The City has been awarded the following grants for design and construction:

- \$1.5M - MMOF (Multimodal Options Funding)
 - 30% design (COMPLETED)
- \$2.5M - MMOF (Multimodal Options Funding)
 - Final design (ONGOING)
- \$10.7M RAISE (Rebuilding American Infrastructure w/ Sustainability and Equity)
 - Construction of Foothills Transit Station and Roundabout (Overland/Elizabeth)

West Elizabeth Corridor Project Status

With the Foothills Transit Station and Overland/West Elizabeth roundabout construction funded by the RAISE grant, those elements were removed from the City's most recent Small Starts grant project rating submittal. Removing those elements of the corridor from the Small Starts project scope should improve the project rating scores and the City's chances of being recommended for Small Starts funding. Those scope items that were removed from the Small Starts application are no longer eligible for Federal Transit Administration Capital Investment Grant (CIG) funding, which applies only to the Small Starts scope. Several of the items discussed in the following paragraphs are related to the RAISE scope and the funding for those items is being requested as local funds and not CIG grant funds.

- 60% Design – Completed June 2024
- 100% Design of RAISE scope – Fall 2025
- 100% Design of CIG corridor –Fall 2026

Additional Funding Request Details

The amount budgeted for the final design of the W. Elizabeth BRT Corridor was \$2,500,000, which was estimated during the 30% design phase.

During the 60% design phase, several scope additions were identified that were not included in the final design budget initially. Those additional scope items include the Transit Maintenance Facility Expansion, EV charging infrastructure, driver restroom facility and cathodic protection relocation designs at the Foothills Transit Station, street lighting design on CSU's main campus, transit technology CDOT approval process, CLOMR (Conditional Letter of Map Revision), Laurel and Meldrum intersection improvements and BRT routing optimization. The total estimated cost of these new scope additions is \$1,750,000. There were also requested scope additions focused on protected infrastructure that were not anticipated during the 30% design, such as a protected roundabout at Overland Trail and W. Elizabeth, protected intersections and raised protected bike lanes. The prioritization of the protected infrastructure came from City and CSU leadership and staff who had attended the ThinkBike Workshop presented by the Dutch Cycling Assembly. As the design progresses to completion, funding will be needed to prepare for right-of-way acquisition for the corridor. Right-of-way services has been estimated at \$2,020,000.

Additional design funding in the amount of \$3,500,000 is being requested to finalize plans and bid documents to 100% for the entire corridor, BRT corridor routing revision (to maximize ridership for Small Starts grant project rating). Right-of-way services fees are also being requested as part of this appropriation. The following table provides a summary of the scope items and estimated costs.

Item	Amount
EV Charging Design	\$19k
Transit Station Restroom	\$142k
Cathodic Protection Relocate	\$50k
Transit Maintenance Facility Expansion	\$525k
CSU Campus Street lighting	\$15k
CDOT Transit Technology Approvals	\$73k
BRT Routing Revisions	\$926k
Additional Survey	\$15k
CLOMR/Floodplain	\$53k
Laurel/Meldrum Intersection	\$141k
100% Design/Bid Documents	\$1.5M
PM/Coordination/Meetings	\$45k
Right-of-way	\$2.02M

CITY FINANCIAL IMPACTS

The requested funding breakdown is as follows:

Funding	Amount
Capital Investment Grant (CIG) (to be appropriated in the Capital Projects Fund)	\$4,066,400
2050 Transit Tax – CIG Local Match (to be transferred to the Capital Projects Fund)	\$1,016,600
2050 Transit Tax – RAISE Project (to be transferred to the Transit Services Fund)	\$441,000
2050 Transit Tax – Art in Public Places contribution (based on both local match amounts above)	\$14,576
Supplemental Appropriation	\$5,538,576

Staff is recommending appropriation of the City’s final design local match for several reasons:

- The project funds are highly leveraged in that CSU has contributed significant funding to the project and the City has been awarded a RAISE grant (\$10.7M) for construction of the Foothills Transit Station and Overland/W. Elizabeth roundabout.
- Having a completed final design and this project at a “shovel ready” status could help secure construction funding.
- In line with guiding themes and principles of the City Strategic Plan:
 - Multimodal Transportation & Public Transit
 - Equity, Inclusion and Diversity
 - Environmental Sustainability

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

This item was presented to the Council Finance Committee (CFC) at the January 2, 2025 Council Finance meeting. CFC was supportive of the appropriations. Draft minutes of the CFC January 2, 2025 meeting are attached.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration

ORDINANCE NO. 006, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS,
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS OF APPROPRIATIONS FOR THE WEST
ELIZABETH CORRIDOR FINAL DESIGN AND RELATED ART IN
PUBLIC PLACES

A. The City has identified the West Elizabeth Street travel corridor as the highest priority pedestrian and alternative travel mode area for improvement in the City as highlighted in City Plan and the Transit Master Plan. The corridor functions as a critical three-mile link for students accessing Colorado State University's Main and Foothills campuses, and as a growing business and multi-family housing district.

B. The West Elizabeth Corridor Final Design Project (the "Project") established the vision for multimodal improvements along the West Elizabeth Corridor and bus rapid transit ("BRT") service with an emphasis on connectivity between the Colorado State University ("CSU") Foothills Campus on the west and CSU's Main Campus on the east; improving transit (including BRT stations), vehicle lanes and walking and biking pathways; and fostering existing business and future infill and redevelopment to accommodate the growing number of diversity of users in the corridor.

C. In 2020, the City initiated the design process for the West Elizabeth corridor with the Colorado Department of Transportation (Resolution 2020-072; Ordinance No. 097, 2020) and CSU (Resolution 2020-071) using funding from a Multimodal Options Funding ("MMOF") grant (\$1.5M) from the North Front Range Metropolitan Planning Organization ("NFRMPO"), and designs for the Project were 30% complete in 2022.

D. In 2023 the City proceeded forward with the final 100% design and outreach using additional funding from a MMOF grant (\$2.5M) from the NFRMPO (Ordinance No. 069, 2023, Resolution 2023-041).

E. The City has also been awarded a Rebuilding American Infrastructure with Sustainability and Equity ("RAISE") grant (\$10.7M) for construction of the Foothills Transit Station and Roundabout at Overland and West Elizabeth.

F. With the Foothills Transit Station and Overland/West Elizabeth roundabout construction funded by the RAISE grant, those elements were removed from the City's most recent Small Starts grant project rating submittal.

G. Those items that were removed from the Small Starts application are no longer eligible for Federal Transit Administration Capital Investment Grant ("CIG") funding, which funding applies only to the Small Starts scope. Removed items are related to the RAISE scope, and the funding for those items is being requested as local funds and not CIG grant funds. Those items include the 60% design – completed in June of 2024, the 100% design of the transit items in the scope of the RAISE grant – anticipated

for the Fall of 2025, and the 100% Design of the CIG corridor – anticipated for the Fall of 2026.

H. The amount budgeted for the final design of the West Elizabeth BRT Corridor was \$2,500,000, which was estimated during 30% design. During the 60% design phase, several scope additions were identified that were not included in the final design budget initially.

I. The additional identified scope additions include the Transit Maintenance Facility Expansion, electric vehicle charging infrastructure, driver restroom facility and cathodic protection relocation designs at the Foothills Transit Station, street lighting design on CSU's main campus, transit technology Colorado Department of Transportation approval process and the process for Conditional Letter of Map Revision, Laurel and Meldrum intersection improvements and BRT routing optimization. The total estimated cost of these new scope additions is \$1,750,000.

J. Since the 30% design, there have also been scope additions focused on protected infrastructure, such as a protected roundabout at Overland Trail and West Elizabeth, protected intersections, and raised protected bike lanes. The prioritization of the protected infrastructure came from City and CSU leadership and staff who had attended the ThinkBike Workshop presented by the Dutch Cycling Assembly.

K. As the design progresses to 100% completion, funding will also be needed to prepare for right-of-way acquisition for the corridor. Right-of-way services have been estimated at \$2,020,000.

L. Additional design funding in the amount of \$3,500,000 is needed to finalize plans and bid documents to 100% for the entire corridor, including the BRT corridor routing revision to maximize ridership for Small Starts grant project rating. Right-of-way services fees are also needed as part of this appropriation.

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

N. The City Manager has recommended the appropriations described herein and determined that these appropriations are available and previously unappropriated from the Capital Projects fund and will not cause the total amount appropriated in the Capital Projects fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this fund during this fiscal year.

O. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance

at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

P. The City Manager has recommended the appropriation described herein and has determined that this appropriation is available and previously unappropriated from the 2050 Tax Parks Rec Transit Our Climate Future (“OCF”) tax funds and will not cause the total amount appropriated in the 2050 Tax Parks Rec Transit OCF fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this fund during this fiscal year.

Q. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

R. The City Manager has recommended the transfer of \$1,016,600 from the 2050 Tax Parks Rec Transit OCF fund to the Capital Projects fund, the transfer of \$441,000 from the 2050 Tax Parks Rec Transit OCF fund to the Transit Services fund and the transfer of \$14,576 from the 2050 Tax Parks Rec Transit OCF fund to the Cultural Services and Facilities fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

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

T. The City Council wishes to designate the appropriations herein from the Federal Transit Administration CIG for the Project as appropriations that shall not lapse until the expiration of the grant or the City’s expenditure of all funds received from such grant.

U. This Project involves construction estimated to cost more than \$250,000 and, City Code Section 23-304 requires one percent of these appropriations to be transferred to the Cultural Services and Facilities fund for a contribution to the Art in Public Places program (“APP program”).

V. City Code Section 23-304(a) provides, “If any construction project is partially funded from any source which precludes a work of art as an object of expenditure of such funds, the appropriation for works of art shall be equal to one (1) percent of the portion of

the estimate project cost that will be funded from the project funding sources that are not so restricted.”

W. A portion of the funds appropriated in this Ordinance for the Project are ineligible for use in the APP program due to restrictions placed on them by the Federal Transit Administration, the source of these funds. Therefore, the local match of \$1,457,600 has been used to calculate the contribution to the APP program.

X. The amount to be contributed to the APP program in this Ordinance is \$14,576.

Y. The appropriations in this Ordinance benefit public health, safety, and welfare of the residents of Fort Collins and the traveling public and serve the public purpose of improving multimodal transportation infrastructure, safety, and accessibility within the City.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Capital Projects fund the sum of FOUR MILLION SIXTY-SIX THOUSAND FOUR HUNDRED DOLLARS (\$4,066,400) to be expended in the Capital Projects fund for the West Elizabeth Corridor Final Design Project.

Section 2. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF fund the sum of ONE MILLION SIXTEEN THOUSAND SIX HUNDRED DOLLARS (\$1,016,600) to be expended in the 2050 Tax Parks Rec Transit OCF fund for transfer to the Capital Projects fund and appropriated and expended therein for the West Elizabeth Corridor Final Design Project.

Section 3. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF fund the sum of FOUR HUNDRED FORTY-ONE THOUSAND DOLLARS (\$441,000) to be expended in the 2050 Tax Parks Rec Transit OCF fund for transfer to the Transit Services fund and appropriated and expended therein for the West Elizabeth Corridor Final Design Project.

Section 4. The appropriations herein for the Federal Transit Administration Capital Investment Grant Program are hereby designated, as authorized in Article V, Section 11 of the City Charter, as appropriations that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Section 5. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF fund the sum of ELEVEN THOUSAND THREE HUNDRED SIXTY-NINE DOLLARS (\$11,369) to be expended in the 2050 Tax Parks Rec Transit

OCF fund for transfer to the Cultural Services and Facilities fund and appropriated and expended therein to fund art projects under the APP program.

Section 6. There is hereby appropriated from prior year in the 2050 Tax Parks Rec Transit OCF fund the sum of TWO THOUSAND NINE HUNDRED FIFTEEN DOLLARS (\$2,915) to be expended in the 2050 Tax Parks Rec Transit OCF fund for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the operation costs of the APP program.

Section 7. There is hereby appropriated from prior year reserves in the 2050 Tax Parks Rec Transit OCF fund the sum of TWO HUNDRED NINETY-TWO DOLLARS (\$292) to be expended in the 2050 Tax Parks Rec Transit OCF fund for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the maintenance costs of the APP program.

Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025
Approving Attorney: Heather N. Jarvis

File Attachments for Item:

5. Items Relating to Adopting Landscaping Amendments to the City Code and Land Use Code.

A. Second Reading of Ordinance No. 007, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Revise Soil Loosening and Amendment Requirements.

B. Second Reading of Ordinance No. 008, 2025, Repealing and Reenacting Section 5.10.1 of the Land Use Code and Amending Definitions in Section 7.2.2 of the Land Use Code to Advance Adopted City Policy Goals to Reduce Water Usage in Landscapes to Comply with State Law and to Clarify and Reorganize Landscaping, Tree Protection, and Irrigation Standards.

These Ordinances, unanimously adopted on First Reading on January 21, 2025, adopt City Code and Land Use Code amendments related to landscape and soil that help to address Council's adopted priorities for 2021-2023.

The proposed amendments to the Land Use Code are designed to minimize water consumption in landscaping for most new and redeveloped properties; they would not apply to single-unit, duplex, and accessory dwelling unit housing types. The code amendments ensure compliance with Colorado Senate Bill 24-005 (SB 24-005), which prohibits specific landscaping practices.

The proposed City Code amendments on soil amendment and soil loosening requirements aim to enhance clarity for applicability and allow soil amendments to be tailored to specific site conditions, which will support successful vegetation establishment and long-term growth.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Katie Collins, Water Conservation Specialist
 Kathyne Marko, Environmental Regulatory Affairs Manager

SUBJECT

Items Relating to Adopting Landscaping Amendments to the City Code and Land Use Code.

EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 007, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Revise Soil Loosening and Amendment Requirements.

B. Second Reading of Ordinance No. 008, 2025, Repealing and Reenacting Section 5.10.1 of the Land Use Code and Amending Definitions in Section 7.2.2 of the Land Use Code to Advance Adopted City Policy Goals to Reduce Water Usage in Landscapes to Comply with State Law and to Clarify and Reorganize Landscaping, Tree Protection, and Irrigation Standards.

These Ordinances, unanimously adopted on First Reading on January 21, 2025, adopt City Code and Land Use Code amendments related to landscape and soil that help to address Council's adopted priorities for 2021-2023.

The proposed amendments to the Land Use Code are designed to minimize water consumption in landscaping for most new and redeveloped properties; they would not apply to single-unit, duplex, and accessory dwelling unit housing types. The code amendments ensure compliance with Colorado Senate Bill 24-005 (SB 24-005), which prohibits specific landscaping practices.

The proposed City Code amendments on soil amendment and soil loosening requirements aim to enhance clarity for applicability and allow soil amendments to be tailored to specific site conditions, which will support successful vegetation establishment and long-term growth.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

FIRST READING BACKGROUND / DISCUSSION

Since 2021, Utilities Environmental Regulatory Affairs, Utilities Water Conservation, Planning, and Forestry staff have collaborated to draft amendments to the Land Use Code and City Code that respond to three 2021-2023 Council priorities:

- #14 Effective soil amendment policies and compliance (water usage)

- #19 Xeriscape installations – Increase rebates and education, fewer green lawns with new development
- #28 Improving tree policies

The goal of this work has been to develop codes that contribute to the development of landscapes well-equipped to survive, even thrive, despite a changing climate and finite resources.

When paired with community education and outreach, codes in support of resilient landscaping practices ensure that both our community and our landscapes are better equipped to face challenges such as rising water costs, rising temperatures, and water restrictions during periods of water shortage. This approach aligns with community values and the following strategies outlined in City Plan and Our Climate Future.

City Plan: Principal LIV 9: Encourage development that reduces impacts on natural ecosystems and promotes sustainability and resilience.

- Efficiency And Resource Conservation
- Outdoor Water Use
- Urban Heat Island Effect

City Plan: Principle ENV 6: Manage water resources in a manner that enhances and protects water quality, supply and reliability.

- Water Conservation and Efficiency
- Droughts and Vulnerability

City Plan: Principle ENV 8: Create and maintain a safe, healthy and resilient urban forest.

- Health of the Urban Forest

Our Climate Future: BIG MOVE 3 Climate Resilient Community: People, buildings, watersheds and ecosystems are prepared for the threats of climate change.

- Expand and enhance water efficiency programs and incentives
- Integrate climate resilience considerations into city strategic and operational plans

Two near-term projects will have direct ties to this project. These project relationships are summarized below.

- **Fort Collins Streetscape Standards Update (expected by January 1, 2026):** Updates to include compliance with SB 24-005, which restricts high-water grass in streetscapes, and refinement of existing standards that reflect lessons learned since standards were first introduced 11 years ago.
- **Land Use Code Phase 2 (expected 2025):** Additional amendments in Land Use Code Section 5.10.1 are likely to include updates to tree mitigation and preservation.

Proposed Code Amendments

Staff researched industry standards and practices in comparable communities to develop Land Use Code and City Code amendments that promote sustainable, water-wise landscape practices well-suited to Fort Collins. The final set of proposed amendments complies with SB 24-005 and reflects engagement with community, industry partners, staff, Boards and Commissions, and Council. Amendments in Land Use Code Section 5.10.1 also reflect reorganization for improved readability. Ordinance No. 008, 2025, contains a clean version of the reenacted Land Use Code Section 5.10.1 and the amended definitions in Section

7.2.2. Also attached to this AIS is a redlined version of Section 5.10.1 to show the changes to existing Code and the reorganization.

SB 24-005 was signed into law on March 15, 2024, and prohibits installation of “nonfunctional” high-water turfgrass, artificial turf, and invasive species on commercial development after January 1, 2026. Environmental Planning, Utilities, and Planning staff, in consultation with the City Attorneys’ office, have evaluated the proposed code changes for compliance with the new statute and have concluded that the changes conform code to the statutory requirements. The following summarizes sections of the proposed Land Use Code amendments that meet the minimum requirement of the law.

- **LUC 5.10.1 (D)(2) and (2)(c)** Irrigated turf grass with a high-water requirement, such as Kentucky bluegrass may only be planted in areas of high use or traffic. This may include areas or spaces used for recreation, civic, or community purposes such as playgrounds, sports fields, picnic grounds, amphitheaters, active portions of parks, and golf course playing areas. All other areas, including parking lots and medians, are prohibited.
- **LUC 5.10.1 (D)(2)(d)** No artificial turf may be included in any landscape plan except for athletic fields of play where athletes practice or compete in a sport or game.
- **LUC 5.10.1 (D)(2)(i)** In addition to parkways, which were already included in this section, rights-of-way and transportation corridors also are required to be landscaped in accordance with the *Larimer County Urban Area Street Standards*.
- **LUC 5.10.1 (E)(2)(a)** No invasive plant species may be included in any landscape plan.

Considering Council’s stated priorities, Fort Collins community values and sense of place, and the building of landscapes that are “smart from the start,” staff recommend additional code amendments to minimize unintended consequences from SB 24-005. These additional amendments are summarized below.

- **LUC 5.10.1 (D)(2)(a)** More than 50% of a landscape area must be covered with living plants at maturity. A minimum plant coverage requirement limits large expanses of unplanted landscaping to provide environmental benefits such as habitat and cooling and to avoid landscaping that does not fit the aesthetic of Fort Collins.
- **LUC 5.10.1 (D)(2)(c)** In addition to the limitation on high-water requirement turf grass, turf grass species with a moderate-water requirement, such as turf-type tall fescue, may only be planted in areas of high use or traffic. Plant water requirements are defined by the City of Fort Collins Plant List.
- **LUC 5.10.1 (D)(2)(c)** Low-water requirement irrigated turf grass that is native grasses or grasses that have been hybridized for arid conditions may be planted in any space, as appropriate, and not contingent on use.
- **LUC 5.10.1 (D)(3)(a)** The maximum water budget for a landscape may not exceed 11 gallons/square foot (GPSF) once landscaping is established. The water budget chart, as mandated by the Land Use Code to be included as part of all landscape plans, provides reviewers with a clear overview of the expected water usage categorized by hydrozone and gives greater flexibility to landscape plan development vs. restricting Kentucky Blue Grass to a certain percentage of area. This standard further supports lower water-use landscapes, which may not be achieved with SB 24-005 alone; interpreting post-occupancy use of turf at the time of development review is challenging and could be inaccurate, resulting in non-functional areas that were previously designated as functional uses. The current standard limits a water budget to 15 GPSF.
- **City Code 12-132 (a)** Proper soil treatment is the first and most crucial step in establishing healthy vegetation and ensuring long-term landscape success and sustainability of water-efficient landscapes. The proposed amendments to City Code for soil amendment and loosening increase general clarity for easier understanding and implementation. A key clarification is the exemption for very small projects (less than 1,000 square feet), ensuring the requirements are appropriately applied.

- **City Code 12-34** The proposed soil amendment standard introduces greater flexibility and improved outcomes by considering the specific plant types and native soil characteristics. The existing City Code terms mandate a basic soil amendment in all situations, which can sometimes be unnecessary or even harmful to plant establishment.
- **City Code 12-132 (a)** Currently, vegetation establishment and maintenance in Natural Habitat Buffer Zones (NHBZ) are governed by a 3-year adaptive management and restoration plan outlined in development agreements. This existing framework provides adequate detail and oversight. To enhance clarity in program responsibilities, under the proposed amendments to City Code, NHBZs would be exempt from the soil amendment and loosening requirements.
- **LUC 5.10.1 (D)(1)(c)** For the short-term and long-term survivability of trees, tree watering during development, dedicated non-overhead irrigation, and a limit to the consecutive planting of trees of the same cultivar are all proposed. Additional amendments aimed at enhancing tree mitigation and preservation will be introduced during Land Use Code Phase 2. These updates will align with ongoing evaluations and the upcoming adoption of the Urban Forest Strategic Plan, titled “Rooted in Community.”

Impact Analysis

The following sections provide an assessment of estimated impacts that the proposed code amendments will have on projects and development activities.

Landscape and Water

To assess the potential impact of the amendment on landscape trends and water demand, staff reviewed plans for 21 recent development projects.

Based on review of the 21 projects, most designs are already limiting use of high-water grass to functional areas in the landscape, such as in common spaces for recreating within a multi-family complex, which would be in alignment with the proposed code. Four of the projects did not incorporate high-water use grass in the landscape design at all. High-water grass was found in the street parkways of all landscape plans with detached sidewalks. According to SB24-005, such grass in parkways is deemed nonfunctional. The Land Use Code refers all streetscape landscaping standards to an appendix in the *Larimer County Urban Area Street Standards* which will be updated in 2025 to comply with the requirements of SB24-005.

Landscape water budgets are calculated by multiplying the area of each landscape hydrozone by the gallons per square foot (GPSF) assumptions provided in the Water Budget Chart in Land Use Code 5.10.1. The current Land Use Code mandates a landscape water budget of 15 GPSF averaged across the entire landscape. The proposed amendment seeks to reduce the cap to 11 GPSF. Plant selection is what influences the water budget. The majority of native, and many and non-native, grasses, perennials and shrubs are considered to have a very low or low water need, requiring just 3 – 8 GPSF of supplemental irrigation per season. Kentucky bluegrass is considered a high hydrozone plant, needing 18 GPSF of supplemental irrigation per season. An 11 GPSF water budget can be achieved, and even include a large total area of functional bluegrass, by balancing the high hydrozone landscape areas with lower water use hydrozone areas. Review of project water budgets indicated a noticeable trend toward lower water demand with nearly half of the projects – 9 out of 21 – already meeting the proposed 11 GPSF limit.

Aesthetic appeal is an important factor to consider. While the Land Use Code and City Code amendments must comply with SB 24-005 landscaping restrictions, the bill provides flexibility in finding alternatives. Incorporating best practices, such as requiring living landscapes, may preserve the unique character and curb appeal of Fort Collins, ensuring continuity and compatibility between new and existing landscapes. Without these measures, there is a risk of extensive hardscaping, which lacks climate resilience and could exacerbate environmental challenges.

Cost

Implementing landscape standards that reduce water use may entail higher initial installation costs depending on design. However, these investments can yield significant financial benefits that include both immediate returns through reduced water development fees, such as water supply requirements or plant investment fees depending on the water district, and long-term paybacks through lower water bills. Ultimately, the financial advantages of these standards can outweigh the initial investment, leading to more sustainable and economically viable development practices.

Staff engaged two local landscape architecture firms – BHA Design and Norris Design - to assess the cost implications of proposed amendments to the landscape code. Each firm conducted a case study on one local commercial property currently in compliance with existing landscape code. For each property, two three-alternative landscape designs were developed to meet the proposed code amendments. Under these alternatives, most areas previously suitable for high-water grass were replaced with a combination of native grass and low water use planting beds. Some areas remained high-water grass if they served a function. The cost analyses include installation costs, plant investment fees, water supply requirement fees, long-term maintenance expenses, and water bills to determine the overall financial impact of the proposed changes. Per unit costs were provided by local contractors. Table 1 summarizes the comparison of cost estimates for landscape treatments that comply with the proposed amended code versus those that comply with the current code. These estimates were calculated using the average of all installation and maintenance cost figures provided by professionals, and 2024 Fort Collins Utilities water rates and fees.

Table 1. Cost Comparison, Fort Collins Utilities Rates and Fees

Landscape Design	Average gallons per square foot (GPSF)	Annual Water Demand (gallons)	Installation & Water fees	Annual Maintenance & Water Cost
Small Commercial Landscape (20,000 sq.ft.)				
Current code-compliant plan	15	309,890	\$195K	\$3,900
Alternative 1: Shrub Heavy	10.7	222,500	+ \$39K	(\$270)
Alternative 2: Shrubs and Native Grass	10.4	215,020	(\$2K)	(\$290)
Alternative 3: Native Grass Heavy	7.8	161,755	(\$43K)	(\$460)
Multi-Family Landscape (200,000 sq.ft.)				
Current code-compliant plan	12.9	2.6M	\$1.8M	\$37K
Alternative 1: More Shrubs	10.9	2.2M	(\$37K)	(\$1,200)
Alternative 2: More Native Grass	10.5	2.1M	(\$174K)	(\$1,500)

The upfront cost of a landscape is largely influenced by landscape design. Planting beds are most expensive to install, followed by high-water grass, then native grass areas. In cases when developers choose to install more planting bed areas in place of what historically may have been planted with high-water grass, the total installation cost will be greater. The added cost of planting beds may be balanced by the lower cost to install native grass when including both in a landscape design. The added expense of more planting bed area may also be mitigated by reduced development fees that may be dependent on the calculated water demand of the property, depending on the water district. Certain water development fees in service areas of Fort Collins Utilities and the East Larimer County Water District (ELCO) are influenced by landscape water demand. Fort Collins Loveland Water District (FCLWD) development fees are not impacted by water demand. The impact of this is illustrated in Table 2.

Trees are significant investments in both human health and environmental value. Ensuring their proper establishment and growth is crucial. As landscapes transition away from irrigated turf that historically provided supplemental water to trees, dedicated drip irrigation systems are necessary to ensure tree health and longevity. Without this supplemental watering, trees are at greater risk of stress, decline, and potential loss—an outcome that carries both environmental and financial costs. Drip irrigation systems offer targeted water delivery directly to the root zone, encouraging a deep and healthy root structure, reducing water waste and increasing water efficiency compared to traditional irrigation methods. While this is an added upfront cost of approximately a couple thousand dollars per zone (where you may have a few trees to tens of trees on a given zone), it mitigates the long-term expenses associated with tree removal and replacement, which can be thousands of dollars per tree. A dedicated drip irrigation system can also protect and preserve trees as valuable green infrastructure during periods of drought or water shortages where overhead irrigation is required to be extremely reduced or turned off and trees reliant on overhead irrigation must be hand watered to keep alive, if drip irrigation isn't provided. The return on investment of each irrigated tree is obtained within a few years, especially when trees are kept healthy and thriving into the future - omitting the costs of removal and replacement.

Long-term costs are also influenced by landscape design. Overall, data and feedback from landscape contractors and site managers indicate there may be little net difference in maintenance cost of landscapes with far less high-water grass compared to similar sites with significant area of high-water grass. This may be attributed to the high variability of tasks required to maintain the different types of landscape area, as well as the frequency of visits for the different areas. For example, high-water grass areas require weekly visits for mowing during the growing season. A shrub bed area requires fewer visits per year, but warrants expensive, infrequent maintenance, such as replenishing mulch and weeding. As for annual water costs, regardless of water provider, landscapes that require less water have lower annual water costs. The cost savings becomes more significant overtime as water rates increase.

Table 2. Fort Collins Water Providers Cost Estimates Compared to Baseline Landscape (2024 Rates)

Landscape Design	Installation & Water Development Fees			Annual Water & Maintenance Cost		
	Fort Collins Utilities	ELCO	FCLWD	Fort Collins Utilities	ELCO	FCLWD
Small Commercial Landscape (20,000 sq.ft.)						
Current code-compliant plan	\$195K	\$224K	\$211K	\$3,900	\$5,000	\$4,200
Alternative 1: Shrub Heavy	+ \$39K	+ \$30K	+ \$57K	(\$270)	(\$600)	(\$370)
Alternative 2: Shrubs and Native Grass	(\$2K)	(\$10K)	+ \$18K	(\$290)	(\$650)	(\$400)
Alternative 3: Native Grass Heavy	(\$43K)	(\$53K)	(\$12K)	(\$460)	(\$1,000)	(\$630)
Multi-Family Landscape (200,000 sq.ft.)						
Current code-compliant plan	\$1.8M	\$1.9M	\$1.9M	\$37K	\$45K	\$38K
Alternative 1: More Shrubs	(\$37K)	(\$140K)	+ \$46K	(\$1,200)	(\$2,800)	(\$1,700)
Alternative 2: More Native Grass	(\$174K)	(\$268K)	(\$76K)	(\$1,500)	(\$3,200)	(\$2,000)

Soil amendment and loosening requirements already exist in the City Code, and the proposed amendments does not significantly alter these requirements, so no widespread impact is expected. A change in the proposed City Code amendments allows for alternative soil amendments that consider site characteristics. However, choosing this option is not mandatory. Other proposed amendments clarify existing City Code

language and are beneficial for ensuring proper soil preparation, which is essential for the success and growth of the installed vegetation.

Implementation

Code amendments are just one aspect of the overall program improvements. Equally important is the need to verify and enforce compliance with the new standards and requirements, as well as to provide education and outreach to the community and industry partners.

Staff conducted an evaluation of resource needs by analyzing historical development application data to estimate the time required for key activities, including education and outreach, plan review, site inspections, and enforcement of the new standards. While no additional resources are being requested in conjunction with these code amendments at this time, it is anticipated that future budget proposals—whether mid-cycle or as part of the regular budget process—will include requests for funding to support two full-time employees (FTEs). One FTE will be dedicated to landscaping, while the other FTE will focus on soil amendments and soil loosening.

Staff will continue to implement existing processes, monitor progress, and explore opportunities to improve efficiency. The current level of service includes the following oversight activities to ensure conformance with the proposed requirements:

- **Plan Review:** Review of all irrigation plans, water budget tables, and landscape plans before construction.
- **Soil Documentation:** Collection of soil certificates and amendment receipts and infrequent investigative field inspections performed if indicated by the submittal documents.
- **Irrigation Audit:** Post-construction inspection to ensure the irrigation system aligns with approved plans and standards.
- **Zoning Inspection:** Verification of plant counts and other landscaping elements after construction is complete.

Approving the code amendments, even without additional FTEs, is a critical step toward advancing Council priorities and meeting State law requirements. Staff remains committed to optimizing current processes to ensure progress while planning for necessary future resource allocation.

CITY FINANCIAL IMPACTS

No additional resources are being requested with these code amendments, but future budget proposals may include funding requests for two full-time employees.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The August 15, 2024, regular meeting, the Water Commission recommended Council approve the code amendments.

At the December 19, 2024, hearing, Planning and Zoning Commission voted 6-1 in support of the proposal and recommended Council approval. The Commission expressed that the Commission believes the proposal meets State requirements and is consistent with the water conservation goals of the City and for that reason, the Commission supports the proposal and recommends City Council approval. In making this recommendation, the Commission suggested Council consider the following:

1. Proposal not to omit landscape requirements specific to vehicle display lots, as they are different than a regular parking lot. **Staff Response:** Landscape requirements specific to vehicle display lots have now been retained in the proposed Code amendments.

2. Impact of requiring dedicated irrigation zones for trees, particularly on affordable housing projects. **Staff Response:** Dedicated irrigation to trees remains as a proposed code amendment. The rationale for this recommendation is included in the Impact Analysis section of this report.
3. Landscape escrow requirements contained in the proposed Code language should be carefully reviewed for clarity and reasonableness. **Staff Response:** The proposed Code amendments now include clarification and a description of how the escrow works.

The Planning and Zoning Commission passed motions with additional recommendations as follows:

- That the Fort Collins Planning and Zoning Commission in its capacity as an advisor on planning matters to City Council express support for the adoption of City Code amendments regarding soil amendment and soil loosening; and
- That the Fort Collins Planning and Zoning Commission in its capacity as an advisor on planning matters to City Council advise that the proposed Land Use Code amendments may require augmented staff to fully implement the proposed changes. The Planning and Zoning Commission encourages City Council to examine opportunities to fully implement the proposal. **Staff Response:** Two positions were considered in the '25 - '26 Budget and were not funded.

PUBLIC OUTREACH

From the end of 2021 throughout 2024, staff hosted several engagement opportunities, communicated through email and social media, targeting the public and industry partners. Staff sought and received feedback from developers, homebuilders, landscape professionals, landscape architects, real estate professionals, property managers, nurseries and wholesalers, and sod growers. Some notable engagement milestones include the following:

- Online survey: 929 completed surveys, 5,878 comments
- Social media: 37 comments on boosted posts
- 166 unique visits on OurCity webpage
- Focus groups, workshops, and one-on-ones with industry partners
 - 56 total attendees at 14 virtual events
 - 20+ one-on-one requests

Staff visited and kept up communication with several Boards and Commissions including Water Commission, Planning and Zoning Commission, Natural Resources Advisory Board, Downtown Development Authority, and Parks and Recreation Board.

Overall, the feedback was in support of reducing the occurrence of high-water grass in new development, limiting barren landscaping, and promoting best practices for soil preparation. Feedback also reflected overwhelming support and encouragement of more community education and engagement opportunities, and incentives for resilient landscaping for new development and existing properties.

This proposal initially included provisions to regulate single-unit residential landscapes and a limit on turf area by percentage. However, based on feedback primarily from landscape industry professionals, both provisions have been removed from the current proposal. Concerns persist regarding the restriction on artificial turf, particularly regarding suitable alternatives for high-traffic areas. There are also concerns about the aesthetic impact of increased native grass areas, including the variable success and potentially lengthy establishment period of native grasses in some landscapes.

Engagement with internal departments and industry partners – including landscape contractors, designers, architects, and developers – has been a priority in the update of commercial landscape standards. These stakeholders have demonstrated strong support for this initiative. Their detailed reviews and feedback have

been essential in developing language that is both clear and implementable. Contributions were made through various channels including focus groups, workshops, individual consultations, mock development review sessions, and polling.

Following adoption, staff will continue to work with internal and community partners to communicate the amendments and work through implementation strategies. Departments and applicants involved in the development review process will be most impacted by these amendments. Utilities Community Engagement and Education teams will continue to be a critical partner to supporting new regulations. Existing water demand management programs, such as the Xeriscape Incentive Program, will continue to educate and support current residential and commercial property owners in converting high-water use grass to more resilient landscaping. New or reimagined projects and programs that educate, incentivize, or regulate resilient landscape practices from conceptual review all the way to long-term landscape maintenance are currently being evaluated as part of the ongoing Water Efficiency Plan update.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance A for Consideration – City Code
2. Ordinance B for Consideration - Land Use Code

ORDINANCE NO. 007, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF
FORT COLLINS TO REVISE SOIL LOOSENING AND
AMENDMENT REQUIREMENTS

A. The City has historically imposed certain requirements related to the loosening of soil areas and incorporation of appropriate soil amendments in areas to be planted in order to, among other things, enhance soil water storage capacity, improve conditions for plant growth, increase water infiltration, and reduce water runoff.

B. Such requirements are located in Chapter 12, Division 2 of City Code.

C. Pursuant to City Council priority 14 (Effective soil amendment policies and compliance (water usage)) of the 2021-23 Council Priorities and direction from City Council at a January 10, 2023, work session, City staff completed a review of such existing requirements.

D. City staff have proposed revisions to such requirements as set forth below.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Chapter 12, Article VII., Division 2 of the Code of the City of Fort Collins is hereby deleted in its entirety and replaced with the following:

Division 2 - Soil Loosening and Amendment

Sec. 12-130. - Purpose.

The provisions of this Section are intended to enhance soil water storage capacity, improve conditions for plant growth, increase water infiltration, reduce water runoff, and improve stormwater quality.

Sec. 12-131. - Definitions.

The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Section:

Certificate of occupancy shall mean a certificate of occupancy as described in the building code of the City as adopted in Chapter 5, Article II, Division 2, or any other document issued by the City to authorize occupation of new improvements constructed pursuant to a building permit.

Plant materials shall mean living vegetation.

Soil amendments shall mean materials added to soil to improve soil properties for the purpose of optimal plant growth. Soil amendments may include the following: gypsum, limestone, sulfur, aluminum sulfates, humates, organic matter, mulches, compost, soil conditioners, mycorrhizal inoculum or bio-stimulants or such other as appropriate to meet the objectives of this Division.

Soil testing shall mean technical analysis by a professional soil testing lab to determine composition and characteristics of soil.

Topsoil shall mean soil that is: a friable mixture of sand, silt, clay, and organic particles; free from building, construction, or other foreign materials; free of any chemical, biological or radiological contaminants; and within the following limits:

Sand (0.05- 2.00 mm)	Maximum 75%	Minimum 20%
Silt (0.002-0.05 mm)	Maximum 60%	Minimum 5%
Clay (less than 0.002 mm)	Maximum 30%	Minimum 5%
Organic Material (Organic Material / Sample)	Minimum 3%	Maximum 10%
pH	6	8
Electrical Conductivity (millimhos / cm)	0	2.0

Topsoil Stockpiling Practices shall mean those practices to preserve the quality of topsoil comprising of the top four (4)-six (6) inches of existing soils, stored in piles from two (2)-four (4) feet high and for a duration of less than twelve (12) months.

Sec. 12-132 Soil Loosening and Amendment Requirements.

(a) Applicability. The requirements of this Division shall apply to any property outside of a Natural Habitat Buffer Zone defined in the Land Use Code that:

- (1) is included any development review process under the Land Use Code and has over one thousand (1,000) square feet of area where plant materials will be installed; or
- (2) requires a building permit that is associated with a certificate of occupancy and has over one thousand (1,000) square feet of area where plant materials will be installed.

(b) Soil Loosening Standards. Except as provided in this subsection (b) or pursuant to § 12-134, in any location where plant materials are expected or intended to be installed, soils shall be thoroughly loosened to a depth of at least eight inches, except as follows:

- (1) In areas where new tree plantings are expected or intended to occur, the soil shall be loosened to the extent of, roughly two (2) to three (3) times the

diameter of the planted root ball and minimum of six (6) feet extending radially from the tree trunk and loosened to a depth equivalent to the root ball;

(2) Soil shall not be loosened within a certain distance from the face of existing trees based on the tree trunk’s diameter at breast height as set forth in the following table; and

Tree Trunk Diameter at Breast Height (Inches)	0” to 9”	10” to 14”	15” to 19”	Over 19”
Area From Face of Tree with No Soil Loosening (feet)	5’	10’	12’	15’

(3) In any areas where existing vegetation remains and was not compacted or disturbed from construction or related activities, the soil shall only be loosened with an aeration or no-till method.

(c) Soil Amendment Standards.

(1) Except as provided in this subsection (c) or pursuant to § 12-134, in any location where plant materials are expected or intended to be installed, the soil shall be amended at a rate of at least three (3) cubic yards of soil amendment over one thousand (1,000) square feet, which shall be well mixed into the top four (4) inches of the soil.

(2) Soils amendments shall not be required for the following:

- a. In areas where new or existing trees are located, and no other vegetation will be under the tree canopy;
- b. In areas where Low Impact Development stormwater quality infrastructure is located; or
- c. Existing soils that are topsoil, as proven by soil testing. Such topsoil may be stripped and stored using Topsoil Stockpiling Practices for reapplication to the site. When reapplied, at least four inches of reclaimed topsoil shall be applied.

Sec. 12-133 Compliance.

(a) The requirements of this Division shall be met prior to the issuance of any certificate of occupancy. Except as provided in § 12-134, no certificate of occupancy shall be issued until compliance is established pursuant to this Subsection.

(b) Proof of compliance shall be submitted to the Utilities Executive Director, and shall include documentation of the completion of the soil loosening and amendment requirements of this Division and any soil testing results and related documentation, if applicable. The Utilities Executive Director may establish forms for this purpose.

(c) The Utilities Executive Director may enter any property subject to this Division for the purpose of evaluating whether the property is in compliance.

(d) The Utilities Executive Director shall review the proof of compliance and, in writing, approve, approve with conditions or deny that the soil loosening and amendment requirements of this Division have been met.

Sec. 12-134 Variance Procedure for Soil Loosening and Amendment Requirements.

(a) Notwithstanding the provisions of this Division, pursuant to this section, the Utilities Executive Director may grant variance requests to modify: the soil loosening standards of § 12-132(b); the soil amendment standards of § 12-132(c); and the compliance deadline of § 12-133(a).

(1) An applicant seeking such a variance shall complete and file with the Utilities Executive Director an application accompanied by any required filing fee as determined by the Utilities Executive Director. The Utilities Executive Director shall prepare a form of such application identifying for the applicant all of the necessary information for the Utilities Executive Director to evaluate the variance request, which shall include, at minimum, an analysis of the requested variance.

(2) The Utilities Executive Director may perform any appropriate investigations regarding the application, including requests for additional information from the applicant. If the Utilities Executive Director finds that all of the following conditions are met, the Utilities Executive Director may grant a variance request, subject to terms and conditions, to modify the soil loosening standards of § 12-132(b), the soil amendment standards of § 12-132(c) or the compliance deadline of § 12-133(a) as applied to a particular property:

a. The variance is appropriate based on all known facts, will substantially further the purposes of this Division, and is in the best interests of the City;

b. Where the variance request is to modify the soil loosening standards of § 12-132(b) or the soil amendment standards of § 12-132(c) for the particular property, the modification is needed to address unique soil, hydrological, or topographical conditions of the property; or to facilitate native plants; and

c. Where the variance request is to modify the compliance deadline of § 12-133(a), the modification is needed due to weather or seasonal conditions, labor shortages, or needs of the plant materials to be installed.

(3) If the variance request is granted, the variance shall be set forth in the writing and shall include any terms and conditions the Utilities Executive Director deems appropriate to further the purposes of this Division. If the variance includes a modification of the soil loosening standards of § 12-132(b) or the soil amendment standards of § 12-132(c), the modified standards shall be stated. If the variance includes a modification of the compliance deadline of § 12-133(a), a new deadline shall be stated and terms and conditions may include the City’s right to withhold other permits sought by the applicant until the particular property is in compliance with the variance. Failure of the applicant to comply with a granted variance shall be deemed a violation of City Code pursuant to § 1-15.

(4) In the event the variance request is denied, the Utilities Executive Director shall notify the applicant in writing of the denial and state the reasons therefor.

Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025
Approving Attorney: Eric Potyondy

ORDINANCE NO. 008, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING AND REENACTING SECTION 5.10.1 OF THE LAND USE
CODE AND AMENDING DEFINITIONS IN SECTION 7.2.2 OF THE LAND
USE CODE TO ADVANCE ADOPTED CITY POLICY GOALS TO
REDUCE WATER USAGE IN LANDSCAPES AND TO CLARIFY AND
REORGANIZE LANDSCAPING, TREE PROTECTION, AND IRRIGATION
STANDARDS

A. On May 27, 2024 the revised Land Use Code went into effect, which Code City Council adopted by reference pursuant to Ordinance No. 055, 2024.

B. The Land Use Code Section 5.10.1 provides standards and requirements for landscaping, tree protection, and irrigation design and installation for developments.

C. The Land Use Code Section 7.2.2 defines terms used throughout the Land Use Code.

D. Three 2021-2023 City Council priorities pertain to matters addressed in Land Use Code Section 5.10.1 and related definitions: #14 Effective soil amendment policies and compliance (water usage), #19 Xeriscape installations – Increase rebates and education, fewer green lawns with new development and #28 Improving tree policies.

E. Community values and the strategies outlined in City Plan and Our Climate Future pertain to matters addressed in Land Use Code Section 5.10.1 and related definitions, including City Plan Principle LIV 9: Encourage development that reduces impacts on natural ecosystems and promotes sustainability and resilience; City Plan Principle ENV 6: Manage water resources in a manner that enhances and protects water quality, supply and reliability; City Plan Principle ENV 8: Create and maintain a safe, healthy and resilient urban forest; and Our Climate Future: BIG MOVE 3 Climate Resilient Community: People, buildings, watersheds and ecosystems are prepared for the threats of climate change.

F. Colorado Senate Bill 24-005 prohibits specific landscaping practices and installations as of January 1, 2026.

G. For the City to comply with House Bill 24-005 and to comport with its priorities and values, the existing Land Use Code Section 5.10.1 Landscaping and tree protection and related definitions in Section 7.2.2 must be amended as set forth in this Ordinance.

H. On August 15, 2024, the Water Commission on a unanimous vote recommended that Council adopt the proposed changes set forth in this Ordinance.

I. On December 19, 2024, the Planning and Zoning Commission on a vote of 6 to 1 (Sass opposed) recommended that Council adopt the proposed changes set forth in this Ordinance.

J. Concurrently by separate ordinance (Ordinance No. 007, 2025), City Code provisions for soil loosening and amendment requirements are also being amended.

K. A goal of the code changes in this Ordinance and Ordinance No. 007, 2025 is to develop codes that contribute to the development of landscapes well-equipped to survive, even thrive, despite a changing climate and finite resources.

L. This Ordinance amends the Land Use Code that was adopted by reference in Ordinance No. 055, 2024. However, the amendments contained in this Ordinance are set forth in their entirety herein, rather than adopted by reference.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. ARTICLE 5 GENERAL DEVELOPMENT AND SITE DESIGN, DIVISION 5.10 LANDSCAPING AND TREE PROTECTION, Section 5.10.1, Landscaping and tree protection is hereby repealed and reenacted to read as follows:

5.10.1 LANDSCAPING AND TREE PROTECTION

- (A) **Applicability.** This Section applies to all developments that include landscaping, new or existing trees, or both landscaping and new or existing trees (except for development on existing lots for single- and two-unit detached dwellings and accessory dwelling units) within the designated "limits of development" ("LOD") and natural habitat buffer zones established according to Section 5.6.1 (Natural Habitats and Features).
- (B) **Purpose.** The intent of this Section is to require preparation of a landscape, tree protection, and irrigation plan (hereinafter "landscape plan") that demonstrates a comprehensive approach to landscaping that incorporates City plans for the appearance and function of the neighborhood or district, the development, buildings, and the pedestrian environment, while creating or maintaining a diverse significant canopy cover and using water efficiently.
- (C) **General Standard.** All developments to which this Section applies must submit a landscape plan that incorporates City plans for the appearance and function of the development while creating or maintaining a diverse significant canopy cover and using water efficiently and that promotes reductions in outdoor water use by selecting low water plant materials, improving soil, and exploring non-potable irrigation sources. All landscaping, tree protection and planting, and irrigation must be installed according to approved landscape plans. For the Director or Director's designated staff focused in the

applicable area of forestry, landscape, or irrigation to approve a landscape plan it must comply with the standards throughout this Section and must:

- (1) Protect existing trees and natural features;
- (2) Provide a diverse and resilient tree canopy cover;
- (3) Reinforce and extend existing patterns of outdoor spaces and vegetation;
- (4) Enhance the pedestrian environment of the development and neighborhood;
- (5) Create visual interest year-round, complementing the architecture of a development and attracting attention to building entrances and other focal points;
- (6) Reinforce spatial definition of outdoor spaces and circulation patterns;
- (7) Screen areas of low visual interest or visually intrusive site elements;
- (8) Lend privacy where appropriate;
- (9) Promote compatibility and buffering between and among dissimilar land uses; and
- (10) Ensure long term health of landscaping through best practices for maintenance and irrigation.

(D) **Landscape Planning and Design.** Any landscape plan required must meet at least the standards in this Subsection.

(1) **Tree Planting.**

(a) **Purposes.** These standards are meant to establish urban tree canopy in available and appropriate spaces. Urban tree canopies are used to define and connect spaces and corridors or other features along the street. All the following elements contribute to this. Useful urban tree canopy benefits include:

- (I) Beautification;
- (II) Reducing erosion and stormwater runoff;
- (III) Mitigating air pollution;
- (IV) Reducing glare and heat build-up;
- (V) Aiding water conservation in irrigated landscaping;
- (VI) Creating continuity within and between individual developments;
- (VII) With other landscape elements, screening and mitigating potential conflicts between activity areas and other site elements;
- (VIII) Accommodating views and functions such as active recreation and storm drainage; and
- (IX) Defining and enhancing outdoor spaces.

(b) **Minimum Tree Stocking Requirements.** All developments must establish groupings of trees along all city streets, in and around parking lots, and in landscape areas shown in the landscape plan. These stocking requirements outline the required minimum tree canopy and are in addition to requirements for preserving existing trees, parking lot landscape requirements and required tree mitigation. These stocking requirements are not intended to limit additional tree plantings in any remaining portions of the development. Required tree stocking comprises:

- (I) Parking lot landscaping in accordance with the parking lot landscaping standards as set forth in this Section and in Section 5.9.1, Access, Circulation and Parking;
- (II) Street tree planting in accordance with the *Larimer County Urban Area Street Standards* and the street tree planting as defined in Subsection (D)(1)(e) below;
- (III) Tree planting in all landscape areas within sixty-five (65) feet of any building or structure as further described below. Landscape areas shall be provided in adequate numbers, locations and dimensions to allow full tree stocking to occur along all areas of high use or high visibility sides of any building or structure. Such landscape areas shall extend at least seven (7) feet from any building or structure wall and contain at least fifty-five (55) square feet of nonpaved ground area;
- (IV) Planting cutouts, planters, or other landscape areas for tree planting shall be provided within any walkway that is ten (10) feet or greater in width adjoining a vehicle use area that is not covered with an overhead fixture or canopy that would prevent growth and maturity. Any tree planting cutouts in walkways must be at least thirty-two (32) square feet, except in the Downtown District where tree cutouts shall mimic or exceed existing design or character to adjacent Street Frontage Types as provided in Section 2.4.1;
- (V) Full tree stocking under this Subsection (D)(1)(b) shall mean formal or informal groupings of trees planted according to the following spacing dimensions depending on species and desired degree of shading of the ground plane:

Table 5.10.1-(1) – Spacing

Tree Type	Minimum/Maximum Spacing
Canopy shade trees	30'—40' spacing
Coniferous evergreens	20'—40' spacing
Ornamental trees	20'—40' spacing

- (VI) Exact tree locations and spacings may be adjusted at the option of the applicant to support patterns of use, views and circulation as long as the minimum tree stocking requirement under this Subsection (D)(1)(b) and the minimum species diversity requirement under Subsection (D)(1)(c) are met; and
- (VII) Canopy shade trees must constitute at least fifty percent (50%) of all tree plantings. Trees required in Subsections (D)(1)(b)(I) or (II)

above may be used to contribute to this standard. If additional trees beyond the minimum tree stocking and mitigation requirements under this Section are planted, the additional trees must meet the minimum species diversity requirement but are not subject to the fifty percent (50%) canopy shade requirement.

- (c) **Minimum Tree Species Diversity.** To prevent uniform insect or disease susceptibility and eventual uniform senescence within a landscape planned area or in the adjacent area or the district, species diversity is required, and extensive monocultures are prohibited. No more than three (3) consecutive trees of the same cultivar or variety may be planted in a row, including corners and groupings. The following minimum requirements apply to any landscape plan.

Table 5.10.1-(2) – Species Diversity Table

Number of trees on site	Maximum percentage of any one species
10—19	40%
20—39	30%
40—59	20%
60 or more	10%

- (d) **Tree Species and Minimum Sizes.** The City Forester shall provide a recommended list of trees that are acceptable to satisfy the requirements for landscape plans, including approved canopy shade trees that may be used as street trees.

- (i) **Minimum Size.** The following minimum sizes shall be required (except as provided in Subsection (D)(1)(d)(II) below):

Table 5.10.1-(3) – Minimum Size Table

<i>Type</i>	<i>Minimum Size</i>
Canopy Shade Tree	2.0" caliper balled and burlapped or equivalent
Evergreen Tree	6.0' height balled and burlapped or equivalent
Ornamental Tree	1.5" caliper balled and burlapped or equivalent
Shrubs	5 gallon or adequate size consistent with design intent or 1 gallon may be permitted if planting within the Critical Root Zone of existing trees

Any tree plantings that are in addition to those that are made as part of the approved landscape plan are exempt from the foregoing size requirements.

- (II) **Reduced Minimum Sizes for Affordable Housing Projects.** In any affordable housing project, the following minimum sizes shall be required:

Table 5.10.1-(4) – Affordable Housing Minimum Tree Size Table

Type	Minimum Size
Canopy Shade Tree	1.0" caliper container or equivalent
Evergreen Tree	4.0' height container or equivalent
Ornamental Tree	1.0" caliper container or equivalent
Shrubs	1 gallon
Canopy Shade Tree as a street tree on a Local or Collector street only	1.25" caliper container or equivalent

- (e) **Street Trees.** Planting of street trees shall occur in the adjoining street right-of-way, after first obtaining a street tree permit (free of charge) from the Forestry Division as stated in Fort Collins Municipal Code Article 3, Section 27-31. Except as described in Subsection (D)(1)(e)(II) below, the street tree plantings in connection with the development shall occur as described in Subsections (D)(1)(e)(I) through (V) below:

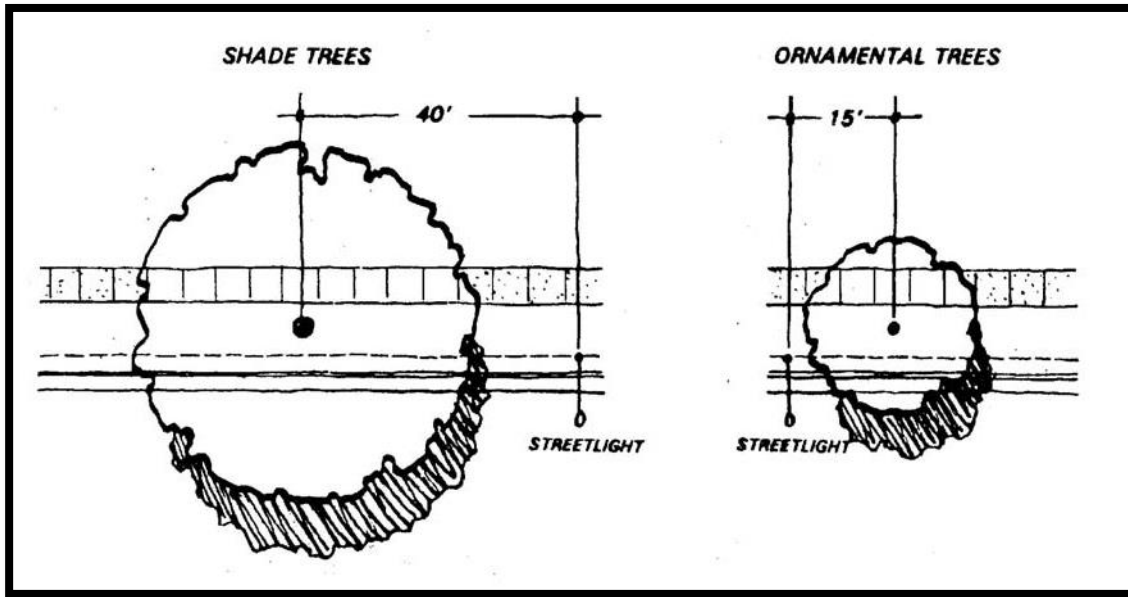
- (I) Wherever the sidewalk is separated from the street by a parkway, canopy shade trees shall be planted at thirty-foot to forty-foot spacing (averaged along the entire front and sides of the block face) in the center of all such parkway areas. If two (2) or more consecutive residential lots along a street each measure between forty (40) and sixty (60) feet in street frontage width, one (1) tree per lot may be substituted for the thirty-foot to forty-foot spacing requirement. Such street trees shall be placed at least four (4) feet away from the edges of driveways and alleys and separated from streetlights and utilities lines as required in Subsection (D)(1)(f) below.

- (II) Wherever the sidewalk is attached to the street in a non-standard way or in a manner that fails to comply with the *Larimer County Urban Area Street Standards*, canopy shade trees shall be established in an area ranging from three (3) to seven (7) feet behind the sidewalk at the spacing intervals as required in Subsection (D)(1)(e)(I) above. Wherever the sidewalk is attached to the street and is ten (10) feet or more in width, or extends from the curb to the property line, canopy shade trees shall be established in planting cutout areas of at least thirty-two (32) square feet at thirty-foot to

forty-foot spacing, except in the Downtown District where tree cutouts shall mimic or exceed existing design or character to adjacent Street Frontage Types as provided in Section 2.4.1.

- (III) Ornamental trees shall be planted in substitution for the required canopy shade trees where overhead lines, fixtures, and underground utilities may prevent normal growth and maturity. Ornamental trees shall be placed at least fifteen (15) feet away from any streetlight as required in Subsection (D)(1)(f) below.
 - (IV) Wherever existing ash trees (*Fraxinus* species) are in the adjoining street right-of-way, the applicant must coordinate and obtain an onsite analysis with the City Forester to determine replacement canopy shade trees either through shadow planting or other emerald ash borer mitigation methods. The City Forester is available also to recommend shadow planting or emerald ash borer mitigation methods for existing ash trees on private property.
 - (V) In any multi-phase development plan, all street trees per phase must be planted at once rather than on a lot by lot over time to the maximum extent feasible; and such planting may only occur after the irrigation is functioning and right-of-way turfgrass, if present, is established. The City Forester, through conversations with the landscape contractor and applicant, makes the final decision as to what timing is feasible. Street trees must only be planted during shoulder seasons, March through June, and September through November, to avoid the hottest and coldest periods of the year.
- (f) **Utilities and Traffic.** Landscape, utility and traffic plans shall be coordinated. Minimum dimension requirements for the most common tree/utility and traffic control device separations are shown below. Exceptions to these requirements may occur, as approved by the Director, where utilities or traffic control devices are not located in their standard designated locations. Tree/utility and traffic control device separations shall not be used as a means of avoiding the planting of required street trees. Required separations are:
- (l) Forty (40) feet between shade trees and streetlights. Fifteen (15) feet between ornamental trees and streetlights. (See Figure 5.10.1-(1).)

Figure 5.10.1-(1) – Tree/Streetlight Separations



- (II) Twenty (20) feet between shade and/or ornamental trees and traffic control signs and devices.
 - (III) Ten (10) feet between trees and water or sewer mains.
 - (IV) Six (6) feet between trees and water or sewer service lines.
 - (V) Four (4) feet between trees and gas lines.
 - (VI) Street trees on local streets planted within the standard abutting utility easement may conflict with utilities. Additional conduit may be required to protect underground electric lines.
- (2) **Landscape Area Treatment.** Landscape areas shall include all areas on the site, including entryways, that are not covered by buildings, structures, paving, impervious surface, or patios. Landscape areas shall consist only of landscaping, which includes any combination of living plants, and may include built features such as fences, benches, works of art, reflective pools, fountains, or the like. Landscaping shall also include irrigation systems, mulches, topsoil, soil preparation, revegetation, and the preservation, protection, and replacement of existing trees.
- (a) **Coverage.** Not counting trees, more than 50% of a landscape area must be covered with living plants at maturity. The Director may approve an exception to this requirement if a determination is made that an area is too small for living landscape material and for irrigation to be reasonably feasible.

- (b) **Grouping and Placement.** A landscape plan must group landscape materials based upon hydrozone and irrigated accordingly (as described under Subsection(D)(3) of this Section and based on light (e.g. full sun, shade, partial sun) requirements.
- (c) **Irrigated Turf grass.** Irrigated turf grass areas may only be planted according to planned use. Any landscape plan that includes irrigated turf grass must indicate the intended use of all turf grass areas.
- (I) Irrigated turf grass with a high water requirement may only be planted according to planned use, only in areas or spaces used for recreation or for civic or community purposes. Such purposes may include playgrounds, sports fields or other athletics programming, picnic grounds, amphitheaters, portions of parks, and playing areas of golf courses. Such purposes do not include, and irrigated turfgrass with a high water requirement must not be planted in, parking lots or medians. Irrigated turf grass with a high water requirement may only be planted for recreation, civic or community purposes and is limited to areas of heavy foot traffic. Irrigated turf grass with a high water requirement refers to high- or moderate-hydrozone sod forming grasses including species such as *Poa pratensis* (Kentucky bluegrass), and turf-type tall fescue (*Festuca arundinacea*) and their varieties and cultivars. See the hydrozone table (Table 5.10.1-(5)) at Subsection (D)(3) of this Section for descriptions of hydrozones.
 - (II) Irrigated turf grass shall not be installed in contiguous areas smaller than seventy-five (75) square feet to avoid water waste that occurs through overspray on small areas.
 - (III) Irrigated turf grass species with a low water requirement may be located on a site as appropriate for the species and planned activity. Well-maintained irrigated turf grass with a low or very-low water requirement according to hydrozones in Table 5.10.1-(5) at Subsection (D)(3) of this Section or the *City of Fort Collins Plant List* and that also does not meet the definition of “turf” set forth in C.R.S. 37-60-135(2)(i) and well-maintained regionally adapted or native grass species are not subject to the irrigated turf grass limits in Subsection (D)(2)(c)(I) of this Section.
- (d) **Artificial Turf and Plants.** No artificial turf or artificial plants may be included in any landscape plan or installed. The Director may approve an exception to allow artificial turf to be installed on an athletic field of play if the installation is not prohibited under C.R.S. 37-99-103 and if the Director determines the use is appropriate, the use does not add pollutants that could cause environmental impairment, and

alternatives are not reasonable. Any exception to allow artificial turf must be noted in the landscape plan.

- (e) **Ecologically Sensitive Areas.** Non-native plants must not be planted near ecologically sensitive areas, such as natural habitat buffer zones (NHBZs) and natural areas, if the species or variety is deemed by the Director to be likely to spread into that sensitive area.
- (f) **Mulched Planting Beds.**
- (I) Shrub and ground cover planting beds shall be separated from irrigated turf grass with a high water requirement by edging or other physical divider or a commitment on the landscape plan to maintain a shovel-cut edge to define the space that is being maintained.
 - (II) Shrub and ground cover planting beds shall have the majority of exposed soil areas covered with mulch.
 - (III) Mulch must be organic or inorganic mulch. To the extent that any inorganic mulch is used, the total coverage area of inorganic mulch must not exceed fifty percent (50%) of the total landscape areas. Mulching around trees is excluded from this fifty percent (50%) calculation.
 - (IV) Synthetic-based inorganic mulches, including plastic- or rubber-based mulches are not permitted.
- (g) **Foundation Plantings.** Exposed sections of building walls that are in high-use or high-visibility areas of the building exterior shall have planting beds at least seven (7) feet wide placed directly along at least fifty (50) percent of such walls, except:
- (I) Where pedestrian paving abuts a commercial building with trees and/or other landscaping in cutouts or planting beds along the outer portion of the pedestrian space away from the building;
 - (II) Where exceptional situations unique to the development hinder the applicant's ability to comply with fire code or building code requirements while also adhering to a strict application of this standard.
- (h) **Buffering Between Incompatible Uses and Activities.** In situations where the Director determines that the arrangement of uses or design of buildings does not adequately mitigate conflicts reasonably anticipated to exist between dissimilar uses, site elements or building designs, one (1) or more of the following landscape buffering techniques shall be used to mitigate the conflicts:

- (I) Separation and screening with plant material: planting dense stands of evergreen trees, canopy shade trees, ornamental trees or shrubs;
 - (II) Integration with plantings: incorporating trees, vines, planters or other plantings into the architectural theme of buildings and their outdoor spaces to subdue differences in architecture and bulk and avoid harsh edges;
 - (III) Establishing privacy: establishing vertical landscape elements to screen views into or between windows and defined outdoor spaces where privacy is important, such as where larger buildings are proposed next to side or rear yards of smaller buildings;
 - (IV) Visual integration of fences or walls: providing plant material in conjunction with a screen panel, arbor, garden wall, privacy fence or security fence to avoid the visual effect created by unattractive screening or security fences; and/or
 - (V) Landform shaping: utilizing berming or other grade changes to alter views, subdue sound, change the sense of proximity and channel pedestrian movement.
- (i) **Street Parkways, Rights-of-Way, Transportation Corridors.** All adjoining street parkways, street rights-of-way, and transportation corridors must be landscaped in connection with the development in accordance with the *Larimer County Urban Area Street Standards* and in accordance with state law, including C.R.S. 37-99-103.
- (j) **Slopes.** Retaining walls, slope revetment or other acceptable devices integrated with plantings shall be used to stabilize slopes that are steeper than 3:1. If structural soil tests performed on the subject soils indicate steeper slopes are stable without the above required protection, then the maximum slope allowed without the above required protection may be increased to the maximum stated in the soils report or 2:1, whichever is less steep.
- (k) **Visual Clearance or Sight Distance Triangle.** Except as provided in Subsections (D)(2)(k)(I) and (II) below, a visual clearance triangle, free of any structures or landscape elements over twenty-four (24) inches in height, shall be maintained at street intersections and driveways in conformance with the standards contained in the *Larimer County Urban Area Street Standards*.
- (I) Fences shall not exceed forty-two (42) inches in height and shall be of an open design.

- (II) Deciduous trees may be permitted to encroach into the clearance triangle provided that the lowest branch of any such tree shall be at least six (6) feet from grade.

(I) **Exceptions.**

- (I) Agricultural Use. If outdoor space is maintained in active agricultural use, the landscape surfaces and ground cover standards above shall not apply.
- (II) Streetscapes attached to a property are subject to *Larimer County Urban Area Street Standards* and are not considered as part of the total landscape area of a property for computing percentages under the standards in this Subsection.
- (III) All streetscapes intended to be turned over to the Parks Department after development must conform to Parks Department standards. Landscaping plans must also be reviewed and approved by the Parks Department before approval, regardless of the water district.

(3) **Water Budget and Hydrozones.** Landscape plans must also contain estimated water use, including:

- (a) **Maximum Not to Exceed.** A water budget chart that shows the total annual water use. Total annual water use once landscaping is established must not exceed an average of eleven (11) gallons/square foot/year for each water tap.
- (b) **Hydrozones.** A hydrozone plan view diagram that identifies each hydrozone category assigned per planted area and that sums the total area of each category per hydrozone. The hydrozone plan view diagram shall provide an accurate and clear visual identification of all hydrozones using easily distinguished symbols, labeling, hatch patterns, and relationships of hydrozone plan elements.

Hydrozones are defined in Section 7.2.2 and according to the following categories:

Table 5.10.1-(5) – Hydrozones

HYDROZONE	WATER CONSUMPTION PER YEAR
High Hydrozone	18 gallons/square feet/year
Moderate Hydrozone	14 gallons/square feet/year
Low Hydrozone	8 gallons/square feet/year
Very Low Hydrozone	3 gallons/square feet/year

(4) **Parking Lot Perimeter Landscaping.** Parking lot perimeter landscaping (in the minimum setback areas required by Section 5.9.1(J)(Access, Circulation and Parking) and irrigation shall meet the following minimum standards in addition to the other requirements in this Section:

- (a) Trees shall be provided at a ratio of one (1) tree per twenty-five (25) lineal feet along a public street and one (1) tree per forty (40) lineal feet along a side lot line parking setback area. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. Perimeter landscaping along a street may be located in and should be integrated with the streetscape in the street right-of-way.
- (b) **Screening.** Parking lots with six (6) or more spaces shall be screened from abutting uses and from the street. Screening from residential uses shall consist of a fence or wall six (6) feet in height in combination with plant material and of sufficient opacity to block at least seventy-five percent (75%) of light from vehicle headlights for the entire length of the parking lot. Screening from the street and all nonresidential uses shall consist of a wall, fence, planter, earthen berm, plant material or a combination of such elements, each of which shall have a minimum height of thirty (30) inches. Such screening shall extend a minimum of seventy percent (70%) of the length of the street frontage of the parking lot and also seventy percent (70%) of the length of any boundary of the parking lot that abuts any nonresidential use. Openings in the required screening shall be permitted for such features as access ways or drainage ways. Where screening from the street is required, plans submitted for review shall include a graphic depiction of the parking lot screening as seen from the street. Plant material used for the required screening shall achieve required opacity in its winter seasonal condition within three (3) years of construction of the vehicular use area to be screened.

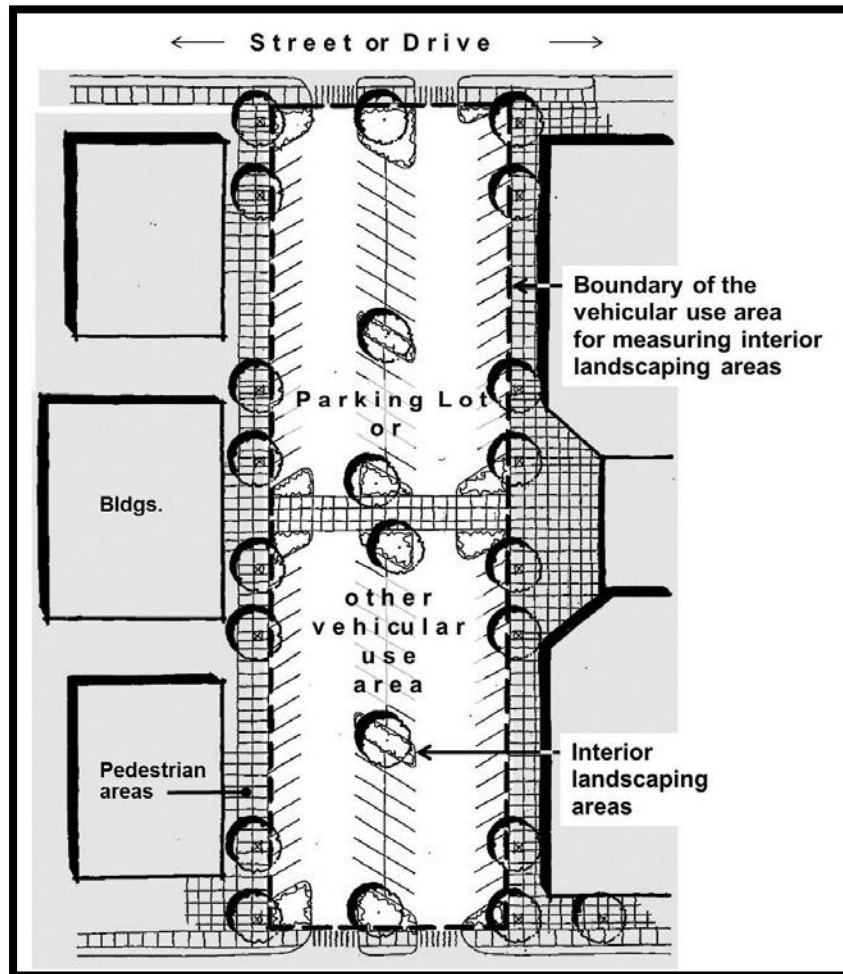
(5) **Parking Lot Interior Landscaping.** Six percent (6%) of the interior space of all parking lots with less than one hundred (100) spaces, and ten percent (10%) of the interior space of all parking lots with one hundred (100) spaces or more shall be landscape areas. (See Figure 5.10.1-(2)). All parking lot islands, connecting walkways through parking lots and driveways through or to parking lots shall be landscaped and irrigated according to the following standards in addition to the other requirements in this Section:

- (a) **Visibility.** To avoid landscape material blocking driver sight distance at driveway-street intersections, no plant material greater than twenty-four (24) inches in height shall be located within fifteen (15) feet of a curb cut. This requirement does not apply to trees, for which visibility requirements are provided in Subsection (D)(2)(k)(II) of this Section.
- (b) **Maximized Area of Shading.** Landscaped islands shall be evenly distributed to the maximum extent feasible. At a minimum, trees shall be planted at a ratio of at least

one (1) canopy shade tree per one hundred fifty (150) square feet of internal landscaped area with a landscaped surface of live plants with mulch, as appropriate.

- (c) **Landscaped Islands.** In addition to any pedestrian refuge areas, each landscaped island shall include one (1) or more canopy shade trees, be of length greater than eight (8) feet in its smallest dimension, include at least eighty (80) square feet of ground area per tree to allow for root aeration, and have raised concrete curbs.

Figure 5.10.1-(2) – Interior Landscaping for Vehicular Use Areas:



- (d) **Walkways and Driveways.** Walkways through parking lots, as required in subsection 5.9.1(C)(5)(a) (Walkways), shall have one (1) canopy shade tree per forty (40) lineal feet of such walkway planted in landscape areas within five (5) feet of such walkway. Driveways through or to parking lots shall have one (1) canopy shade tree per forty (40) lineal feet of and along each side of such driveway, in landscape areas within five (5) feet of such driveway.

- (e) **Parking Bays** shall extend no more than fifteen (15) parking spaces without an intervening tree, landscape island or peninsula.
 - (f) **Engineering.** Detailed specifications concerning parking lot surfacing material and parking lot drainage detention are available from the City Engineer.
- (6) **Screening.** Landscape and building elements shall be used to screen areas of low visual interest or visually intrusive site elements (such as trash collection, open storage, service areas, loading docks and blank walls) from off-site view. Such screening shall be established on all sides of such elements except where an opening is required for access. If access is possible only on a side that is visible from a public street, a removable or operable screen shall be required. The screen shall be designed and established so that the area or element being screened is no more than twenty percent (20%) visible through the screen.

Screening Materials. Required screening shall be provided in the form of new or existing plantings, walls, fences, screen panels, topographic changes, buildings, horizontal separation or a combination of these techniques.

- (7) **Landscaping of Vehicle Display Lots.** Vehicle display lots for vehicle sales and leasing (as those terms are defined in Article 7) that abut an arterial or collector street shall feature landscaped islands along the street at an interval not to exceed every fifteen (15) vehicles or one hundred thirty-five (135) feet, whichever is less. Each landscaped island shall comply with the requirements of 5.10.1(E)(5)(c).

(E) Landscape Materials, Maintenance and Replacement.

- (1) **Soil Preparation.** To the maximum extent feasible, topsoil that is removed during construction activity shall be conserved for later use on areas requiring revegetation and landscaping. Soil amendments shall be incorporated as appropriate to the existing soil and the proposed plant material and in accordance with the requirements of Subsection (K) of this Section.
- (2) **Plant Materials.** Plant material shall be selected from the *City of Fort Collins Plant List* maintained by the Director. The *Plant List* contains plants determined by local resources to be appropriate for local conditions.
 - (a) No invasive plant species may be included in a landscape plan or installed in a development.
 - (b) A landscape plan proposing a plant that is not included on the *Plant List* may be approved by applicable decision-making staff if the applicant verifies on the landscape plan that the plant is well adapted to the Fort Collins climate and site conditions and is not a noxious weed according to Colorado Department of Agriculture or a weed under City Code Section 20-41.

- (3) **Plant Quality.** All plants shall be A-Grade or No. 1 Grade, free of any defects, of normal health, height, leaf density and spread appropriate to the species as defined by the latest version of the *American Standard for Nursery Stock*.
- (4) **Maintenance.** Trees and vegetation, irrigation systems, fences, walls and other landscape elements shall be considered as elements and infrastructure of the development in the same manner as parking, building materials and other site details. The applicant, landowner or successors in interest shall be jointly and severally responsible for the regular maintenance of all landscaping elements in good condition. Required maintenance includes, but is not limited to, the following:
- (a) Perform regular elimination of weeds, pruning, mowing to an appropriate height, deadheading , replacement of dead plant material, and replenishment of mulch surfaces.
 - (b) Maintain all landscaping free from disease, pests, weeds, and litter, and all landscape structures such as fences and walls shall be repaired and replaced periodically to maintain a structurally sound condition.
 - (c) Use best practices for integrated pest management to protect pollinators and other living organisms, as well as best practices for prioritizing water quality, that improve the health of landscapes and soils.
 - (d) Preserve and protect trees and the critical root zone (CRZ) designated for preservation. Preserving and protection includes but is not limited to avoiding damage to the tree and CRZ. Damaging actions include but are not limited to backing into a tree, excavating or trenching in the CRZ, storing heavy equipment on the CRZ, and overpruning.
 - (I) Damage to a tree or CRZ that interferes with the long-term health of the tree requires mitigation according to the Tree Mitigation Requirements under Subsection (G) of this Section.
 - (II) Naturally fallen trees or trees found to be a threat to public health, safety or welfare are exempt.
- (5) **Replacement.** Any landscape element that dies, or is otherwise removed, shall be promptly replaced based on the requirements of this Section.
- (6) **Mitigation.** Healthy, mature trees that are removed by the applicant or by anyone acting on behalf of or with the approval of the applicant shall be replaced per Subsection (F) to mitigate the loss of value of existing canopy. The applicant shall select either the City Forester or a qualified landscape appraiser to determine such

loss based upon a fair market value appraisal of the removed tree, using the resources listed in Subsection (F) of this Section.

- (7) **Revegetation.** When the development causes any disturbance within any natural area buffer zone, revegetation shall occur as required in Subsection 5.6.1(E)(2) (Development Activities Within the Buffer Zone) and subsection 5.10.1(F) (Tree Preservation and Mitigation).
- (8) **Restricted Tree Species.** City Forestry Division shall provide a list of specified tree species that shall neither be planted within the LOD, nor in the adjoining street right-of-way. For example, no ash trees (*Fraxinus* species) shall be planted due to the anticipated impacts of the emerald ash borer.
- (9) **Prohibited Tree Species.** For prohibited species refer to Chapter 27, Article II, Division 1, Sec. 27-18 of the Fort Collins Municipal Code.
- (10) **Mulch.** In addition to the requirements under Subsection (D)(2)(f) of this Section, the following standards apply:
 - (a) **Mulch for Trees.** All trees must have organic mulch placed and replenished as needed at a depth of two (2) to four (4) inches for a minimum of a three (3) foot radius mulch ring or under a tree grate. This includes trees planted in rock cobble planting beds.
 - (b) **Mulch for Other Landscaping.** Mulch must be placed and replenished as needed to maintain complete coverage of the soil surface with a minimum depth of two (2) to four (4) inches of mulch. Mulch shall be maintained at these minimum depths in planting beds to conserve soil moisture and control weeds, with careful placement and adjustment of depth near plant stems as needed to allow unimpeded plant establishment and vigorous growth.
- (F) **Tree Preservation and Mitigation.** Existing significant trees (six (6) inches and greater in diameter) within the LOD and within NHBZs must be recorded in a tree inventory and preserved to the extent reasonably feasible and may help satisfy the landscaping requirements of this Section as set forth above. Such trees shall be considered "protected" trees within the meaning of this Section, subject to the exceptions contained in Subsection (F)(2) below. Streets, buildings and lot layouts shall be designed to minimize the disturbance to significant existing trees. All required landscape plans, demolition plans, grading plans, building plans, engineering plans, and utility plans shall accurately identify the locations, species, size and condition of all significant trees, each labeled showing the applicant's intent to either remove, transplant or protect.

Where the City determines it is not feasible to protect and retain significant existing tree(s) or to transplant them to another on-site location, the applicant shall replace such tree(s) according to the following requirements and shall satisfy the tree planting standards of this Subsection.

To the extent reasonably feasible, mitigation trees shall be planted on the development site or, if not reasonably feasible, in the closest available and suitable planting site on public or private property. The closest available and suitable planting site shall be selected within one-half (½) mile (2,640 feet) of the development site, subject to the following exceptions. If suitable planting sites for all the replacement trees are not available within one-half (½) mile (2,640 feet) of the development, then the City Forester shall determine the most suitable planting location within the City's boundaries as close to the development site as feasible. If locations for planting replacement trees cannot be located within one-half (½) mile of the development site, the applicant may, instead of planting such replacement trees, submit a payment in lieu to the City of Fort Collins Forestry Division to be used to plant replacement trees to plant replacement trees as close to the development site as possible. The fair market value payment in lieu mitigation fee per tree is determined by the City Forester using the current editions of the Council of Tree and Landscape Appraisers' *Guide for Plant Appraisal*, the industry's international standard and best practice and may be adjusted annually based on market rates. Payment must be submitted before a Development Construction Permit or other required permit or pre-construction approval is issued, as applicable.

- (1) **Mitigation Trees.** A significant tree that is removed shall be replaced with not less than one (1) nor more than six (6) replacement trees sufficient to mitigate the loss of contribution and value of the removed significant tree(s). The applicant shall coordinate with the City Forester to determine such loss based upon an onsite tree assessment, including, but not limited to, shade, canopy, condition, size, aesthetic, environmental and ecological value of the tree(s) to be removed. Mitigation trees shall meet the following minimum size requirements unless otherwise determined by the City Forester:
 - (a) Canopy Shade Trees: 2.0" caliper balled and burlap or equivalent.
 - (b) Ornamental Trees: 2.0" caliper balled and burlap or equivalent.
 - (c) Evergreen Trees: 8' height balled and burlap or equivalent.
- (2) **Exemptions.** Trees that meet one (1) or more of the following removal criteria shall be exempt from the requirements of this subsection unless they meet mitigation requirements in Section 5.6.1(E)(1) of this Code:
 - (a) Dead, dying or naturally fallen trees, or trees found to be a threat to public health, safety or welfare;
 - (b) Trees that are determined by the City to substantially obstruct clear visibility at driveways and intersections;
 - (c) Siberian elm less than eleven (11) inches diameter-at-breast-height (DBH) and Russian-olive or ash (*Fraxinus* species) less than eight (8) inches DBH;

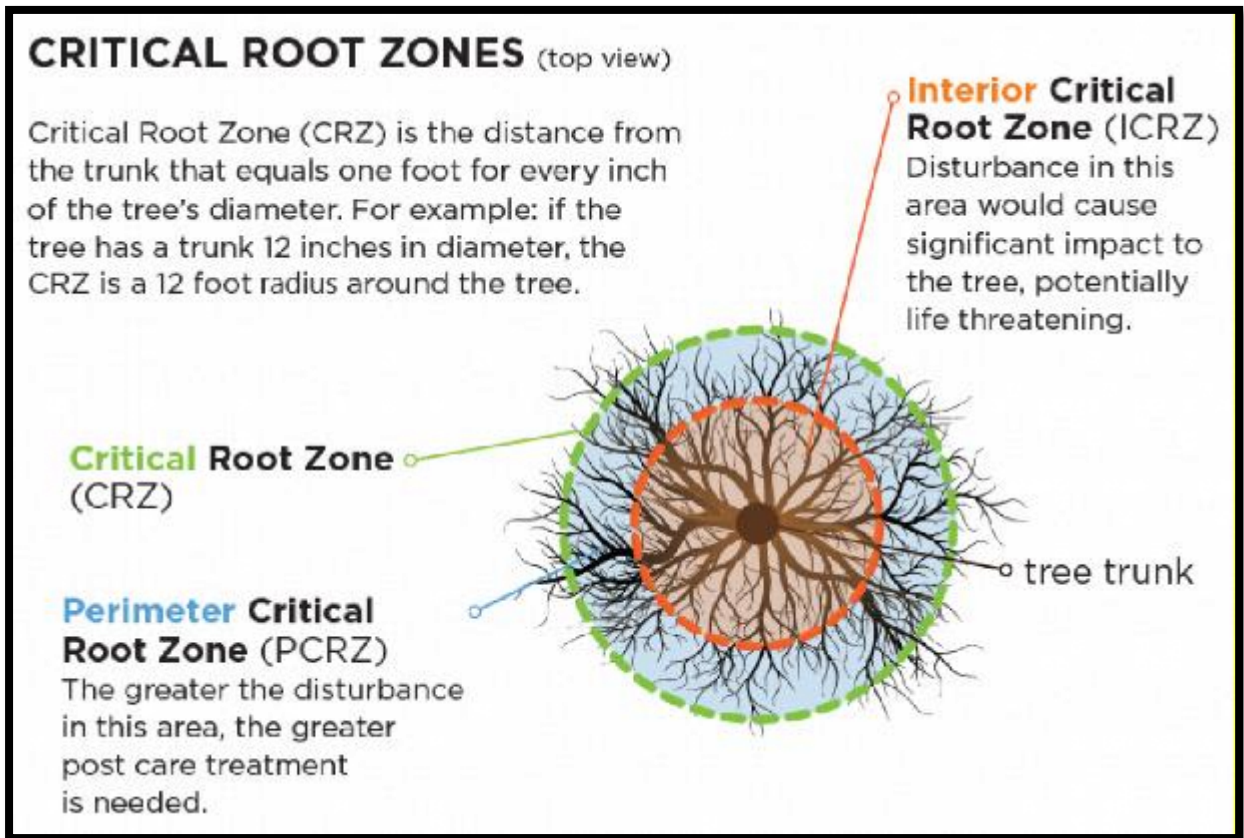
- (d) Russian-olive, Siberian elm, and ash (all *Fraxinus* species) of wild or volunteer origin, such as those that have sprouted from seed along fence lines, near structures or in other unsuitable locations.
- (3) **Depiction of Street Trees.** All existing street trees that are located on City rights-of-way abutting the development shall be accurately identified by species, size, location, and condition on required landscape plans, and shall be preserved and protected in accordance with the standards of subsection (G).
- (G) **Tree Protection Specifications.** The following tree protection specifications shall be followed for all projects with protected existing trees. Tree protection methods shall be delineated on the demolition plans and development plans.
- (1) **No Disturbance.** Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
 - (2) **Pruning.** All protected existing trees shall be pruned to the City of Fort Collins Forestry Division standards.
 - (3) **Protective Barriers.** Prior to and during construction, barriers shall be erected around all protected existing trees with such barriers to be of orange construction or chain link fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half ($\frac{1}{2}$) of the drip line, whichever is greater. Concrete blankets, or equivalent padding material, wrapped around the tree trunk(s) is recommended and adequate for added protection during construction. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
 - (4) **Chemicals and Harmful Materials.** During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
 - (5) **No Attachments.** No damaging attachment, wires, signs, or permits may be fastened to any protected tree.
 - (6) **Ribboning Off.** Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required in Subsection (G)(3) above. This may be accomplished by placing metal t-post stakes a maximum of fifty (50) feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.

- (7) **Soil Disturbances.** Soil disturbances in proximity to trees must comply with the distances in Table 5.10.1-(6) below, Tree Diameter to Soil Disturbance Distance. Soil disturbances include, but are not limited to, soil loosening or amending, augering or boring, tunnelling, irrigation installation, or excavation within the critical root zone (CRZ). Soil loosening and amending shall be pursuant to City Code Section 12-132.
- (8) **Underground Facilities Installations.** The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of twenty-four (24) inches and not directly under the trunks of trees. The auger distance is established from the face of the tree (outer bark) and is scaled from tree DBH as described in the chart below. Low pressure hydro excavation, air spading or hand digging are additional tools/practices that will help reduce impact to the tree(s) root system when excavating at depths of twenty-four (24) inches or less. Refer to the CRZ diagram, Figure 5.10.1-(3), for root protection guidelines. The CRZ shall be incorporated into and shown on development plans for all existing trees to be preserved.

Table 5.10.1-(6) – Tree Diameter to Soil Disturbance Distance Table

Tree Diameter at Breast Height (Inches)	0" to 9"	10" to 14"	15" to 19"	Over 19"
Soil Disturbance Distance from Face of Tree* (Feet)	5 feet	10 feet	12 feet	15 feet
*The soil disturbance distance shall be measured from the edge of disturbance to the face of the tree.				

Figure 5.10.1-(3) - Critical Root Zone Diagram.



- (9) **Watering During Development.** All existing trees within the plan must be watered using irrigation or hauled water sources throughout the duration of the development process and all development activities to sustain and improve tree health and survivability, under the following schedule: watered weekly at a minimum of forty (40) gallons per week March through October, and monthly at a minimum of forty (40) gallons per month November through April when temperatures are above forty degrees (40°).
- (H) **Irrigation.** Irrigation systems must be designed, operated, and maintained to prioritize water conservation and water efficiency. Systems should be designed to water deeply and infrequently to develop greater drought tolerance.
- (1) **Automatic Irrigation.** Provision shall be made for permanent, automatic irrigation of all plant material, with the following exceptions:
- (a) Plantings that do not require any irrigation beyond establishment. For such plantings, any new or existing automatic irrigation should not be routed to these plantings and should be established by tank watering or otherwise as noted on the landscape plan. Trees are not considered "plantings that do not require any irrigation beyond establishment."

- (b) Natural areas or other areas within a development where natural features onsite obviate the need for irrigation.
 - (c) Trees and other plants used to landscape a residential local street parkway abutting lots for detached single-unit dwellings, where manual watering is intended.
 - (d) Mitigation trees planted off-site where it may not be feasible to install dedicated irrigation for that singular purpose.
 - (e) Landscaping adjacent to certain street frontage types, such as Storefront and Mixed Use, or within special taxing districts such that landscaping and irrigation may be the responsibility of an entity other than the individual property owner.
- (2) **Irrigation Plan Specifications.** For any development within the City, an irrigation plan as part of the landscape plan must be submitted to and approved by the Director, and by the Parks Department if a streetscape to be turned over to the City is involved, before a building permit is issued, or if no building permit is required, then before commencement of construction. Any major deviation from an approved irrigation plan, resulting from construction, requires an as-built amendment to the irrigation plan. As determined by the Director, minor redevelopment or change of use projects may not be required to submit an irrigation plan as part of the landscape plan. In such cases, a written statement shall be submitted describing the type of irrigation system proposed. The irrigation plan shall incorporate the City of Fort Collins Irrigation System Standards for Water Conservation set forth in this Subsection. The irrigation plan must include a water use table organized by irrigation zone for each irrigation tap, corresponding to the hydrozone plan view diagram and aligning with the water budget chart in the landscape plan (Subsection(D)(3) of this Section), and showing the total annual water use. The irrigation plan must also depict on the hydrozone plan view diagram in each watering area by hydrozone, the location/point of irrigation tap connections with the water system, the proposed peak gallons per minute and tap size for each tap, and the layout of irrigation main lines proposed. In addition, as provided below in Subsection (I) of this Section, the irrigation system must be inspected for compliance with the approved irrigation plan before the issuance of a Certificate of Occupancy.
- (3) **Irrigation System Standards for Water Conservation.** The City of Fort Collins Irrigation System Standards for Water Conservation are as follows:
- (a) Irrigation Methods and Layout.
 - (I) The irrigation system shall be designed according to the hydrozones shown on the landscape plan and shall perform as provided in the water budget chart.

- (II) Each zone shall irrigate a landscape with similar site, soil conditions and plant material having similar water needs. To the extent reasonably feasible, areas with significantly different solar exposures shall be zoned separately.
- (III) Trees, including street trees, turf and non-turf areas shall be irrigated on separate zones. Dedicated non-overhead, surface or subsurface irrigation must be installed for all new trees and existing trees within the plan, except as provided in Subsection (H)(1) above.
- (IV) On steep grades, an irrigation method with a lower precipitation rate shall be used in order to minimize runoff, and, to the extent reasonably feasible, these areas shall be zoned separately.
- (V) No combination of drip, micro-sprays, sprayheads or rotors shall be used together or combined on the same zone.
- (VI) The irrigation method shall be selected to correlate with the plant density. Drip irrigation or bubblers shall be used for sparsely planted trees and shrubs, and rotors, sprayheads and multi-jet rotary nozzles shall be used for turfgrass.

(b) Equipment Selection.

- (I) To reduce leakage of water from the irrigation system, a master shut-off valve shall be installed downstream of the backflow device to shut off water to the system when not operating.
- (II) For irrigation systems that are on a combined-use tap, with a water meter installed upstream to measure total water use, the installation of an irrigation-only submeter must be installed. The purpose of the submeter is to enable the owner and landscape maintenance contractor to monitor water use for irrigation. The submeter is not for billing purposes. The cost of installation and maintenance of a submeter, if used, would be borne by the owner of the property and not by the City. All such submeters would have to be installed in accordance with the specifications established by the City.
- (III) Irrigation controllers shall be "smart" controllers, using climate-based or soil moisture-based technology, selected from the WaterSense labeled irrigation controllers list issued by the United States Environmental Protection Agency from time-to-time and available at the City of Fort Collins Utilities Water Conservation Department.

Controllers shall be installed and programmed according to manufacturer's specifications.

- a. A data input chart for the Smart Controller, including the precipitation rate from the audit, shall be posted at each irrigation controller.
 - b. Within six (6) weeks of the installation of new irrigated turf grass sod or seed, the irrigation schedule shall be reduced and set to a normal seasonal watering schedule.
- (IV) An evapotranspiration (ET) sensor or weather monitor shall be installed on each irrigation controller according to manufacturer's specifications in a location to receive accurate weather conditions.
- (V) Sprinklers and nozzles shall meet the following requirements:
- a. The type of sprinkler and associated nozzles shall be selected to correlate with the size and geometry of the zone being irrigated.
 - b. Sprinklers shall be spaced no closer than seventy-five percent (75%) of the maximum radius of throw for the given sprinkler and nozzle. Maximum spacing shall be head-to-head coverage.
 - c. Coverage arcs and radius of throw for turf areas shall be selected and adjusted to water only turf areas and minimize overspray onto vegetated areas, hard surfaces, buildings, fences or other non-landscaped surfaces.
 - d. Sprinklers, bubblers or emitters on a zone shall be of the same manufacturer.
 - e. Sprayheads in turf areas shall have a minimum three-and-one-half-inch pop-up riser height.
 - f. Sprayheads on a zone shall have matched precipitation nozzles. Variable Arc Nozzles (VAN) are not acceptable for ninety degree (90°), one hundred eighty degree (180°) and three hundred sixty degree (360°) applications. High-Efficiency Variable Arc Nozzles (HE-VAN) are acceptable only in odd-shaped areas where ninety degree (90°), one hundred eighty degree (180°) and three hundred sixty degree (360°) are not applicable.
 - g. Nozzles for rotors shall be selected to achieve an approximate uniform precipitation rate throughout the zone.

- h. All sprayheads and rotors shall be equipped with check valves. Sprayheads shall also have pressure-regulating stems.
- (VI) Pressure-compensating emitters shall be used for drip irrigation. For sloped areas, a check valve shall be installed, and the drip line shall be parallel to the slope.
 - (VII) Remote control valves shall have flow control.
 - (VIII) A backflow prevention assembly shall be installed in accordance with local codes. All backflow assemblies shall be equipped with adequately sized winterization ports downstream of the backflow assembly.
 - (IX) Properties with single or combined point of connection flows of two hundred (200) gpm or greater shall have a control system capable of providing real-time flow monitoring and the ability to shut down the system in the event of a high-flow condition.
- (c) Sleeving.
- (I) Separate sleeves shall be installed beneath paved areas to route each run of irrigation pipe or wiring bundle. The diameter of sleeving shall be twice that of the pipe or wiring bundle.
 - (II) The sleeving material beneath sidewalks, drives and streets shall be PVC Class 200 pipe with solvent welded joints.
- (d) Water Pressure.
- (I) The irrigation system designer shall verify the existing available water pressure.
 - (II) The irrigation system shall be designed such that the point-of-connection design pressure, minus the possible system pressure losses, is greater than or equal to the design sprinkler operating pressure.
 - (III) All pop-up spray sprinkler bodies equipped with spray nozzles shall operate at no less than twenty (20) psi and no more than thirty (30) psi.
 - (IV) All rotary sprinklers and multi-stream rotary nozzles on pop-up spray bodies shall operate at the manufacturer's specified optimum performance pressure.

- (V) If the operating pressure exceeds the manufacturer's specified maximum operating pressure for any sprinkler body, pressure shall be regulated at the zone valve or sprinkler heads.
- (VI) Booster pumps shall be installed on systems where supply pressure does not meet the manufacturer's minimum recommended operating pressure for efficient water distribution.

(e) Sprinkler Performance Audit.

- (I) A sprinkler performance audit shall be performed by a landscape irrigation auditor who is independent of the installation contractor, and who is certified by the Irrigation Association (a nonprofit industry organization dedicated to promoting efficient irrigation). Sprinkler systems that are designed and installed without irrigated turf grass areas are exempt from this requirement.
 - (II) The audit shall include measurement of distribution uniformity. Minimum acceptable distribution uniformities shall be sixty percent (60%) for spray head zones and seventy percent (70%) for rotor zones. Sprinkler heads equipped with multi-stream rotary nozzles are considered rotors.
 - (III) Audit results below the minimum acceptable distribution uniformity as set for the Subsection (H)(3)(e)(II) above require adjustments and/or repairs to the irrigation system. These corrections will be noted on the irrigation as-builts and the test area re-audited until acceptable efficiency/results.
 - (IV) The audit shall measure the operating pressure for one (1) sprinkler on each zone to determine whether the zone meets the above pressure requirements.
 - (V) A copy of the sprinkler performance audit shall be submitted to and approved by the City before issuance of a certificate of occupancy.
- (I) **Landscape and Irrigation Installation and Escrow.** All landscaping and irrigation shall be installed according to sound horticultural practices in a manner designed to encourage quick establishment and healthy growth. Except as provided herein, no certificate of occupancy is authorized to be issued for any building on any portion of a property required by this Section to have a landscape plan, unless all landscaping has been installed and maintained according to an approved landscape plan for the property, all irrigation has been installed and maintained according to an approved irrigation plan for the property, and:

- (1) If such landscaping and irrigation installations have not been completed, a certificate of occupancy may be issued upon the receipt by the City of surety in the form of an acceptable bond, cash deposit, or equivalent conditioned on and guaranteeing the installation of the entire landscaping shown on the approved landscaping plan and the irrigation system shown on the approved irrigation plan or the installation pursuant to an approved phasing plan.
 - (a) The surety must be in the amount of one hundred twenty-five percent (125%) of the estimated cost of the landscaping installation, irrigation installation, or both as applicable, determined by an executed contract to install the landscaping, irrigation, or both, or by adequate appraisals of the cost.
 - (b) Any surety provided pursuant to this requirement shall be released upon an inspection by the City verifying installation is completed or certification issued by a landscape contractor not involved in the installation that the required landscaping program and irrigation system have been completed and maintained in accordance with the landscape plan.
 - (2) For a non-potable system intended to be turned over to the Parks Department, the amount of the surety may be reduced after installation is completed, to twenty-five percent (25%) of the actual cost of such system, and the system must be warrantied and maintained for five (5) years. If the non-potable system fails, a potable tap shall be supplied at no cost to the City.
- (J) **Soil Loosening and Amendment.** For any development project, before installation of any plant materials, including but not limited to grass, seed, flowers, shrubs, or trees, the soil in the area to be planted shall be loosened and amended in a manner consistent with the requirements of City Code Section 12-132, regardless of whether a building permit is required for the specific lot, tract or parcel in which the area is located. A certification consistent with the requirements of City Code Section 12-133 shall be required for the area to be planted. A variance to modify the soil loosening standards of Section 12-132(b); the soil amendment standards of Section 12-132(c); or the compliance deadline of Section 12-133(a) may be applied for as set forth in City Code Section 12-134.
- (K) **Alternative Compliance.** Upon request by an applicant, the decision maker may approve an alternative landscape plan that may be substituted in whole or in part for a landscape plan meeting the standards of this Section.
- (1) Procedure. Alternative landscape plans shall be prepared and submitted in accordance with submittal requirements for landscape plans. Each such plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will better accomplish the purposes of this Section than would a plan that complies with the standards of this Section.
 - (2) Review Criteria. Staff focused in the applicable area of forestry, landscape, or irrigation must provide a recommendation as to whether to approve an alternate plan. To approve an alternative plan with a staff recommendation, the decision maker must determine that the proposed alternative plan accomplishes the

purposes of this Section equally well or better than would a plan that complies with the standards of this Section.

Section 2. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended to read as follows:

...

DIVISION 7.2 DEFINITION

...

SECTION 7.2.2. DEFINITIONS.

...

Hydrozone shall mean an area within the landscape defined by a grouping where a group of plants requiring a with similar amount of water to sustain health water needs is located. For details on how this is measured, refer to Subsection 5.10.1(D)(3). For the purposes of this Code, hydrozones are divided into the following four (4) categories:

- (A) Very low hydrozones include plantings that need supplemental water when first planted, but little or none once established.
- (B) Low hydrozones include plantings that generally do not require more than three (3) gallons per square foot of supplemental water per year. These plantings require additional water during plant establishment or drought.
- (C) Moderate hydrozones include plantings that generally require ten (10) gallons per square foot of supplemental water per year.
- (D) High hydrozones include plantings that generally require eighteen (18) gallons per square foot of supplemental water per year.

...

Invasive plant species shall mean a plant that is a noxious weed or listed as a watch list species according to Colorado Department of Agriculture or is a plant that is not native to the state and that:

- (A) Is introduced into the state accidentally or intentionally;

- (B) Has no natural competitors or predators in the state because the state is outside of their competitors' or predators' range; and
- (C) Has harmful effects on the state's environment or economy or both.

...

Mulch, inorganic shall mean loose material not derived from living matter placed on the soil surface for the purposes of retaining soil moisture and controlling weeds, including gravel, crushed rock and river rock.

Mulch, organic shall mean loose material derived from formerly living sources placed on the soil surface for the purposes of retaining soil moisture and controlling weeds, including shredded bark and wood chips.

...

Native in context with vegetation, grass, or plant shall mean any plant identified in ~~Fort Collins Native Plants: Plant Characteristics and Wildlife Value of Commercial Species~~, prepared by the City's Natural Resources Department, updated February 2003. a plant species that occurs or could occur naturally in Fort Collins or in Colorado without the direct or indirect influence of human actions.

...

Urban tree canopy shall mean the layer of leaves, branches, and stems of trees that cover the ground when viewed from above.

Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025
Approving Attorney: Heather N. Jarvis

File Attachments for Item:

6. First Reading of Ordinance No. 010, 2025, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Mulberry Metropolitan Districts No. 1– 6, Bloom Filing One Development for Construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road Improvements.

The purpose of this item is to appropriate \$2,069,417 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Bloom Filing One developer's combined metro district, Mulberry Metropolitan District Nos. 1-6 (Developer), for its funding of the oversizing construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road. As part of the Bloom Filing One development plans and development agreement and permitted for construction under the Development Construction Permit, the Developer has constructed to City standards Greenfields Drive and International Boulevard, each as a two-lane arterial street, and Sykes Drive, Donella Drive, and Delozier Road as collector streets. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road, not attributed to the local portion obligation.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Marc Virata, TCEF Program Manager
 Monica Martinez, Financial Planning and Analysis Manager
 Josh Birks, Deputy Director, Sustainability Services

SUBJECT

First Reading of Ordinance No. 010, 2025, Appropriating Prior Year Reserves in the Transportation Capital Expansion Fee Fund for Eligible Reimbursement to the Mulberry Metropolitan Districts No. 1– 6, Bloom Filing One Development for Construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road Improvements.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate \$2,069,417 of Transportation Capital Expansion Fee (TCEF) Funds for expenditure from the Transportation Capital Expansion Fee Program Budget to reimburse the Bloom Filing One developer's combined metro district, Mulberry Metropolitan District Nos. 1-6 (Developer), for its funding of the oversizing construction of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road. As part of the Bloom Filing One development plans and development agreement and permitted for construction under the Development Construction Permit, the Developer has constructed to City standards Greenfields Drive and International Boulevard, each as a two-lane arterial street, and Sykes Drive, Donella Drive, and Delozier Road as collector streets. Per Section 24-112 of the City Code, the Developer is eligible for reimbursement from TCEF funds for the oversized, non-local portion of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road, not attributed to the local portion obligation.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The TCEF Program (formerly Street Oversizing), instituted by ordinance in 1979, was established to manage the construction of new arterial and collector streets, and is an "Impact Fee" funded program. The TCEF Program determines and collects impact fees from development and redevelopment projects. The collection of these impact fees contributes funding for growth's related share towards City Capital Projects, including the City's Active Modes Plan, and reimburses development for constructing roadway improvements above the local street access standards. Section 24-112 of the City Code allows for reimbursement to developers for the construction of collector and arterial streets.

Bloom is a development on the north side of Mulberry Street, west of Greenfields Drive developed by Hartford Homes. This reimbursement is for the Developer's construction above the local street access standards of Greenfields Drive and International Boulevard (2-lane arterials), and Sykes Drive, Donella

Drive, and Delozier Road (collectors) as part of Bloom Filing One and permitted for construction under the Bloom Filing One Development Construction Permit.

Portions of pavement, landscaping, and sidewalk for Greenfields Drive and International Boulevard as 2-lane arterials, and portions of pavement Sykes Drive, Donella Drive, and Delozier Road as collectors are eligible for reimbursement and are depicted in the “Bloom Filing 1 TCEF Map” and itemized between City (TCEF) and local (Developer) responsibility in the “Final Bid Tab of Quantities and Total Cost for Improvements.”

Staff and Developer have reviewed the documentation and calculations and together agree that the requested reimbursement meets the requirements under City Code Section 24-112 for appropriation from TCEF funds. There are presently adequate funds in TCEF to reimburse the Developer and Staff recommends reimbursement in the amount of \$2,069,417.

Bloom Filing One is being developed within metro districts that were established with City Council approving the consolidated service plan for the Mulberry Metropolitan Districts Nos. 1-6 by adoption of Resolution 2019-050 on April 16, 2019. Six separate metro districts with six different connected boundaries comprise the overall Bloom planned development. District No. 1 is the coordinating district that receives money and makes payments on behalf of District Nos. 2 through 6. The combined districts are collectively known as Mulberry Metropolitan District Nos. 1-6. Hartford Homes has identified Mulberry Metropolitan District Nos. 1-6 as the party that funded the improvements identified in the requested reimbursement. Previous TCEF reimbursements on other developments with metro districts identified the developers as the eligible party for reimbursement, not their associated metro district, which necessitated affidavits from the metro districts to prevent where a developer could potentially secure a TCEF reimbursement from the City and a second reimbursement from the metro district for the same set of oversized improvement costs (sometimes referred to as the possibility for “double dipping”). Under a metro district funded model for Bloom Filing One, the metro district is the contracting entity and payor under the terms of the construction contract, and the metro district is accordingly the only party that is eligible for a reimbursement payment from the City in connection with the oversized improvements; therefore, the affidavit stating and swearing that no other reimbursement has been received for the same work is not necessary.

The City Manager is recommending this supplemental appropriation and has determined it will not cause the total amount appropriated in 2025 in the Transportation Improvement Fund, the fund into which TCEF revenues are deposited and from which these appropriated funds will be expended, to exceed the current estimate of actual and anticipated and all other funds to be received in the Transportation Improvement Fund during the 2025 fiscal year.

In addition, this reimbursement under the TCEF program is subject to the Council’s approval of this Ordinance to appropriate the needed funds, which approval is within the Council’s sole discretion.

CITY FINANCIAL IMPACTS

This item appropriates \$2,069,417 of TCEF Reserve Funds into the Transportation Capital Expansion Fee Program Budget for reimbursement to the Bloom Filing One developer’s metro district.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Council Finance Committee recommended approval at its January 2nd, 2025, meeting. A memo is attached (“Transportation Capital Expansion Fee (TCEF) collection and reimbursement”) in response to questions raised at Council Finance Committee related to the correlation and tracking of TCEF revenues collected by the City compared to the amount of TCEF reimbursements to developers for qualified improvements within a development.

PUBLIC OUTREACH

Public outreach is not required or contemplated in the requirements for reimbursement to developers as described under Municipal Code Sec. 24-112. – Transportation improvements reimbursement program.

ATTACHMENTS

1. Ordinance for Consideration
2. Bloom Filing 1 TCEF Map
3. Final Bid Tab of Quantities and Total Cost for Improvements
4. Capital Expansion Fee Memo

ORDINANCE NO. 010, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE
TRANSPORTATION CAPITAL EXPANSION FEE FUND FOR
ELIGIBLE REIMBURSEMENT TO THE MULBERRY
METROPOLITAN DISTRICTS NO. 1-6,
BLOOM FILING ONE DEVELOPMENT,
FOR CONSTRUCTION OF GREENFIELDS DRIVE,
INTERNATIONAL BOULEVARD, SYKES DRIVE,
DONELLA DRIVE, AND DELOZIER ROAD IMPROVEMENTS

A. City Code Section 7.5-32 establishes a transportation capital expansion fee (“TCEF”) that is one of the City’s capital expansion fees that are imposed on development at the time of building permit issuance to ensure that new growth and development in the City bears a proportional share of the City’s costs for certain capital improvements, including streets and related transportation improvements.

B. City Code Section 7.5-32 also provides that the TCEF revenues are to be deposited into the City’s Transportation Improvement Fund established in City Code Section 8-87 (the “TCEF Fund”).

C. City Code Section 8-87 directs that the monies in the TCEF Fund are to be used as provided in Division 2 of Article III of City Code Chapter 24 (“Division 2”).

D. Division 2 provides that the revenues in the TCEF Fund are to be used by the City to fund certain transportation improvements, including arterial and collector streets, either directly or as reimbursement to developers of real property who have constructed such improvements.

E. For a developer to be eligible for reimbursement of its costs for qualifying transportation improvements it has constructed, Division 2 requires the developer to submit proof of its costs to the City for the City Engineer’s review and approval consistent with the requirements of Division 2.

F. Mulberry Development, LLC is the developer of the Bloom Filing One (the “Developer”); the Developer and the City entered into a Development Agreement on December 5, 2022, which required the Developer to construct certain oversized public street improvements and for eligible reimbursements to be provided through Metropolitan District Nos. 1 through 6, (collectively, the “Metro District”).

G. The Developer has constructed portions of Greenfields Drive, International Boulevard, Sykes Drive, Donella Drive, and Delozier Road Improvements (collectively, “Road Improvements”) and submitted its request to the City for a reimbursement of \$2,069,417, representing its costs for the oversized portions of the Road Improvements (the “Reimbursement Request”).

H. The City Engineer has reviewed the Reimbursement Request and determined it meets the requirements of Division 2 and that the Developer is eligible to be reimbursed for the amount requested in its Reimbursement Request, but City Code Section 24-112(c) provides that all reimbursements under Division 2 must first be appropriated from the TCEF fund by City Council.

I. The monies necessary to satisfy the Reimbursement Request have not been appropriated from the TCEF Fund by Council, so this Ordinance must be adopted by Council before the reimbursement can be made to the Developer.

J. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

K. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Transportation Capital Expansion Fee Fund and will not cause the total amount appropriated in the Transportation Capital Expansion Fee Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

L. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of reimbursing the Developer for the costs it incurred to construct the Road Improvements to oversized standards, which standards the Developer was not legally required to satisfy considering the impacts of the development.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from prior year reserves in the Transportation Capital Expansion Fee Fund the sum of TWO MILLION, SIXTY-NINE THOUSAND FOUR HUNDRED SEVENTEEN DOLLARS (\$2,069,417) to be expended in the Transportation Capital Expansion Fee Fund for eligible reimbursement to the Developer through the Metro District for the Road Improvements beyond local access standards.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on February 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Dianne Criswell

PARCEL NO. 870921502
OWNER: MUEBERRY W. LLC
36.63 ACRES

PARCEL NO. 870921901
OWNER: MUEBERRY W. LLC
22.98 ACRES

PARCEL NO. 870921905
OWNER: MUEBERRY W. LLC
3.46 ACRES

PARCEL NO. 870922006
OWNER: MUEBERRY W. LLC
2.52 ACRES

PARCEL NO. 870921503
OWNER: MUEBERRY W. LLC
18.82 ACRES

PARCEL NO. 870900044
OWNER: COOPER SLOUGH
HOLDING CO. LLC
52 ACRES

PARCEL NO. 870930505
OWNER: VALLEY 14, LLC
5.23 ACRES

PARCEL NO. 870930504
OWNER: VALLEY 14, LLC
4.39 ACRES

PARCEL NO. 870930503
OWNER: VALLEY 14, LLC
6.88 ACRES

PARCEL NO. 870930502
OWNER: VALLEY 14, LLC
5.83 ACRES

PARCEL NO. 870930501
OWNER: VALLEY 14, LLC
1.24 ACRES

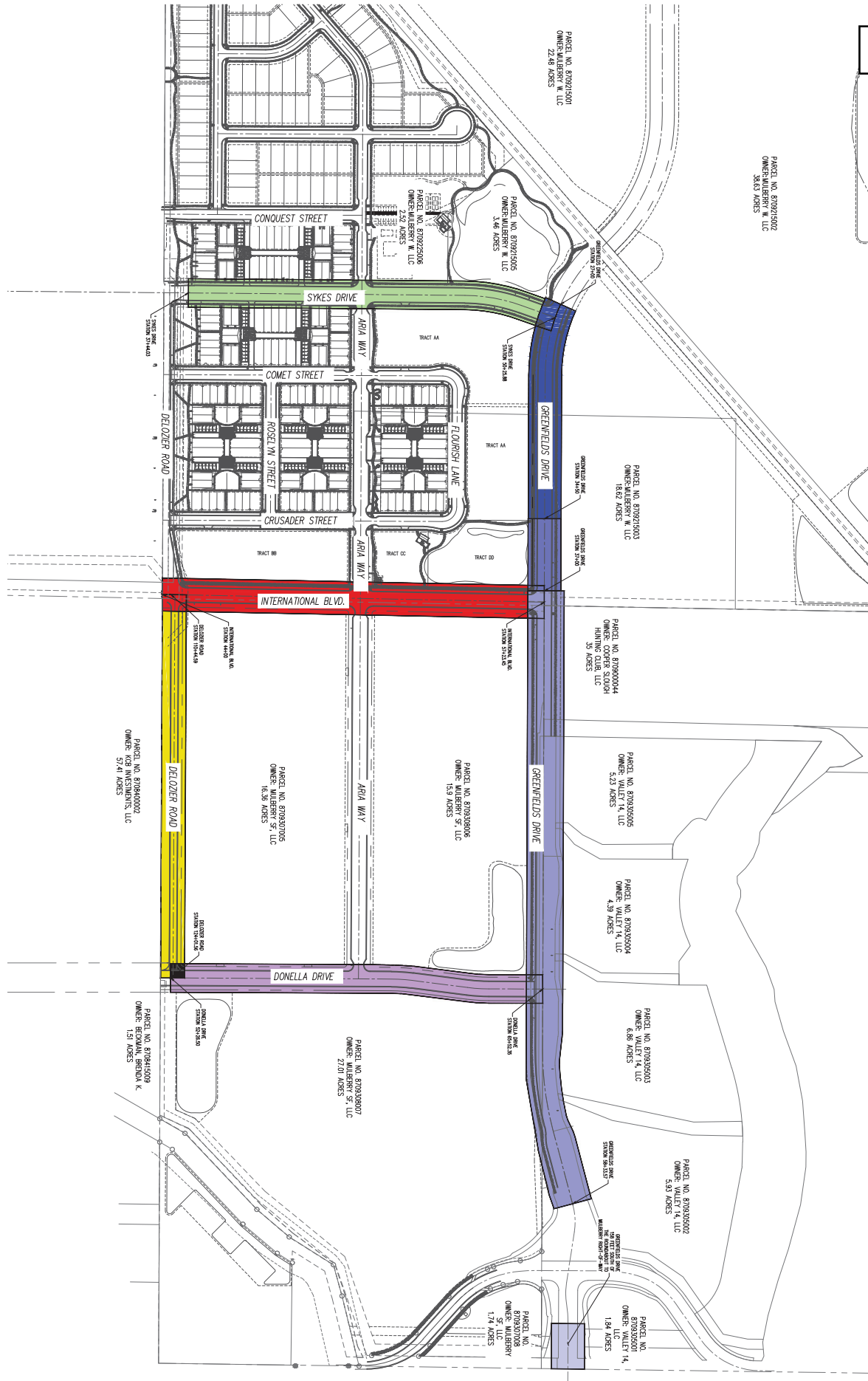
PARCEL NO. 870930806
OWNER: MUEBERRY SF, LLC
15.9 ACRES

PARCEL NO. 870930807
OWNER: MUEBERRY SF, LLC
27.01 ACRES

PARCEL NO. 870930706
OWNER: MUEBERRY SF, LLC
18.36 ACRES

PARCEL NO. 870940502
OWNER: KICH UNIVERSITIES, LLC
57.41 ACRES

PARCEL NO. 870941009
OWNER: KICH UNIVERSITIES, LLC
1.51 ACRES



BLOOM FILING 1 TCEF

Location of Improvements Constructed

Hartford Homes

8.14.2024



The information is copyrighted by Galoway & Company, Inc. All rights reserved.



**Exhibit B: Final Bid Tab of Quantities and Total Cost for Improvements
Mulberry Metropolitan District Nos. 1-6: Bloom Filing 1 Development
Public Street Oversizing Cost Estimate**

Description	Unit	Contracted Unit Price	Local Access Quantity (Developer Share)	Constructed Minor Arterial Quantity	Oversizing Quantity (City Share)	Oversizing Cost (City Share)
Greenfields Drive Station 27+00 to Station 34+50 and from Station 37+00 to Station 58+33.57: Local Access to Minor Arterial						
<i>Earthwork</i>						
Fine Grade Detached Concrete Sidewalks	SF	\$0.80	25,645.00	30,774.00	5,129.00	\$4,103.20
Embankment	CY	\$10.15	4,326.00	7,850.89	3,524.89	\$35,777.62
<i>Concrete Flatwork</i>						
05' Sidewalk (06" Thick)	LF	\$34.40	5,129.00	0.00	-5,129.00	-\$176,437.60
06' Sidewalk (06" Thick)	LF	\$39.90	0.00	5,129.00	5,129.00	\$204,647.10
<i>Asphalt Paving</i>						
Subgrade Preparation	SY	\$4.15	8,652.00	15,701.78	7,049.78	\$29,256.58
Cement Treated Subgrade 12" @ 4%	SY	\$11.20	8,652.00	15,701.78	7,049.78	\$78,957.51
2 Lane Arterial - 7.5" HMA / 11.5" ABC	SY	\$63.71	8,652.00	15,701.78	7,049.78	\$449,141.34
Signage and Striping	SY	\$1.05	8,652.00	15,701.78	7,049.78	\$7,420.82
<i>Parkway Width Landscaping</i>						
Irrigation	SF	\$ 3.71	40,192.00	47,728.00	7,536.00	\$27,958.56
Soil Prep (Class 2 Compost)	SF	\$ 0.17	40,192.00	47,728.00	7,536.00	\$1,281.12
Sod	SF	\$ 0.85	40,192.00	47,728.00	7,536.00	\$6,405.60
<i>Storm Sewer</i>						
Storm C2 - 14" X 23" HE-RCP	LF	\$180.00	24.00	46.00	22.00	\$3,960.00
Storm C2 - 18" RCP	LF	\$79.66	6.00	6.00	0.00	\$0.00
Storm C3 - 36" RCP	LF	\$183.65	30.00	52.00	22.00	\$4,040.30
Storm D - 18" RCP	LF	\$79.66	24.00	46.00	22.00	\$1,752.52
Storm D - 24" RCP	LF	\$113.50	6.00	6.00	0.00	\$0.00
Storm M4 - 18" RCP	LF	\$79.66	30.00	52.00	22.00	\$1,752.52
Storm O - 18" RCP	LF	\$79.66	24.00	46.00	22.00	\$1,752.52
Storm O - 24" RCP	LF	\$113.50	6.00	6.00	0.00	\$0.00
Subtotal Greenfields Drive Station 27+00 to Station 34+50 and from Station 37+00 to Station 58+33.57: Local Access to Minor Arterial						\$681,769.71
Greenfields Drive for 158 feet south of the roundabout to Mulberry Right of Way: Local Access to Minor Arterial						
<i>Earthwork</i>						
Fine Grade Detached Concrete Sidewalks	SF	\$0.80	2,200.00	2,640.00	440.00	\$352.00
Embankment	CY	\$10.15	330.00	598.89	268.89	\$2,729.22
<i>Concrete Flatwork</i>						
05' Sidewalk (06" Thick)	LF	\$34.40	440.00	0.00	-440.00	-\$15,136.00
06' Sidewalk (06" Thick)	LF	\$39.90	0.00	440.00	440.00	\$17,556.00
<i>Asphalt Paving</i>						
Subgrade Preparation	SY	\$4.15	660.00	1,197.78	537.78	\$2,231.78
Cement Treated Subgrade 12" @ 4%	SY	\$11.20	660.00	1,197.78	537.78	\$6,023.11
2 Lane Arterial: 7.5" HMA / 6" ABC (Greenfield South of Roundabout)	SY	\$71.04	660.00	1,197.78	537.78	\$38,203.73
Signage and Striping	SY	\$1.05	660.00	1,197.78	537.78	\$566.08
<i>Parkway Width Landscaping</i>						
Irrigation	SF	\$ 3.71	3,520.00	4,180.00	660.00	\$2,448.60
Soil Prep (Class 2 Compost)	SF	\$ 0.17	3,520.00	4,180.00	660.00	\$112.20
Sod	SF	\$ 0.85	3,520.00	4,180.00	660.00	\$561.00
<i>Storm Sewer</i>						
18" RCP	LF	\$79.60	30.00	52.00	22.00	\$1,751.20
Subtotal Greenfields Drive for 158 feet south of the roundabout to Mulberry Right of Way: Local Access to Minor Arterial						\$57,398.93
Greenfields Drive Station 34+50 to Station 37+00: Local Access to Minor Arterial						
<i>Earthwork</i>						

Fine Grade Detached Concrete Sidewalks	SF	\$0.80	2,500.00	3,000.00	500.00	\$400.00
Embankment	CY	\$10.15	375.00	680.56	305.56	\$3,101.39
<u>Concrete Flatwork</u>						
05' Sidewalk (06" Thick)	LF	\$34.40	500.00	0.00	-500.00	-\$17,200.00
06' Sidewalk (06" Thick)	LF	\$39.90	0.00	500.00	500.00	\$19,950.00
<u>Asphalt Paving</u>						
Subgrade Preparation	SY	\$4.15	750.00	1,361.11	611.11	\$2,536.11
Cement Treated Subgrade 12" @ 4%	SY	\$11.20	750.00	1,361.11	611.11	\$6,844.44
2 Lane Arterial - 7.5" HMA / 11.5" ABC	SY	\$63.71	750.00	1,361.11	611.11	\$38,933.89
Signage and Striping	SY	\$1.05	750.00	1,361.11	611.11	\$643.27
<u>Parkway Width Landscaping</u>						
Irrigation	SF	\$ 3.71	2,000.00	2,375.00	375.00	\$1,391.25
Soil Prep (Class 2 Compost)	SF	\$ 0.17	2,000.00	2,375.00	375.00	\$63.75
Sod	SF	\$ 0.85	2,000.00	2,375.00	375.00	\$318.75
Subtotal Greenfields Drive Station 34+50 to Station 37+00: Local Access to Minor Arterial						\$56,982.86
International Boulevard Station 44+00 to Station 57+23.45: Local Access to Minor Arterial						
<u>Earthwork</u>						
Fine Grade Detached Concrete Sidewalks	SF	\$0.80	6,365.00	7,098.00	733.00	\$586.40
Embankment	CY	\$10.15	1,987.50	3,606.94	1,619.44	\$16,437.36
<u>Concrete Flatwork</u>						
05' Sidewalk (06" Thick)	LF	\$34.40	1,273.00	0.00	-1,273.00	-\$43,791.20
06' Sidewalk (06" Thick)	LF	\$39.90	0.00	1,183.00	1,183.00	\$47,201.70
<u>Asphalt Paving</u>						
Subgrade Preparation	SY	\$4.15	3,975.00	7,213.89	3,238.89	\$13,441.39
Cement Treated Subgrade 12" @ 4%	SY	\$11.20	3,975.00	7,213.89	3,238.89	\$36,275.56
2 Lane Arterial - 7.5" HMA / 11.5" ABC	SY	\$63.71	3,975.00	7,213.89	3,238.89	\$206,349.61
Signage and Striping	SY	\$1.05	3,975.00	7,213.89	3,238.89	\$3,409.36
<u>Parkway Width Landscaping</u>						
Irrigation	SF	\$ 3.71	9,968.00	10,752.00	784.00	\$2,908.64
Soil Prep (Class 2 Compost)	SF	\$ 0.17	9,968.00	10,752.00	784.00	\$133.28
Sod	SF	\$ 0.85	9,968.00	10,752.00	784.00	\$666.40
<u>Storm Sewer</u>						
Storm J - 34" x 53" HERCP	LF	\$337.00	12.00	23.00	11.00	\$3,707.00
Storm J2 - 29 x 45 HERCP	LF	\$265.00	18.00	29.00	11.00	\$2,915.00
Storm J5 - 18" RCP	LF	\$79.66	41.00	52.00	11.00	\$876.26
Subtotal International Boulevard Station 44+00 to Station 57+23.45: Local Access to Minor Arterial						\$291,116.75
Sykes Drive Station 37+44.03 to Station 50+25.88 & Donella Drive Station 52+26.50 to Station 65+52.35: Local Access to Collector						
<u>Earthwork</u>						
Embankment	CY	\$10.15	3,915.00	7,395.00	3,480.00	\$35,322.00
<u>Asphalt Paving</u>						
Subgrade Preparation	SY	\$4.15	7,830.00	14,790.00	6,960.00	\$28,884.00
Cement Treated Subgrade 12" @ 4%	SY	\$11.20	7,830.00	14,790.00	6,960.00	\$77,952.00
Minor Collector - 5.5" HMA / 7" ABC	SY	\$44.68	7,830.00	14,790.00	6,960.00	\$310,972.80
Signage and Striping	SY	\$1.05	7,830.00	14,790.00	6,960.00	\$7,326.32
<u>Storm Sewer</u>						
Storm F - 42" RCP	LF	\$235.00	24.00	46.00	22.00	\$5,170.00
Storm F2 - 24" RCP	LF	\$113.50	8.00	8.00	0.00	\$0.00
Storm L1.1 - 42" RCP	LF	\$235.00	32.00	54.00	22.00	\$5,170.00
Storm L1.2 - 42" RCP	LF	\$235.00	32.00	54.00	22.00	\$5,170.00
Subtotal Sykes Drive Station 37+44.03 to Station 50+25.88 & Donella Drive Station 52+26.50 to Station 65+52.35: Local Access to Collector						\$475,967.12
Delozier Road Station 110+44.59 to Station 124+01.56: Local Access to Collector Standards						
<u>Earthwork</u>						
Embankment	CY	\$10.15	980.06	1,733.94	753.89	\$7,651.97

Asphalt Paving								
Subgrade Preparation	SY	\$4.15	1,960.11	3,467.89	1,507.78	\$6,257.28		
Cement Treated Subgrade 12" @ 4%	SY	\$11.20	1,960.11	3,467.89	1,507.78	\$16,887.11		
Minor Collector - 5.5" HMA / 7" ABC	SY	\$44.68	1,960.11	3,467.89	1,507.78	\$67,367.51		
Signage and Striping	SY	\$1.05	1,960.11	3,467.89	1,507.78	\$1,587.13		
Subtotal Delozier Road Station 110+44.59 to Station 124+01.56: Local Access to Collector Standards						\$99,751.01		
Soft Costs			Developer Share Hard Costs	Town Share Hard Costs	Developer Share Soft Costs	Town Share Soft Costs		
Mobilization / General Conditions	% of total Cost	0.26%	\$2,447,545.35	\$1,662,986.37	\$6,363.62	\$4,323.76		
Construction Surveying	% of total Cost	1.72%			\$42,097.78	\$28,603.37		
Payment and Performance Bond	% of total Cost	0.58%			\$14,195.76	\$9,645.32		
Project / Onsite Management	% of total Cost	1.00%			\$24,475.45	\$16,629.86		
Materials Testing	% of total Cost	1.00%			\$24,475.45	\$16,629.86		
Design Engineering	% of total Cost	1.00%			\$24,475.45	\$16,629.86		
Erosion Control	% of total Cost	1.75%			\$42,832.04	\$29,102.26		
Subtotal Soft Costs					\$178,915.56	\$121,564.30		
Dedicated Right-Of-Way			Unit	Land Value	Total Length	Added Width (City Share)	Oversizing Area	Oversizing Cost (City Share)
Greenfields Drive Station 27+00 to Station 34+50 and from Station 37+00 to Station 37+50: Local Access to Minor Arterial			SF	\$1.80	800.00	27.00	21,600.00	\$38,880.00
Greenfields Drive Station 37+50 to Station 53+30: Local Access to Minor Arterial			SF	\$1.80	1,580.00	13.50	21,330.00	\$38,394.00
Greenfields Drive Station 53+30 to Station 58+33.57: Local Access to Minor Arterial			SF	\$1.80	503.57	0.00	0.00	\$0.00
Greenfields Drive for 158 feet south of the roundabout to Mulberry Right of Way: Local Access to Minor Arterial			SF	\$1.80	220.00	0.00	0.00	\$0.00
Greenfields Drive Station 34+50 to Station 37+00: Local Access to Minor Arterial			SF	\$1.80	250.00	27.00	6,750.00	\$12,150.00
International Boulevard Station 44+00 to Station 57+23.45: Local Access to Minor Arterial			SF	\$1.80	1,323.45	24.50	32,424.53	\$58,364.15
Sykes Drive Station 37+44.03 to Station 50+25.88 & Donella Drive Station 52+26.50 to Station 65+52.35: Local Access to Collector			SF	\$1.80	2,607.70	24.00	62,584.80	\$112,652.64
Delozier Road Station 110+44.59 to Station 124+01.56: Local Access to Collector Standards			SF	\$1.80	1,357.00	10.00	13,570.00	\$24,426.00
Subtotal Dedicated Right-Of-Way							158,259.33	\$284,866.79
GRAND TOTAL (\$44,249 of Parkway costs to be reimbursed upon completion and acceptance of work in summer 2025)								\$2,069,417



MEMORANDUM

Date: 1/22/2025
To: Mayor and City Councilmembers
Through: Kely DiMartino, City Manager
Caryn Champine, PDT Service Area Director
From: Marc Virata, TCEF Program Manager
Subject: Transportation Capital Expansion Fee (TCEF) collection and reimbursement

This memorandum responds to a request at the January 2, 2025, Council Finance Committee Meeting related to the correlation and tracking of TCEF revenues collected by the City compared to the amount of TCEF reimbursements to developers for qualified improvements within a development.

BOTTOM LINE

There is not a direct correlation between the amount of TCEF revenue collected from an individual development with the amount of TCEF reimbursement provided to the developer of that project. Mathematical exactitude is not required in setting a fee that is reasonably related to the costs of burdens of an activity to government services or infrastructure. To that end, the TCEF Program is designed to defray the costs of the transportation growth-related impacts which are reasonably related to that development. The fee methodology – and the use of the resulting revenue – address a development’s impacts to the City-wide transportation infrastructure. Any reimbursements are provided (within available funds) for capital road improvements. Reimbursements are not guaranteed and are not set in relation to a particular feepayer’s payments. TCEF revenue is deposited into a separate account so that it cannot be applied to general funds and purposes; and TCEF revenues must be expended for the specified purposes in City Code relating to regional transportation needs and plans.

CC: Dana Hornkohl, Capital Projects Manager; Brad Buckman, City Engineer; Monica Martinez, Manager Financial Planning & Analysis; Heather Jarvis, Assistant City Attorney II; Dianne Criswell, Sr Assistant City Attorney

BACKGROUND

In certain cases, Developers of property that construct improvements beyond local street widths (“oversizing improvements”) are eligible for reimbursement of the oversizing improvements from TCEF funds. The construction of oversizing improvements occurs when development is located in areas of planned collector and arterial roadways as part of the City’s Master Street Plan (and approved by Council). When a developer constructs these planned system-wide improvements itself, then it may be eligible – in whole or part – for TCEF reimbursement of these costs from TCEF revenues (again, subject to the availability of funds).

Not all developments are situated along collectors or arterials; therefore, not all transportation improvements within a development are eligible for reimbursement from TCEF funds.

Regardless, any new development – whether eligible for reimbursement for non-site improvements or not – will generate growth-related impacts to the overall transportation network throughout the City. Imposition of the TCEF on all developers contributes to funding for the growth-related impacts to the transportation network. TCEF funds are then able to reimburse those developers constructing oversizing improvements of collector and arterial roadways as part of their development requirements.

Example: A 10-dwelling unit subdivision constructing oversizing improvements eligible for TCEF reimbursement contributes the same amount of TCEF as a separate 10-dwelling unit subdivision (of similar dwelling sizes) that does not construct any oversizing improvements not being located along a collector or arterial. The collection of the same amount from both developments to the overall TCEF fund allows for a more equitable approach to impacts. The development located along an arterial or collector is then not burdened with a greater responsibility of transportation infrastructure when both developments have similar impacts to the overall transportation network given their same development size.

With Bloom Filing One, the Council Finance Committee members specifically inquired what amount of TCEF the City may provide as reimbursement for oversizing improvements compared to the amount of TCEF collected from the development. Bloom Filing One was approved with 260 dwelling units, and City staff are currently projecting that the amount of TCEF that will be

collected for Filing One is likely to be slightly less than the \$2 million appropriation request for reimbursement. We are only able to estimate the amount of TCEF payments from this developer because the square footage of the individual units is indeterminate at the time the development entitlement attaches; square footage for the individual units (and in turn, their associated fee) is determined later through the building permit review process.

Overall though, Bloom Filing One has constructed oversizing improvements (which are eligible for TCEF reimbursement) that are adjacent to the future filings of the larger Bloom PUD. These future filings will have additional dwellings and non-residential square footage requiring additional TCEF to be paid by the developer. Generally, as here, a developer is required to build the necessary infrastructure before permits for new growth will be issued (like the construction of residential units and/or commercial property improvements); therefore, TCEF revenue that is collected on previous stages or separate developments is used to reimburse eligible costs in current developments.

File Attachments for Item:

7. First Reading of Ordinance No. 011, 2025, Making a Supplemental Appropriation from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.

The purpose of this item is to support the Fort Collins Police Services' Property Crimes Unit by appropriating \$80,790 of unanticipated grant revenue awarded by the Colorado State Patrol.

In December 2024 the Colorado State Patrol awarded Fort Collins Police Services \$80,790 in capacity as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$80,790 award is under the BATTLE program's FY25 cycle as provided in the BATTLE Grant Award Letter. These state funds will be used for purchase of a vehicle and equipment to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Adam Ruehlen, Police Services
 Jason Lang, Police Services
 Kerri Ishmael, Grants Administration

SUBJECT

First Reading of Ordinance No. 011, 2025, Making a Supplemental Appropriation from the Colorado Auto Theft Prevention Authority Grant for the Fort Collins Police Services Property Crimes Unit.

EXECUTIVE SUMMARY

The purpose of this item is to support the Fort Collins Police Services' Property Crimes Unit by appropriating \$80,790 of unanticipated grant revenue awarded by the Colorado State Patrol.

In December 2024 the Colorado State Patrol awarded Fort Collins Police Services \$80,790 in capacity as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force. The \$80,790 award is under the BATTLE program's FY25 cycle as provided in the BATTLE Grant Award Letter. These state funds will be used for purchase of a vehicle and equipment to support multiagency and multijurisdictional BATTLE operations to identify, interdict, investigate, enforce, and prosecute motor vehicle theft-related crimes.

STAFF RECOMMENDATION

Staff recommend adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The BATTLE program is comprised of several regions throughout Colorado, including the BATTLE North region. Fort Collins Police Services, in capacity as a partner agency to the BATTLE North team, collaborates with other partner agencies to respond to motor vehicle theft-related crimes. The \$80,790 in BATTLE program funds supports Fort Collins Police Services' Property Crimes Unit to prevent auto theft crimes, which has seen a steady growth within the city over the past five years. These funds will provide an unmarked vehicle equipped with an automated license plate reader, supporting identifying and recovery of stolen vehicles.

CITY FINANCIAL IMPACTS

This item appropriates \$80,790 in unanticipated revenue from the Colorado Auto Theft Prevention Authority (CATPA) grant in support of Police Services Property Crimes Unit.

There is no match requirement by the City under this grant.

This grant is a reimbursement type grant, meaning General Fund expenses will be reimbursed up to \$80,790.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. BATTLE Grant Award Letter

ORDINANCE NO. 011, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION FROM THE
COLORADO AUTO THEFT PREVENTION AUTHORITY GRANT
FOR THE FORT COLLINS POLICE SERVICES PROPERTY
CRIMES UNIT

A. Fort Collins Police Services (FCPS) is a member of the BATTLE program created by Colorado State Patrol (CSP). The purpose of BATTLE is for member agencies to collaborate and work with other law enforcement agencies around the state to investigate and respond to motor vehicle theft related crimes, which has seen a steady growth within the city over the past five years. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of

B. CSP manages the BATTLE program and provides grant funding opportunities to member agencies to help cover personnel costs for the time that is needed to prevent auto theft crimes.

C. The purpose of this item is to appropriate \$80,790 of unanticipated grant revenue from Colorado Auto Theft Prevention Authority (CATPA) to support FCPS Property Crimes Unit work on motor vehicle theft related crimes.

D. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of the prevention and investigation of motor vehicle theft crimes.

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

F. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

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

H. The City Council wishes to designate the appropriation herein for the Colorado Auto Theft Prevention Authority Grant as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City’s expenditure of all funds received from such grant.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the General Fund the sum of EIGHTY THOUSAND SEVEN HUNDRED NINETY DOLLARS (\$80,790) to be expended in the General Fund for the Fort Collins Police Services Property Crimes Unit.

Section 2. The appropriation herein for the Colorado Auto Theft Prevention Authority Grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City’s expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on February 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Dawn Downs



December 27, 2024

Fort Collins Police Department
Project Director Lieutenant Adam Ruehlen
Transmitted by Electronic Mail to aruehlen@fcgov.com

RE: HB1430 BATTLE Increase Capacity Funding Award Letter for Fiscal Year (FY) 2025

Dear Lieutenant Ruehlen,

On behalf of the Colorado State Patrol (CSP), it is my pleasure to congratulate you on receiving a funding award as a partner agency of the Beat Auto Theft Through Law Enforcement (BATTLE) Task Force.

The Fort Collins Police Department has been awarded **\$30,361.00 for the purchase of an Elsag M8 2 Camera system with toolbox convert installation and \$50,429 for the purchase of a 2025 Ford F150 Crew 5.5' Bed vehicle (total award \$80,790)** during the FY25 grant cycle as a partner agency. The grant period is **October 1, 2024, through June 30, 2025**. *Please note, spending authority does not begin until signed funding letter and purchase orders are approved and finalized by Colorado State Patrol.* This award is subject to all financial and administrative requirements of the Colorado Auto Theft Prevention Authority (CATPA), including requirements outlined in the Office of Justice Programs Financial Guide, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, and the timely submission of all financial reports.

This document outlines the funding award agreement, the grant budget, and a checklist for HB1430 BATTLE payment submissions. To officially accept the award, we request that your authorized official **initial each page** and sign the Award Funding agreement and return to CSP via the following email: battlepayments@state.co.us with the phrase **"HB1430 BATTLE FY25 Fort Collins Police Department"** included in the subject line of all submissions and correspondence. Please return your signed funding award agreement **no later than 10 days after receipt of this letter**. Failure to sign your funding award may result in a delayed start date, as well as delays in creating purchase orders and requesting reimbursements.

Please contact Captain Wesley Kartus by emailing Wesley.Kartus@state.co.us, or calling (720) 595-4038 (CSP cell) for questions regarding authorization for spending. You may also contact Grant Specialist, Trina Larsen, by emailing Trina.G.Larsen@state.co.us or calling (720) 202-3418 (CSP cell), if you have any questions regarding grant guidance.

We look forward to working with you in the fight against auto theft!

Best Regards,

Captain Wesley Kartus
Colorado State Patrol, BATTLE Project Director

Trina Larsen, Financial Officer
Colorado State Patrol, Grants Management Office

**Colorado State Patrol
Statement of Funding Award**

Partner Agency Name: Fort Collins Police Department

Project Director: Lieutenant Adam Ruehlen

Financial Officer: Zach Mozer, Sue Jordanger

Project Director Address: 2221 S Timberline Rd, Fort Collins, CO 80525

Grant Number: HB1430BATTLEFY25FTCOLLINS PD

Date of Issue: October 1, 2024, or date of the Colorado State Patrol approved purchase order, whichever is later

Total Approved Budget: \$80,790.00

Grant Period: October 1, 2024, through June 30, 2025 – Spending cannot begin until authorization is in place

BATTLE Region: NORTH

Partner Agency Approved Budget

Fort Collins Police Department - HB1430 BATTLE SFY25 Budget			
BUDGET CATEGORY	ORIGINAL/CURRENT ALLOCATION	REVISION	MODIFIED ALLOCATION
Equipment	\$80,790.00		\$80,790.00
TOTAL	\$80,790.00		\$80,790.00

Line-Item Qualifying Expenses:

- **Equipment:** Elsag M8 2 Camera Systems with Toolbox Covert Installation – Mobile ALPR (\$30,361.00); 2025 Ford F150 Crew 5.5' Bed Vehicle (\$50,429.00)

Please Note:

- 1) A CDPS Purchase Order authorizing CSP to reimburse the Partner Agency for expenditures in support of the BATTLE mission will be issued as soon as possible on or after July 1, 2023. Any expenditures prior to issuance of the Purchase Order will not be reimbursed.
- 2) Expenditures may not be incurred prior to the Partner Agency receipt of their SFY25 Purchase Order or has been notified in writing by their Regional Director that the Purchase Order is in effect.
- 3) Equipment Expense backup documentation must include a current quote AND an invoice as well as proof of payment.

Special Conditions and Requirements

Multipart document and Additional Requirements

- 1) The Partner Agency affirms that the agreement consists of a multipart document: the award letter, Funding Award and associated special conditions, required performance metrics for the ALPR, and signatures of persons authorized to sign on behalf of the partner agency.
- 2) The Partner Agency agrees to comply with **all** requirements, conditions, and regulations as detailed in the enclosed Funding Award document. The authorized official must initial at the bottom of each page of the enclosed Funding Award document where indicated.
- 3) The Partner Agency affirms that their financial system of record and associated technology is fully adequate to support and document the separate tracking and allocation of all BATTLE grant expenditures and revenues.

Financial Reporting Requirements

- 1) **Budget Modification Request** - Grant activities must match the approved budget included with this document. The partner agency must secure prior written approval from CSP if there is a requested change in any budget category. Failure to seek prior consent may result in the denial of reimbursement.
 - a. The Partner Agency shall submit a Budget Modification form to the BATTLE Regional Coordinator requesting a revision in the Funding Award budget. The Partner Agency shall not make any changes in the budget line items or purchase equipment or other supplies until they have received authorization from the BATTLE Regional Coordinator. Reimbursement of any expenditures made by the Partner Agency without prior written authorization shall not be reimbursed through BATTLE funds and the Partner Agency shall absorb that cost.
- 2) **Invoicing** - The Partner Agency agrees to submit the **reimbursement** request on the Excel invoice workbook with backup documentation for reimbursement. Appropriate documentation for all expenditures must accompany reimbursement requests. The Grants Management Office (GMO) will only approve reimbursement of actual, supported, and allowable expenses. Only financial-related documents are emailed to the BATTLE address. Any operational reports or other related working information are sent to BATTLE Regional Coordinator and not through the BATTLE email address.
 - a. All invoices must be paid by SFY June 30, 2025. Final reimbursement requests must be completed and submitted to CSP GMO within ten (10) days after June 30, 2025. Reimbursement requests received beyond this time will be subject to denial.
- 3) **Monitoring** - The CSP will monitor the Partner Agency's performance obligations under this Award Letter using procedures determined by the State of Colorado policies and procedures. In its sole discretion, CSP shall have the right to change monitoring procedures and requirements at any time during the term of this SFY25 grant period. The CSP shall monitor the Partner Agency's performance in a manner that does not unduly interfere with the Partner Agency's performance of grant work.
 - a. As the grant's fiscal agent, CSP shall monitor Partner Agency, including desk reviews, agency visits, and

..... be notified at least thirty (30) days in advance of any scheduled monitoring visits. As a recipient of these funds, the Partner Agency agrees to cooperate and respond to any requests for information about your award within fifteen (15) days of audit notification.

Item 7.

- b. If the CSP identifies any audit finding(s), the Partner Agency will have the opportunity to make provisions to correct the finding(s). Any false statements or claims with the awarded funds may result in fines, imprisonment, or any other remedy available by law.
- c. The Partner Agency has the right to protest any audit findings. All protests must be in writing and sent to the BATTLE Project Director and the Financial officer.

4) **Funding from Multiple Sources** - The recipient understands and agrees to notify CSP if it receives, from any other sources, funding for the same items or services also funded under this award. The Partner Agency shall not supplant awarded funds with city and county funds already budgeted for the same purpose. If CSP determines there is supplanting of funds, award funds will be revoked, and all expended funds shall be returned to CSP within thirty (30) days.

5) **Capital Equipment** – Capital equipment is any item purchased at **\$5,000 per unit or more** using funds under a CATPA grant. The retention period ends when the value of the equipment has depreciated to **less than \$5,000 per unit** or the equipment is older than five (5) years, whichever comes first.

- a. **Capital Equipment Ownership.** Capital equipment becomes the property of the recipient agency approved in the Funding Award and remains in possession of the original agency so long as it continues to be used for auto theft prevention activities as approved by the CATPA Office. If the equipment retention period has not expired and the equipment is no longer needed or used for auto theft prevention activities, BATTLE retains the right to reallocate the equipment for auto theft prevention.
- b. **Inventory of Capital Equipment.** Under this agreement, the Partner Agency's inventory of capital equipment shall occur during the retention period by the BATTLE Project Director. A complete equipment inventory list is maintained by the GMO. Partner Agency shall submit its inventory list to the BATTLE Regional Coordinator upon request of the BATTLE Project Director or GMO.
- c. **Purchase of New Capital Equipment.** Stickers indicating the purchased equipment is through grant funding will then be supplied by GMO. The stickers must be attached to the equipment (near the serial number) and remain so until disposition of the Capital Equipment
- d. **Capital Equipment (ALPR) Required Performance Metrics Reporting.** Under this agreement, the Partner Agency must report monthly on the first of each month via email to the BATTLE Project Director 1) the number of reads from the ALPR and 2) the number of stolen vehicles recovered as a result of a read from the ALPR. **Initial Here:**
- e. **Inventory Removal of Capital Equipment.** The Partner Agency shall make a written request for removal of capital equipment, along with a completed CATPA Grant Equipment Inventory Removal Certification Form and send it to the BATTLE Regional Coordinator. Request to remove capital equipment from the CATPA inventory is approved on any of the following conditions:
 - i. **Equipment Lapses Retention Period.** Equipment may be removed when the purchase date is five (5) or more years past, regardless of the equipment's actual purchase price or depreciated value.
 - ii. **Equipment Value is Less than \$5,000 per unit.** Equipment may be removed from inventory when it has depreciated to a value **less than \$5,000**. In such cases, the Partner Agency shall provide documentation on the justification for the depreciation and send it to the BATTLE

A recognize generally accepted accounting principles and encourage the Partner Agency to use the straight-line depreciation method. Guidance on straight-line depreciation method is in the FY25 CATPA Grant Manager's Guidance Manual Item 7.

- iii. **Equipment Loss, Theft, or Damage.** Equipment reported as lost, stolen, or otherwise damaged beyond its serviceable use, may be removed from inventory. In such cases, the Partner Agency must submit a written report narrating the equipment loss, theft, or damage circumstances.
- iv. **Equipment Trade or Sale.** Equipment may be removed from the inventory list when it is determined that the trade or sale of the equipment is beneficial for the Partner Agency. Any funds acquired during an approved sale of equipment shall be returned to CSP and reflected on the Financial Payment Reimbursement Request Form.
- v. **Equipment Transfer.** The transference of equipment may occur if the Partner Agency no longer needs or uses it. The CATPA Board will have final authority in approving requests for equipment transfers and reflected on the Partner Agency's inventory.

Other Terms and Conditions

- 1) **Change of Personnel** - The partner agency agrees to promptly give written notification to CSP of any changes in the authorized official, project director, financial officer, or grant-funded personnel.
- 2) **Partner Agency Records and Retention**
 - a. **Record Retention** – The funds received in this Funding Award are for one year (the Grant Period). The Partner Agency shall maintain all funding related records for a period of **five (5)** years following the last day of the grant period. If there is any litigation, claim, or audit related to this Funding Award then retention starts before the expiration of the Record Retention requirement, this period shall extend until resolution of litigations, claims, or audit findings and final action taken by the CSP. For equipment records, the Record Retention Period shall be **five (5)** years following the purchase of such property.
 - b. **Records Inspection and Maintenance** – The Partner Agency must make, keep, maintain a complete file of all records, documents, communications, notes, and other materials which can be written or electronic. The record should include files and communications about the Funding Award work or the delivery of services and goods hereunder. The records shall be available for inspection and monitoring by CSP.
 - i. The Partner Agency shall permit CSP to audit, inspect, examine, copy and transcribe Partner Agency records during the Record Retention period. Partner Agency shall make its records available during regular business hours at Partner Agency's office or place of business or at other mutually agreed upon times or locations. The Partner Agency will receive no fewer than two (2) Business Days' notice from the CSP unless CSP determines that a shorter period of notification, or no warning, is necessary to protect the interests of the CSP.
- 3) **Discrimination** - As a condition of receipt of state funds, you acknowledge and agree that you will not, on the grounds of race, color, religion, national origin, sex, or disability, unlawfully exclude any person from participation in, deny the benefits of, or employment to any person, or subject any person to discrimination in

in whole or in part with state funds. You will also not discriminate in the delivery of benefits or services based on age. These civil rights requirements are found in the non-discrimination provisions of Title VI of Civil Rights Act of 1964, as amended (42 U.S.C. §2000d); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. §3789d); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794); and the Age Discrimination Act of 1975, as amended (42 U.S.C. §6101).

Item 7.

- 4) **Equal Employment Opportunity** - The Partner Agency must comply with the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan (28 C.F.R. Part 42 subpart E).
- 5) **Sub-awarding Partner Agency Funds** - The Partner Agency shall not subaward or pass through to another entity these funds such as, but not limited to, public and private agencies, nor to any persons.
- 6) **Criminal Law Violations** - Subrecipients must timely disclose in writing to the BATTLE Project Director all state and federal criminal law violations involving fraud, bribery, or gratuity that may potentially affect the awarded state funding. Failure to make required disclosures can result in any remedies, including suspension or revoking awarded funds.

7) CONFIDENTIAL INFORMATION-STATE RECORDS

Confidentiality

- a. Grantee shall hold and maintain, and cause all Subcontractors to hold and maintain, any and all State Records that the State provides or makes available to Grantee for the sole and exclusive benefit of the State, unless those State Records are otherwise publicly available at the time of disclosure or are subject to disclosure by Grantee under CORA. Grantee shall not, without prior written approval of the State, use for Grantee's own benefit, publish, copy, or otherwise disclose to any third party, or permit the use by any third party for its benefit or to the detriment of the State, any State Records, except as otherwise stated in this Grant Award Letter. Grantee shall provide for the security of all State Confidential Information in accordance with all policies promulgated by the Colorado Office of Information Security and all applicable laws, rules, policies, publications, and guidelines. If Grantee or any of its Subcontractors will or may receive the following types of data, Grantee or its Subcontractors shall provide for the security of such data according to the following: (i) the most recently promulgated IRS Publication 1075 for all Tax Information and in accordance with the Safeguarding Requirements for Federal Tax Information attached to this Grant as an Exhibit, if applicable, (ii) the most recently updated PCI Data Security Standard from the PCI Security Standards Council for all PCI, (iii) the most recently issued version of the U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Services Security Policy for all CJ, and (iv) the federal Health Insurance Portability and Accountability Act for all PHI and the HIPAA Business Associate Agreement attached to this Grant, if applicable. Grantee shall immediately forward any request or demand for State Records to the State's principal representative.

Other Entity Access and Nondisclosure Agreements

- b. Grantee may provide State Records to its agents, employees, assigns and Subcontractors as necessary to perform the Work, but shall restrict access to State Confidential Information to those agents, employees, assigns and Subcontractors who require access to perform their obligations under this Grant Award Letter. Grantee shall ensure all such agents, employees, assigns, and Subcontractors sign nondisclosure agreements with provisions at least as protective as those in this Grant, and that the nondisclosure agreements are in force at all times the agent, employee, assign or Subcontractor has

Grantee shall provide copies of those signed nondisclosure restrictions to the State upon request.

Item 7.

Use, Security, and Retention

- c. Grantee shall use, hold and maintain State Confidential Information in compliance with any and all applicable laws and regulations in facilities located within the United States, and shall maintain a secure environment that ensures confidentiality of all State Confidential Information wherever located. Grantee shall provide the State with access, subject to Grantee's reasonable security requirements, for purposes of inspecting and monitoring access and use of State Confidential Information and evaluating security control effectiveness. Upon the expiration or termination of this Grant, Grantee shall return State Records provided to Grantee or destroy such State Records and certify to the State that it has done so, as directed by the State. If Grantee is prevented by law or regulation from returning or destroying State Confidential Information, Grantee warrants it will guarantee the confidentiality of, and cease to use, such State Confidential Information.

Incident Notice and Remediation

- d. If Grantee becomes aware of any Incident, it shall notify the State immediately and cooperate with the State regarding recovery, remediation, and the necessity to involve law enforcement, as determined by the State. After an Incident, Grantee shall take steps to reduce the risk of incurring a similar type of Incident in the future as directed by the State, which may include, but is not limited to, developing and implementing a remediation plan that is approved by the State at no additional cost to the State.

Safeguarding PII

- e. If Grantee or any of its Subcontractors will or may receive PII under this Agreement, Grantee shall provide for the security of such PII, in a manner and form acceptable to the State, including, without limitation, State non-disclosure requirements, use of appropriate technology, security practices, computer access security, data access security, data storage encryption, data transmission encryption, security inspections, and audits. Grantee shall be a "Third-Party Service Provider" as defined in §24-73-103(1)(i), C.R.S. and shall maintain security procedures and practices consistent with §§24-73-101 et seq., C.R.S. In addition, as set forth in § 24-74-102, et. seq., C.R.S., Contractor, including, but not limited to, Contractor's employees, agents and Subcontractors, agrees not to share any PII with any third parties for the purpose of investigating for, participating in, cooperating with, or assisting with Federal immigration enforcement. If Contractor is given direct access to any State databases containing PII, an annual basis Contractor's duty and obligation to certify as set forth in Exhibit __ shall continue as long as Contractor has direct access to any State databases containing PII. If Contractor uses any Subcontractors to perform services requiring direct access to State databases containing PII, the Contractor shall require such Subcontractors to execute and deliver the certification to the State on an annual basis, so long as the Subcontractor has access to State databases containing PII.

8) CONFLICTS OF INTEREST

- a. Grantee shall not engage in any business or activities or maintain any relationships that conflict in any way with the full performance of the obligations of Grantee under this Grant. Grantee acknowledges that, with respect to this Grant, even the appearance of a conflict of interest shall be harmful to the State's interests and absent the State's prior written approval, Grantee shall refrain from any practices, activities or relationships that reasonably appear to conflict with the full performance of Grantee's obligations under this Grant. If a conflict or the appearance of a conflict arises, or if Grantee is uncertain whether a conflict or the appearance of a conflict has arisen, Grantee shall submit to the State a disclosure statement setting forth the relevant details for the State's consideration. Grantee acknowledges that all State employees are subject to the ethical principles described in §24-18-105,

18-105, C.R.S. about this Grant.

Item 7.

9) INSURANCE

- a. Grantee shall always maintain during the term of this Grant such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S. (the "GIA"). Grantee shall ensure that any Subcontractors maintain all insurance customary for the completion of the Work done by that Subcontractor and as required by the State or the GIA.

10) REMEDIES

- a. In addition to any remedies available under any exhibit to this Grant Agreement, if Grantee fails to comply with any term or condition of this Grant, the State may terminate some or all this Grant and require Grantee to repay any or all Grant funds to the State in the State's sole discretion. The State may also terminate this Grant Agreement at any time if the State has determined, in its sole discretion, that Grantee has ceased performing the Work without intent to resume performance, prior to the completion of the Work.

11) DISPUTE RESOLUTION

- a. Except as herein specifically provided otherwise or as disputes concerning the performance of this Grant that cannot be resolved by the designated Party representatives shall be referred in writing to the CATPA Board or an official designated by the Department of Public Safety by Grantee for resolution.

12) NOTICES AND REPRESENTATIVES

- a. Each Party shall identify an individual to be the principal representative of the designating Party and shall provide this information to the other Party. All notices required or permitted to be given under this Grant Agreement shall be in writing and shall be delivered either in hard copy or by email to the representative of the other Party. Either Party may change its principal representative or principal representative contact information by notice submitted in accordance with this §13.

13) RIGHTS IN WORK PRODUCT AND OTHER INFORMATION

- a. Grantee hereby grants to the State a perpetual, irrevocable, non-exclusive, royalty free license, with the right to sublicense, to make, use, reproduce, distribute, perform, display, create derivatives of and otherwise exploit all intellectual property created by Grantee or any Subcontractors or Subgrantees and paid for with Grant Funds provided by the State pursuant to this Grant.

Sign and Return:

The Partner Agency will sign a copy of the Funding Award and return the agreement to the CSP BATTLE email.

As soon as CSP obtains all signatures, the Partner Agency will receive a copy of this agreement.

The parties hereto have executed this binding Funding Award.

Persons signing for Partner Agency hereby swear and affirm that they are authorized to act on Partner Agency’s behalf and acknowledge that the Colorado State Patrol relies on their representations to that effect. The Funding Award may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery as a scanned “.pdf” format data file, such signature shall create a valid and binding obligation of the party executing with the same force and effect as if such facsimile or “.pdf” signature page was an original thereof.

PARTNER AGENCY

COLORADO STATE PATROL

City of Fort Collins

Legal Name of Partner Agency

DocuSigned by:
Kelly DiMartino
0B86D5871D89400...

Kelly DiMartino, City Manager

1/15/2025

Date Signed



Wesley Kartus, Captain
BATTLE Project Director

1-13-2025

Date signed

APPROVED AS TO FORM:

DocuSigned by:
Dawn Downs 1/14/2025

Dawn Downs, Deputy City Attorney

Item 7.

File Attachments for Item:

8. First Reading of Ordinance No. 012, 2025, Making Supplemental Appropriations from the Colorado Department of Transportation Congestion Mitigation and Air Quality Grant and Authorizing Transfers from the Conservation Trust Fund for the Power Trail and Harmony Grade Separated Crossing Project.

The purpose of this item is to enable the City to receive and expend federal pass-thru funds for the Power Trail and Harmony Grade Separated Crossing Project (the Project). The funds will be used for construction of a pedestrian and bicycle underpass located approximately 500 feet west of the intersection of Harmony Road and Union Pacific Railroad. If approved this item will appropriate \$3,239,300 of Congestion Mitigation and Air Quality (CMAQ) grant funds for the Project. Additionally, this item will transfer \$1,600,000 in Conservation Trust Funds to the Capital Project Fund for the Project

Previously appropriated funds will be used for local match requirements.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Dillon Willett, Project Manager
Dana Hornkohl, Director, Civil Engineering
Brad Buckman, City Engineer

SUBJECT

First Reading of Ordinance No. 012, 2025, Making Supplemental Appropriations from the Colorado Department of Transportation Congestion Mitigation and Air Quality Grant and Authorizing Transfers from the Conservation Trust Fund for the Power Trail and Harmony Grade Separated Crossing Project.

EXECUTIVE SUMMARY

The purpose of this item is to enable the City to receive and expend federal pass-thru funds for the Power Trail and Harmony Grade Separated Crossing Project (the Project). The funds will be used for construction of a pedestrian and bicycle underpass located approximately 500 feet west of the intersection of Harmony Road and Union Pacific Railroad. If approved this item will appropriate \$3,239,300 of Congestion Mitigation and Air Quality (CMAQ) grant funds for the Project. Additionally, this item will transfer \$1,600,000 in Conservation Trust Funds to the Capital Project Fund for the Project

Previously appropriated funds will be used for local match requirements.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Project will design, acquire any necessary right-of-way for, and construct a trail underpass for the Power Trail crossing at Harmony Road. A separate project will construct trail connections north and south of Harmony Road to connect the underpass with the existing Power Trail.

The current route for the Power Trail directs bicycles and pedestrians to use the City roadway network north and south of Harmony Road, and to cross Harmony Road at-grade at McMurry Avenue. Several residential neighborhoods are south of Harmony Road near the Project location, and several destinations are north of Harmony Road including multiple schools, businesses, a park and a golf course. The existing at-grade crossing has been the scene of several severe crashes involving vulnerable road users in recent years, even resulting in a cyclist fatality. This Project will complete the last gap in the Power Trail, providing connectivity from the Poudre River Corridor to the Big Thompson Corridor. The City is also working through design and construction of multiple projects to connect the Power Trail to the local trail network and residential communities in southeast Fort Collins, including the pedestrian overpass crossing the Union

Pacific Railroad tracks south of Harmony Road connecting the Mail Creek Trail heading east to Bacon Elementary, a future school side park, and several existing communities via an underpass of Timberline Road. Additionally, several residential developments near the Power Trail are in design and construction, adding to future trail demand and potential diversion of vehicle trips. Finally, the Power Trail is regionally significant and identified in the North Front Range Metropolitan Planning Organization (NFRMPO) Regional Active Transportation Plan as part of the Front Range Trail (West) adopted in July 2021.

In 2016, the City applied for and was awarded \$800,000 through a federal Transportation Alternatives Program (TAP) grant. These TAP funds were awarded to the City, programmed for FY2020, through the NFRMPO and CDOT for the construction of the Project (Attachment 4).

In 2022, the City was awarded a CMAQ grant for \$2,700,000. These CMAQ funds were awarded to the City, programmed for FY2023-FY2024 through the NFRMPO and CDOT for the construction of the Project (Attachment 5 – Note the \$2.7 million corresponds to CMAQ funding for FY2023, FY2024 and FY2025).

In 2023, the City applied for and was awarded \$3,239,300 in additional CMAQ funds through the NFRMPO (Attachment 2). These funds are required to complete construction of the Project planned for 2025.

Conservation Trust Funds are used to support the growth of the City’s paved trail network. The Project will construct a key piece of this network. As such, \$1.6M in funding will be transferred from the Conservation Trust Funds to the Project. Use of these funds will be monitored by both Engineering and Parks staff.

CITY FINANCIAL IMPACTS

This item appropriates \$4,839,000 to support the Power Trail and Harmony Grade Separated Crossing Project from:

- \$3,239,300 in unanticipated CMAQ funds (17.21% local match to be met with previously appropriated CCIP funds) and
- \$1,600,000 in Conservation Trust Funds.

The CMAQ funds apply on a reimbursement basis, meaning Capital Project Funds expenses will be reimbursed up to \$3,239,300.

The City’s required local match and overmatch funds were previously appropriated as follows:

Prior Appropriated Local Funds	
Transportation Capital Expansion Fee (TCEF) Funds	\$399,120
Transportation Fund	\$880
CCIP – Ped/Bike Grade Separated Crossing	\$2,900,000
Total Prior Appropriated Local Funds	\$3,300,000
Prior Appropriated Grant Funds	
Transportation Alternative Program (TAP) Grant Funds	\$800,000
Congestion Mitigation and Air Quality (CMAQ) Grant	\$2,700,000
Total Prior Appropriation	\$7,200,000

Funds to be Appropriated with this Action	
Congestion Mitigation and Air Quality (CMAQ) Grant	\$3,239,300
Conservation Trust Funds <i>(transfer to Capital Projects Fund)</i>	\$1,600,000
Total Funds to be Appropriated per this Action	\$4,839,300

Based upon appropriations under this Ordinance combined with previously appropriated funds, as noted above, a total of \$12,039,300 is available to support completion of the Project.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

City staff presented the Project to the Bicycle Advisory Committee, the Commission on Disabilities, the Transportation Board, and the Parks and Recreation Advisory Board, all of whom support the Project.

PUBLIC OUTREACH

Staff has developed a Public Engagement Plan for the Project. Staff has discussed and presented conceptual level drawings and renderings at several public outreach events including Kinard MS FC Moves Outreach Event, 2023 and 2024 Transportation Project Fairs and an upcoming Kruse ES Bike to School Day Open House. A Project website is regularly updated with Project information and upcoming milestones.

ATTACHMENTS

- 1. Ordinance for Consideration
- 2. CMAQ Grant Award Letter
- 3. Power Trail Vicinity Map
- 4. Power Trail Renderings

ORDINANCE NO. 012, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS FROM THE
COLORADO DEPARTMENT OF TRANSPORTATION
CONGESTION MITIGATION AND AIR QUALITY GRANT AND
AUTHORIZING TRANSFERS FROM THE CONSERVATION
TRUST FUND FOR THE POWER TRAIL AND HARMONY GRADE
SEPARATED CROSSING PROJECT

A. This Ordinance concerns construction of and funding for a pedestrian and bicycle underpass to extend the Power Trail in the vicinity of East Harmony Road.

B. The Power Trail provides a north-south route through Fort Collins in two disconnected segments along the west side of the Union Pacific Railroad, traveling past neighborhoods, open spaces, two parks, a golf course, and Kruse Elementary School. The Trail's northern end begins at Edora Park and stretches to just north of Harmony Road via Golden Meadows Park, stopping at McMurry Avenue. The Trail resumes at Keenland Drive to the west side of the railroad, travels to Trilby Road and then continues south along Stanton Creek to the Carpenter Road underpass and a connection to the Larimer County Front Range Trail and the Loveland Boyd Lake trail.

C. The current route for the Power Trail directs bicycles and pedestrians to use the City roadway network north and south of Harmony Road, which involves crossing Harmony Road at-grade at McMurry Avenue. Several residential neighborhoods are south of Harmony Road near the Trail, and several destinations are north of Harmony Road including multiple schools, businesses, parks, and a golf course. The existing at-grade crossing has been the scene of several severe crashes involving vulnerable road users in recent years, including a crash resulting in a cyclist fatality.

D. The Power Trail and Harmony Grade Separated Crossing Project (the "Project") has been developed to improve bicycle and pedestrian safety and to facilitate trail connectivity. The Project will design, acquire any necessary right-of-way for, and construct a trail underpass for the Power Trail crossing at Harmony Road. A separate project will construct trail connections north and south of Harmony Road to connect the underpass with the existing Power Trail. Together, this Project and the trail connections work will complete the last gap in the Power Trail, providing connectivity from the Poudre River Corridor to the Big Thompson Corridor.

E. The Project is one of multiple projects to connect the Power Trail to the local trail network and to current and future residential communities, schools, and parks in southeast Fort Collins, including the pedestrian overpass crossing the Union Pacific Railroad tracks south of Harmony Road connecting the Mail Creek Trail heading east to Bacon Elementary, a future school side park, and several existing communities via an underpass of Timberline Road. Current and future developments will add to trail demand and a robust trail network will potentially divert vehicle trips.

F. The Power Trail is regionally significant and identified in the North Front Range Metropolitan Planning Organization (the “NFRMPO”) Regional Active Transportation Plan as part of the Front Range Trail (West) adopted in July 2021. The grade separated crossing is identified in the City’s 2014 Bicycle Master Plan as a bicycle network priority.

G. In 2016, the City applied for and was awarded \$800,000 through a federal Transportation Alternatives Program (“TAP”) grant. These TAP funds were awarded to the City, programmed for FY2020, through the NFRMPO and Colorado Department of Transportation (“CDOT”) for the construction of the Project.

H. In 2022, the City was awarded a Congestion Mitigation and Air Quality (“CMAQ”) grant for \$2,700,000. These CMAQ funds were awarded to the City, programmed for FY2023-FY2024, through the NFRMPO and CDOT for the construction of the Project, and the \$2,700,000 corresponds to CMAQ funding for FY2023, FY2024, and FY2025.

I. In 2023, the City applied for and was awarded \$3,239,300 in additional CMAQ funds through the NFRMPO. These funds are required to complete construction of the Project planned for 2025. These additional \$3,239,300 in CMAQ funds are programmed for FY2026, and Ordinance No. 041, 2024 explained the funds would be requested for appropriation as part of the City’s 2025-2026 Budget. CDOT administers the grant funds for the Project, and Resolution 2024-028 authorized the Mayor to execute—and the Mayor did then execute—an intergovernmental agreement to enable the City to receive and expend the grant funds for the Project.

J. The feasibility study and design phases that preceded the Project and the City’s required local match and overmatch funds were previously appropriated from Transportation Capital Expansion Fee funds, the Transportation Fund, and Community Capital Improvement Program funds for pedestrian and bicycle grade separated crossings.

K. The appropriations for this Project benefit public health, safety, and welfare of the residents of Fort Collins and serve the public purpose of promoting safer travel across multiple modalities and improving the transportation infrastructure within the City.

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

M. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds

are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

N. The City Manager has recommended the transfer of \$1,600,000 from the Conservation Trust Fund to the Capital Projects Fund, and the purpose for which the transferred funds are to be expended remains unchanged.

O. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Capital Projects Fund and will not cause the total amount appropriated in the Capital Projects Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

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

Q. The City Council wishes to designate the appropriation herein for the CMAQ grant as appropriations that shall not lapse until the earlier of the expiration of the grants or the City's expenditure of all funds received from such grants.

R. All the funds appropriated in this Ordinance for the Project are ineligible for use in the APP Program due to restrictions placed on them by CDOT, the source of these funds.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from new revenue or other funds in the Capital Projects Fund the sum of THREE MILLION TWO HUNDRED THIRTY-NINE THOUSAND THREE HUNDRED DOLLARS (\$3,239,300) to be expended in the Capital Projects Fund for the Power Trail and Harmony Grade Separated Crossing Project.

Section 2. The unexpended and unencumbered appropriated amount of ONE MILLION SIX HUNDRED THOUSAND DOLLARS (\$1,600,000) is authorized for transfer from the Conservation Trust Fund to the Capital Projects Fund and appropriated therein to be expended for the Power Trail and Harmony Grade Separated Crossing Project.

Section 3. The appropriation herein for the CDOT CMAQ grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on February 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Heather N. Jarvis

January 16, 2024

Dillon Willett
City of Fort Collins
PO Box 580
Fort Collins, CO 80522

Dear Mr. Willett:

The North Front Range Metropolitan Planning Organization (NFRMPO) is pleased to notify you of an additional Congestion Mitigation and Air Quality (CMAQ) award to the City of Fort Collins for the *Power Trail Harmony Grate Separated Crossing* project (STIP ID: SR47020.026). This award letter replaces the original award letter dated January 10, 2023.

The Scoring Committee reviewed and scored STBG applications for the NFRMPO 2023 Call for Projects on November 1, 2023. The NFRMPO Planning Council approved the recommended projects on January 11, 2024 with **Resolution 2024-01**. Additional funding will be revised into the FY2024-2027 Transportation Improvement Program (TIP) with the January Modification (#2024-M1).

The NFRMPO Planning Council has approved your project as follows:

Funding Source	FY2023	FY2024	FY2025	FY2026	Total
CMAQ	\$ 249,486	\$ 108,885	\$ 2,341,630	\$ 3,239,300	\$ 5,939,301
Local Match*	\$ 51,862	\$ 22,635	\$ 486,767	\$ 673,371	\$ 1,234,634
Local Overmatch	\$ 1,312,900	\$ 1,312,900	\$ 612,935	\$ -	\$ 3,238,735
Total	\$ 1,614,248	\$ 1,444,420	\$ 3,441,332	\$ 3,912,671	\$ 10,412,670

*Required local match for CMAQ projects is 17.21%. Any local contribution beyond this amount is considered local overmatch.

Project funds should be moved to obligation during the year programmed. As a recipient of funding through the NFRMPO Call for Projects, the project is subject to the NFRMPO TIP Project Delay Procedure (“TIP delay policy”) as defined in the TIP Narrative. Per the TIP delay policy, this project must go to advertisement by June 30, 2024 to meet the milestone deadline and avoid becoming delayed.

The next step is to contact Bryce Reeves with the CDOT Region 4 Local Agency Unit (bryce.reeves@state.co.us) to set up the initial project meeting. At the initial meeting your agency’s Project Manager will need to provide their contact information, a copy of the project application, and Project Conceptual Plans (if applicable and available).



The federal project funding process requires a significant amount of time to implement and complete; you are encouraged to engage with CDOT as soon as possible. Please remember the expenditure of any funds prior to fully executing the Intergovernmental Agreement (IGA) and funds encumbering option letter (OL) with CDOT will not be reimbursed and those funds are not eligible for inclusion in the IGA project budget.

Please contact AnnaRose Cunningham at (970) 818-9497 or arcunningham@nfrmpo.org if you have any questions or concerns.

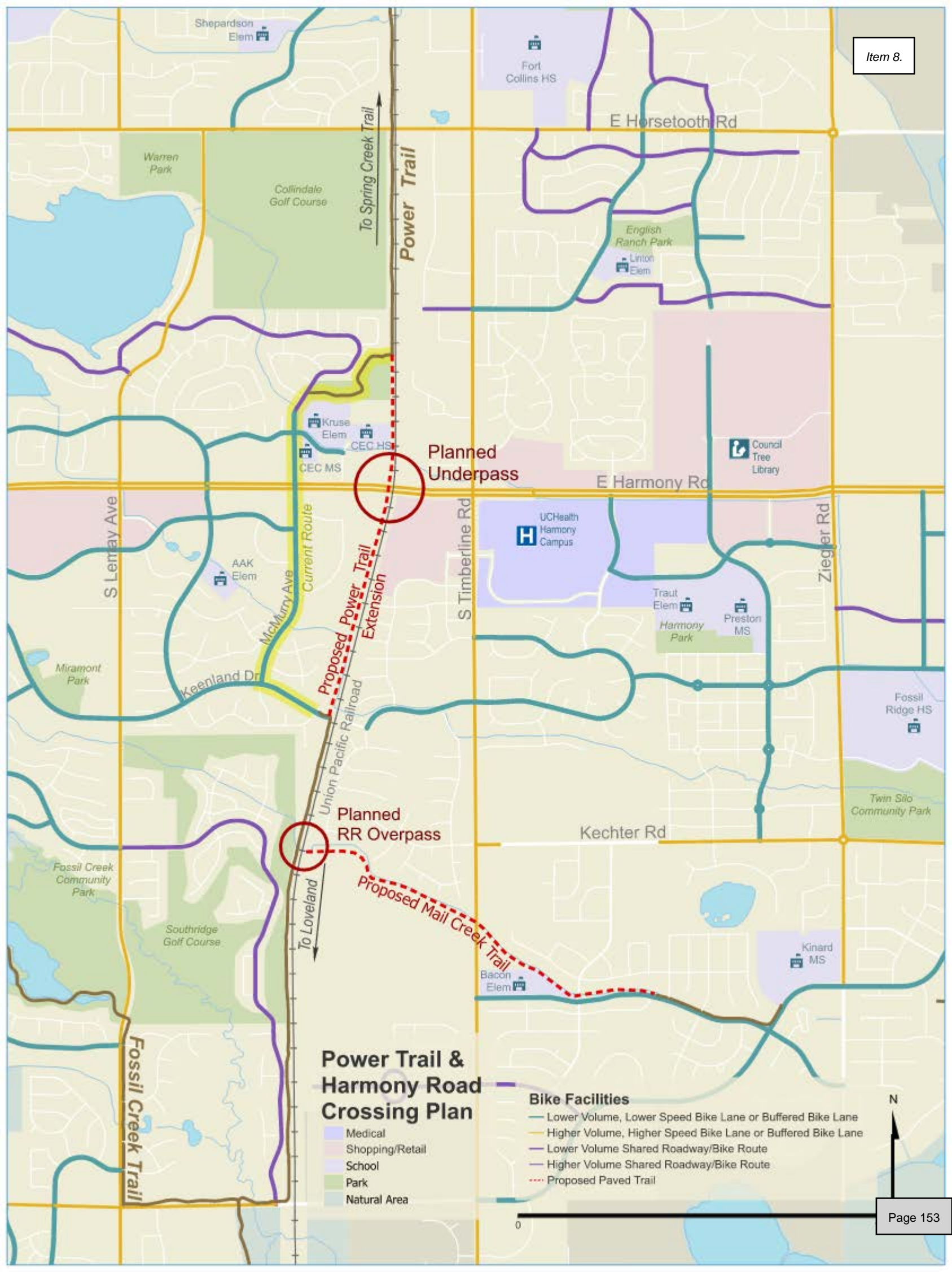
Cordially,

Suzette Mallette Digitally signed by Suzette Mallette
Date: 2024.01.12 10:41:41 -07'00'

Suzette Mallette
Executive Director

Encl: Project Application
Planning Council ***Resolution 2024-01***

CC: Josie Thomas, CDOT Region 4
Whitney Holcombe, CDOT Region 4
Bryce Reeves, CDOT Region 4
Dana Hornkohl, Fort Collins
Brad Buckman, Fort Collins
Becky Karasko, NFRMPO
AnnaRose Cunningham, NFRMPO



Power Trail & Harmony Road Crossing Plan

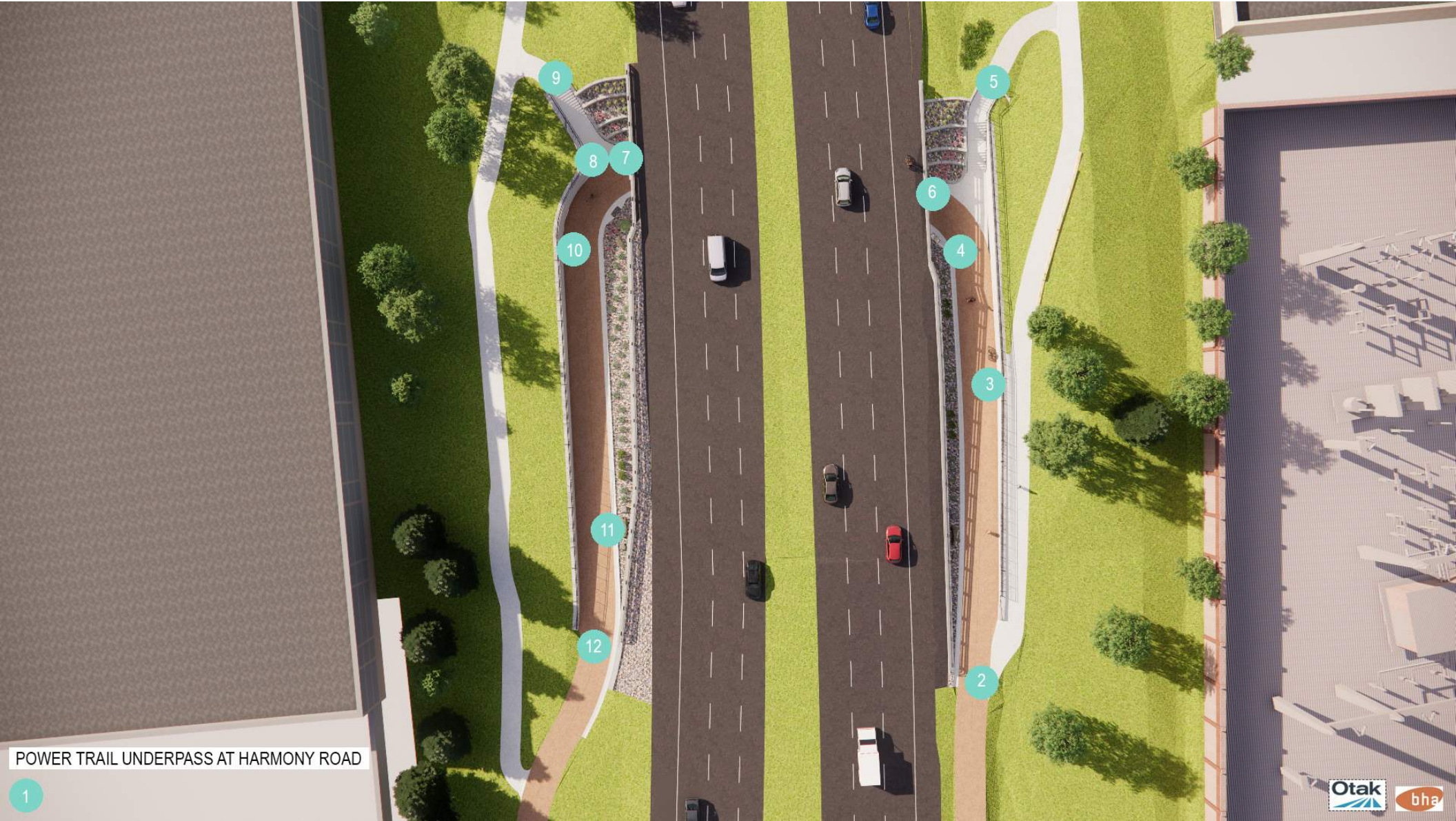
- Medical
- Shopping/Retail
- School
- Park
- Natural Area

Bike Facilities

- Lower Volume, Lower Speed Bike Lane or Buffered Bike Lane
- Higher Volume, Higher Speed Bike Lane or Buffered Bike Lane
- Lower Volume Shared Roadway/Bike Route
- Higher Volume Shared Roadway/Bike Route
- Proposed Paved Trail

0





POWER TRAIL UNDERPASS AT HARMONY ROAD

1





POWER TRAIL UNDERPASS AT HARMONY ROAD

2



POWER TRAIL UNDERPASS AT HARMONY ROAD

3



POWER TRAIL UNDERPASS AT HARMONY ROAD

4



POWER TRAIL UNDERPASS AT HARMONY ROAD

5





POWER TRAIL UNDERPASS AT HARMONY ROAD

6



POWER TRAIL UNDERPASS AT HARMONY ROAD

7



Harmony Road

POWER TRAIL UNDERPASS AT HARMONY ROAD

8





POWER TRAIL UNDERPASS AT HARMONY ROAD

9



POWER TRAIL UNDERPASS AT HARMONY ROAD



POWER TRAIL UNDERPASS AT HARMONY ROAD



POWER TRAIL UNDERPASS AT HARMONY ROAD

12



File Attachments for Item:

9. First Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance.

The purpose of this item is to update municipal code to be consistent with the state's Plastic Pollution Reduction Act (PPRA), in effect on January 1, 2024, that prohibits stores from providing single-use plastic carryout bags and retail food establishments from distributing expanded polystyrene containers. Updating the code to include a new Article XIV, Regulation of Disposable Bags and Mitigation of Other Sources of Single Use Plastic Pollution, and sunsetting the City's existing Disposable Bag Ordinance will expand enforcement against the distribution of plastic carryout bags and establishes enforcement on the ban of expanded polystyrene foam cups and food containers. Additionally, the Code revisions will provide the City Council with the opportunity to enact more stringent policies aimed at reducing single-use plastics within Fort Collins.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Amy King, Director, Environmental Sustainability
 Selina Lujan de Albers, Manager, Environmental Services Department
 Melinda Peterson, Lead Specialist, Environmental Services Department

SUBJECT

First Reading of Ordinance No. 013, 2025, Amending Chapter 12 of the Code of the City of Fort Collins to Adopt Requirements to Reduce Plastic Pollution and to Update and Reenact the City's Disposable Bag Ordinance.

EXECUTIVE SUMMARY

The purpose of this item is to update municipal code to be consistent with the state's Plastic Pollution Reduction Act (PPRA), in effect on January 1, 2024, that prohibits stores from providing single-use plastic carryout bags and retail food establishments from distributing expanded polystyrene containers. Updating the code to include a new Article XIV, Regulation of Disposable Bags and Mitigation of Other Sources of Single Use Plastic Pollution, and sunsetting the City's existing Disposable Bag Ordinance will expand enforcement against the distribution of plastic carryout bags and establishes enforcement on the ban of expanded polystyrene foam cups and food containers. Additionally, the Code revisions will provide the City Council with the opportunity to enact more stringent policies aimed at reducing single-use plastics within Fort Collins.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

In February of 2021, Council passed the Disposable Bag Ordinance (DBO), which was later affirmed by voters in the April 2021 election. DBO banned plastic bags and placed a 10-cent fee on paper bags at 19 large Fort Collins grocers starting May 1, 2022. The State also passed PPRA in 2021 with the goal to mitigate plastic pollution in Colorado through a phased approach.

In Phase 1 of implementation of the PPRA, which began January 1, 2023, Stores in Colorado were required to charge a minimum \$0.10 fee per paper and plastic checkout bag given to customers. The PPRA defined "Stores" to include grocery stores, conveniences stores, liquor stores, dry cleaners, pharmacies, clothing stores and other retail establishments at which carryout bags are traditionally provided to customers. Stores also include farmers markets, festivals, and other temporary vendors. Stores do not include any "small store," which is defined by the PPRA as "a store that operates solely in Colorado, has three or fewer locations in the state, and is not part of a franchise, corporation, or partnership that has physical locations outside of Colorado."

Phase 2 of PPRA, effective January 1, 2024, expanded the initiative to Stores and Retail Food Establishments (meaning restaurants, generally) to include the following:

1. A ban on plastic carryout bags at Stores and some Retail Food Establishments,
2. A 10-cent recycled paper carryout bag fee at Stores, of which 6-cents is remitted to local governments, and
3. A ban on expanded polystyrene food and beverage containers distributed at Retail Food Establishments.

Currently, the State of Colorado may enforce the PPRA. However, the City of Fort Collins is unable to enforce the requirements of the PPRA because those requirements have not been adopted into municipal code. Many Stores and Retail Food Establishments are voluntarily complying with the PPRA, even without City enforcement. 107 Stores in 2024 remitted on the distribution of recycled paper carryout bags.

Stores will keep 4-cents on the 10-cent bag fee and will be required to use their share of the fee to implement PPRA goals. The remaining 6-cents is remitted to the City. Remitted funds will be used for the purposes of managing operations and processes for compliance and remittance tracking, business education, and other waste reduction programs. The fee on disposable bags is not a tax, and none of the proceeds can be used for other expenses.

City staff is recommending the Council adopt the proposed Code changes to allow the City to enforce the requirements of the PPRA effective July 1, 2025. ESD staff is prepared to put in place measures for enforcement, which includes identifying necessary tools to track remittance and stores or food establishments required to remit and stop the use of plastic bags and expanded polystyrene containers.

CITY FINANCIAL IMPACTS

City resources are anticipated to increase by \$178,782 to \$283,257 per year through revenue generated by remittance of approximately 499 - 665 additional businesses due to PPRA criteria for stores. Generated revenue from the Disposable Bag Ordinance in 2024 totaled to \$199,284.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

No formal recommendation was sought, however, waste reduction and recycling is a priority of the Natural Resources Advisory Board.

PUBLIC OUTREACH

With significantly more, about 1,164, businesses impacted, staff will prioritize and amplify outreach efforts by working in tandem with community partners and businesses with the goal of minimizing financial impacts throughout the community.

ATTACHMENTS

1. Ordinance for Consideration
2. Presentation

ORDINANCE NO. 013, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 12 OF THE CODE OF THE CITY OF
FORT COLLINS TO ADOPT REQUIREMENTS TO REDUCE
PLASTIC POLLUTION AND TO UPDATE AND REENACT THE
CITY'S DISPOSABLE BAG ORDINANCE

A. On February 16, 2021, the City Council adopted Ordinance No. 26, 2021, the Disposable Bag Ordinance (“DBO”), which was referred to and approved by the City electorate at the April 2021 election. The DBO banned large grocery stores from distributing plastic bags to customers and placed a ten-cent fee on paper bags starting May 1, 2022. The DBO required the large grocery stores to remit six cents of each ten-cent fee to the City and required the City to expend that portion of the paper bag fee on the City’s waste reduction program. Each large grocer was required to develop a plan to implement the disposable bag fee program and expend its four-cent share on that plan.

B. In 2021, the State of Colorado adopted the Plastic Pollution Reduction Act at C.R.S. § 25-17-501 et seq (the “PPRA”), which, through a phased approach, banned the distribution of plastic bags to customers of “stores” and “retail food establishments.” Similarly to the City’s DBO, the PPRA also imposed a ten-cent fee on recycled paper carryout bags distributed by stores and required six-cents of each fee to be remitted to local governments and four-cents to be retained by the store. Further, the PPRA prohibits retail food establishments from distributing expanded polystyrene containers for ready-to-eat food. Finally, the PPRA authorizes local governments to adopt the requirements of the PPRA, enforce those requirements, and impose more stringent requirements than the PPRA.

C. The PPRA contains detailed definitions of: “stores,” which will encompass hundreds of commercial operations in the City of Fort Collins, including large grocery stores; “retail food establishments,” which will encompass many restaurants in the City of Fort Collins; and different types of “carryout bags,” which are similar to the City’s definitions of different types of bags in the DBO.

D. Under existing law, the City can enforce the DBO, but not the PPRA, and the State of Colorado can enforce the PPRA.

E. The City seeks to adopt and enforce the requirements of the PPRA, including: the prohibition on the distribution of single-use plastic carryout bags from stores and many retail food establishments; the ten-cent fee for stores to distribute recycled paper carryout bags to customers; and the ban on retail food establishments from distributing expanded polystyrene containers to customers for ready-to-eat food.

F. The City also seeks to adopt requirements that are more stringent than the PPRA, including requirements that: the City use its portion of the recycled paper carryout bag fee for the City’s established waste reduction program; each store must expend its four-cent share of the recycled paper carryout bag fee for implementation costs; each

store must comply with record-keeping and reporting requirements in excess of PPRA requirements; and make any violation of these requirements by a store or retail food establishment a civil infraction under the Code of the City of Fort Collins ("City Code,") which the City may enforce.

G. The City seeks to accomplish this by amending the City Code. The DBO is codified in Chapter 12, Article XIII of the Code. Article XIII will remain in effect until June 30, 2025, and any obligation of a large grocery store incurred under that Article through June 30, 2025, will continue to be an obligation of that large grocery store past June 30, 2025. The DBO will sunset on January 1, 2027, which will allow large grocery stores sufficient time to comply with and close out all requirements of the DBO. City Council is authorized to repeal an ordinance referred to and approved by the voters pursuant to Article X, Section 5 of the City Charter.

H. Additionally, the City Code will be amended to include a new Article XIV in Chapter 12 to adopt requirements of the PPRA and more stringent requirements, as noted above, for stores and retail food establishments. The requirements of this new Article will take effect on July 1, 2025.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. Section 12-300 of the Code of the City of Fort Collins is hereby amended as follows:

Sec. 12-300. - Scope and purpose; Effective Dates; Sunset.

The purpose of this Article is to protect the public health, safety and welfare, to maintain and improve the health of the Cache la Poudre watershed and to further the City's Climate Action Plan and Road to Zero Waste, all of which serve the best interests of the residents of Fort Collins. The provisions of this Article shall be effective beginning from May 1, 2022, through June 30, 2025. Any obligation of a large grocer incurred under this Article through June 30, 2025, shall continue to be an obligation of that large grocer past June 30, 2025. This Article shall be repealed January 1, 2027.

Section 2. Chapter 12 of the Code of the City of Fort Collins is hereby amended by the addition of a new Article XIV which reads in its entirety as follows:

ARTICLE XIV.

REGULATION OF DISPOSABLE BAGS AND MITIGATION OF OTHER SOURCES OF SINGLE USE PLASTIC POLLUTION

12-310. – Scope and Purpose; Effective Date.

This Article is enacted pursuant to the City's authority to regulate single-use plastics under the Plastic Pollution Reduction Act at C.R.S. § 25-17-501 et seq. The purpose of this Article is to protect the public health, safety and welfare, to maintain and improve the health of the Cache la Poudre watershed and to further the City's Climate Action Plan and Road to Zero Waste, all of which serve the best interests of the residents of Fort Collins. The provisions of this Article shall be effective beginning July 1, 2025.

12-311. Definitions.

The following terms used in this Article shall have the meanings ascribed to them below unless the context clearly indicates otherwise:

Carryout bag means a bag that is furnished to a customer at a store or retail food establishment at the point of sale for use by the customer to transport or carry purchased items.

(a) *Carryout bag* does not include:

(1) A bag made of paper when the paper has a basis weight of thirty pounds or less;

(2) A bag that a pharmacy provides to a customer purchasing prescription medication;

(3) A bag that a customer uses inside a store to:

(i) Package loose or bulk items, such as fruits, vegetables, nuts, grains, candy, or greeting cards; nails, bolts, screws, or other small hardware items; live insects, fish, crustaceans, mollusks, or other small species; and bulk seed, bulk livestock feed, or bulk pet feed;

(ii) Contain or wrap frozen foods, meat, seafood, fish, flowers, potted plants, or other items that, if they were to come in contact with other items, could dampen or contaminate the other items; or

(iii) Contain unwrapped prepared foods or bakery goods; or

(4) A laundry, dry cleaning, or garment bag.

Container means a receptacle upon which or inside which food may be placed for consumption, whether or not the receptacle can be fully closed. *Container* includes hinged food containers, plates, bowls, cups, and trays.

Drug means:

(a) Articles recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, official national formulary, or any supplement to any of them;

(b) Articles intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in humans or other animals;

(c) Articles, other than food, intended to affect the structure or any function of the body of a human or other animals;

(d) Articles intended for use as a component of any article specified in paragraph (a), (b), or (c) of this definition of *drug* but does not include devices or their components, parts, or accessories.

Expanded polystyrene means blown polystyrene, commonly known as Styrofoam™, and any other expanded or extruded foam consisting of thermoplastic petrochemical materials utilizing a styrene monomer and processed by techniques that may include:

(a) For expandable bead polystyrene, fusion of polymer spheres;

(b) Injection molding;

(c) Foam molding; and

(d) For extruded foam polystyrene, extrusion blow molding.

Food means any raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale, in whole or in part, for human consumption. *Food* does not include a drug.

Nonpotentially hazardous means any food or beverage that, when stored under normal conditions without refrigeration, will not support the rapid and progressive growth of microorganisms that cause food infections or food intoxications.

Plastic means a synthetic material made from linking monomers through a chemical reaction to create a polymer chain that can be molded or extruded at high heat into various solid forms that retain their defined shapes during their life cycle and after disposal.

Point of sale means a check-out stand, cash register, or other point at which a sales transaction occurs in a store or retail food establishment or, for products that are ordered remotely from a store or retail food establishment and delivered, the location where the products are delivered.

Ready-to-eat food means food that is cooked or otherwise prepared in advance for immediate consumption.

Recycled paper carryout bag means a carryout bag made from one hundred percent:

(a) Recycled material; or

(b) Other post-consumer content.

Retail food establishment means a retail operation that stores, prepares, or packages food for human consumption or serves or otherwise provides food for human consumption

to consumers directly or indirectly through a delivery service, whether such food is consumed on or off the premises or whether there is a charge for such food. *Retail food establishment* does not mean:

- (a) Any private home;
- (b) Private boarding houses;
- (c) Hospital and health facility patient feeding operations licensed by the Colorado department of public health and environment;
- (d) Child care centers and other child care facilities licensed by the Colorado department of human services;
- (e) Outdoor recreation locations where food is prepared in the field rather than at a fixed base of operation;
- (f) Food or beverage wholesale manufacturing, processing, or packaging plants, or portions thereof, that are subject to regulatory controls under state or federal laws or regulations;
- (g) Motor vehicles used only for the transport of food;
- (h) Establishments preparing and serving only hot coffee, hot tea, instant hot beverages, and nonpotentially hazardous doughnuts or pastries obtained from sources complying with all laws related to food and food labeling;
- (i) Establishments that handle only nonpotentially hazardous prepackaged food and operations serving only commercially prepared, prepackaged foods requiring no preparation other than the heating of food within its original container or package;
- (j) Farmers markets and roadside markets that offer only uncut fresh fruit and vegetables for sale;
- (k) Automated food merchandising enterprises that supply only prepackaged nonpotentially hazardous food or drink or food or drink in bottles, cans, or cartons only, and operations that dispense only chewing gum or salted nuts in their natural protective covering;
- (l) The donation, preparation, sale, or service of food by a nonprofit or charitable organization in conjunction with an event or celebration if such donation, preparation, sale, or service of food:
 - (i) Does not exceed the duration of the event or celebration or a maximum of fifty-two (52) days within a calendar year; and
 - (ii) Takes place in the county in which such nonprofit or charitable organization resides or is principally located.

(m) A home, commercial, private, or public kitchen in which a person produces food products sold directly to consumers pursuant to the “Colorado Cottage Foods Act”, as the Colorado Cottage Foods Act was codified on February 28, 2025 at C.R.S. § 25-4-1614.

Reusable carryout bag means a carryout bag that is designed and manufactured for at least one hundred twenty-five uses, can carry at least twenty-two pounds over a distance of one hundred seventy-five feet, has stitched handles, and is made of cloth, fiber, or other fabric or a recycled material such as polyethylene terephthalate (PET) and includes any hemp bag that meets these standards. *Reusable carryout bag* does not include bags made of biologically based polymers such as corn or other plant sources.

School means a public school, including a charter school authorized by a Colorado school district, an institute charter school authorized by the state of Colorado, or a school operated by a board of cooperative services organized by a Colorado school district or the governing board of a Colorado postsecondary institution.

Single-use plastic carryout bag means a carryout bag that is a single-use plastic product made predominantly of plastic derived from natural gas, petroleum, or a biologically based source, such as corn or other plant sources, and that is provided to a customer at the point of sale. *Single-use plastic carryout bag* does not include a reusable carryout bag.

Small store means a store that operates solely in Colorado, has three or fewer locations in the state, and is not part of a franchise, corporation, or partnership that has physical locations outside of Colorado.

Store means a grocery store, supermarket, convenience store, liquor store, dry cleaner, pharmacy, drug store, clothing store, or other type of retail establishment at which carryout bags are traditionally provided to customers.

(a) *Store* includes a farmers market, roadside market or stand, festival, or other temporary vendor or event that includes temporary vendors.

(b) *Store* does not include a small store.

Waste reduction program means a plastic pollution mitigation and solid waste and litter reduction program carried out by the City, which may include, without limitation:

(a) The administration and operation of the waste reduction program and administration activities to collect all recycled paper recycled paper carryout bag fees;

(b) Activities and campaigns conducted by the City or its contractor to provide reusable carryout bags to residents and visitors, educate residents, businesses and visitors about the impact of single-use plastic bags, trash, single-use plastics and other waste on the waterways and environment and on the health and welfare of its residents and visitors, the importance of reducing the number of single-use

plastic bags entering the waste stream and to raise awareness about waste reduction and recycling;

(c) Community clean-up events, City activities, and other community-led activities to reduce or mitigate solid waste and litter;

(d) Programs and infrastructure to facilitate and encourage the community to reduce waste and recycle, including community-led efforts;

(e) Creating, expanding, and maintaining equitable outreach and engagement strategies, including a public website to educate residents on the progress of waste reduction efforts;

(f) Other activities directly related to the reduction of waste from single-use plastic bags, trash, other single-use plastics and other waste and its impact on the waterways and environment within the city and the Cache la Poudre watershed;

(g) Providing assistance to members of the public in need of assistance to access and use reusable carryout bags and to enable and facilitate knowledge about and participation in waste reduction programs and strategies; and

(h) Funding or providing other support for programs and activities conducted by others in furtherance of these purposes.

12-312. Ban on Single-Use Plastic Carryout Bags.

(a) A store or retail food establishment is prohibited from providing a single-use plastic carryout bag to a customer; except that a retail food establishment need not comply with this section if the retail food establishment:

(1) Prepares or serves food in individual portions for immediate on- or off-premises consumption; and

(2) Is not a grocery store or convenience store.

12-313. Recycled Paper Carryout Bag Fee; Records; Reporting; Audits.

(a) A store may provide a customer with one or more recycled paper carryout bags at the point of sale only if the customer pays a recycled paper carryout bag fee of ten cents per recycled paper carryout bag. For each recycled paper carryout bag fee collected pursuant to this subsection (a), the store is required to:

(1) Remit sixty percent (60%) to the City. The City shall use these funds to implement the waste reduction program. The City Manager may amend the waste reduction program from time to time, provided the amendments are consistent with the scope and purposes of this Article.

(2) Retain forty percent (40%), which portion of the fee does not count as revenue for the purpose of calculating sales tax. Each store must use its retained share for reimbursement of expenses directly related to implementation of this

Article, including for signage, staff training, and support for customers, as well as ongoing expenses for compliance and promotion of the use of reusable carryout bags and for plastic pollution and waste reduction in the store or in the community. No penalties or fines assessed for noncompliance may be paid using the retained share.

(3) The recycled paper carryout bag fee set forth in subsection (a) of this section does not apply to a customer that provides evidence to the store that the customer is a participant in a federal or state food assistance program.

(b) In providing carryout bags for a fee pursuant to this section, a store is required to:

(1) For each customer provided a carryout bag for a fee, provide on the customer's transaction receipt a record of the number of carryout bags provided as part of the transaction and the total amount of fees charged for the carryout bags provided, itemized by type of carryout bag;

(2) Not refund to the customer any portion of the recycled paper carryout bag fee, either directly or indirectly, or advertise or otherwise convey to customers that any portion of the recycled paper carryout bag fee will be refunded;

(3) Conspicuously display a sign in a location inside or outside the store that alerts customers to the recycled paper carryout bag fee; and

(4) On a quarterly basis, remit to the City of Fort Collins Finance Department from the total amount of recycled paper carryout bag fees collected in the previous quarter the amount that is owed to the City.

(5) On an annual basis, report the number of reusable carryout bags sold and how it has expended its retained share of the recycled paper carryout bag fee. The City Manager will designate, from time to time, the form and timing of the annual report due under this subsection (b)(5). The store shall also maintain such books, accounts, invoices, or other documentation necessary to verify the accuracy and completeness of such records.

(6) It is the duty of each store to keep and preserve all documents and records required to be retained under this subsection (b) for a period of three (3) years from the end of the calendar year in which the documents or records were generated. If requested by the City, a store shall make the foregoing records available for inspection and audit by the City during regular business hours so that the City may verify compliance with the provisions of this Article. In the event of an audit, investigation or other enforcement action, records and documents must be retained until three (3) years after notice of completion or resolution of such audit, investigation or enforcement action. To the extent permitted by law, all such records must be treated as confidential commercial information.

(7) The requirements of this section only apply to stores that offer recycled paper carryout bags to customers. The City Manager or their designee may establish a process to determine whether a store is exempt from the requirements of this section because it does not offer recycled paper carryout bags to customers.

(8) Nothing in this Article prohibits stores from providing incentives for the use of reusable carryout bags through credits or rebates for customers who bring their own bags to the point of sale for the purpose of carrying away goods.

(9) Nothing in this Article prohibits customers from using bags of any type that they bring into the store themselves or from carrying away goods that are not placed in a bag.

12-314. Ban on Polystyrene Containers.

A retail food establishment shall not distribute an expanded polystyrene product for use as a container for ready-to-eat food.

12-315. Reporting to City Council.

(a) The City Manager will provide to the City Council an annual report on implementation and status of the matters described in this Article after the end of 2025 and each calendar year thereafter, which may address:

- (1) equity impacts;
- (2) compliance and outcomes including performance metrics related to number and type of bags distributed; and
- (3) other relevant and complementary metrics consistent with the scope and purpose of this Article as recommended by City staff.

12-316. Rulemaking.

The City Manager may adopt reasonable and necessary administrative rules and regulations to implement the provisions of this Article.

12-317. Violations and Penalties.

(a) Any person who violates any provision of this Article, whether by acting in a manner declared to be unlawful or by failing to act as required, commits a civil infraction and shall be subject to the penalty provisions of City Code subsection 1-15(f).

(b) For purposes of this section, each retail sales transaction in which a violation of this Article is committed, regardless of whether multiple violations of this Article are committed in one retail sales transaction, constitutes a single violation of this Article.

(c) The City shall not enforce a violation of this Article against a retail food establishment located within a school.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on February 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Ted Hewitt

Updates to Code Language for the Disposable Bag Ordinance

Environmental Services Department

Presented by:
Amy King, Director



Recommendation to City Council

Adopt proposed language updates to the City's Disposable Bag Ordinance in alignment with the state's Plastic Pollution Reduction Act (PPRA)

Outcome

The City can enact PPRA legislation at or beyond its current requirements.





COUNCIL PRIORITY #5

Accelerate zero waste
infrastructure and policies



STRATEGIC ALIGNMENT

ENV 1: Implement the
Our Climate Future Plan
to advance the and
waste goals.



OUR CLIMATE FUTURE

Big Move 10 Zero Waste
Economy

FORT COLLINS

City adopted; voter affirmed Disposable Bag Ordinance for large grocers*:

- plastic bag ban
- paper bag fee of \$0.10 with 6% remittance to the City

Current compliance for DBO:

- 100% of 19 large grocers remitting and reporting
- \$199,284 remittance collected in 2024

STATE OF COLORADO

Plastic Pollution Reduction Act:

- Bans plastic bags at stores
- Requires a disposable bag fee of \$0.10 with 6% remittance to the City
- Bans expanded polystyrene (Styrofoam™) at retail food establishments.

Municipalities are given authorization to:

- Enforce against violations
- Enact an ordinance at or more stringent than the state law requirements

107 businesses are remitting to the City



Approximately, 665 businesses in Fort Collins meet the criteria of the plastic bag ban and remittance of carryout bags:

- grocery, convenience, and liquor stores
- pharmacies
- clothing stores

• Exempt businesses include:

- Small businesses
- All restaurants

Retail Food Establishment Criteria

Approximately, 651 Fort Collins food establishments meet the criteria of the expanded polystyrene ban:

- Restaurants
- Fast food establishments
- Food trucks
- Cafeterias
- Prisons
- Schools*



Updates to Code Language for the Disposable Bag Ordinance

DBO Current State	Code Update Impacts
Plastic bag ban for 19 large grocers	Expands plastic bag ban enforcement to about 499 - 665 stores
Paper bag fee \$0.10 with remittance of \$0.06 for 19 large grocers	Expands remittance enforcement to about 499 - 665 stores
Exempts income-qualified program participants	Same exemptions
\$199,284 revenue in 2024	Anticipated \$178,782 - \$283,257 of revenue
No enforceable expanded polystyrene ban	Instates expanded polystyrene ban to ~ 651 retail food establishments
	Authorizes Council to enact more stringent policies

Plan of Action

February
2025

City Council
adopts code
updates

February
– June
2025

Business engagement & support
Development of internal
operations systems

July
2025

Remittance &
reporting are
required of stores

Updating and expanding DBO will reduce **considerable plastic and polystyrene waste** to further protect public health and advance the City's Climate Action priorities.



Thank you!

File Attachments for Item:

10. Items Relating to the 2025 City Classified Employee Pay Plan as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

A. First Reading of Ordinance No. 014, 2025, Adopting the 2025 Amended City Classified Employee Pay Plan to Update Classified Positions as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

B. First Reading of Ordinance No. 015, 2025, Appropriating Prior Year Reserves in the General Fund for the Cost of Police Services Salary and Benefit Increases as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

The purpose of this item is to recommend changes to the 2025 City Classified Employee Pay Plan based on an annual market analysis conducted as agreed upon through the 2025-2027 Collective Bargaining Agreement (the "Agreement") with the Northern Colorado Lodge #3 of the Fraternal Order of Police ("FOP"). The Agreement was approved by Council by Resolution on December 3, 2024. The Agreement specifies a salary data collection method and evaluation process that includes market data as of early January. This data has been collected and analyzed, resulting in the revised 2025 City Classified Employee Pay Plan.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Kelley Vodden, Director of Compensation, Benefits, and Wellness
Teresa Roche, Human Resources Executive

SUBJECT

Items Relating to the 2025 City Classified Employee Pay Plan as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

EXECUTIVE SUMMARY

A. First Reading of Ordinance No. 014, 2025, Adopting the 2025 Amended City Classified Employee Pay Plan to Update Classified Positions as Provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

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STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on First Reading.

BACKGROUND / DISCUSSION

The City utilizes a common compensation methodology to assess jobs, combine them into job functions and establish pay ranges. Pay ranges are categorized and grouped, and become the Classified Employee Pay Plan which sets the minimum, midpoint, and maximum of pay ranges for the levels within each career group and function. While the methodology for assessing jobs and developing pay ranges for jobs within the FOP's bargaining unit is outlined in the agreement, police collective bargaining unit positions are included in the Classified Employee Pay Plan.

Council approved the Agreement by Resolution No. 2024-141 on December 3, 2024. The Agreement specifies a salary data collection method and evaluation process that includes collection of market data as

of early January. This analysis includes collecting pay range maximums for law enforcement positions from 12 identified benchmark agencies: Denver, Aurora, Boulder, Larimer County, Greeley, Thornton, Arvada, Lakewood, Longmont, Loveland, Westminster, and Broomfield. It also includes collecting salary data from dispatch centers for dispatch and communications centers.

The analysis resulted in the following recommended 2025 Pay Plan Structure adjustments:

- Police Officer, 4.94%
- Police Corporal, 4.94%
- Police Sergeant, 4.12%
- Police Lieutenant, 4.28%
- Community Service Officer, 4.94%
- Senior Supervisor, CSO, 4.94%
- Emergency Communications Dispatcher, 7.87%
- Senior Supervisor, Emergency Communications, 4.00%
- Senior Manager, Emergency Communications, 4.00%

Actual employee salary increases are determined administratively and implemented using the Council adopted employee pay increase budget and Police Services operational budget.

This appropriation does not cover costs related to City contribution increases to the Post Employment Health Plans for collective bargaining unit members. The contribution increases were included in the Agreement, which was approved by the Council on December 3, 2024. An additional appropriation will come forward to address those costs.

CITY FINANCIAL IMPACTS

The needed funds to cover the increases over budget in salary, overtime, and benefits total approximately \$750,000. These funds will come from General Fund Reserves already committed for these purposes.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance A for Consideration
2. Exhibit A to Ordinance A
3. Ordinance B for Consideration

ORDINANCE NO. 014, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING THE 2025 AMENDED CITY CLASSIFIED EMPLOYEE
PAY PLAN TO UPDATE CLASSIFIED POSITIONS AS PROVIDED
IN THE COLLECTIVE BARGAINING AGREEMENT WITH THE
FRATERNAL ORDER OF POLICE

A. Section 2-566 of the City Code requires that the pay plan for all classified employees of the City shall be established by ordinance of the City Council.

B. On November 19, 2024, the City Council adopted Ordinance No. 162, 2024, approving a pay plan for its classified employees for pay to go into effect the first pay period of January 2025 (the "Pay Plan").

C. On December 3, 2024, the City Council adopted Resolution 2024-141 approving a collective bargaining agreement ("CBA") between the City and the Northern Colorado Lodge #3 of the Fraternal Order of Police ("CBA").

D. On December 28, 2024, the parties executed the CBA.

E. The CBA contains a provision giving the City until January 12, 2025, to collect market data from several identified benchmark agencies for the classified positions in the collective bargaining unit.

F. Such market data has been collected and analyzed and the recommended salary ranges for the bargaining unit classified employees are available to amend the Pay Plan.

G. The amendments to the Pay Plan recommended by the City Manager are consistent with City Council objectives and the Council-approved CBA, including the practice of establishing step levels by using pay range maximum salary data for benchmark positions, and matching the fourth highest salary ranking of the benchmark agencies, or matching the percentage increase given to City employees not in the collective bargaining unit, whichever is higher.

H. City Council believes that the adoption of the recommended, amended pay plan is in the best interests of the City and further believes that the allocation of individual salaries within the Pay Plan should be related to employee performance.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby adopts the 2025 Amended City of Fort Collins Classified Employees Pay Plan (the "Amended Plan"), a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference.

Section 2. The effective date of the Amended Plan shall commence as of the effective date of this Ordinance.

Section 3. The City Manager shall fix the compensation levels of all classified employees within the pay levels established in the Amended Plan except as allowed by the terms of the CBA.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on February 18, 2025

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Sara Arfmann



**City of Fort Collins
Pay Plan Index**

EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

<u>Job Title</u>	<u>Job Type</u>	<u>Level</u>	<u>Job Function</u>	<u>Job Family</u>	<u>Job Sub Family</u>	<u>Table</u>
Accountant II	P049	P2	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTING	4
Administrator I, Systems	P003	P1	TECHNOLOGY	SYSTEMS	SYSTEMS ADMINISTRATION	3
Analyst I, Apps Software	P005	P1	TECHNOLOGY	APPLICATIONS SOFTWARE	APPLICATIONS SOFTWARE	3
Analyst I, Benefits	P016	P1	HUMAN RESOURCES	BENEFITS	BENEFITS	4
Analyst I, Bus Sys & Elections	P179	P1	ADMINISTRATION	MUNICIPAL ADMINISTRATION	CITY CLERK	4
Analyst I, Data	P122	P1	TECHNOLOGY	DATA SCIENCE	DATA ANALYSIS	3
Analyst I, Finance	P020	P1	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Analyst I, GIS	P002	P1	TECHNOLOGY	GIS	GIS	3
Analyst I, Grant Administrator	P170	P1	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Analyst II, Apps Software	P028	P2	TECHNOLOGY	APPLICATIONS SOFTWARE	APPLICATIONS SOFTWARE	3
Analyst II, Apps Software Dev	P123	P2	TECHNOLOGY	APPLICATIONS SOFTWARE	APPS SOFTWARE DEVELOPMENT	3
Analyst II, Benefits	P124	P2	HUMAN RESOURCES	BENEFITS	BENEFITS	4
Analyst II, Budget	P136	P2	FINANCE & ACCOUNTING	BUDGET	BUDGET	4
Analyst II, Bus Intelligence	P133	P2	TECHNOLOGY	DATA SCIENCE	BUSINESS INTELLIGENCE	3
Analyst II, Finance	P050	P2	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Analyst II, GIS	P031	P2	TECHNOLOGY	GIS	GIS	3
Analyst II, HRIS	P183	P2	HUMAN RESOURCES	HRIS	HRIS	4
Analyst, Data-Housing & Equity	P205	P2	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Architect, IT Security	P101	P4	TECHNOLOGY	INFORMATION SECURITY	INFORMATION SECURITY	3
Architect, Landscape	P032	P2	PLANNING	PARK PLANNING	LANDSCAPE	1
Architect, Portfolio Mgmt	P145	P4	TECHNOLOGY	TECHNOLOGY	PORTFOLIO MANAGEMENT	3
Architect, Technology	P109	P4	TECHNOLOGY	DATA SCIENCE	DATA SCIENCE	3
Assistant City Attorney I	G001	L1	LEGAL	LEGAL	ATTORNEYS	6
Assistant City Attorney II	G002	L2	LEGAL	LEGAL	ATTORNEYS	6
Assistant City Clerk	C129	A5	ADMINISTRATION	MUNICIPAL ADMINISTRATION	CITY CLERK	4
Assistant City Manager	E023	E2	CITY MANAGEMENT	CITY MANAGEMENT	CITY MANAGEMENT	7
Assoc Elec Project Engineer	P210	P1	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Asst Superintendent, Parks	O019	O6	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Auditor II, Sales Tax & Revenue	P060	P2	FINANCE & ACCOUNTING	REVENUE	SALES TAX AUDIT & REVENUE	4
Broadband Executive Director	E033	E1	TECHNOLOGY	BROADBAND	BROADBAND	3
Building Inspector	OS14	OS5	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1S
Business Support I	A002	A2	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Business Support II	A008	A3	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Business Support III	A020	A4	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Buyer II	P043	P2	FINANCE & ACCOUNTING	PURCHASING	PURCHASING	4
Chemist	P008	P1	SCIENCES & ENGINEERING	SCIENCES	CHEMISTRY	3
Chief Building Official	M042	M2	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Chief Financial Officer	E027	E2	FINANCE & ACCOUNTING	FINANCIAL SERVICES	FINANCIAL SERVICES	4
Chief Human Resources Officer	E026	E1	HUMAN RESOURCES	HUMAN RESOURCES	HUMAN RESOURCES	4
Chief Information Officer	E041	E1	TECHNOLOGY	TECHNOLOGY	TECHNOLOGY	3
Chief Judge	E031	E4	CITY MANAGEMENT	CITY MANAGEMENT	CITY MANAGEMENT	7
Chief Of Police	E024	E2	PROTECTIVE SERVICES	PROTECTIVE SERVICES	POLICE ADMINISTRATION	5
Chief Sustainability Officer	E022	E1	SUSTAINABILITY	SUSTAINABILITY SERVICES	SUSTAINABILITY SERVICES	1
City Attorney	E032	E4	CITY MANAGEMENT	CITY MANAGEMENT	CITY MANAGEMENT	7
City Clerk	M072	M3	ADMINISTRATION	MUNICIPAL ADMINISTRATION	CITY CLERK	4
City Engineer	M079	M3	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
City Manager	E010	E5	CITY MANAGEMENT	CITY MANAGEMENT	CITY MANAGEMENT	7
City Traffic Engineer	M064	M3	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3



**City of Fort Collins
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Civil Engineer I	P009	P1	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Civil Engineer II	P037	P2	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Civil Engineer III	P078	P3	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Comm & Pub Relations Manager	P202	P4	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Community Service Officer	O044	O4	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	COMMUNITY SERVICES OPERATIONS	5B
Community Services Director	E035	E2	CULTURE, PARKS & RECREATION	COMMUNITY SERVICES	COMMUNITY SERVICES	1
Coordinator, Accounts Payable	A015	A4	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTS PAYABLE	4
Coordinator, Active Modes	A093	A4	PLANNING	TRANSPORTATION PLANNING	ACTIVE MODES	1
Coordinator, Benefits	A102	A4	HUMAN RESOURCES	BENEFITS	BENEFITS	4
Coordinator, Bldg & Dev Review	A071	A4	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Coordinator, Communications	A028	A4	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Coordinator, Cultural Services	A031	A4	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Coordinator, Customer Support	A074	A4	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Coordinator, Environ Sustain	C031	A4	ADMINISTRATION	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Coordinator, Finance	A022	A4	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Coordinator, Payroll	A018	A4	FINANCE & ACCOUNTING	ACCOUNTING	PAYROLL	4
Coordinator, Project Mgmt	C007	A4	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Coordinator, Theatre Prod	A096	A4	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Coordinator, Youth Education	A103	A4	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Coordinator, Talent Acquisition	C127	A4	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT ACQUISITION	4
Crew Chief, Electric Dist	S013	S1	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - HIGH VOLTAGE	2
Crew Chief, Facilities	S006	S1	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Crew Chief, Forestry	S012	S1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Crew Chief, Parks	S010	S1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Crew Chief, Parks Facilities	S074	S1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Crew Chief, Transportation Ops	S052	S1	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Crew Chief, Water Field Ops	S053	S1	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Crime Analyst	A090	A6	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Criminalist	A069	A6	PROTECTIVE SERVICES	INVESTIGATION	INVESTIGATION	5
Criminalist, Serology	A105	A6	PROTECTIVE SERVICES	INVESTIGATION	INVESTIGATION	5
Cult Svcs Comm Prog Mgr	C124	P2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Curator	P014	P1	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Data Analyst, Enviro Sustain	P214	P2	TECHNOLOGY	DATA SCIENCE	DATA ANALYSIS	3
Deputy City Attorney	G005	L5	LEGAL	LEGAL	ATTORNEYS	6
Deputy City Clerk	A060	A5	ADMINISTRATION	MUNICIPAL ADMINISTRATION	CITY CLERK	4
Deputy City Manager	E009	E3	CITY MANAGEMENT	CITY MANAGEMENT	CITY MANAGEMENT	7
Deputy Court Administrator	S002	S1	LEGAL	JUDICIAL	ADMINISTRATION	4
Deputy Court Clerk I	A005	A3	LEGAL	JUDICIAL	CUSTOMER SERVICE	4
Deputy Court Clerk II	A013	A4	LEGAL	JUDICIAL	CUSTOMER SERVICE	4
Deputy Director, Broadband	M165	M4	TECHNOLOGY	BROADBAND	BROADBAND	3
Deputy Director, PDT	M194	M4	DEVELOPMENT & COMPLIANCE	PLANNING, DEV & TRANSPORTATION	CITY PLANNING	1
Deputy Director, Sus Services	M166	M4	SUSTAINABILITY	SUSTAINABILITY SERVICES	SUSTAINABILITY SERVICES	1
Deputy Director, Utilities	M163	M4	ADMINISTRATION	UTILITIES	ELECTRIC	4
Dir, Economic Sustainability	M081	M3	SUSTAINABILITY	ECONOMIC SUSTAINABILITY	ECONOMIC SUSTAINABILITY	1
Dir, Electric Distribution	M073	M3	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - HIGH VOLTAGE	2
Dir, Environ Sustainability	M069	M3	SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Dir, Social Sustainability	M066	M3	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Dir, Transportation Operations	M074	M3	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Director Of PDT	E025	E2	DEVELOPMENT & COMPLIANCE	PLANNING, DEV & TRANSPORTATION	PLANNING, DEV & TRANSPORTATION	1



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Director, Accounting	M082	M3	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTING	4
Director, Budget	M067	M3	FINANCE & ACCOUNTING	BUDGET	BUDGET	4
Director, City Give	C117	P3	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Director, Civil Engineering	M089	M3	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Director, Communications	M065	M3	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Director, Cultural Services	M075	M3	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Director, Elec Engineering	M114	M3	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Director, Facilities & Fleet	M083	M3	OPERATIONS	FACILITIES & FLEET	FACILITIES & FLEET	2
Director, FP&A	M078	M3	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Director, Human Resources	M088	M3	HUMAN RESOURCES	TALENT MANAGEMENT	HUMAN RESOURCES	4
Director, Information Services	M040	M3	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Director, Natural Areas	M127	M3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Director, Parks	M071	M3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Director, Plant Operations	M139	M3	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2
Director, Purchasing	M077	M3	FINANCE & ACCOUNTING	PURCHASING	PURCHASING	4
Director, Recreation	M070	M3	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Director, Sciences	M085	M3	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Director, Tech Grid Ops & Engr	M159	M3	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Director, Total Compensation	M123	M3	HUMAN RESOURCES	COMPENSATION/BENEFITS/WELLNESS	TOTAL COMPENSATION	4
Director, Transit	M076	M3	OPERATIONS	TRANSPORTATION	TRANSIT	2
Director, Water Field Ops	M108	M3	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Early Childhood Teacher	A106	A4	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Elec Engr III OT & Protect Sys	P198	P3	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Elec Engr III, Automation	P200	P3	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Electric Lineworker	OS12	OS4	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - HIGH VOLTAGE	2S
Electric Meter System Tech	OS18	OS4	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - LOW VOLTAGE	2S
Electric Project Engineer	P209	P2	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Electric Systems Operator	OS05	OS3	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - FIELD OPS	2S
Electrical Engineer II	P143	P2	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Electrical Engineer III	P077	P3	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Electrician	O100	O6	OPERATIONS	FACILITIES & FLEET	ELECTRICIAN	2
Emergency Commun Dispatcher	O043	O4	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	COMMUNICATIONS	5A
Emergency Management Officer	M169	M4	ADMINISTRATION	EMERGENCY MANAGEMENT	EMERGENCY MANAGEMENT	4
Engineer I, Network	P004	P1	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Engineer II, Fiber	P138	P2	TECHNOLOGY	FIBER	FIBER	3
Engineer II, Network	P029	P2	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Engineer II, Systems	P030	P2	TECHNOLOGY	SYSTEMS	SYSTEMS ENGINEERING	3
Equity Officer	E017	E1	CITY MANAGEMENT	EQUITY, DIVERSITY & INCLUSION	EQUITY, DIVERSITY & INCLUSION	7
Exec Assistant To The City Mgr	P001	P1	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Executive Admin Assistant	A043	A5	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Executive Assist, City Council	P160	P1	FINANCE & ACCOUNTING	ADMINISTRATION	ADMINISTRATION	4
Field Sales Consultant	C040	P1	MARKETING & CREATIVE SERVICES	SALES	SALES	4
Field Services Lead	C044	P3	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Fleet Maintenance Technician	OS19	OS4	OPERATIONS	FACILITIES & FLEET	FLEET	2S
Halligan Project Manager	P173	P4	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
HR Comm & Project Manager	P185	P2	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Inspector, Code Compliance	O023	O3	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CODE COMPLIANCE	1
Investigative Aide	A061	A5	PROTECTIVE SERVICES	INVESTIGATION	INVESTIGATION	5
Lab Assistant	O001	O1	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3



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Lead Analyst, Utility Rate	P102	P4	FINANCE & ACCOUNTING	UTILITY	UTILITY RATE ANALYSIS	4
Lead Auditor, Sales Tax & Rev	P150	P3	FINANCE & ACCOUNTING	REVENUE	SALES TAX AUDIT & REVENUE	4
Lead Building Inspector	SS03	SS1	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1S
Lead Coord, Utility Rate/Fee	A066	A6	FINANCE & ACCOUNTING	UTILITY	UTILITY RATE / FEE	4
Lead Coordinator, AR/Billing	A112	A6	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTS RECEIVABLE / BILLING	4
Lead EO Compliance Specialist	P194	P3	ADMINISTRATION	ADMINISTRATION	EQUAL OPPORTUNITY	4
Lead EO Investigator	P099	P3	HUMAN RESOURCES	TALENT MANAGEMENT	EMPLOYEE RELATIONS	4
Lead Inspector, Construction	O052	O6	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CONSTRUCTION INSPECTION	1
Lead Inspector, Rental Housing	O087	O6	DEVELOPMENT & COMPLIANCE	COMPLIANCE	RENTAL HOUSING	1
Lead Inspector, Zoning	O073	O6	DEVELOPMENT & COMPLIANCE	COMPLIANCE	ZONING	1
Lead Park Ranger	S011	S1	PROTECTIVE SERVICES	OPERATIONS	RESOURCE MANAGEMENT	5
Lead Plant Oper, WTR Rec & Bio	OS20	OS5	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2S
Lead Plant Operator	OS13	OS5	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2S
Lead Project Manager	P193	P4	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Lead Project Mgr, Construction	P207	P3	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Lead Rep, Customer Support	A040	A5	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Lead Spc, Cultural Services	P081	P3	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Lead Spc, Econ Sustainability	P159	P3	SUSTAINABILITY	ECONOMIC SUSTAINABILITY	ECONOMIC SUSTAINABILITY	1
Lead Spc, Env Sustainability	P092	P3	SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Lead Spc, Homelessness	P135	P3	SUSTAINABILITY	SOCIAL SUSTAINABILITY	HOMELESSNESS	1
Lead Spc, Process Improvement	P065	P3	ADMINISTRATION	PROJECT MANAGEMENT	PROCESS IMPROVEMENT	4
Lead Spc, Soc Sustainability	P097	P3	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Lead Spc, Special Events	P084	P3	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	SPECIAL EVENTS	1
Lead Spec, Ed & Engagement	P211	P3	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Lead Spec, Emergency Mgmt	P154	P3	ADMINISTRATION	PROJECT MANAGEMENT	EMERGENCY MANAGEMENT	4
Lead Spec, Equity & Inclusion	P191	P3	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Lead Specialist, Communication	P155	P3	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Lead Specialist, Natural Areas	P104	P3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Lead Specialist, Occpntl Hlth	P115	P3	HUMAN RESOURCES	SAFETY & RISK MANAGEMENT	OCCUPATIONAL HEALTH	4
Lead Specialist, Safety	P093	P3	HUMAN RESOURCES	SAFETY & RISK MANAGEMENT	SAFETY	4
Lead Specialist, Sciences	P072	P3	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Lead Specialist, Security	P091	P3	ADMINISTRATION	SAFETY & RISK MANAGEMENT	SECURITY	4
Lead Sr Facilities Project Mgr	M111	M1	ADMINISTRATION	PROJECT MANAGEMENT	FACILITIES PROJECT MANAGEMENT	4
Lead Tech, Graphic Design	A068	A6	MARKETING & CREATIVE SERVICES	MEDIA	GRAPHIC DESIGN	4
Lead Technician, Network Engr	A108	A6	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Lead Technician, Sciences	A065	A6	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Lead Technician, Video Prod	A067	A6	MARKETING & CREATIVE SERVICES	MEDIA	VIDEO PRODUCTION	4
Legal Assistant	A009	A3	LEGAL	LEGAL	LEGAL SUPPORT	4
Line Crew Chief	SS05	SS1	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - HIGH VOLTAGE	2S
Line Groundworker	OS01	OS1	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - HIGH VOLTAGE	2S
Locator, Elec Dist - Field OpS	O092	O4	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - FIELD OPS	2
Manager, Active Modes	M023	M1	PLANNING	TRANSPORTATION PLANNING	ACTIVE MODES	1
Manager, Administration	M116	M1	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Manager, Applications Software	M001	M1	TECHNOLOGY	APPLICATIONS SOFTWARE	APPLICATIONS SOFTWARE	3
Manager, Benefits	M125	M1	HUMAN RESOURCES	BENEFITS	BENEFITS	4
Manager, Bldg & Dev Review	M034	M1	PLANNING	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Manager, Broadband Operations	M143	M1	OPERATIONS	BROADBAND	BROADBAND OPERATIONS	2
Manager, Civil Engineering	M008	M1	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Manager, Construction Inspect	M005	M1	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CONSTRUCTION INSPECTION	1



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Manager, Cultural Services	M016	M1	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Manager, Customer Support	M021	M1	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Manager, Econ Sustainability	M033	M1	SUSTAINABILITY	ECONOMIC SUSTAINABILITY	ECONOMIC SUSTAINABILITY	1
Manager, Env Sustainability	M100	M1	SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Manager, Environ Planning	M032	M1	PLANNING	ENVIRONMENTAL PLANNING	ENVIRONMENTAL PLANNING	1
Manager, Forestry	M128	M1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Manager, FP&A	M026	M1	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Manager, GIS	M004	M1	TECHNOLOGY	GIS	GIS	3
Manager, Historic Preservation	M022	M1	PLANNING	CITY PLANNING	HISTORIC PRESERVATION	1
Manager, HR Business Partner	M144	M1	HUMAN RESOURCES	TALENT MANAGEMENT	EMPLOYEE RELATIONS	4
Manager, HR Operations	M102	M1	HUMAN RESOURCES	ADMINISTRATION	ADMINISTRATION	4
Manager, HRIS	M151	M1	HUMAN RESOURCES	HRIS	HRIS	4
Manager, Marketing	M018	M1	MARKETING & CREATIVE SERVICES	MARKETING	MARKETING	4
Manager, Natural Areas	M162	M1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Manager, Neighborhood Svcs	M153	M1	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	NEIGHBORHOOD SERVICES	1
Manager, Payroll	M029	M1	FINANCE & ACCOUNTING	ACCOUNTING	PAYROLL	4
Manager, Plant Operations	M012	M1	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2
Manager, Project Management	M129	M1	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Manager, Public Engagement	M017	M1	CUSTOMER SERVICE	COMMUNICATIONS	COMMUNICATIONS	4
Manager, Real Estate	M027	M1	OPERATIONS	FACILITIES & FLEET	REAL ESTATE	2
Manager, Recycling Ops	M198	M1	OPERATIONS	WASTE MANAGEMENT	WASTE MANAGEMENT	2
Manager, Rental Housing	M152	M1	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	NEIGHBORHOOD SERVICES	1
Manager, Sciences	M019	M1	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Manager, Service Delivery	M131	M1	TECHNOLOGY	CLIENT SERVICES	CLIENT SERVICES	3
Manager, Social Sustainability	M119	M1	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Manager, Stormwater MP&FA	M145	M1	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Manager, Systems Engineering	M003	M1	TECHNOLOGY	SYSTEMS	SYSTEMS ENGINEERING	3
Manager, Talent Acquisition	M015	M1	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT ACQUISITION	4
Manager, Talent Development	M030	M1	HUMAN RESOURCES	ADMINISTRATION	ADMINISTRATION	4
Manager, Traffic Engineering	M007	M1	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Manager, Traffic Ops	M156	M1	OPERATIONS	TRANSPORTATION	TRAFFIC OPERATIONS	2
Manager, Transportation Ops	M013	M1	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Manager, Water Field Ops	M006	M1	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Manager, Water Util Dev Review	M122	M1	SCIENCES & ENGINEERING	ENGINEERING	DEVELOPMENT REVIEW	3
Manager, Wellness	M014	M1	HUMAN RESOURCES	BENEFITS	WELLNESS	4
Managing Attorney	G004	L4	LEGAL	LEGAL	ATTORNEYS	6
Master Electrician	S081	S1	OPERATIONS	FACILITIES & FLEET	ELECTRICIAN	2
Mechanical Engineer II	P134	P2	SCIENCES & ENGINEERING	ENGINEERING	MECHANICAL ENGINEERING	3
Mechanical Engineer III	P075	P3	SCIENCES & ENGINEERING	ENGINEERING	MECHANICAL ENGINEERING	3
Mgr, Mediation & Res Justice	M154	M1	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	NEIGHBORHOOD SERVICES	1
Mgr, Network Ops & Info Sec	M150	M1	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Mgr, Principal City Planner	M146	M1	PLANNING	CITY PLANNING	CITY PLANNING	1
Municipal Court Administrator	M148	M1	LEGAL	JUDICIAL	ADMINISTRATION	4
Natural Areas Trail Ranger	O058	O4	PROTECTIVE SERVICES	OPERATIONS	RESOURCE MANAGEMENT	5
Officer I, Transportation Ops	O013	O2	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Officer III, Enforcement	O076	O4	PROTECTIVE SERVICES	OPERATIONS	ENFORCEMENT	5
Operator I, Traffic Ops	O103	O2	OPERATIONS	TRANSPORTATION	TRAFFIC OPERATIONS	2
Operator I, Transit	O011	O2	OPERATIONS	TRANSPORTATION	TRANSIT	2
Operator I, Transportation Ops	O009	O2	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2



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Operator II, Broadband	O069	O3	OPERATIONS	BROADBAND	BROADBAND OPERATIONS	2
Operator II, Transit	O021	O3	OPERATIONS	TRANSPORTATION	TRANSIT	2
Operator II, Transportation Op	O022	O3	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Paralegal	A064	A6	LEGAL	LEGAL	LEGAL SUPPORT	4
Park Ranger	O037	O4	PROTECTIVE SERVICES	OPERATIONS	RESOURCE MANAGEMENT	5
Parking Enforcement Officer I	O010	O2	DEVELOPMENT & COMPLIANCE	COMPLIANCE	PARKING	1
Parking Enforcement Officer II	O066	O3	DEVELOPMENT & COMPLIANCE	COMPLIANCE	PARKING	1
Planner, City	P052	P2	PLANNING	CITY PLANNING	CITY PLANNING	1
Planner, Environmental	P048	P2	PLANNING	ENVIRONMENTAL PLANNING	ENVIRONMENTAL PLANNING	1
Planner, Transit	P046	P2	PLANNING	TRANSPORTATION PLANNING	TRANSIT PLANNING	1
Planner, Transit Service	P187	P1	PLANNING	TRANSPORTATION PLANNING	TRANSIT PLANNING	1
Planner, Transportation	P113	P2	PLANNING	TRANSPORTATION PLANNING	TRANSPORTATION PLANNING	1
Plans Examiner	A073	A6	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Plant Operator	OS09	OS4	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2S
Police Assistant Chief	M090	M3	PROTECTIVE SERVICES	POLICE ADMINISTRATION	POLICE ADMINISTRATION	5
Police Corporal	S017	S1	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	SWORN OPERATIONS	5C
Police Deputy Chief	E098	E1	PROTECTIVE SERVICES	PROTECTIVE SERVICES	POLICE ADMINISTRATION	5
Police Lieutenant	M063	M2	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	SWORN OPERATIONS	5C
Police Officer	O025	O6	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	SWORN OPERATIONS	5C
Police Psychologist	P103	P4	PROTECTIVE SERVICES	INVESTIGATION	OUTREACH	5
Police Sergeant	S051	S2	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	SWORN OPERATIONS	5C
Probation Officer	A087	A5	LEGAL	JUDICIAL	CUSTOMER SERVICE	4
Program Manager, Volunteer Svc	P186	P3	HUMAN RESOURCES	OUTREACH	PUBLIC ENGAGEMENT	4
Project Analyst	P026	P1	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Project Coordinator	A083	A5	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Project Manager	P041	P2	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Project Manager, Construction	P213	P2	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Recruiting Specialist	C030	P1	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT ACQUISITION	4
Rep I, Cultural Svcs	A107	A2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Rep I, Customer Support	A003	A2	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Rep II, Customer Support	A006	A3	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Rep II, Police Records	A011	A3	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Spec, Historic Preservation	P180	P1	PLANNING	CITY PLANNING	HISTORIC PRESERVATION	1
Spec, Regulatory Licensing	P174	P1	ADMINISTRATION	MUNICIPAL ADMINISTRATION	CITY CLERK	4
Specialist, Active Modes	P013	P1	PLANNING	TRANSPORTATION PLANNING	ACTIVE MODES	1
Specialist, Active Modes Data	P189	P1	PLANNING	TRANSPORTATION PLANNING	ACTIVE MODES	1
Specialist, City Planning	P121	P1	PLANNING	CITY PLANNING	CITY PLANNING	1
Specialist, Communications	P021	P1	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Specialist, Customer Support	P034	P1	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Specialist, DOT	P157	P1	HUMAN RESOURCES	SAFETY & RISK MANAGEMENT	SAFETY	4
Specialist, Econ Sustain	C025	P1	SUSTAINABILITY	ECONOMIC SUSTAINABILITY	ECONOMIC SUSTAINABILITY	1
Specialist, Enviro Sustain	C035	P1	SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Specialist, Facilities	P007	P1	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Specialist, Natural Areas	P140	P1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Specialist, Neighborhood Svcs	P184	P1	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	NEIGHBORHOOD SERVICES	1
Specialist, Public Engagement	P015	P1	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Specialist, Recruiting	P175	P1	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT ACQUISITION	4
Specialist, Regulatory Svcs	P163	P1	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Specialist, Risk Claims	P188	P1	FINANCE & ACCOUNTING	RISK MANAGEMENT	RISK MANAGEMENT	4



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Specialist, Safety	P111	P1	HUMAN RESOURCES	SAFETY & RISK MANAGEMENT	SAFETY	4
Specialist, Sales	P116	P1	MARKETING & CREATIVE SERVICES	SALES	SALES	4
Specialist, Sciences	P010	P1	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Specialist, Soc Sustainability	P168	P1	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Specialist, Talent Acquisition	P117	P1	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT ACQUISITION	4
Specialist, Travel Demand Mgmt	P178	P2	PLANNING	TRANSPORTATION PLANNING	TRANSPORTATION PLANNING	1
Specialist, Wellness	P018	P1	HUMAN RESOURCES	BENEFITS	WELLNESS	4
Specialist,Sales Tax & Revenue	P149	P1	FINANCE & ACCOUNTING	REVENUE	SALES TAX AUDIT & REVENUE	4
Sr Administrator, Systems	P067	P3	TECHNOLOGY	SYSTEMS	SYSTEMS ADMINISTRATION	3
Sr Administrtrr, SCADA PLC Prgr	P148	P3	TECHNOLOGY	SYSTEMS	SYSTEMS ADMINISTRATION	3
Sr Analyst, Administration	P129	P3	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Sr Analyst, Apps Software	P066	P3	TECHNOLOGY	APPLICATIONS SOFTWARE	APPLICATIONS SOFTWARE	3
Sr Analyst, Apps Software Dev	P070	P3	TECHNOLOGY	APPLICATIONS SOFTWARE	APPS SOFTWARE DEVELOPMENT	3
Sr Analyst, Budget	P080	P3	FINANCE & ACCOUNTING	BUDGET	BUDGET	4
Sr Analyst, Compensation	P082	P3	HUMAN RESOURCES	COMPENSATION	COMPENSATION	4
Sr Analyst, Data	C130	P3	TECHNOLOGY	DATA SCIENCE	DATA ANALYSIS	3
Sr Analyst, Finance	P094	P3	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Sr Analyst, Grants Admin	P162	P3	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Sr Analyst, IT Security	P114	P3	TECHNOLOGY	INFORMATION SECURITY	INFORMATION SECURITY	3
Sr Analyst, Systems	P071	P3	TECHNOLOGY	SYSTEMS	SYSTEMS ADMINISTRATION	3
Sr Analyst, Treasury	P090	P3	FINANCE & ACCOUNTING	TREASURY / INVESTMENT	TREASURY / INVESTMENT	4
Sr Architect, Landscape	P074	P3	PLANNING	PARK PLANNING	LANDSCAPE	1
Sr Assistant City Attorney	G003	L3	LEGAL	LEGAL	ATTORNEYS	6
Sr Buyer	P089	P3	FINANCE & ACCOUNTING	PURCHASING	PURCHASING	4
Sr Coord,Onboarding & Training	A104	A5	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT ACQUISITION	4
Sr Coordinator, Accounting	A088	A5	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTING	4
Sr Coordinator, Active Modes	A076	A5	PLANNING	TRANSPORTATION PLANNING	ACTIVE MODES	1
Sr Coordinator, AP	A039	A5	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTS PAYABLE	4
Sr Coordinator, AR/Billing	A111	A5	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTS RECEIVABLE / BILLING	4
Sr Coordinator, Camera Radar	A101	A5	PROTECTIVE SERVICES	PROCESSING SUPPORT	TECHNICAL	5
Sr Coordinator, Communications	A037	A5	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Sr Coordinator, Creative Svcs	A095	A5	MARKETING & CREATIVE SERVICES	MEDIA	GRAPHIC DESIGN	4
Sr Coordinator, Cultural Svcs	A049	A5	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Sr Coordinator, HRIS	A044	A5	HUMAN RESOURCES	HRIS	HRIS	4
Sr Coordinator, Marketing	A055	A5	MARKETING & CREATIVE SERVICES	MARKETING	MARKETING	4
Sr Coordinator, Payroll	A042	A5	FINANCE & ACCOUNTING	ACCOUNTING	PAYROLL	4
Sr Coordinator, Public Engage	A041	A5	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Sr Coordinator, Recreation	A054	A5	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Sr Coordinator, Rental Housing	A109	A5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	RENTAL HOUSING	1
Sr Dir, Water Planning & Sci	M177	M4	SCIENCES & ENGINEERING	UTILITIES	WATER	3
Sr Director, Water Operations	M170	M4	OPERATIONS	UTILITIES	WATER	2
Sr Electric Project Engineer	P208	P3	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3
Sr Engineer, Network	P068	P3	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Sr Engineer, Systems	P064	P3	TECHNOLOGY	SYSTEMS	SYSTEMS ENGINEERING	3
Sr Engineer, Video Prod	P156	P3	MARKETING & CREATIVE SERVICES	SYSTEMS	VIDEO PRODUCTION	3
Sr Facilities Project Manager	P073	P3	ADMINISTRATION	PROJECT MANAGEMENT	FACILITIES PROJECT MANAGEMENT	4
Sr Inspector, Code Compliance	O106	O5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CODE COMPLIANCE	1
Sr Inspector, Compliance	O056	O5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	COMPLIANCE	1
Sr Inspector, Construction	O045	O5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CONSTRUCTION INSPECTION	1



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Sr Inspector, Forestry Zoning	O079	O5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CODE COMPLIANCE	1
Sr Inspector, Nat Res Zoning	O094	O5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	ZONING	1
Sr Inspector, Stormwater	O090	O6	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CONSTRUCTION INSPECTION	1
Sr Inspector, Water Engr	O097	O6	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CONSTRUCTION INSPECTION	1
Sr Inspector, Zoning	O048	O5	DEVELOPMENT & COMPLIANCE	COMPLIANCE	ZONING	1
Sr Key Accounts Rep	P171	P3	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Sr Legal Assistant	A026	A4	LEGAL	LEGAL	LEGAL SUPPORT	4
Sr Locator, Elec Dist Field Op	O093	O5	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - FIELD OPS	2
Sr Manager, Accounting	M052	M2	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTING	4
Sr Manager, Broadband	M155	M2	OPERATIONS	BROADBAND	BROADBAND OPERATIONS	2
Sr Manager, City Planning	M126	M2	PLANNING	CITY PLANNING	CITY PLANNING	1
Sr Manager, Civil Engineering	M043	M2	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Sr Manager, Creative Services	M132	M2	MARKETING & CREATIVE SERVICES	MEDIA	GRAPHIC DESIGN	4
Sr Manager, Cultural Services	M054	M2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Sr Manager, Customer Support	M051	M2	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Sr Manager, Elec Dist Ctrl Cen	M158	M2	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - LOW VOLTAGE	2
Sr Manager, Emergency Comms	M061	M2	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	COMMUNICATIONS	5A
Sr Manager, Env Sustain	M056	M2	SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Sr Manager, Facilities & Fleet	M044	M2	OPERATIONS	FACILITIES & FLEET	FACILITIES & FLEET	2
Sr Manager, Forestry	M035	M2	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Sr Manager, FP&A	M201	M2	FINANCE & ACCOUNTING	FINANCIAL PLANNING & ANALYSIS	FINANCIAL PLANNING & ANALYSIS	4
Sr Manager, Horticulture	M142	M2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Sr Manager, Information Svcs	M062	M2	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Sr Manager, Mechanical Engr	M045	M2	SCIENCES & ENGINEERING	ENGINEERING	MECHANICAL ENGINEERING	3
Sr Manager, Neighborhood Svcs	M058	M2	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	NEIGHBORHOOD SERVICES	1
Sr Manager, Network Engineerng	M104	M2	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Sr Manager, Parking Services	M167	M2	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Sr Manager, Parks	M057	M2	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Sr Manager, Public Engagement	M133	M2	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Sr Manager, Recreation	M134	M2	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Sr Manager, Sales	M199	M2	MARKETING & CREATIVE SERVICES	SALES	SALES	4
Sr Manager, Sciences	M046	M2	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Sr Manager, Social Sustainblty	M118	M2	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Sr Manager, Technology	M039	M2	TECHNOLOGY	TECHNOLOGY	TECHNOLOGY	3
Sr Manager, Traffic Engr	M041	M2	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Sr Manager, Transfort	M178	M2	OPERATIONS	TRANSPORTATION	TRANSIT	2
Sr Manager, Transportation Ops	M137	M2	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Sr Manager, Transportation Pln	M037	M2	PLANNING	TRANSPORTATION PLANNING	TRANSPORTATION PLANNING	1
Sr Manager, Water Engineering	M047	M2	SCIENCES & ENGINEERING	ENGINEERING	WATER ENGINEERING	3
Sr Manager, Sales Tax & Revenue	M036	M2	FINANCE & ACCOUNTING	REVENUE	SALES TAX AUDIT & REVENUE	4
Sr Mgr, Elec Dist-High Voltage	M160	M2	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - HIGH VOLTAGE	2
Sr Mgr, Park Planning & Dev	M149	M2	PLANNING	PARK PLANNING	LANDSCAPE	1
Sr Mgr, Safety & Risk Mgmt	M117	M2	HUMAN RESOURCES	SAFETY & RISK MANAGEMENT	SAFETY	4
Sr Operator, Transport Ops	O081	O4	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Sr Partner, Human Resources	P142	P3	HUMAN RESOURCES	TALENT MANAGEMENT	HUMAN RESOURCES	4
Sr Planner, City	P098	P3	PLANNING	CITY PLANNING	CITY PLANNING	1
Sr Planner, Environmental	P086	P3	PLANNING	ENVIRONMENTAL PLANNING	ENVIRONMENTAL PLANNING	1
Sr Planner, Trails	P137	P3	PLANNING	PARK PLANNING	LANDSCAPE	1
Sr Planner, Transportation	P087	P3	PLANNING	TRANSPORTATION PLANNING	TRANSPORTATION PLANNING	1



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Sr Project Manager	P095	P3	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Sr Project Manager, Talent Mgmt	P166	P3	HUMAN RESOURCES	TALENT MANAGEMENT	HUMAN RESOURCES	4
Sr Rep, Cultural Svcs	A025	A4	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Sr Spc, Neighborhood Svcs	P044	P2	DEVELOPMENT & COMPLIANCE	NEIGHBORHOOD SERVICES	NEIGHBORHOOD SERVICES	1
Sr Spc, Process Improvement	P053	P2	ADMINISTRATION	PROJECT MANAGEMENT	PROCESS IMPROVEMENT	4
Sr Specialist, Communications	P058	P2	MARKETING & CREATIVE SERVICES	COMMUNICATIONS	COMMUNICATIONS	4
Sr Specialist, Cultural Svcs	P153	P2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Sr Specialist, Cust Support	P027	P2	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Sr Specialist, DAR Program Mgr	P167	P3	PLANNING	TRANSPORTATION PLANNING	TRANSIT PLANNING	1
Sr Specialist, Digital Incls	P203	P2	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Sr Specialist, Econ Sustain	P056	P2	SUSTAINABILITY	ECONOMIC SUSTAINABILITY	ECONOMIC SUSTAINABILITY	1
Sr Specialist, Enviro Sustain	P061	P2	SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	ENVIRONMENTAL SUSTAINABILITY	1
Sr Specialist, Floodplain Mgmt	P169	P2	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Sr Specialist, Forestry	P151	P2	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Sr Specialist, OEM	P128	P2	ADMINISTRATION	PROJECT MANAGEMENT	EMERGENCY MANAGEMENT	4
Sr Specialist, Product Mgmt	P206	P3	ADMINISTRATION	PROJECT MANAGEMENT	TECHNICAL PROJECT MANAGEMENT	4
Sr Specialist, Public Engage	P054	P2	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4
Sr Specialist, Real Estate	P055	P2	OPERATIONS	FACILITIES & FLEET	REAL ESTATE	2
Sr Specialist, Recreation	P045	P2	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Sr Specialist, Recruiter	P172	P2	HUMAN RESOURCES	TALENT MANAGEMENT	TALENT DEVELOPMENT	4
Sr Specialist, Safety	P192	P2	HUMAN RESOURCES	SAFETY & RISK MANAGEMENT	SAFETY	4
Sr Specialist, Sciences	P035	P2	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Sr Specialist, Security	P182	P2	ADMINISTRATION	SAFETY & RISK MANAGEMENT	SECURITY	4
Sr Specialist, Social Sustain	P132	P2	SUSTAINABILITY	SOCIAL SUSTAINABILITY	SOCIAL SUSTAINABILITY	1
Sr Specialist, Workers Comp	P147	P2	ADMINISTRATION	SAFETY & RISK MANAGEMENT	WORKERS COMPENSATION	4
Sr Super, Resource Recovery	S080	S2	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Sr Supervisor, Apps Software	S078	S2	TECHNOLOGY	APPLICATIONS SOFTWARE	APPLICATIONS SOFTWARE	3
Sr Supervisor, AR / Billing	S045	S2	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTS RECEIVABLE / BILLING	4
Sr Supervisor, Code Compliance	S075	S2	DEVELOPMENT & COMPLIANCE	COMPLIANCE	CODE COMPLIANCE	1
Sr Supervisor, CSO	S050	S2	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	COMMUNITY SERVICES OPERATIONS	5B
Sr Supervisor, Cultural Svcs	S037	S2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Sr Supervisor, Cust Support	S018	S2	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Sr Supervisor, Electric Dist	S034	S2	OPERATIONS	ELECTRIC UTILITIES	ELECTRIC DIST - LOW VOLTAGE	2
Sr Supervisor, Emergency Comms	S046	S2	PROTECTIVE SERVICES	COLLECTIVE BARGAINING UNIT	COMMUNICATIONS	5A
Sr Supervisor, Enforcement	S070	S2	PROTECTIVE SERVICES	OPERATIONS	ENFORCEMENT	5
Sr Supervisor, Facilities	S026	S2	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Sr Supervisor, Fleet	S024	S2	OPERATIONS	FACILITIES & FLEET	FLEET	2
Sr Supervisor, Forestry	S025	S2	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Sr Supervisor, Information Svc	S047	S2	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Sr Supervisor, Land Surveying	S068	S2	SCIENCES & ENGINEERING	ENGINEERING	SURVEYING	3
Sr Supervisor, Maintenance	S032	S2	OPERATIONS	PLANT OPERATIONS	MAINTENANCE	2
Sr Supervisor, Mechanical Engr	S022	S2	SCIENCES & ENGINEERING	ENGINEERING	MECHANICAL ENGINEERING	3
Sr Supervisor, Natural Areas	S058	S2	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Sr Supervisor, Outreach	S079	S2	PROTECTIVE SERVICES	INVESTIGATION	OUTREACH	5
Sr Supervisor, Parks	S031	S2	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Sr Supervisor, Plant Ops	S023	S2	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2
Sr Supervisor, Process Support	S048	S2	PROTECTIVE SERVICES	PROCESSING SUPPORT	TECHNICAL	5
Sr Supervisor, Project Mgmt	S043	S2	ADMINISTRATION	PROJECT MANAGEMENT	PROJECT MANAGEMENT	4
Sr Supervisor, Public Engage	S039	S2	CUSTOMER SERVICE	OUTREACH	PUBLIC ENGAGEMENT	4



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Sr Supervisor, Recreation	S044	S2	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Sr Supervisor, Sciences	S020	S2	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Sr Supervisor, Transit	S042	S2	OPERATIONS	TRANSPORTATION	TRANSIT	2
Sr Supervisor, Video Productn	S066	S2	MARKETING & CREATIVE SERVICES	MEDIA	VIDEO PRODUCTION	4
Sr Tech, Elec Project Engineer	O095	O5	OPERATIONS	ENGINEERING	ELECTRICAL ENGINEERING	3
Sr Tech, Floodplain Admin	A099	A5	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Sr Tech, Police Records	A092	A5	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Sr Tech, Police Technology	A063	A5	PROTECTIVE SERVICES	PROCESSING SUPPORT	POLICE TECHNOLOGY	5
Sr Tech, Processing Support	A091	A5	PROTECTIVE SERVICES	PROCESSING SUPPORT	TECHNICAL	5
Sr Tech, Signal Construction	O084	O5	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Sr Technical Project Manager	P076	P3	ADMINISTRATION	PROJECT MANAGEMENT	TECHNICAL PROJECT MANAGEMENT	4
Sr Technician, Broadband Ops	O088	O5	TECHNOLOGY	FIBER	FIBER	3
Sr Technician, Client Services	A047	A5	TECHNOLOGY	CLIENT SERVICES	CLIENT SERVICES	3
Sr Technician, Facilities	O049	O5	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Sr Technician, Fiber	O089	O5	TECHNOLOGY	FIBER	FIBER	3
Sr Technician, Graphic Design	A100	A5	MARKETING & CREATIVE SERVICES	MEDIA	GRAPHIC DESIGN	4
Sr Technician, Maintenance	O050	O5	OPERATIONS	PLANT OPERATIONS	MAINTENANCE	2
Sr Technician, Network Engr	A080	A5	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Sr Technician, Police Admin	A081	A5	PROTECTIVE SERVICES	POLICE ADMINISTRATION	POLICE ADMINISTRATION	5
Sr Technician, Sciences	A110	A5	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Sr Technician, Traffic Engr	O055	O5	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Sr Technician, Traffic Signals	O086	O5	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Sr Technician, Video Prod	A084	A5	MARKETING & CREATIVE SERVICES	MEDIA	VIDEO PRODUCTION	4
Sr Technician, Water Field Ops	O053	O5	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Substation Elec/Comm Spec	OS15	OS5	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3S
Substation Specialist	OS11	OS4	SCIENCES & ENGINEERING	ENGINEERING	ELECTRICAL ENGINEERING	3S
Supervisor I, Sign Shop	S072	S1	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Supervisor, Accounts Payable	S067	S1	FINANCE & ACCOUNTING	ACCOUNTING	ACCOUNTS PAYABLE	4
Supervisor, Administration	S003	S1	ADMINISTRATION	ADMINISTRATION	ADMINISTRATION	4
Supervisor, Bldg & Dev Rev	S057	S1	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Supervisor, Client Services	S004	S1	TECHNOLOGY	CLIENT SERVICES	CLIENT SERVICES	3
Supervisor, Cultural Services	S062	S1	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Supervisor, Customer Support	S001	S1	CUSTOMER SERVICE	CUSTOMER SERVICE	CUSTOMER SUPPORT	4
Supervisor, Facilities	S008	S1	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Supervisor, Fiber	S063	S1	TECHNOLOGY	FIBER	FIBER	3
Supervisor, Fleet	S021	S1	OPERATIONS	FACILITIES & FLEET	FLEET	2
Supervisor, Legal Support	S069	S1	LEGAL	LEGAL	LEGAL SUPPORT	6
Supervisor, NA Enforcement	S076	S1	PROTECTIVE SERVICES	OPERATIONS	ENFORCEMENT	5
Supervisor, Plans Examiner	S064	S1	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Supervisor, Plant Operations	S054	S1	OPERATIONS	PLANT OPERATIONS	PLANT OPERATIONS	2
Supervisor, Traffic Markings	S071	S1	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Supervisor, Traffic Signals	S073	S1	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Supervisor, Transit	S007	S1	OPERATIONS	TRANSPORTATION	TRANSIT	2
Tech I, Material Handling	O070	O3	OPERATIONS	FACILITIES & FLEET	MATERIAL HANDLING	2
Tech II, Investigative Support	A094	A4	PROTECTIVE SERVICES	INVESTIGATION	INVESTIGATION	5
Tech II, Processing Support	A033	A4	PROTECTIVE SERVICES	PROCESSING SUPPORT	TECHNICAL	5
Tech II, Resource Recovery	O096	O4	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Tech Proj Mgr, Environmental	P212	P2	SCIENCES & ENGINEERING	SCIENCES	SCIENCES	3
Technical Project Manager	P036	P2	ADMINISTRATION	PROJECT MANAGEMENT	TECHNICAL PROJECT MANAGEMENT	4



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Technical Svcs Mgr, Police Svc	P176	P3	ADMINISTRATION	PROCESSING SUPPORT	INFORMATION SERVICES	5
Technician I, Bldg Dev Review	A010	A3	DEVELOPMENT & COMPLIANCE	BUILDING & DEVELOPMENT REVIEW	BUILDING & DEVELOPMENT REVIEW	1
Technician I, CCT Ops	O071	O3	OPERATIONS	CUSTOMER CONNECTIONS	CUSTOMER CARE & TECH OPS	2
Technician I, Civil Engr	O014	O3	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Technician I, Facilities	O020	O3	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Technician I, Fiber	O062	O3	OPERATIONS	FIBER	FIBER	2
Technician I, Fleet	O017	O3	OPERATIONS	FACILITIES & FLEET	FLEET	2
Technician I, Forestry	O018	O3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Technician I, Horticulture	O075	O3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Technician I, Natural Areas	O060	O3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Technician I, Parks	O024	O3	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Technician I, Police Admin	A012	A3	PROTECTIVE SERVICES	POLICE ADMINISTRATION	POLICE ADMINISTRATION	5
Technician I, Recreation	O105	O3	CULTURE, PARKS & RECREATION	RECREATION	RECREATION	1
Technician I, Traffic Control	O068	O3	OPERATIONS	TRANSPORTATION	TRAFFIC CONTROL	2
Technician I, Traffic Ops	O099	O3	OPERATIONS	TRANSPORTATION	TRAFFIC OPERATIONS	2
Technician I, Water Field Util	O027	O3	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Technician II, Client Services	A019	A4	TECHNOLOGY	CLIENT SERVICES	CLIENT SERVICES	3
Technician II, Energy Services	O040	O4	OPERATIONS	FACILITIES & FLEET	ENERGY SERVICES	2
Technician II, Facilities	O032	O4	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Technician II, Fiber	O061	O4	TECHNOLOGY	FIBER	FIBER	3
Technician II, Fleet	O054	O4	OPERATIONS	FACILITIES & FLEET	FLEET	2
Technician II, Forestry	O033	O4	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	FORESTRY	1
Technician II, Land Surveying	O028	O4	SCIENCES & ENGINEERING	ENGINEERING	CIVIL ENGINEERING	3
Technician II, Maintenance	O041	O4	OPERATIONS	PLANT OPERATIONS	MAINTENANCE	2
Technician II, Natural Areas	O034	O4	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Technician II, Network Engr	A079	A4	TECHNOLOGY	NETWORK	NETWORK ENGINEERING	3
Technician II, Police Records	A035	A4	PROTECTIVE SERVICES	PROCESSING SUPPORT	INFORMATION SERVICES	5
Technician II, Traffic Control	O074	O4	OPERATIONS	TRANSPORTATION	TRAFFIC CONTROL	2
Technician II, Traffic Engr	O030	O4	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Technician II, Traffic Ops	O091	O4	OPERATIONS	TRANSPORTATION	TRANSPORTATION OPERATIONS	2
Technician II, Traffic Signals	O085	O4	SCIENCES & ENGINEERING	ENGINEERING	TRAFFIC ENGINEERING	3
Technician II, Water Engr	O029	O4	SCIENCES & ENGINEERING	ENGINEERING	WATER ENGINEERING	3
Technician II, Wtr Field Util	O039	O4	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Victim Advocate	A034	A4	PROTECTIVE SERVICES	INVESTIGATION	OUTREACH	5
Victim Witness Specialist	C125	A4	PROTECTIVE SERVICES	INVESTIGATION	OUTREACH	5
Water Engineer II	P038	P2	SCIENCES & ENGINEERING	ENGINEERING	WATER ENGINEERING	3
Water Meter Systems Operator	O102	O4	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Water Meter Technician	O101	O4	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2
Water Utility Maint Operator	OS04	OS2	OPERATIONS	WATER UTILITIES	WATER FIELD OPERATIONS	2S
Worker I, Facilities	O003	O1	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Worker I, Fleet	O067	O1	OPERATIONS	FACILITIES & FLEET	FLEET	2
Worker I, Natural Areas	O098	O1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	NATURAL AREAS	1
Worker I, Parks	O004	O1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Worker I, Parks Shop Attendant	O072	O1	CULTURE, PARKS & RECREATION	OUTDOOR SERVICES	PARKS	1
Worker II, Cultural Services	O063	O2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Worker II, Facilities	O008	O2	OPERATIONS	FACILITIES & FLEET	FACILITIES	2
Worker II, Fleet	O007	O2	OPERATIONS	FACILITIES & FLEET	FLEET	2
Worker II, Theatre Audio Engr	O082	O2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1
Worker II, Theatre Lighting	O083	O2	CULTURE, PARKS & RECREATION	CULTURAL SERVICES	CULTURAL SERVICES	1



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EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

Worker II, Theatre Production

O080

O2

CULTURE, PARKS & RECREATION

CULTURAL SERVICES

CULTURAL SERVICES

1



**City of Fort Collins
Open Pay Plan**

TABLE: 1 SUSTAINABILITY, PLANNING, CULTURE, PARKS & RECREATION, DEVELOPMENT & COMPLIANCE

ADMINISTRATIVE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A2-1	Annual	\$39,156.03	\$48,945.80	\$58,736.60
	Biweekly	\$1,506.00	\$1,882.53	\$2,259.10
A3-1	Annual	\$43,507.15	\$54,384.45	\$65,260.73
	Biweekly	\$1,673.35	\$2,091.71	\$2,510.03
A4-1	Annual	\$48,341.05	\$60,426.83	\$72,511.58
	Biweekly	\$1,859.27	\$2,324.11	\$2,788.91
A5-1	Annual	\$53,174.95	\$66,469.20	\$79,763.45
	Biweekly	\$2,045.19	\$2,556.51	\$3,067.83
A6-1	Annual	\$58,492.65	\$73,115.30	\$87,740.00
	Biweekly	\$2,249.72	\$2,812.13	\$3,374.62

MANAGERIAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
M1-1	Annual	\$78,531.40	\$104,708.88	\$130,885.33
	Biweekly	\$3,020.44	\$4,027.26	\$5,034.05
M2-1	Annual	\$87,960.38	\$117,274.35	\$146,586.28
	Biweekly	\$3,383.09	\$4,510.55	\$5,637.93
S1-1	Annual	\$59,767.75	\$79,689.65	\$99,612.58
	Biweekly	\$2,298.76	\$3,064.99	\$3,831.25
S2-1	Annual	\$66,939.68	\$89,252.90	\$111,566.13
	Biweekly	\$2,574.60	\$3,432.80	\$4,291.00



**City of Fort Collins
Open Pay Plan**

EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

TABLE: 1 SUSTAINABILITY, PLANNING, CULTURE, PARKS & RECREATION, DEVELOPMENT & COMPLIANCE

OPERATIONS & SKILLED TRADE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
O1-1	Annual	\$35,661.80	\$44,576.23	\$53,491.68
	Biweekly	\$1,371.61	\$1,714.47	\$2,057.37
O2-1	Annual	\$39,623.43	\$49,530.05	\$59,434.63
	Biweekly	\$1,523.98	\$1,905.00	\$2,285.95
O3-1	Annual	\$44,025.80	\$55,033.28	\$66,037.68
	Biweekly	\$1,693.30	\$2,116.66	\$2,539.91
O4-1	Annual	\$48,918.13	\$61,147.40	\$73,375.65
	Biweekly	\$1,881.47	\$2,351.82	\$2,822.14
O5-1	Annual	\$54,352.68	\$67,941.10	\$81,529.53
	Biweekly	\$2,090.49	\$2,613.12	\$3,135.75
O6-1	Annual	\$60,391.98	\$75,490.23	\$90,588.48
	Biweekly	\$2,322.77	\$2,903.47	\$3,484.17

PROFESSIONAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
P1-1	Annual	\$51,932.65	\$69,241.83	\$86,553.05
	Biweekly	\$1,997.41	\$2,663.15	\$3,328.96
P2-1	Annual	\$59,013.35	\$78,684.13	\$98,354.90
	Biweekly	\$2,269.74	\$3,026.31	\$3,782.88
P3-1	Annual	\$67,060.63	\$89,414.85	\$111,768.05
	Biweekly	\$2,579.25	\$3,439.03	\$4,298.77
P4-1	Annual	\$76,171.85	\$101,575.45	\$126,979.05
	Biweekly	\$2,929.69	\$3,906.75	\$4,883.81

TABLE: 2 OPERATIONS

MANAGERIAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
M1-2	Annual	\$84,676.28	\$112,906.83	\$141,137.38
	Biweekly	\$3,256.78	\$4,342.57	\$5,428.36
M2-2	Annual	\$99,623.85	\$132,831.80	\$166,035.65
	Biweekly	\$3,831.69	\$5,108.92	\$6,385.99
S1-2	Annual	\$62,344.60	\$83,126.48	\$103,907.33
	Biweekly	\$2,397.87	\$3,197.17	\$3,996.44
S2-2	Annual	\$70,924.88	\$94,566.50	\$118,210.18
	Biweekly	\$2,727.88	\$3,637.17	\$4,546.55



City of Fort Collins
Open Pay Plan

TABLE: 2 OPERATIONS

OPERATIONS & SKILLED TRADE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
O1-2	Annual	\$39,801.78	\$49,752.48	\$59,703.18
	Biweekly	\$1,530.84	\$1,913.56	\$2,296.28
O2-2	Annual	\$43,781.85	\$54,727.83	\$65,673.80
	Biweekly	\$1,683.92	\$2,104.92	\$2,525.92
O3-2	Annual	\$48,160.65	\$60,201.33	\$72,239.95
	Biweekly	\$1,852.33	\$2,315.44	\$2,778.46
O4-2	Annual	\$52,977.13	\$66,220.13	\$79,465.18
	Biweekly	\$2,037.58	\$2,546.93	\$3,056.35
O5-2	Annual	\$58,274.33	\$72,840.60	\$87,409.95
	Biweekly	\$2,241.32	\$2,801.56	\$3,361.92
O6-2	Annual	\$64,101.45	\$80,126.30	\$96,152.18
	Biweekly	\$2,465.44	\$3,081.78	\$3,698.16

PROFESSIONAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
P1-2	Annual	\$49,405.00	\$65,871.63	\$82,340.30
	Biweekly	\$1,900.19	\$2,533.52	\$3,166.93
P2-2	Annual	\$56,141.30	\$74,854.73	\$93,569.18
	Biweekly	\$2,159.28	\$2,879.03	\$3,598.81



**City of Fort Collins
Open Pay Plan**

TABLE: 3 SCIENCES & ENGINEERING, TECHNOLOGY

ADMINISTRATIVE		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A4-3	Annual	\$49,513.65	\$61,893.60	\$74,271.50
	Biweekly	\$1,904.37	\$2,380.52	\$2,856.60
A5-3	Annual	\$54,465.43	\$68,082.55	\$81,699.68
	Biweekly	\$2,094.82	\$2,618.56	\$3,142.30
A6-3	Annual	\$59,912.28	\$74,891.63	\$89,868.93
	Biweekly	\$2,304.32	\$2,880.45	\$3,456.50
MANAGERIAL		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
M1-3	Annual	\$90,414.23	\$120,554.35	\$150,691.40
	Biweekly	\$3,477.47	\$4,636.71	\$5,795.82
M2-3	Annual	\$103,978.05	\$138,635.35	\$173,295.73
	Biweekly	\$3,999.16	\$5,332.13	\$6,665.22
S1-3	Annual	\$69,186.48	\$92,250.00	\$115,311.48
	Biweekly	\$2,661.02	\$3,548.08	\$4,435.06
S2-3	Annual	\$78,621.60	\$104,828.80	\$131,036.00
	Biweekly	\$3,023.91	\$4,031.88	\$5,039.85



**City of Fort Collins
Open Pay Plan**

TABLE: 3 SCIENCES & ENGINEERING, TECHNOLOGY

OPERATIONS & SKILLED TRADE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
01-3	Annual	\$39,877.63	\$49,845.75	\$59,810.80
	Biweekly	\$1,533.75	\$1,917.14	\$2,300.42
02-3	Annual	\$44,303.58	\$55,384.85	\$66,466.13
	Biweekly	\$1,703.98	\$2,130.19	\$2,556.39
03-3	Annual	\$50,215.78	\$62,769.98	\$75,328.28
	Biweekly	\$1,931.38	\$2,414.23	\$2,897.24
04-3	Annual	\$55,782.55	\$69,743.05	\$83,685.10
	Biweekly	\$2,145.48	\$2,682.43	\$3,218.66
05-3	Annual	\$62,090.40	\$77,482.83	\$92,990.05
	Biweekly	\$2,388.09	\$2,980.11	\$3,576.54

PROFESSIONAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
P1-3	Annual	\$66,211.93	\$88,281.20	\$110,352.53
	Biweekly	\$2,546.61	\$3,395.43	\$4,244.33
P2-3	Annual	\$75,240.13	\$100,319.83	\$125,399.53
	Biweekly	\$2,893.85	\$3,858.45	\$4,823.06
P3-3	Annual	\$85,501.40	\$114,001.53	\$142,499.60
	Biweekly	\$3,288.52	\$4,384.67	\$5,480.75
P4-3	Annual	\$97,159.75	\$129,545.65	\$161,930.53
	Biweekly	\$3,736.91	\$4,982.53	\$6,228.10



**City of Fort Collins
Open Pay Plan**

EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

TABLE: 4 HUMAN RESOURCES, FINANCE & ACCTG, CUSTOMER SERVICE, ADMINISTRATION, MARKETING, LEGAL

ADMINISTRATIVE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A2-4	Annual	\$36,803.65	\$46,005.08	\$55,205.48
	Biweekly	\$1,415.53	\$1,769.43	\$2,123.29
A3-4	Annual	\$40,892.38	\$51,115.73	\$61,339.08
	Biweekly	\$1,572.78	\$1,965.99	\$2,359.20
A4-4	Annual	\$45,436.20	\$56,795.25	\$68,154.30
	Biweekly	\$1,747.55	\$2,184.43	\$2,621.32
A5-4	Annual	\$49,979.00	\$62,475.80	\$74,969.53
	Biweekly	\$1,922.27	\$2,402.92	\$2,883.44
A6-4	Annual	\$54,977.93	\$68,721.13	\$82,466.38
	Biweekly	\$2,114.54	\$2,643.12	\$3,171.78

MANAGERIAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
M1-4	Annual	\$81,360.40	\$108,478.83	\$135,600.33
	Biweekly	\$3,129.25	\$4,172.26	\$5,215.40
M2-4	Annual	\$93,564.05	\$124,751.73	\$155,940.43
	Biweekly	\$3,598.62	\$4,798.14	\$5,997.71
S1-4	Annual	\$56,419.08	\$75,220.65	\$94,023.25
	Biweekly	\$2,169.96	\$2,893.10	\$3,616.28
S2-4	Annual	\$64,106.58	\$86,505.90	\$106,850.10
	Biweekly	\$2,465.64	\$3,327.15	\$4,109.62



**City of Fort Collins
Open Pay Plan**

EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

TABLE: 4 HUMAN RESOURCES, FINANCE & ACCTG, CUSTOMER SERVICE, ADMINISTRATION, MARKETING, LEGAL

OPERATIONS & SKILLED TRADE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
O3-4	Annual	\$40,551.05	\$50,689.33	\$60,826.58
	Biweekly	\$1,559.66	\$1,949.59	\$2,339.48
O4-4	Annual	\$45,056.95	\$56,321.70	\$67,585.43
	Biweekly	\$1,732.96	\$2,166.22	\$2,599.44

PROFESSIONAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
P1-4	Annual	\$54,671.45	\$72,894.93	\$91,118.40
	Biweekly	\$2,102.75	\$2,803.65	\$3,504.55
P2-4	Annual	\$62,126.28	\$82,834.35	\$103,544.48
	Biweekly	\$2,389.47	\$3,185.94	\$3,982.48
P3-4	Annual	\$70,600.98	\$94,130.88	\$117,661.80
	Biweekly	\$2,715.42	\$3,620.42	\$4,525.45
P4-4	Annual	\$80,217.53	\$106,966.95	\$133,707.15
	Biweekly	\$3,085.29	\$4,114.11	\$5,142.58



City of Fort Collins
Open Pay Plan

EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

TABLE: 5 PROTECTIVE SERVICES (non-CBU)

ADMINISTRATIVE

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
A2-5	Annual	\$44,131.38	\$55,156.28	\$66,196.55
	Biweekly	\$1,697.36	\$2,121.40	\$2,546.02
A3-5	Annual	\$49,030.88	\$61,286.80	\$73,540.68
	Biweekly	\$1,885.80	\$2,357.18	\$2,828.49
A4-5	Annual	\$53,930.38	\$67,414.25	\$80,896.08
	Biweekly	\$2,074.25	\$2,592.86	\$3,111.39
A5-5	Annual	\$61,631.20	\$77,035.93	\$92,440.65
	Biweekly	\$2,370.43	\$2,962.92	\$3,555.41
A6-5	Annual	\$67,800.68	\$84,739.83	\$101,691.28
	Biweekly	\$2,607.72	\$3,259.22	\$3,911.20

MANAGERIAL

		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
M1-5	Annual	\$74,631.28	\$99,508.03	\$124,384.78
	Biweekly	\$2,870.43	\$3,827.23	\$4,784.03
M2-5	Annual	\$87,800.48	\$117,068.33	\$146,334.13
	Biweekly	\$3,376.94	\$4,502.63	\$5,628.24
S1-5	Annual	\$52,934.08	\$70,576.38	\$88,220.73
	Biweekly	\$2,035.93	\$2,714.48	\$3,393.10
S2-5	Annual	\$60,150.08	\$80,200.10	\$100,252.18
	Biweekly	\$2,313.46	\$3,084.62	\$3,855.85



City of Fort Collins
Open Pay Plan

TABLE: 5 PROTECTIVE SERVICES (non-CBU)

OPERATIONS & SKILLED TRADE				
		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
O2-5	Annual	\$39,699.28	\$49,624.35	\$59,549.43
	Biweekly	\$1,526.90	\$1,908.63	\$2,290.36
O3-5	Annual	\$44,109.85	\$55,137.83	\$66,164.78
	Biweekly	\$1,696.53	\$2,120.69	\$2,544.80
O4-5	Annual	\$49,011.40	\$61,264.25	\$73,517.10
	Biweekly	\$1,885.05	\$2,356.32	\$2,827.58
PROFESSIONAL				
		<u>MINIMUM</u>	<u>MIDPOINT</u>	<u>MAXIMUM</u>
P1-5	Annual	\$54,264.53	\$72,346.55	\$90,437.80
	Biweekly	\$2,087.10	\$2,782.56	\$3,478.38
P2-5	Annual	\$60,769.18	\$81,027.28	\$101,281.28
	Biweekly	\$2,337.28	\$3,116.43	\$3,895.43
P3-5	Annual	\$68,060.00	\$90,750.43	\$113,439.83
	Biweekly	\$2,617.69	\$3,490.40	\$4,363.07
P4-5	Annual	\$102,742.93	\$136,971.78	\$171,228.30
	Biweekly	\$3,951.65	\$5,268.15	\$6,585.70



City of Fort Collins
2025 Step Pay Plan

EXHIBIT A TO ORDINANCE NO. 014, 2025

Item 10.

JOB TITLE	1	2	3	4	5	6	7	8	9	10
LINE GROUNDWORKER										
	\$63,976	\$67,045	\$70,265	\$73,637	\$77,173	\$80,878	\$84,839	\$89,070		
ELECTRIC LINeworkER										
	\$89,193	\$94,231	\$97,037	\$99,933	\$102,965	\$106,042	\$109,212	\$113,148	\$117,335	\$124,443
LINE CREW CHIEF										
	\$130,043	\$135,719								
ELECTRIC METER SYSTEM TECH										
	\$69,570	\$76,518	\$81,718	\$86,877	\$91,997	\$97,064	\$101,187	\$105,338	\$109,474	\$113,611
SUBSTATION SPECIALIST										
	\$89,263	\$99,786	\$108,074	\$116,273	\$124,540					
SUBSTATION ELEC/COMM SPEC										
	\$101,523	\$111,934	\$121,900	\$131,447	\$141,645					
ELECTRIC SYSTEMS OPERATOR										
	\$86,315	\$92,001	\$97,686	\$103,371	\$109,057	\$114,742	\$120,428			
WATER OPERATOR										
	\$65,564	\$71,295	\$75,556	\$80,101	\$84,925	\$91,475				
FLEET MAINTENANCE TECHNICIAN										
	\$58,215	\$64,528	\$67,080	\$69,790	\$72,578	\$75,485	\$78,508	\$81,223		
BUILDING INSPECTOR										
	\$69,514	\$76,313	\$79,382	\$82,920	\$86,161	\$89,612	\$93,193	\$96,985		
LEAD BUILDING INSPECTOR										
	\$76,464	\$83,557	\$86,901	\$90,788	\$94,383	\$98,146	\$102,033	\$106,168		

ORDINANCE NO. 015, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE GENERAL
FUND FOR THE COST OF POLICE SERVICES SALARY AND
BENEFIT INCREASES AS PROVIDED IN THE COLLECTIVE
BARGAINING AGREEMENT WITH THE FRATERNAL ORDER OF
POLICE

A. On December 3, 2024, the City Council adopted Resolution 2024-141 approving a collective agreement between the City and the Northern Colorado Lodge #3 of the Fraternal Order of Police (“CBA”).

B. On December 28, 2024, the parties executed the CBA.

C. The CBA contains a provision giving the City until January 12, 2025, to collect salary market data from several different identified benchmark agencies for the classified positions in the collective bargaining unit.

D. The Fort Collins Police Services (“FCPS”) operational budget includes employee salary expenses.

E. The terms of the CBA call for salary increases equal to or greater than 4% for members of the collective bargaining unit.

F. The budget shortfall is \$750,000.

G. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose to include enforcement of the provisions of the City Code and state law and such other functions and duties necessary to preserve the public peace, prevent crime, apprehend criminals and protect rights of persons and property through enforcement of penal laws of the City and the state.

H. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

I. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF

FORT COLLINS that there is hereby appropriated from prior year reserves in the General Fund the sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) to be expended in the General Fund for the cost of Police Services salary and benefit increases as provided in the Collective Bargaining Agreement with the Fraternal Order of Police.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on February 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Sara Arfmann

File Attachments for Item:

11. First Reading of Ordinance No. 016, 2025, Authorizing the Conveyance of a Permanent Non-Exclusive Utility Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport to the Fort Collins-Loveland Water District.

The purpose of this item is to authorize a permanent, non-exclusive utility easement over a portion of Northern Colorado Regional Airport property to allow for the installation and maintenance of a waterline to serve the Fort Collins-Loveland Water District's (the "District") public water system. The project will improve reliability and redundancy of the water system that serves the Airport and surrounding area. The Airport will receive fair market value compensation for the easement.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Aaron Ehle, Airport Planning & Development Specialist

SUBJECT

First Reading of Ordinance No. 016, 2025, Authorizing the Conveyance of a Permanent Non-Exclusive Utility Easement on Property Jointly Owned by the City of Fort Collins and the City of Loveland at the Northern Colorado Regional Airport to the Fort Collins-Loveland Water District.

EXECUTIVE SUMMARY

The purpose of this item is to authorize a permanent, non-exclusive utility easement over a portion of Northern Colorado Regional Airport property to allow for the installation and maintenance of a waterline to serve the Fort Collins-Loveland Water District's (the "District") public water system. The project will improve reliability and redundancy of the water system that serves the Airport and surrounding area. The Airport will receive fair market value compensation for the easement.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Northern Colorado Regional Airport is a public facility jointly owned and operated by the Cities of Fort Collins and Loveland. In 2015, the Cities entered into an intergovernmental agreement ("IGA") that formed the Northern Colorado Regional Airport Commission, which delegated certain powers and authority to operate and maintain the Airport. However, only the City Councils have the authority to grant easements as permanent property rights at the Airport.

In connection with planned upgrades to the District's water system, an agreement for a permanent non-exclusive easement for a waterline (the "Easement") has been negotiated by staff from the Airport, both Cities, and the District. The Easement area consists of 3,032 square feet (0.0696 acres) in the northwest area of the Airport.

Under City Code Section 23-111, the City Council may sell, convey, exchange, or otherwise dispose of any and all interests in City-owned real property if the City Council finds, by ordinance, that such sale or disposition is in the best interests of the City. City Code Section 23-114 requires that any sale, lease or other conveyance of property must be for an amount equal to or greater than the fair market value of such interest unless the City Council or City Manager, as applicable, determines that such sale or lease serves a bona fide public purpose by meeting certain criteria.

Here, the conveyance of the Easement will result in the City, at a minimum, receiving fair market value, because the District has agreed to install certain water infrastructure improvements on Airport property that will benefit the Airport.

The Airport conducted an appraisal in conformance with the guidelines and recommendations set forth in the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA), the Uniform Standards of Professional Appraisal Practice (USPAP) and the Uniform Relocation Assistance and Real Property Acquisition Act. It also conforms to the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. The appraisal determined the fair market value of the Easement to be \$3,675, which the District will pay to the Airport upon its execution.

The conveyance of the Easement benefits the City because it will allow the District to create a more robust and reliable water system that serves, in part, much of south Fort Collins. The Airport will benefit by receiving financial compensation.

The Airport Commission considered the conveyance of the Easement at a public meeting and voted to recommend its approval by the City Councils.

CITY FINANCIAL IMPACTS

The Easement does not have a material financial impact to the City but does result in a net benefit to the Airport of \$3,675.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Northern Colorado Regional Airport Commission recommended that the City Councils approve the Easement with a 6-0 vote at their January 16, 2025, meeting.

PUBLIC OUTREACH

The item was discussed at one Airport Planning & Development Subcommittee meetings and one Airport Commission meeting, both of which are public meetings.

ATTACHMENTS

1. Ordinance for Consideration
2. Exhibit A to Ordinance

ORDINANCE NO. 016, 2025
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 AUTHORIZING THE CONVEYANCE OF A PERMANENT NON-
 EXCLUSIVE UTILITY EASEMENT ON PROPERTY JOINTLY
 OWNED BY THE CITY OF FORT COLLINS AND THE CITY OF
 LOVELAND AT THE NORTHERN COLORADO REGIONAL
 AIRPORT TO THE FORT COLLINS-LOVELAND WATER
 DISTRICT

A. The City of Fort Collins (“City”) and the City of Loveland (“Loveland”) (collectively, the “Cities”) jointly own property in Loveland (the “Property”) known as the Northern Colorado Regional Airport (the “Airport”).

B. The Cities currently operate and maintain the Airport pursuant to that certain Amended and Restated Intergovernmental Agreement for the Joint Operation of the Fort Collins-Loveland Airport dated January 22, 2015, as amended (the “IGA”).

C. In 2024, the Cities granted the Fort Collins-Loveland Water District (the “District”) a permanent, non-exclusive easement for installation of one or more domestic waterlines for transmission and distribution of domestic water to serve the terminal (the “2024 Waterline Easement”).

D. In connection with ongoing construction, including the installation of a necessary suction line, and related to the 2024 Waterline Easement, the District has requested a permanent, non-exclusive easement for installation, construction, operation, replacement of one or more domestic waterlines for transmission and distribution of domestic water to serve the terminal (the “2025 Waterline Easement”) over and across that portion of the Airport property legally described and depicted in the Easement Agreement, attached hereto and incorporated herein by this reference as Exhibit “A.”

E. The Cities desire to grant the Easement on the terms and conditions as substantially set forth in the Easement Agreement, which includes fair market value payment of \$3,675 to the Cities from the District, but which also benefits the Airport by serving to provide water service necessary for the terminal.

F. City Code Section 23-111(a) authorizes the City Council to sell, convey, or otherwise dispose of any interest in real property owned by the City, provided the City Council first finds, by ordinance, that such sale or other disposition is in the best interest of the City.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. The City Council hereby finds that the City’s conveyance of the Easement subject to terms and conditions substantially set forth in the Easement

Agreement for less than fair market value serves a bona fide public purpose and is in the best interests of the City as required by City Code Section 23-114 because:

- a. The use to which the Easement will be put promotes health, safety or general welfare and benefits a significant segment of the citizens of Fort Collins by facilitating public investment in and improvement of the Airport and the users it serves, and will allow domestic water service for the new public terminal facility currently being constructed;
- b. The use to which the Easement will be put supports one (1) or more of the City Council's goals, adopted policies, projects or plans, including the Airport Master Plan, which was approved by Council;
- c. The financial support provided by the City through the below-market disposition of the Easement will be leveraged with other funding or assistance enabling the construction and operation of the new terminal facility, which the City has partnered with the City of Loveland to complete;
- d. The sale or lease will not result in any direct financial benefit to any private person or entity, except to the extent such benefit is only an incidental consequence and is not substantial relative to the public purpose being served because it will enable continued development of the new public terminal facility for the benefit of the Cities and the greater public; and
- e. Granting the Easement for fair market value will not interfere with current City projects or work programs, hinder workload schedules, or divert resources for primary City functions or responsibilities and will ultimately benefit the Airport and the Cities.

Section 2. The City Council hereby authorizes the Mayor to execute the Easement Agreement substantially in the form attached hereto as Exhibit "A" with such modifications or additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City of Fort Collins or to effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on the February 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 28, 2025
Approving Attorney: Dianne Criswell

EASEMENT AGREEMENT

THIS AGREEMENT, made and entered into as of the ____ day of _____, 2025, by and between the City of Fort Collins, Colorado, a municipal corporation, and the City of Loveland, Colorado, a municipal corporation, hereinafter referred to jointly as “the Grantors”, and Fort Collins-Loveland Water District, a Political Subdivision of the State of Colorado, hereinafter referred to as “the District”.

WHEREAS, Grantors jointly own and operate the Northern Colorado Regional Airport (the “Airport”) located in Loveland, Colorado, on a parcel of property legally described in “Exhibit A” attached hereto and incorporated herein (hereinafter the “Grantors’ Property”); and

WHEREAS, the Grantors previously granted an easement for a regional waterline under and through Grantors’ Property through an Easement Agreement dated February 16, 2024 (the “Waterline Easement”); and

WHEREAS, the Easement granted herein relates to the Waterline Easement and is necessary to connect a suction line to the regional waterline installed in the area of the Waterline Easement.

WITNESSETH:

For and in consideration of the mutual promises and covenants herein contained and the sum of three thousand six hundred fifty-four Dollars (\$3,654.00) and other good and valuable consideration, the receipt and adequacy of which is hereby confessed and acknowledged, the Grantors have granted and conveyed and by these presents does grant and convey unto the District, its successors and assigns, a permanent non-exclusive easement for the installation, construction, maintenance, inspection, operation, replacement, or removal of one (1) or more domestic waterlines for the transmission and distribution of domestic water, and all underground and surface appurtenances thereto, including metering stations and other fixtures (collectively, the “Facilities”), in, over, across, and upon that portion of the Grantors’ Property described and depicted below (the “Easement Area”):

See “Exhibit B” – Legal Description of Easement Area

See “Exhibit C” – Easement Area Depiction

In addition to the foregoing grant of Easement by the Grantors to the District, the Grantors further grant and convey to the District the following rights and privileges:

A. The right to grade the Easement for the full width thereof in such manner as the District may reasonably determine to be necessary or advisable.

B. The right to support pipelines located within the Easement across ravines and watercourses with such structures as the District shall reasonably determine to be necessary or advisable.

C. Subject to Airport security requirements and prior written consent of Airport staff which shall not be unreasonably withheld, the right of ingress and egress to and from the Easement by means of existing roads (whether public or private) located on the Grantors’ Property, if any, or in the absence of such roads, by such other routes as the District shall determine to be reasonably necessary taking into consideration the minimization of damage to the Grantor’s Property. For purposes of this Agreement, the term “Airport staff” shall mean the individual(s) designated and authorized by Grantors to make the decisions and take the actions described and directed herein. The District may rely on the information and direction given by Airport staff pursuant to this Agreement and shall have no obligation to verify that any particular individual has been duly authorized by the Grantors to provide such information and/or direction.

D. The right to grade, construct, maintain, and use any access roads upon the Grantor’s Property within the Easement Area for such purposes of initial construction and ongoing maintenance with prior written consent of Airport staff in the exercise of its right of ingress and egress to and from the Easement. For any construction or alteration on the Easement or Grantors’ Property, the District will be required to complete and submit the Federal Aviation Administration a Form 7460-1 “Notice of Proposed Construction or Alteration.”

F. To mark the location of the Easement Area and/or the waterline with markers set in the ground provided that any such markers remaining after the period of construction of the domestic waterline and

appurtenances shall be placed in locations which will minimize interference with any reasonable use of the Easement Area by the Grantors.

G. For all of the District's access needs to the Easement Area or any other portion of Grantors' Property, such access is subject to the prior written consent of Airport staff pursuant to the Airport's security requirements and other applicable laws, plans, policies, and rules and regulations. It is the parties' intent to provide the District with as much access as possible to the Easement Area while complying with the various rules and regulations associated with operating the Airport.

H. All other rights necessary and incident to the full and complete use and enjoyment of the Easement for the purposes herein granted.

I. Other public utilities, such as sanitary sewer, storm sewer, gas, electric, and cable lines may be installed in the Easement Area as long as they do not interfere with the District's rights hereunder and meet the District's requirements for separation and crossing of utilities.

The Grantor hereby covenants and agrees to and with the District, its successors and assigns that:

A. Except as otherwise provided in subparagraph A, the Grantors, their heirs, personal representatives, administrators, successors, and assigns shall not erect or place any permanent building, structure, improvement, fence, tree, or other landscaping on the Easement Area, excluding the installation of permanent paved surfaces, including but not limited to roadways and taxiways needed for Airport purposes over the Easement Area by the Grantors. In the event of the placement of such obstacles within the Easement Area contrary to the provisions of this subparagraph A, the District shall have the right to require the Grantors to remove such disallowed obstacles from the Easement Area and, in the event the Grantors fail to do so upon request, the District may remove such obstacles at the Grantors' expense and without any liability for repair or replacement thereof. Notwithstanding the foregoing, the Grantors, their heirs, personal representatives, administrators, successors, and assigns shall have the right, without the consent of the District, to plant grasses and other groundcover and small shrubs upon the Easement Area which are usual and customary for the full use and enjoyment of the Grantors' Property. However, the District shall be responsible at its sole cost and expense for repair or replacement of any permanent paved surfaces and associated landscaping damaged or removed by the District.

B. The Grantors do hereby covenant and agree to and with the District that the Grantors are lawfully seized of the Easement Area and the Grantors' Property, and that the Grantors has a good and lawful right to convey the Easement Area to the District and that the Grantors warrant the title thereto.

C. The District shall have the right of subjacent and lateral support to whatever extent is necessary or desirable for the full, complete and undisturbed enjoyment of the rights described in this Agreement. The Grantors shall take no action that would impair the earth cover over, or the lateral or subjacent support for, any of the Facilities within the Easement Area.

The District does hereby covenant and agree to and with the Grantors as follows:

A. The District shall not fence or otherwise enclose the Easement Area, except during periods of construction and repair.

B. All trenches and excavations made in the laying or repairing of the domestic waterline shall be properly backfilled and as much of the original surface soil as reasonably possible shall be placed on top. All large gravel, stones, and clods will be removed from the finished backfill. The District will finish the backfill after normal settling of the soil so that the use and enjoyment of said Easement by the Grantors shall be suitable for the purpose now used. The District will maintain the trench area and the domestic waterline.

C. The District may not use the Easement Area of any of Grantors' Property for any purpose other than to transport, serve and distribute potable water. If the Easement Area is used by the District for any purpose other than stated herein, the Easement may be terminated at the Grantors' sole discretion and all of the right, title and interest of District (and District's successors or assigns) in and to the Easement become null and void, and the Easement shall absolutely revert to and revest in Grantors as fully and completely as if this instrument had not been executed, without the necessity for suit or re-entry and District shall remove improvements. No act or omission on the part of any beneficiary of this paragraph shall be a waiver of the operation or enforcement of this paragraph.

D. Grantors reserve the right to use the Easement Area and Grantors' Property for any purposes that will not interfere with District's full enjoyment of the rights granted herein.

F. To the extent allowed by law, District agrees to indemnify and hold harmless the Grantors, their officers, employees, and agents, from and against all liability, claims, and demands on account of any injury, loss, or damage arising out of or connected with District's use of the Easement Area, if such injury, loss, or

damage, or any portion thereof, is caused by, or claimed to be caused by, the act, omission, or other fault of the District or any officer, employee, agent, or contractor of the District, or any other person for whom the District is responsible. The District shall notify Grantors and provide a copy of any and all written claims or demands within two business days of receipt. The District's indemnification obligation shall not be construed to extend to any injury, loss, or damage caused by the negligent act or omission of the Grantors.

Written notices shall be directed as follows and shall be deemed received when hand-delivered or emailed to the then-current email address for the addressee, or three days after being sent by certified mail, return receipt requested:

If to Grantors:

City of Fort Collins
Attn: City Manager
City Hall West
300 LaPorte Avenue
Fort Collins, CO 80521

With a copy to:

City Attorney
City of Fort Collins
City Hall West
300 LaPorte Avenue
Fort Collins, CO 8 0521

City of Loveland
Attn: City Manager
500 E. Third Street
Loveland, CO 80537

With a copy to:

City Attorney
City of Loveland
500 E. Third Street
Loveland, CO 80537

If to District:

District Engineer
Fort Collins-Loveland Water District
5150 Snead Drive
Fort Collins, CO 80525

It is mutually agreed between the parties hereto that:

A. Except to the extent that such rights may be inconsistent with or interfere with the rights and privileges herein granted to the District, the Grantors shall retain the right to use and enjoy the Easement Area.

B. The benefit and burdens of this Agreement shall inure to and be binding upon the respective heirs, personal representatives, successors, or assigns of the parties hereto.

C. Whenever used herein, the singular shall include the plural and the plural the singular and the use of any gender shall apply to all genders.

D. This Easement is and shall be subordinate to the provisions of existing and future agreements between the Grantors and the United States relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the obtaining or expenditure of federal funds for the benefit of the Airport. Grantors shall give the District adequate written notice of any future agreements that may impair any grant contained in this Agreement.

E. This Agreement contains the entire agreement of the parties relating to the subject matter hereof and, except as provided herein, may not be modified or amended except by written agreement of the parties. In the event a court of competent jurisdiction holds any provision of this Agreement invalid or unenforceable, such holding shall not invalidate or render unenforceable any other provision of this Easement. This Agreement shall be governed by the laws of the State of Colorado, and venue shall be in the County of Larimer, State of Colorado.

F. This Agreement may be executed in separate counterparts, and the counterparts taken together shall constitute the whole of this Agreement. Facsimile, scanned and other electronic signatures permitted by law, for purposes of this Agreement, shall be deemed as original signatures.

G. This Agreement shall be recorded in the real property records of the Clerk and Recorder of Larimer County, Colorado.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

GRANTORS:

City of Fort Collins, Colorado
A municipal corporation,

By: _____
Jeni Arndt, Mayor

ATTEST:

City Clerk Date

APPROVED AS TO FORM:

Senior Assistant City Attorney

City of Loveland, Colorado
A municipal corporation,

By: _____
Jim Thompson, City Manager

ATTEST:

City Clerk Date

APPROVED AS TO FORM:

Deputy City Attorney

EXHIBIT "A"

EASEMENT DESCRIPTION

PARCEL ONE

Being a portion of Tract B of Barnstorm Second Addition to the City of Loveland, Colorado, as recorded August 12, 1986 at Reception No. 86044345 in the Larimer County Clerk and Recorder's Office, located in Section 28, Township 6 North, Range 68 West of the Sixth Principal Meridian, City of Loveland, County of Larimer, State of Colorado, being more particularly described as follows:

COMMENCING at the Northwest Corner of said Section 28, as monumented by a 3/4" rebar with 2-1/2" aluminum cap, LS29407, 2009, which bears North 00° 05' 42" East, a distance of 2692.36 feet from the West Quarter Corner of said Section 28, as monumented by a 2-1/2" aluminum cap on 3/4" rebar, LS5028, 2005, with all bearings herein relative thereto;

Thence South 61°32'42" East a distance of 115.95 feet to a point on the Southerly Right-of-Way of East Larimer County Road 30 as recorded at Reception No. 86044332 in the Larimer County Clerk and Recorder's Office, the POINT OF BEGINNING;

Thence continuing on said southerly right-of-way, South 87°05'27" East a distance of 30.01 feet, parallel with and 50.00 feet south of the North line of said Section 28;

Thence departing said Southerly Right-of-Way, South 04°38'20" West a distance of 32.99 feet;

Thence South 27°37'02" West a distance of 68.65 feet to the North line of that easement to Fort Collins-Loveland Water District recorded at Reception No. 20240018146 in the Larimer County Clerk and Recorder's Office;

Thence along said North line, North 87°05'52" West a distance of 27.71 feet to the Northwest corner of said easement to Fort Collins-Loveland Water District;

Thence departing said North line, North 00°05'42" East a distance of 10.45 feet, parallel with and 70.00 feet east of the West line of said Section 28;

Thence North 27°37'02" East a distance of 64.86 feet;

Thence North 04°38'20" East a distance of 25.99 to the POINT OF BEGINNING.

The above-described parcel contains 3,032 square feet or 0.0696 acres, more or less, and is subject to any rights-of-way or other easements of record now existing on said described parcel of land.

Basis of Bearings: The West line of the Northwest Quarter of Section 28, Township 6 North, Range 68 West, of the 6th/ Principal Meridian bears North 00°05'42" East 2692.36 feet from the West Quarter Corner, being marked by a 2 1/2" Aluminum Cap on 3/4" rebar, LS5028, 2005, to the Northwest Corner, being marked by a 3/4" rebar with 3 1/4" Aluminum Cap, LS29407, 2009, based upon G.P.S. observations and modified Colorado North Zone State Plane Coordinates with a combined scale factor of 1.00027973, with all bearings herein relative thereto.

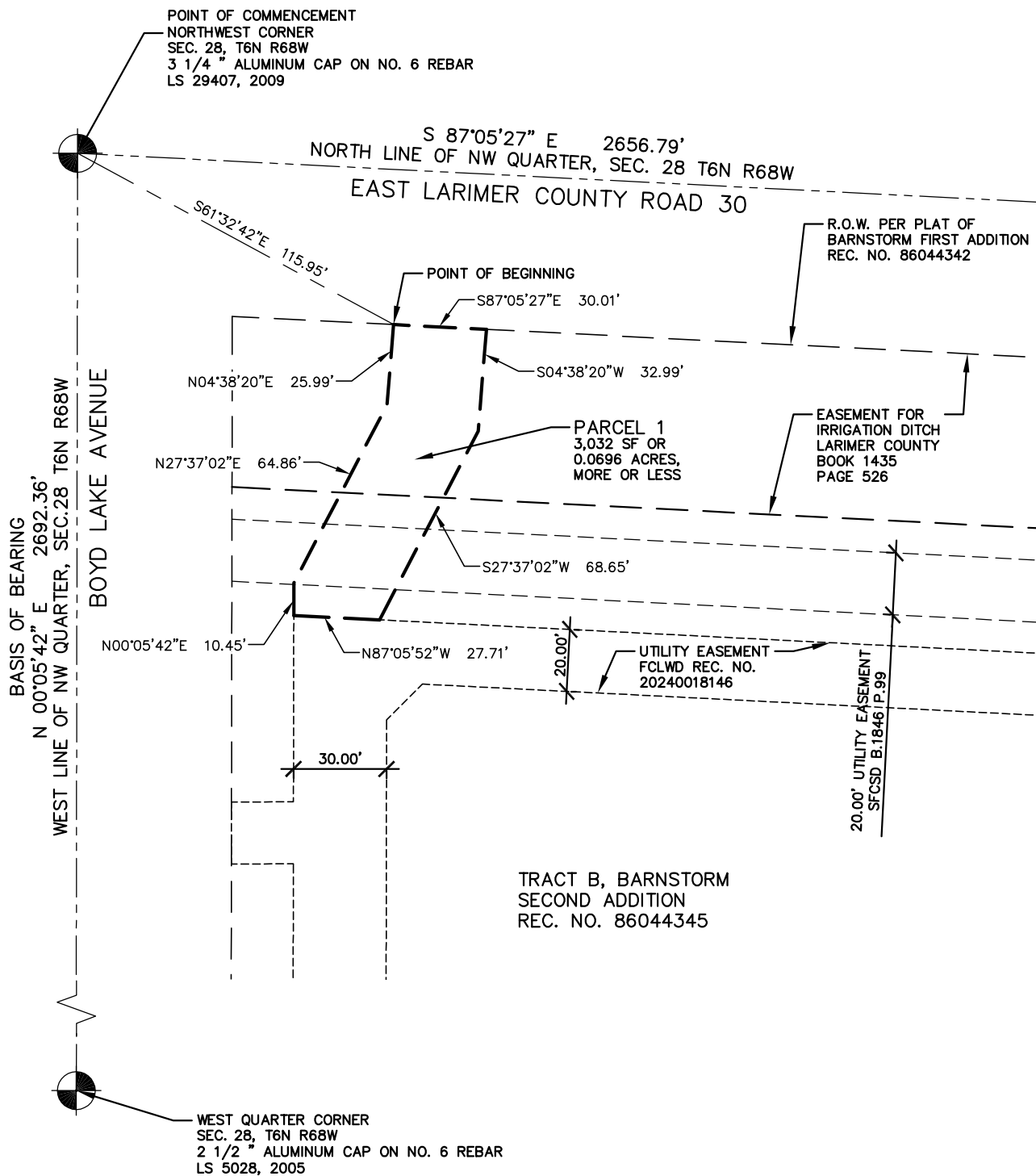
SURVEYOR'S CERTIFICATION STATEMENT

I, Peter E. Paulus, a Professional Licensed Land Surveyor in the State of Colorado, do hereby certify that this Property Description was prepared by me or under my direct personal supervision and that it is correct based upon my knowledge, information, and belief.



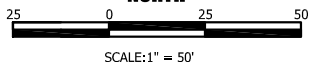
EXHIBIT A-1

EASEMENT MAP PARCEL ONE



NOTE: THIS EXHIBIT DRAWING IS NOT INTENDED TO BE A MONUMENTED LAND SURVEY. ITS SOLE PURPOSE IS AS A GRAPHIC REPRESENTATION TO AID IN THE VISUALIZATION OF THE WRITTEN PROPERTY DESCRIPTION WHICH IT ACCOMPANIES. THE WRITTEN PROPERTY DESCRIPTION SUPERSEDES THE EXHIBIT DRAWING.

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. (13-80-105 C.R.S. 2012)



SCALE: 1" = 50'

File Attachments for Item:

12. Resolution 2025-005 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins Downtown Development Authority Regarding the Renovation and Redevelopment of East Mulberry and Chestnut Street Alleys.

The purpose of this item is to request Council adoption of an Intergovernmental Agreement (IGA) between the City and the Downtown Development Authority (DDA) for renovation and redevelopment of the East Mulberry Street and Chestnut Street Alleys. The alley names listed are temporary and only specified for the purpose of this IGA and for identification during design and construction. They will be officially named in the future and with consideration of the City's theme of naming downtown alleys to honor exemplary individuals who reflect the historic and cultural geography of the downtown area.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Brad Buckman, City Engineer

SUBJECT

Resolution 2025-005 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Fort Collins Downtown Development Authority Regarding the Renovation and Redevelopment of East Mulberry and Chestnut Street Alleys.

EXECUTIVE SUMMARY

The purpose of this item is to request Council adoption of an Intergovernmental Agreement (IGA) between the City and the Downtown Development Authority (DDA) for renovation and redevelopment of the East Mulberry Street and Chestnut Street Alleys. The alley names listed are temporary and only specified for the purpose of this IGA and for identification during design and construction. They will be officially named in the future and with consideration of the City's theme of naming downtown alleys to honor exemplary individuals who reflect the historic and cultural geography of the downtown area.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

This IGA is the sixth of its kind for enhancements pursuant to a Master Plan. On January 10, 2008, the Board or Directors of the DDA commissioned Russell + Mills Studios to prepare a Master Plan for Downtown Alleys and Integrated Walkways for the redevelopment of designated alleys within the boundaries of the DDA. The purpose of the Master Plan was to propose improvements to certain alleyways located in or adjacent to the DDA's boundaries to address deterioration, safety, parking, incompatibility of modes of travel and trash/recycling collection practices.

On May 18, 2010, Council adopted Resolution 2010-027 authorizing the City Manager to execute the IGA agreement by and between the City and the DDA relating to the construction, operation, and maintenance of the Montezuma Fuller Alley and Old Firehouse Alley improvements. On February 1, 2011, Council adopted Resolution 2011-006 authorizing the City Manager to execute a separate IGA with the DDA relating to the construction, operation, and maintenance of the West Myrtle Alley. In 2014, the City and the DDA negotiated and agreed upon an "Intergovernmental Agreement Regarding Maintenance of Certain Downtown Alleys" (the "Maintenance IGA"), under which the DDA pays the City to perform certain maintenance services within the alleys redeveloped under the 2010 IGA and the 2011 IGA. On May 1, 2018, Council adopted Resolution 2018- 042 authorizing the City Manager to execute a separate IGA with the DDA relating to the construction, operation, and maintenance of the Old Firehouse/Seckner Alleys and West Mountain Alley. On January 5, 2021, Council adopted Resolution 2021- 001 authorizing the City

Manager to execute a separate IGA with the DDA relating to the construction, operation, and maintenance of the Tenney Court North Alley and West Oak Street Alley. On January 17, 2023, Council adopted Resolution 2023-008 authorizing the City Manager to execute a separate IGA with the DDA relating to the construction, operation, and maintenance of the Olive Street Alley, Harper-Goff Alley, and East Myrtle Street Alley.

The East Mulberry and Chestnut Street Alleys need substantial renovation and redevelopment, and the alley enhancements will provide aesthetic and economic benefits to the area encompassed by the City and the DDA. The City and the DDA have formulated a Basis of Design to clarify design expectations for redevelopment of the alleys and future alley enhancement projects in downtown Fort Collins. Overall, the architectural concepts in the Basis of Design are meant to enhance the local character and provide for enhanced pedestrian uses of the alley spaces. Additional architectural goals include encouraging additional outdoor uses, inspiring redevelopment on adjacent private land, ensuring emergency access where applicable, creating special trash and recycling collection strategies for each alley, and implementing shared street models to allow multi-modal access, including business deliveries and solid waste haulers, in a controlled and integrated manner.

The alley enhancements for this IGA were designed in accordance with the Basis of Design. Additionally, contracts for the alley enhancements proposed under this IGA have been awarded through the City's competitive bidding process and utilizing standard contract forms through the City's Purchasing Department adapted to recognize the DDA's role as the responsible contracting party. The contract for construction services for this work is between the DDA and the general contractor. The alleys shall be constructed in accordance with the Basis of Design, LCUASS, and all applicable City standards and requirements for public rights-of-way.

The DDA Board approved the proposed IGA at its meeting on December 12, 2024 and authorized its chairperson to execute the agreement.

Anticipated construction timeline for DDA Alley Enhancements Project Installations is April 2025 - November 2025.

CITY FINANCIAL IMPACTS

The total cost to the City is zero.

The DDA will cover 100% of the costs for construction, and for maintenance of these new alleyways, and will incorporate those costs into its ongoing annual investments that support the enhanced alley program.

The DDA forecasts it will spend up to \$560,000 in 2025, and up to \$740,000 in 2026 to maintain the entire enhanced alleyway system. These projected costs are inclusive of all services the DDA purchases from City Parks Maintenance for general daily maintenance and seasonal horticulture, and additional expenses for snow removal, power washing, capital repair/replacement work items, and a capital reserve fund.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Final design plans for these alley enhancements will be reviewed by the Historic Preservation Commission to the extent set forth in the Land Use Code.

PUBLIC OUTREACH

The DDA has conducted outreach regarding these Alley Enhancements from March 2024 until now. This includes outreach and coordination with all adjacent businesses/building owners, an alley specific open house event, a presentation to the Historic Preservation Commission on January 15, 2025, and upcoming

scheduled presentation to the Disability Advisory Board on February 17, 2025, for comment and affirmation of designs.

ATTACHMENTS

1. Resolution for Consideration
2. Exhibit A to Resolution
3. Alley Locations
4. 2024 Alleys Basis of Design
5. Scope of Maintenance Obligations

RESOLUTION 2025-005
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
FORT COLLINS AND THE FORT COLLINS DOWNTOWN
DEVELOPMENT AUTHORITY REGARDING THE RENOVATION
AND REDEVELOPMENT OF EAST MULBERRY AND CHESTNUT
STREET ALLEYS

A. On January 10, 2008, the Board of Directors of the Downtown Development Authority, a body corporate and politic (the “DDA”), commissioned Russell+Mills Studies (R+M), Inc., to prepare a Master Plan for Downtown Alleys and Integrated Walkways for the redevelopment of designated alleys within the boundaries of the DDA (the “Master Plan”).

B. The purpose of the Master Plan was to propose improvements to certain alleyways located in or adjacent to the DDA’s boundaries to address deterioration, safety, parking, incompatibility of modes of travel and trash collection practices, leading to a more visually pleasing appearance in the alleyways and a “shared street” concept whereby the alleyways would be more conducive to vehicle, pedestrian and bicycle traffic, and provide greater connectivity between Fort Collins Downtown, the Colorado State University campus and the Fort Collins River District.

C. On May 18, 2010, the City Council adopted Resolution 2010-027 authorizing the City Manager to execute the intergovernmental agreement by and between the City and the DDA relating to the construction, operation and maintenance of the Montezuma Fuller Alley and Old Firehouse Alley Improvements.

D. On February 1, 2011, the City Council adopted Resolution 2011-006 authorizing the City Manager to execute a separate IGA with the DDA relating to the construction, operation and maintenance of the West Myrtle Alley (the “2011 IGA”).

E. In 2014, the DDA and the City negotiated and agreed upon that certain “Intergovernmental Agreement Regarding Maintenance of Certain Downtown Alleys”, under which the DDA pays the City to perform certain maintenance services within the alleys redeveloped under the 2010 IGA and 2011 IGA (the “Maintenance IGA”).

F. On May 1, 2018, the City Council adopted Resolution 2018-042, authorizing the City Manager to execute an intergovernmental agreement with the DDA relating to the construction, operation and maintenance of the Old Firehouse Alley/Seckner Alley and West Mountain Alley (the “2018 IGA”).

G. On January 5, 2021, the Fort Collins City Council adopted Resolution 2021-001, authorizing the City Manager to execute an intergovernmental agreement with the

DDA relating to the construction, operation and maintenance of Tenney Court North Alley and West Oak Street Alley (the “2021 IGA”); and

H. On June 15, 2021, the Fort Collins City Council adopted Resolution 2021-068, authorizing the City Manager to execute an amendment to the 2021 IGA with the DDA relating to the construction, operation and maintenance of certain Alley Enhancement on City-owned property abutting Tenney Court North Alley (the “2021 IGA Amendment”).

I. On January 17, 2023, the City Council adopted Resolution 2023-008 authorizing the City Manager to execute a separate IGA with the DDA relating to the construction, operation, and maintenance of the Olive Street Alley, Harper-Goff Alley, and East Myrtle Street Alley (the “2023 IGA”).

J. On December 12, 2024, the DDA Board approved and authorized execution of the attached Intergovernmental Agreement Regarding the Renovation and Redevelopment of East Mulberry Street and Chestnut Street Alley (the “2025 IGA”) as shown on Exhibit “A”, attached hereto and incorporated herein by this reference.

K. On October 10, 2019, the DDA Board approved the redevelopment in 2025 of East Mulberry Street Alley and Chestnut Street Alley, as depicted on Exhibit “A” of the 2025 IGA.

L. On March 14, 2024, the DDA Board commissioned RVI Planning+Landscape Architecture, Inc., (“Contractor”) to prepare plans and specifications for renovation of the Alleys.

M. The City and DDA have formulated and agreed upon a Basis of Design, dated November 2024, to clarify design expectations for redevelopment of the Alleys and to serve as a foundation for design expectations for future alley enhancement projects in downtown Fort Collins, which is included in Exhibit “B” to the 2025 IGA (“Basis of Design”).

N. The construction plans, entitled “Fort Collins Downtown Alleys – East Mulberry Street Alley and Chestnut Street Alley,” dated October 22, 2024, currently are at sixty percent (60%) completion and will be brought to one hundred percent (100%) completion with the assistance of the Contractor.

O. Once completed, the construction plans will be subject to approval by the City in accordance with the City’s Capital Projects Review process and, upon such approval, the construction plans will be on file in the offices of the DDA and with the Engineering Department of the City (the “Construction Plans” or “Alley Enhancements”).

P. The Alleys are in need of substantial renovation and redevelopment, and the Alley Enhancements will provide aesthetic and economic benefits to the area encompassed by the DDA, and to the City as a whole.

Q. The Alley Enhancements will be designed and constructed in accordance with the Basis of Design, current Larimer County Urban Area Street Standards, and the Construction Plans, as approved through the City's Capital Projects Review process.

R. The City is the owner of the right-of-way within the Alleys (the "ROW").

S. On March 21, 2017, the City adopted the Downtown Plan which supports development of an integrated pedestrian network consisting of alleyways.

T. The construction of the Alley Enhancements (the "Alley Enhancement Project") is consistent with and in furtherance of the Downtown Plan.

U. The DDA will contract with the Contractor for, and manage the construction of, the Alley Enhancements, will pay the costs associated with construction of the Alley Enhancements, and upon their completion, will be responsible for certain maintenance and repair obligation in relation thereto.

V. The City desires to participate in the Alley Enhancement Project by permitting the construction of the Alley Enhancements within the ROW and by assisting the DDA with the competitive bidding process for selecting a contractor to construct the Alley Enhancements, as more fully set forth herein below.

W. The 2025 IGA includes provisions about the DDA's ongoing maintenance and repair obligations of the Alley Enhancements throughout the term of the 2025 IGA and the scope of such obligations are depicted on Exhibit "C" of the 2025 IGA.

X. Article II, Section 16 of the City of Fort Collins Charter empowers the City Council, by ordinance and resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services, or enter into cooperative or joint activities with other governmental bodies.

Y. Colorado Revised Statutes ("C.R.S.") Section 29-1-203 also provides that governments may cooperate or contract with one another to provide certain services or facilities when such cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve.

Z. Section 1-22 of the City Code also provides that intergovernmental agreements and other cooperative arrangements between the City and other governmental entities are to be submitted to the City Council for review, unless they fit within one of the exceptions that permit execution by the City Manager.

AA. Pursuant to C.R.S. §31-25-808, the DDA has authority to make public improvements which benefit those downtown areas of Fort Collins within its boundaries.

AB. Pursuant to C.R.S. §31-25-808, the DDA is empowered to cooperate with the City, to enter into contracts with the City and to make or receive from the City grants, contributions and loans

AC. The City and the DDA desire to enter into an intergovernmental agreement to memorialize their respective rights and obligations in connection with the Alley Enhancement Project, as well as their long-term obligations relating to the Alley Enhancements.

AD. The City Council has determined that an intergovernmental agreement with the DDA for completion of the Alley Enhancements is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Manager is hereby authorized to execute the Intergovernmental Agreement Regarding the Renovation and Redevelopment of East Mulberry Street Alley and Chestnut Street Alley substantially in the form attached hereto as Exhibit "A," with such modifications and additions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes set forth herein and not otherwise inconsistent with this Resolution.

Passed and adopted on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 4, 2025
Approving Attorney: Jenny Lopez Filkins

**INTERGOVERNMENTAL AGREEMENT
REGARDING THE RENOVATION AND REDEVELOPMENT
OF EAST MULBERRY STREET ALLEY AND CHESTNUT STREET ALLEY**

This INTERGOVERNMENTAL AGREEMENT REGARDING THE RENOVATION AND REDEVELOPMENT OF EAST MULBERRY STREET ALLEY AND CHESTNUT STREET ALLEY (“IGA”) is made and executed this _____ day of _____, _____, by and between the CITY OF FORT COLLINS, COLORADO, a municipal corporation (the “City”), and the FORT COLLINS, COLORADO, DOWNTOWN DEVELOPMENT AUTHORITY, a body corporate and politic (the “DDA”).

WITNESSETH:

WHEREAS, Article II, Section 16 of the City Charter empowers the City Council of the City, by ordinance or resolution, to enter into contracts with other governmental bodies to furnish governmental services and make charges for such services or enter into cooperative or joint activities with other governmental bodies;

WHEREAS, C.R.S. §29-1-203 also provides that governments may cooperate or contract with one another to provide certain services or facilities when such cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve;

WHEREAS, pursuant to C.R.S. §31-25-808, the DDA has authority to make public improvements which benefit those downtown areas of Fort Collins within its boundaries;

WHEREAS, pursuant to C.R.S. §31-25-808, the DDA is empowered to cooperate with the City, to enter into contracts with the City and to make or receive from the City grants, contributions and loans;

WHEREAS, on January 10, 2008, the Board of Directors of the DDA (the “DDA Board”), commissioned Russell +Mills Studios (“R+M”) to prepare a Master Plan for Downtown Alleys and Integrated Walkways for the redevelopment of designated alleys within the boundaries of the DDA (the “Master Plan”);

WHEREAS, the purpose of the Master Plan was to propose improvements to certain alleyways located in or adjacent to the DDA’s boundaries to address deterioration, safety, parking, incompatibility of modes of travel and trash collection practices, leading to a more visually pleasing appearance in the alleyways and a “shared street” concept whereby the alleyways would be more conducive to vehicle, pedestrian and bicycle traffic, and provide greater connectivity

between Fort Collins Downtown, the Colorado State University campus and the Fort Collins River District;

WHEREAS, on May 18, 2010, the Fort Collins City Council adopted Resolution 2010-027 authorizing the City Manager to execute the intergovernmental agreement by and between the City and the DDA relating to the construction, operation and maintenance of the Montezuma Fuller Alley and Old Firehouse Alley improvements (the “2010 IGA”);

WHEREAS, on February 1, 2011, the Fort Collins City Council adopted Resolution 2011-006 authorizing the City Manager to execute a separate IGA with the DDA relating to the construction, operation and maintenance of the West Myrtle Alley (the “2011 IGA”);

WHEREAS, in 2014 the DDA and the City negotiated and agreed upon that certain “Intergovernmental Agreement Regarding Maintenance of Certain Downtown Alleys”, under which the DDA pays the City to perform certain maintenance services within the alleys redeveloped under the 2010 IGA and 2011 IGA (the “Maintenance IGA”);

WHEREAS, on May 1, 2018, the Fort Collin City Council adopted Resolution 2018-042, authorizing the City Manager to execute an IGA with the DDA relating to the construction, operation and maintenance of the Old Firehouse Alley/Seckner Alley and West Mountain Alley (the “2018 IGA”);

Whereas, on January 5, 2021, the Fort Collins City Council adopted Resolution 2021-001, authorizing the City Manager to execute an IGA with the DDA relating to the construction, operation and maintenance of Tenney Court North Alley & West Oak Street Alley (the “2021 IGA”);

WHEREAS, on June 15, 2021, the Fort Collins City Council adopted Resolution 2021-068, authorizing the City Manager to execute an amendment to the 2021 IGA with the DDA relating to the construction, operation and maintenance of certain Alley Enhancement on City-owned property abutting Tenney Court North Alley (the “2021 IGA Amendment”);

Whereas, on January 20, 2023, the Fort Collins City Council adopted Resolution 2023-008, authorizing the City Manager to execute an IGA with the DDA relating to the construction, operation and maintenance of West Olive Street Alley, Harper Goff Alley, and East Myrtle Street Alley (the “2023 IGA”);

WHEREAS, subsequent to execution of this IGA, the DDA and the City intend to execute a new intergovernmental agreement superseding the Maintenance IGA, which will include the

alleys redeveloped under the 2018 IGA, the 2021 IGA, the 2021 IGA Amendment, the 2023 IGA, and this IGA;

WHEREAS, on October 10, 2019, the DDA Board approved the redevelopment in 2025 of East Mulberry Street Alley and Chestnut Street Alley, as depicted on **Exhibit A**, consisting of two (2) pages, attached hereto and incorporated herein by this reference (the “Alleys”)

WHEREAS, on March 14, 2024, the DDA Board commissioned RVI Planning+Landscape Architecture, Inc., to prepare plans and specifications for renovation of the Alleys;

WHEREAS, the City and DDA have formulated and agreed upon a basis of design, dated November 2024, to clarify design expectations for redevelopment of the Alleys and to serve as a foundation for design expectations for future alley enhancement projects in downtown Fort Collins, which consists of seven (7) pages and is attached hereto and incorporated herein by this reference as **Exhibit B** (“Basis of Design”);

WHEREAS, the construction plans, entitled “Fort Collins Downtown Alleys-East Mulberry Street Alley and Chestnut Street Alley,” dated October 22, 2024, are currently at sixty percent (60%) completion and will be brought to one hundred percent (100%) completion with the assistance of the Contractor (as “Contractor” is defined in Section 3.3 below);

WHEREAS, once completed, the construction plans will be subject to approval by the City in accordance with the City’s Capital Projects Review process and, upon such approval, the construction plans will be on file in the offices of the DDA and with the Engineering Department of the City (the “Construction Plans” or “Alley Enhancements”);

WHEREAS, the Alleys are in need of substantial renovation and redevelopment, and the Alley Enhancements will provide aesthetic and economic benefits to the area encompassed by the DDA, and to the City as a whole;

WHEREAS, the Alley Enhancements will be designed and constructed in accordance with the Basis of Design, current Larimer County Urban Area Street Standards, and the Construction Plans, as approved through the City’s Capital Projects Review process;

WHEREAS, the City is the owner of the right-of-way within the Alleys (the “ROW”);

WHEREAS, on March 21, 2017, the City adopted the Downtown Plan which supports development of an integrated pedestrian network consisting of alleyways;

WHEREAS, the construction of the Alley Enhancements (the “Alley Enhancement Project”) is consistent with and in furtherance of the Downtown Plan;

WHEREAS, the DDA will contract with the Contractor for, and manage the construction of, the Alley Enhancements, will pay the costs associated with construction of the Alley Enhancements, and upon their completion, will be responsible for certain maintenance and repair obligation in relation thereto;

WHEREAS, the City desires to participate in the Alley Enhancement Project by permitting the construction of the Alley Enhancements within the ROW, as more fully set forth herein below;

WHEREAS, the City and the DDA desire to enter into this IGA to memorialize their respective rights and obligations in connection with the Alley Enhancement Project, as well as their long-term obligations relating to the Alley Enhancements;

WHEREAS, the DDA Board, on _____ determined that this IGA is consistent with and in furtherance of the goals and purposes of the DDA and thereupon approved the terms of this IGA and authorized its board chair to execute it; and

WHEREAS, the City Council by adoption of this Resolution, has determined that this IGA is consistent with and in furtherance of the goals and purposes of the City and the DDA and thereupon approved the terms of this IGA and authorized the City Manager to execute it.

NOW, THEREFORE, in consideration of the mutual promises and other valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

1. Term. The term of this IGA shall begin upon execution and shall continue through the termination of the existing Tax Increment Financing in place for the DDA (i.e. January 1, 2032), or the termination of the DDA, whichever first occurs.

2. Mutual Benefit of Alley Enhancement Project. The parties hereto acknowledge that the Alley Enhancement Project will provide significant benefits to both the DDA and the City. The parties further acknowledge the special relationship between the City and the DDA and the importance of mutually implementing the Downtown Plan through efforts such as the Alley Enhancement Project. In consideration thereof, the DDA and the City agree that they will work cooperatively together in good faith to fulfill the purposes of this IGA and to equitably resolve any issues arising hereunder in order to complete the Alley Enhancement Project in accordance with the desires and intentions of the parties and the requirements, standards and procedures applicable to construction of public improvements within the ROW.

3. Construction of Alley Enhancements.

- 3.1 City Approval of 100% Complete Construction Plans. The DDA acknowledges and agrees that the Construction Plans, once completed, are subject to approval through the City's Capital Projects Review process before the DDA is authorized to construct the Alley Enhancements in accordance with Section 3.2 below.
- 3.2 Authorization to Construct Alley Enhancements, Construction Standards. The City authorizes the DDA to construct the Alley Enhancements. The Alley Enhancements shall be constructed in accordance with the Construction Plans, the Basis of Design, and all adopted and applicable City standards and requirements for public rights-of-way; provided, however, that the DDA is authorized to deviate from the Construction Plans to the extent permitted by the Basis of Design or applicable City standards. Except as authorized herein, all changes to the Construction Plans must be approved by the City.
- 3.3 Selection of Contractor. By intergovernmental agreement entitled "Intergovernmental Agreement for the Provision of Administrative Support Services" dated August 18, 2008, the City agreed to provide competitive bidding services to the DDA through the City's Purchasing Department. The contractor who will be completing the Alley Enhancements, J-2 Contracting Company (the "Contractor"), was selected in 2024 through a competitive sealed proposal bidding process cooperatively managed by the DDA and the City's Purchasing Department.
- 3.4 Construction Contract. The contract for construction services for the Alley Enhancements (the "Construction Contract") shall be between the DDA and the Contractor. The DDA agrees to utilize as the form for the Construction Contract the contract documents the City utilizes for a construction manager/general contractor for its own capital improvement projects (including all general conditions and standards). The indemnification provision in the Construction Contract shall extend to both the DDA and the City, and the City shall be identified as a third-party beneficiary of such contract for the limited purpose of enforcing such indemnification obligation. The DDA shall be responsible for making all payments legally due to the Contractor pursuant to the Construction Contract. The DDA shall further be responsible for performing all administrative and management services related to the Construction Contract, and shall do so in a timely and diligent manner.
- 3.5 Construction Engineer and Management. The DDA agrees to contract with a professional engineering company reasonably acceptable to the City to serve as project engineer and construction manager for the Alley Enhancement Project. The

City acknowledges that the DDA has contracted with Ditesco, LLC, to provide such services, and that Ditesco, LLC, is acceptable to the City.

- 3.6 Acquisition of Easements and Permits. The DDA shall be responsible for acquiring all easements and permits necessary for the Alley Enhancement Project, including temporary construction easements and permits for staging.
- 3.7 As-Built Drawings and Engineering Certification Letter. The DDA shall provide to the City true and correct copies of the as-built drawings and the engineering certification letter for the Alley Enhancements to the City in accordance with Section 7 below within thirty (30) days of completion of the Alley Enhancement Project.
- 3.8 No City Liability for Construction Contract. The DDA acknowledges and agrees that the City shall not have any financial or other liability for construction of the Alley Enhancements under the Construction Contract, construction management contract, or for permits, easements or other requirements of the Alley Enhancement Project.
- 3.9 Insurance. The DDA shall require that the Contractor obtain and maintain insurance in customary industry amounts satisfactory to the DDA and the City, and both the DDA and the City shall be added as additional insureds on such insurance policies.

4. DDA's Ongoing Maintenance/Repair Obligations of Alley Enhancements. Through the term of this IGA, the DDA, at its sole cost and expense, shall be responsible for performing the following maintenance and repairs associated with the Alley Enhancements:

- 4.1 General Maintenance and Repairs. The DDA shall be responsible for maintaining the Alley Enhancements at a level generally consistent with how it maintains previously renovated downtown alleys, as described in **Exhibit C**, consisting of one (1) page, attached hereto and incorporated herein by this reference (the "Scope of Maintenance Obligations"). The parties acknowledge that reasonable adjustments to the Scope of Maintenance Obligations shall be made from time to time based upon the usage of and experience in maintaining the Alleys in their improved condition. Such obligation shall not extend to renovating, rebuilding, upgrading, or modernizing any of the Alley Enhancements, but shall include replacement of materials or installed features as required to preserve the overall Alley Enhancements in a condition reasonable given the age and normal use of the Alley Enhancements.
- 4.2 Plants and Flowers. The DDA shall provide all flowers and ornamental plants for the planters and planting areas created by the Alley Enhancements, as well as funding for all labor associated with planting and maintaining such flowers and plants.
- 4.3 Snow Removal. The DDA shall provide for snow removal from the ROW.

- 4.4 Utility Costs Related to Alley Enhancements. The parties acknowledge that the Construction Plans will call for installation of water and electrical meters (the “Utility Meters”) for the following purposes related to the following Alley Enhancements: (a) to provide electricity to the lights; (b) to provide electricity to the electrical outlets located within the Alleys; and (c) for irrigation of the plants and flowers located in the planters and planter areas. The DDA shall be responsible for the cost of the utilities originating at the Utility Meters, subject to the following limitations: (a) the City shall make reasonable efforts to ensure that the lights are not turned on until after dusk and are turned off prior to dawn; and (b) the City shall not make use of the power or water originating at the Utility Meters for any purpose, except as otherwise provided in this IGA.
5. City Obligations Regarding the Alley Enhancements. The City agrees to the following obligations in relation to the Alley Enhancements for the term of this IGA:
- 5.1 General. The City shall make those repairs to the Alley Enhancements to the extent they are necessary directly as a result of:
- (a) A negligent, reckless or intentional act or omission of the City, its employees, agents or contractors;
 - (b) An act or omission of a City permittee, licensee, franchisee, where the City has already received compensation from such person for the act or omission requiring repairs to the Alley Enhancements; or
 - (c) A criminal or tortious act of any third party, and such third party has made such repairs or paid the City for such repairs.
- 5.2 Third-Party Compensation. In the event that the DDA repairs any Alley Enhancement and, subsequent to such payment by the DDA, the City for any reason whatsoever receives compensation for such repairs from any third party, then the City shall pay to the DDA the amount received from such third party up to the amount of the DDA’s costs and expenses to provide for such repair.
- 5.3 Claims Against Others for Repair. In the event that the City has a valid claim against a City permittee, licensee, or franchisee, entitling the City to require repair to the Alley Enhancements or correction of a defect therein, the City shall reasonably evaluate the strength of such claim and the potential costs of asserting it, and determine whether to assert such claim, at law or in equity.
- 5.4 Notices to DDA and Parks Maintenance. The City’s Engineering Department has adopted policies and procedures concerning work in redeveloped alleys, which

include a process to timely notify the DDA and the City Parks and Recreation Division of proposed work in such alleys that may disturb Alley Enhancements. The City agrees to maintain this notification process policy during the term of this IGA.

5.5 Vendor Permits, Concessionaire Licenses. In the event the City issues a vendor's permit, concessionaire's license, or other license or permit used for similar purpose, within the Alleys, then the City shall require as a condition of any such permit or license that such user shall be responsible for keeping the area covered by the permit or license in a clean and neat condition, free of litter, soils and rubbish, and for returning such area to the condition which existed prior to the permittee's or licensee's use thereof, including repairing damaged pavers in accordance with Section 5 hereof.

5.6 Special Conditions on Repair and Replacement of Pavers.

5.6.1 Repair or Replacement by the City. In the event that the City undertakes repair or replacement of any damaged pavers within the ROW, the City agrees that it shall conduct such repair and/or replacement in accordance with the manufacturer's specifications (the "Paver Specification Sheet"), and that it shall replace missing or irreparably damaged pavers with new pavers. The City agrees that it shall not repair or replace missing or damaged pavers with other road base materials such as asphalt or concrete. Copies of the Paver Specification Sheet shall be kept on file with the DDA and in the Engineering Department of the City with the as-built drawings for the Alley Enhancements. Provided that the requirements of this Section 5.6.1 have been satisfied, the DDA agrees to reimburse the City for its costs in repairing or replacing pavers in the Alleys.

5.6.2 Excavation and Building Permittees.

(a) Pursuant to its adopted policies and procedures, the City shall provide to any person or entity who applies for or inquires about a building or excavation permit within the Alley affecting the Alley Enhancements an information pamphlet advising the prospective permittee of the special nature of the paver improvements within the Alleys ("Paver Information Pamphlet") and a copy of the Paver Specification Sheet.

(b) To the extent permitted by Section 23.20(c) of the City's Municipal Code, as a condition of any such building or excavation permit, the permittee, upon completing work in the Alleys affecting the Alley Enhancements, shall be required to return the Alley Enhancements to the state and condition which existed prior to the permittee's work in the Alleys, including, by way of

example and not of limitation, repairing or replacing any pavers that it damages consistent with the Paver Specification Sheet. The City agrees to make reasonable and good faith efforts to enforce such permit condition against any and all permittees.

5.6.3 *Utility Providers, Franchisees and Other Persons.* To the extent permitted by law, the City agrees to take reasonable measures to ensure that third parties who will be engaging in activities in the Alleys of a type or nature which could reasonably be capable of causing damage to the pavers, but who may not be required to obtain a permit before conducting such activities (e.g. franchisees and utility providers), are provided with the Paver Information Pamphlet and the Paver Specification Sheet, and that such third parties are required to repair or replace damaged pavers in accordance with the Paver Specification Sheet.

6. City Ownership of ROW and Alley Enhancements. The ROW shall remain the sole property of the City. The DDA shall not acquire any property interest in or to the ROW pursuant to or as a result of this IGA, nor shall the DDA have any obligations with respect to the ROW, beyond those obligations specifically identified herein. Upon acceptance thereof, the City shall own all of the Alley Enhancements constructed within the ROW, which the parties acknowledge does not include, by way of example and without limitation, the consolidated trash enclosures and other fixtures constructed on adjacent private property, which shall be owned and operated by the DDA.

7. Notices. All notices to be given to parties hereunder shall be in writing and shall be sent by certified mail to the addresses specified below:

If to the DDA: The Fort Collins, Colorado,
Downtown Development Authority
Attn: Executive Director
19 Old Town Square, Suite 230
Fort Collins, CO 80524

With a copy to: Liley Law, LLC
Attn: Joshua C. Liley
2627 Redwing Road, Suite 342
Fort Collins, CO 80526

If to the City: City of Fort Collins
Attn: Director of Infrastructure Services/City Engineer
281 N. College Avenue

Fort Collins, CO 80524;

With a copy to: City Attorney's Office
Attn: City Attorney
300 Laporte Avenue
Fort Collins, CO 80521

8. Governing Law. This IGA shall be governed by, and its terms construed under the laws of the State of Colorado.

9. No Third-Party Beneficiaries. It is the mutual intent of the parties hereto that this IGA shall inure to the benefit of only the parties hereto. Accordingly, nothing in this IGA shall be construed as creating any right or entitlement which inures to the benefit of any third party.

10. Annual Appropriation. All financial obligations of the City or the DDA arising under this IGA that are payable after the current fiscal year are contingent upon funds for that purpose being annually appropriated, budgeted and otherwise made available by the City Council of the City, in its discretion, and/or the Board of Directors of the DDA, in its discretion, as applicable.

11. Benefit, Binding Effect, Covenant. The parties hereto recognize that there are legal constraints imposed upon them by the constitution, statutes, and rules and regulations of the State of Colorado and of the United States, and imposed upon them by their respective governing statutes, charters, ordinances, rules and regulations, and that, subject to such constraints, the parties intend to carry out the terms and conditions of this IGA. Notwithstanding any other provision of this IGA to the contrary, in no event shall either of the parties be obligated hereunder to exercise any power or take any action that is prohibited by applicable law. Whenever possible, each provision of this IGA shall be interpreted in such a manner so as to be effective and valid under applicable law.

12. Liability, Governmental Immunity. Each party hereto agrees to be responsible for its own wrongful or negligent acts or omissions, or those of its officers, agents, or employees to the full extent allowed by law. Liability of the parties hereto is at all times herein strictly limited and controlled by the provisions of the Colorado Governmental Immunity Act, C.R.S. §§ 24-10-101, et seq. as now or hereafter amended. Nothing in this IGA shall be construed as a waiver of the protections of said Act.

13. Remedies. In the event a party has defaulted in the performance of any of its obligations under this IGA, the non-defaulting party shall give notice of such default to the defaulting party and the defaulting party shall have a period of thirty (30) days within which to

cure said default. In the event the default remains uncorrected, the party declaring default may elect to (a) terminate the Agreement and seek damages; (b) require specific performance; or (c) avail themselves of any other remedy at law or equity.

14. Counterparts. This IGA may be signed by the parties, electronically or otherwise, in counterparts.

IN WITNESS WHEREOF, the parties have executed this IGA the day and year first above written.

CITY OF FORT COLLINS, COLORADO,
a municipal corporation

By: _____
Kelly DiMartino, City Manager

ATTEST:

Delynn Coldiron, City Clerk

APPROVED AS TO FORM:

Jenny Lopez Filkins, Senior Deputy City Attorney

FORT COLLINS, COLORADO,
DOWNTOWN DEVELOPMENT
AUTHORITY, a body corporate and politic

By: _____
David Lingle, Chair

ATTEST:

Cheryl Zimlich, Secretary

Exhibit A Alley Depictions



Exhibit A

Alley Depictions



Alley Basis of Design

BASIS OF DESIGN



Downtown Alley Enhancements Basis of Design

PREPARED FOR: City of Fort Collins

PREPARED BY: Keith Meyer, PE/Ditesco

REVIEWED BY: Todd Dangerfield/DDA

DATE: Original February 2011
Updated: July 2017, November 2020, August 2022
November 2024

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Background

The purpose of this Basis of Design is to document the design and construction standards used by the Fort Collins Downtown Development Authority (DDA) to improve public right of way in various alleys throughout the City of Fort Collins downtown. Specifically, this document outlines and highlights the standards that are modified or altered from Larimer County Urban Area Street Standards (LCUASS) and other adopted standards in Fort Collins. This document further creates a foundation for all alley improvements contemplated under the *Downtown Alley Masterplan, December 1, 2008*.

The Downtown Alley Enhancements improve public right of way but use a variety of architectural construction techniques not currently recognized by governing standards such as LCUASS. As such, this Basis of Design highlights unique design concepts and outlines special standards to which the alleys are designed and constructed. Finally, this document is a tool for City officials to assist in review and approval of concepts proposed currently outside of recognized standards and to provide the DDA/City design and review teams with a clear understanding of mutual expectations from the outset of the design process.

Design Criteria and Applicability to Land Use Code

The design criteria generally used to design and construct the Downtown Alley Enhancement projects are summarized below. As noted above, these are provided to better the understanding of improving the alley spaces allowing design flexibility to challenging utility and transportation corridors. Additional construction details are also provided in the Fort Collins Downtown Development Authority Downtown Alley Enhancement Standards.

The Fort Collins DDA was created and established pursuant to Title 31, Article 25, Part 8, C.R.S. The DDA exists to leverage tax increment financing to improve public spaces and encourage redevelopment in the central business district. To allow much of what the DDA does in the downtown district to become reality, the City's Land Use Code (LUC) Section 5.1.2 Definitions, Development, Part (2)(a), notes the DDA is exempt from the definition of "development" for work it performs in the DDA district if improvements are agreed to in writing by the City. As such, since 2010, the DDA has participated in the City's capital project review process. This process has been similar to what internal City capital projects follow through engagement of each affected City department.

Architectural Design

The architectural design for the Downtown Alley Enhancements focuses on themes for each alley improvement area drawing on adjacent land uses and architectural concepts. For example, the alleys nearer to Old Town have a historic theme while alleys closer to Colorado State University draw inspiration from the university setting. Overall, the architectural concepts are meant to enhance the local character and provide for enhanced pedestrian uses of the alley spaces. Additional architectural goals include encouraging outdoor uses, inspiring redevelopment on adjacent private land, creating festive spaces using special lighting, ensuring emergency access where applicable, creating special trash collection strategies for each alley and implementing shared street models to allow vehicular access, including business deliveries and trash haulers, in a controlled and integrated manner. The standards are outlined below in **Table 1**.

TABLE 1
Architectural Design Criteria

Category	Manufacturer or Item	Standard
Brick Paving	Traffic rated system (Keystone / Pavestone or equal)	Min. 3-1/8" paver, 7,000 psi
	Paver bedding Paver anchoring sand	ASTM C33 sand – min 1" depth Polymeric
Flatwork	Architectural concrete (colored or sandscape consistent with GID standards or other)	Min. 6" thick; 4,000 psi fibermesh optional (pedestrian use only)
Site Furnishings	Benches or seating	Powder Coated steel or custom concrete

TABLE 1
Architectural Design Criteria

Category	Manufacturer or Item	Standard
	Planter Pots	Precast Concrete w/ irrigation capability
	Custom shade structures or screens	Powder Coated Steel, Cor-Ten or Carbon Steel
	Bollards	Steel or Stainless Steel with modified mounting detail
Landscape Plantings	Low water use Grasses, Perennials in beds	By landscape architect
	Annuals in Hanging baskets and Pots	By Parks Dept.
	Trees	2" caliper (nominal)
Columns	Concrete Masonry Block w/ Brick Facing – Robinson Brick or equal	Internal masonry block; reinforced with spread footing (IBC 2021 or latest version with local amendments)
Art	Custom artwork designed by landscape architect, architect or artist	By professional

Civil Engineering Design

Civil Engineering design criteria for the Downtown Alley Enhancements are focused on rehabilitation of existing paved surfaces. The overall intent is to maintain existing traffic loading, paving, drainage and utility conditions to the greatest extent possible. Where applicable, drainage and paving site conditions are being improved to meet architectural design conditions or improve overall operations and maintenance. The civil engineering standards presented below in **Table 2** are indicative of urban design retrofit conditions where numerous design constraints exist.

TABLE 2
Civil Design Criteria

Category	Manufacturer or Item	Standard
Design Speed	Vehicular	< 20 mph
Site Distance	Stopping Sight Distance	< 100-ft
	Corner Sight Distance	0-ft (all stop condition)
Slope	Longitudinal Slope	Min. 0.50%; Max. 4.0%

TABLE 2
Civil Design Criteria

Category	Manufacturer or Item	Standard
	Max. grade break without vertical curve	1%
	Min. vertical curve length	50-ft
	Min. cross slope	1%
	Max. cross slope	4%
	Max. cross slope for sidewalks (pedestrian use)	2% where achievable to meet existing site constraints
Brick Paving	Traffic rated system (Keystone, Pavestone or equal)	Min. 3-1/8" paver, 7,000 psi
Brick Paving - Subbase	Subbase under paving system if concrete is not used	Min. 18" CDOT CL 5 or 6 ABC
Concrete Paving	Traffic bearing – beneath brick paving system	Min. 5" thick, 4,000 psi
	Pedestrian concrete (colored or sandscape consistent with GID standards or other)	Min. 6" thick; 4,000 psi fibermesh optional
Structural Concrete	Foundation support (light poles, columns, other as needed)	Min. 3,500 psi mild reinforcement
Drainage	Maintain historical drainage patterns	Match existing conditions
	New subsurface system (if needed)	10-year design storm (developed condition if known)
	Detention	None
	Water quality/Low Impact Development	None. Match existing conditions.
	Drain Pan (cross section)	2-ft min. width 1" per 12" of pan width (as applicable)
Traffic	Traffic flow and distribution	Maintain existing conditions close alleys to vehicular traffic where applicable
	Travel way/lane width	Min. 10-ft
Utilities	Electric bury depth (primary and secondary) Electric vertical separation to other utilities Conduit	Min. 2-ft Min. 0" SCH 40 per City Light and Power standards
	Storm Drainage Pipe Storm Pipe (shallow bury)	RCP CL III or IV DIP CL 350 (encased)

TABLE 2
Civil Design Criteria

Category	Manufacturer or Item	Standard
	Storm bury depth	Min. 1-ft
	Storm vertical separation to other utilities	Min. 0"
	Sewer Pipe	SDR 35
	Sewer bury depth	Min. 4.5-ft
	Sewer vertical separation	18" (encased if over water)
	Water Pipe	DIP CL 350; C900 DR 14 or 18
	Water bury depth	4.5-ft
	Water vertical separation	18"
	Horizontal separation (all utilities)	0-ft min. separation distances do not apply. May have joint trench conditions
	Dry utilities (private)	Per private standards
	Xcel Energy	
	Comcast	
	Lumen	
	Other	
	Trench Backfill (all utilities in public right of way)	Flowfill/CLSM – 50-100 psi

Electrical Design

The electrical design conditions are unique to each alley improvement largely based upon site considerations such as architectural theme, intensity of use, vehicular conflict conditions, coordination with art and accents with landscape design. The current International Building, National Electric and Fire Protection Codes dictate standards for review of the lighting system, control panels and breakers. The electrical systems for each alley are designed to be independent with separate private meters. The overall lighting goal is to provide a unique design that creates a festive, safe and interesting space encouraging increased alley use, year-round. Standards related to the Alley Enhancements are provided below in **Table 3**.

TABLE 3
Electrical Design Criteria

Category	Manufacturer or Item	Standard
Governing Code	National Electric Code (latest edition) National Fire Protection Assoc. (latest edition)	Varies
Light Poles	Holophane SiteLink Poles; Vehicle Impact Considerations – Steel or Cast Iron or Aluminum	Type to be determined based upon architectural theme and conditions Provide optional power outlet at top of each pole

TABLE 3
Electrical Design Criteria

Category	Manufacturer or Item	Standard
Light Fixture	Partial to Full Cut-off; Fixtures vary; LED	Pedestrian Height – 12'-16'
Festoon Lights	American Lighting, Primus or equal	24" O.C., LED fixtures, Screw-in type, 14' Min Clearance UL Listing for wet locations Shatterproof lenses Commercial grade
Lighting Control	Varies Astronomical Clock Central dimming controls in lighting cabinet	Integral motion sensing and dimming at each fixture; infrared control
Lighting Panel	Custom built Hoffman enclosure or equal Includes: Irrigation controller, lighting controls, lighting panel, camera switch/POE Approx. size – 4'x6'x18"	NEMA 4 enclosure Segregated wire tray; high voltage Exterior meter socket and disconnect, vented
Meter Pedestal	City of Fort Collins Light and Power standards	Cold sequenced
Light Levels	None	Min. 1 ft-candle

Irrigation Design

The irrigation design standards are derived directly from the City of Fort Collins Parks and Recreation standards. Here, the Parks Department is currently contracted to maintain the alley irrigation system and, as such, the DDA has adopted their internal construction standards. These standards are routinely modified and updated directly with Parks Department staff. General standards are provided below in **Table 4**.

TABLE 4
Irrigation Design Criteria

Category	Manufacturer or Item	Standard
Governing Code	National Plumbing Code (latest edition) National Electric Code (NEC – latest edition)	None
Design	Pressure/Flow (3/4" service)	60 psi 10 gpm
Distribution	Mainline Pipe	Class 200, SDR 21
	Lateral Pipe	SCH 40, pressure class 200
	Sleeving	SCH 40 (UV resistant)
	Sleeving (across roadways/alleyways)	SCH 80

TABLE 4
Irrigation Design Criteria

Category	Manufacturer or Item	Standard
Controller	WeatherTrak, Hunter or Rainbird	ACC-99D (two wire)
Control Wire	Varies	14 AWG
Backflow Preventer	FEBCO, Apollo or equal	City of Fort Collins Standards
Drip emitters	Rainbird	XCZ Series
Tap	City of Fort Collins Utility Standards	Saddle tap with Mueller Corporation valve
Meter Set	Meter by City of Fort Collins Utilities	Current City standard
Curb Stop	Mueller or Ford	Current City standard
Service Line	City of Fort Collins Utility Standards	¾" Type K Copper
Valve Assembly	Rainbird or equal	PESB
Planter Pot and Light Pole Drip Lines	Rainbird or equal	Rainbird LDQ 08-06 drip line

EXHIBIT C

Scope of Maintenance Obligations

The DDA will perform, at its cost and expenses, all maintenance and repair required of Section 4 of the IGA for the Alley Enhancements installed under this IGA, which shall include the following tasks:

- 1. Routine Cleaning, Maintenance, and Operation.** Subject to the limitations set forth in Section 4 of the IGA, The DDA will maintain all Alley Enhancements in good condition and repair, including but not limited to maintaining the surface cleanliness of all murals, pavers and concrete surfaces, light standards, attachments, light and other fixtures, trash receptacles, cigarette receptacles, planters and benches. The DDA will provide a maximum of eight power washings per year for paver surfaces and any adjacent fixed infrastructure. The DDA will de-ice slippery areas after snow removal is performed. The DDA will repair and replace, as required in Section 4.1 of the IGA, all Alley Enhancements, including permanent and movable fixtures (such as benches and trash receptacles) and infrastructure (including pavers and concrete surfaces). The DDA will also repair or replace as necessary light bulbs, light fixtures and other electrical fixtures.
- 2. Flower Beds, Movable Planters, Hanging Baskets.** The DDA will design, purchase, install and provide routine maintenance of all plant materials, including seasonal plantings, water, fertilizer, and fall cleanup for beds, planters and hanging baskets included in the Alley Enhancements. Should the DDA install annual plants prior to May 15 (average date of last frost), the DDA will bear the cost of replacing annual plants damaged by frost, snow, ice or freezing temperatures. The DDA will also pay the cost of replacement required because of damage during special events scheduled in the Alleys, except for special events where an event promotor is contractually responsible for such damages.
- 3. Daily Litter Control.** The DDA will provide litter control and debris removal within the Alleys, except for special events where an event promotor is contractually responsible for cleanup.

Alley Depictions



Exhibit A

Alley Depictions



Alley Basis of Design

BASIS OF DESIGN



Downtown Alley Enhancements Basis of Design

PREPARED FOR: City of Fort Collins

PREPARED BY: Keith Meyer, PE/Ditesco

REVIEWED BY: Todd Dangerfield/DDA

DATE: Original February 2011
Updated: July 2017, November 2020, August 2022
November 2024

Contents

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Design Criteria and Applicability to Land Use Code	2
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Civil Engineering Design	3
Electrical Design	5
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Background

The purpose of this Basis of Design is to document the design and construction standards used by the Fort Collins Downtown Development Authority (DDA) to improve public right of way in various alleys throughout the City of Fort Collins downtown. Specifically, this document outlines and highlights the standards that are modified or altered from Larimer County Urban Area Street Standards (LCUASS) and other adopted standards in Fort Collins. This document further creates a foundation for all alley improvements contemplated under the *Downtown Alley Masterplan, December 1, 2008*.

The Downtown Alley Enhancements improve public right of way but use a variety of architectural construction techniques not currently recognized by governing standards such as LCUASS. As such, this Basis of Design highlights unique design concepts and outlines special standards to which the alleys are designed and constructed. Finally, this document is a tool for City officials to assist in review and approval of concepts proposed currently outside of recognized standards and to provide the DDA/City design and review teams with a clear understanding of mutual expectations from the outset of the design process.

Design Criteria and Applicability to Land Use Code

The design criteria generally used to design and construct the Downtown Alley Enhancement projects are summarized below. As noted above, these are provided to better the understanding of improving the alley spaces allowing design flexibility to challenging utility and transportation corridors. Additional construction details are also provided in the Fort Collins Downtown Development Authority Downtown Alley Enhancement Standards.

The Fort Collins DDA was created and established pursuant to Title 31, Article 25, Part 8, C.R.S. The DDA exists to leverage tax increment financing to improve public spaces and encourage redevelopment in the central business district. To allow much of what the DDA does in the downtown district to become reality, the City's Land Use Code (LUC) Section 5.1.2 Definitions, Development, Part (2)(a), notes the DDA is exempt from the definition of "development" for work it performs in the DDA district if improvements are agreed to in writing by the City. As such, since 2010, the DDA has participated in the City's capital project review process. This process has been similar to what internal City capital projects follow through engagement of each affected City department.

Architectural Design

The architectural design for the Downtown Alley Enhancements focuses on themes for each alley improvement area drawing on adjacent land uses and architectural concepts. For example, the alleys nearer to Old Town have a historic theme while alleys closer to Colorado State University draw inspiration from the university setting. Overall, the architectural concepts are meant to enhance the local character and provide for enhanced pedestrian uses of the alley spaces. Additional architectural goals include encouraging outdoor uses, inspiring redevelopment on adjacent private land, creating festive spaces using special lighting, ensuring emergency access where applicable, creating special trash collection strategies for each alley and implementing shared street models to allow vehicular access, including business deliveries and trash haulers, in a controlled and integrated manner. The standards are outlined below in **Table 1**.

TABLE 1
Architectural Design Criteria

Category	Manufacturer or Item	Standard
Brick Paving	Traffic rated system (Keystone / Pavestone or equal)	Min. 3-1/8" paver, 7,000 psi
	Paver bedding Paver anchoring sand	ASTM C33 sand – min 1" depth Polymeric
Flatwork	Architectural concrete (colored or sandscape consistent with GID standards or other)	Min. 6" thick; 4,000 psi fibermesh optional (pedestrian use only)
Site Furnishings	Benches or seating	Powder Coated steel or custom concrete

TABLE 1
Architectural Design Criteria

Category	Manufacturer or Item	Standard
	Planter Pots	Precast Concrete w/ irrigation capability
	Custom shade structures or screens	Powder Coated Steel, Cor-Ten or Carbon Steel
	Bollards	Steel or Stainless Steel with modified mounting detail
Landscape Plantings	Low water use Grasses, Perennials in beds	By landscape architect
	Annuals in Hanging baskets and Pots	By Parks Dept.
	Trees	2" caliper (nominal)
Columns	Concrete Masonry Block w/ Brick Facing – Robinson Brick or equal	Internal masonry block; reinforced with spread footing (IBC 2021 or latest version with local amendments)
Art	Custom artwork designed by landscape architect, architect or artist	By professional

Civil Engineering Design

Civil Engineering design criteria for the Downtown Alley Enhancements are focused on rehabilitation of existing paved surfaces. The overall intent is to maintain existing traffic loading, paving, drainage and utility conditions to the greatest extent possible. Where applicable, drainage and paving site conditions are being improved to meet architectural design conditions or improve overall operations and maintenance. The civil engineering standards presented below in **Table 2** are indicative of urban design retrofit conditions where numerous design constraints exist.

TABLE 2
Civil Design Criteria

Category	Manufacturer or Item	Standard
Design Speed	Vehicular	< 20 mph
Site Distance	Stopping Sight Distance	< 100-ft
	Corner Sight Distance	0-ft (all stop condition)
Slope	Longitudinal Slope	Min. 0.50%; Max. 4.0%

TABLE 2
Civil Design Criteria

Category	Manufacturer or Item	Standard
	Max. grade break without vertical curve	1%
	Min. vertical curve length	50-ft
	Min. cross slope	1%
	Max. cross slope	4%
	Max. cross slope for sidewalks (pedestrian use)	2% where achievable to meet existing site constraints
Brick Paving	Traffic rated system (Keystone, Pavestone or equal)	Min. 3-1/8" paver, 7,000 psi
Brick Paving - Subbase	Subbase under paving system if concrete is not used	Min. 18" CDOT CL 5 or 6 ABC
Concrete Paving	Traffic bearing – beneath brick paving system	Min. 5" thick, 4,000 psi
	Pedestrian concrete (colored or sandscape consistent with GID standards or other)	Min. 6" thick; 4,000 psi fibermesh optional
Structural Concrete	Foundation support (light poles, columns, other as needed)	Min. 3,500 psi mild reinforcement
Drainage	Maintain historical drainage patterns	Match existing conditions
	New subsurface system (if needed)	10-year design storm (developed condition if known)
	Detention	None
	Water quality/Low Impact Development	None. Match existing conditions.
	Drain Pan (cross section)	2-ft min. width 1" per 12" of pan width (as applicable)
Traffic	Traffic flow and distribution	Maintain existing conditions close alleys to vehicular traffic where applicable
	Travel way/lane width	Min. 10-ft
Utilities	Electric bury depth (primary and secondary) Electric vertical separation to other utilities Conduit	Min. 2-ft Min. 0" SCH 40 per City Light and Power standards
	Storm Drainage Pipe Storm Pipe (shallow bury)	RCP CL III or IV DIP CL 350 (encased)

TABLE 2
Civil Design Criteria

Category	Manufacturer or Item	Standard
	Storm bury depth	Min. 1-ft
	Storm vertical separation to other utilities	Min. 0"
	Sewer Pipe	SDR 35
	Sewer bury depth	Min. 4.5-ft
	Sewer vertical separation	18" (encased if over water)
	Water Pipe	DIP CL 350; C900 DR 14 or 18
	Water bury depth	4.5-ft
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	Horizontal separation (all utilities)	0-ft min. separation distances do not apply. May have joint trench conditions
	Dry utilities (private)	Per private standards
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Meter Pedestal	City of Fort Collins Light and Power standards	Cold sequenced
Light Levels	None	Min. 1 ft-candle

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The irrigation design standards are derived directly from the City of Fort Collins Parks and Recreation standards. Here, the Parks Department is currently contracted to maintain the alley irrigation system and, as such, the DDA has adopted their internal construction standards. These standards are routinely modified and updated directly with Parks Department staff. General standards are provided below in **Table 4**.

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Backflow Preventer	FEBCO, Apollo or equal	City of Fort Collins Standards
Drip emitters	Rainbird	XCZ Series
Tap	City of Fort Collins Utility Standards	Saddle tap with Mueller Corporation valve
Meter Set	Meter by City of Fort Collins Utilities	Current City standard
Curb Stop	Mueller or Ford	Current City standard
Service Line	City of Fort Collins Utility Standards	¾" Type K Copper
Valve Assembly	Rainbird or equal	PESB
Planter Pot and Light Pole Drip Lines	Rainbird or equal	Rainbird LDQ 08-06 drip line

Scope of Maintenance Obligations

The DDA will perform, at its cost and expenses, all maintenance and repair required of Section 4 of the IGA for the Alley Enhancements installed under this IGA, which shall include the following tasks:

- 1. Routine Cleaning, Maintenance, and Operation.** Subject to the limitations set forth in Section 4 of the IGA, The DDA will maintain all Alley Enhancements in good condition and repair, including but not limited to maintaining the surface cleanliness of all murals, pavers and concrete surfaces, light standards, attachments, light and other fixtures, trash receptacles, cigarette receptacles, planters and benches. The DDA will provide a maximum of eight power washings per year for paver surfaces and any adjacent fixed infrastructure. The DDA will de-ice slippery areas after snow removal is performed. The DDA will repair and replace, as required in Section 4.1 of the IGA, all Alley Enhancements, including permanent and movable fixtures (such as benches and trash receptacles) and infrastructure (including pavers and concrete surfaces). The DDA will also repair or replace as necessary light bulbs, light fixtures and other electrical fixtures.
- 2. Flower Beds, Movable Planters, Hanging Baskets.** The DDA will design, purchase, install and provide routine maintenance of all plant materials, including seasonal plantings, water, fertilizer, and fall cleanup for beds, planters and hanging baskets included in the Alley Enhancements. Should the DDA install annual plants prior to May 15 (average date of last frost), the DDA will bear the cost of replacing annual plants damaged by frost, snow, ice or freezing temperatures. The DDA will also pay the cost of replacement required because of damage during special events scheduled in the Alleys, except for special events where an event promotor is contractually responsible for such damages.
- 3. Daily Litter Control.** The DDA will provide litter control and debris removal within the Alleys, except for special events where an event promotor is contractually responsible for cleanup.

File Attachments for Item:

13. Items Relating to FLEX Route Regional Transit Services Intergovernmental Agreements.

A. Resolution 2025-006 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Loveland for FLEX Route Regional Transit Services.

B. Resolution 2025-007 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the Town of Berthoud for FLEX Route Regional Transit Services.

C. Resolution 2025-008 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the County of Boulder for FLEX Route Regional Transit Services.

D. Resolution 2025-009 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Boulder for FLEX Route Regional Transit Services.

E. Resolution 2025-010 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Longmont for FLEX Route Regional Transit Services.

The purpose of these items is to authorize the City Manager to sign separate Intergovernmental Agreements (“IGAs”) with the City of Loveland, the Town of Berthoud, the City of Boulder, the County of Boulder, and the City of Longmont (collectively, the “FLEX Partners”) by which the FLEX Partners will contribute funds toward the operating cost of the FLEX Route Regional Transit Service bus route to further the goals of regional connectivity through transit.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Annabelle Phillips, Assistant Director, Transfort

SUBJECT

Items Relating to FLEX Route Regional Transit Services Intergovernmental Agreements.

EXECUTIVE SUMMARY

A. Resolution 2025-006 Authorizing the Execution of an Intergovernmental Agreement between the City of Fort Collins, Colorado and the City of Loveland for FLEX Route Regional Transit Services.

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The purpose of these items is to authorize the City Manager to sign separate Intergovernmental Agreements (“IGAs”) with the City of Loveland, the Town of Berthoud, the City of Boulder, the County of Boulder, and the City of Longmont (collectively, the “FLEX Partners”) by which the FLEX Partners will contribute funds toward the operating cost of the FLEX Route Regional Transit Service bus route to further the goals of regional connectivity through transit.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolutions on First Reading.

BACKGROUND / DISCUSSION

Since 2016, the City has entered into separate agreements with the City of Loveland, the Town of Berthoud, the City of Longmont, the City of Boulder, and the County of Boulder that allow the City of Fort Collins to operate the FLEX regional route with partner contributions from all five entities. Notably, Colorado State University also contributes financially to the operation of the FLEX regional bus route through a separate IGA that previously was executed between the City of Fort Collins and Colorado State University.

Financial contributions toward the operation of the FLEX route include grant funding from state sources as well as a contribution from the Associated Students of Colorado State University (ASCSU). The breakdown of expected contributions from external funding sources is as follows:

Other Funding Sources	Funding Contribution
CDOT FASTER Funds	\$100,000
Colorado State University	\$67,041

The remaining estimated cost to operate FLEX is received through contributions from the five (5) partner agencies. Partner contributions are subject to change based on agreed upon service levels by the partners and availability of outside funding. The total breakdown of partner contributions is as follows:

Contributor	% Passenger Activity	Partner Contribution
City of Fort Collins	46.69%	\$1,060,467
City of Loveland	32.32%	\$734,115
City of Longmont	7.28%	\$165,413
Boulder County	6.25%	\$142,056
City of Boulder	5.23%	\$118,699
Town of Berthoud	2.22%	\$50,419

These Resolutions would authorize the City Manager to execute the IGAs with the FLEX Partners, which are intended to be effective retroactively on January 1, 2025.

CITY FINANCIAL IMPACTS

There are no financial impacts as these agreements provide for expenditures on services to be reimbursed by the FLEX Partners. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

No board or commission recommendations are associated with this item.

PUBLIC OUTREACH

No public outreach was conducted as part of this item.

ATTACHMENTS

1. Resolution A for Consideration
2. Exhibit A to Resolution A - Loveland FLEX Agreement
3. Resolution B for Consideration
4. Exhibit A to Resolution B - Berthoud FLEX Agreement
5. Resolution C for Consideration
6. Exhibit A to Resolution C - Boulder (County of) FLEX Agreement
7. Resolution D for Consideration
8. Exhibit A to Resolution D - Boulder (City) FLEX Agreement
9. Resolution E for Consideration
10. Exhibit A to Resolution E - Longmont FLEX Agreement

RESOLUTION 2025-006
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 AUTHORIZING THE EXECUTION OF AN
 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
 FORT COLLINS, COLORADO AND THE CITY OF LOVELAND
 FOR FLEX ROUTE REGIONAL TRANSIT SERVICES

A. Each year since 2016, the City has entered into an intergovernmental agreement (“IGA”) with the City of Loveland (“Loveland”) to provide FLEX Route Regional Transit Services.

B. Both the City and Loveland contribute a percentage of funds based on the ridership of each jurisdiction.

C. This partnership has contributed toward regional connectivity transit goals, and City Council wishes to continue offering these services.

D. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process; thus, no appropriation action is required with this item.

E. This Resolution comes before City Council to authorize the attached IGA for Bus Service between the City of Fort Collins and City of Loveland substantially in the form attached hereto as Exhibit “A” and incorporated herein by this reference (the “IGA”).

F. The attached IGA for Bus Service with the City of Loveland is intended to be effective retroactively on January 1, 2025.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager be authorized to execute the IGA between the City and Loveland in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. City Council hereby authorizes the City Manager to execute the IGA in substantially the form attached hereto as Exhibit “A,” together with such modifications and additions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution as set forth above.

Section 2. During the term of the IGA the City Manager, in consultation with the City Attorney, also is authorized to approve and execute amendments to the IGA consistent with this Resolution so long as the City Manager determines such amendments: (a) are reasonably necessary and appropriate to protect the City’s interests

or provide a benefit to the City; (b) effectuate the purposes of this Resolution; and (c) limit the City's financial obligation to expenditure of funds already appropriated and approved by Council or conditioned upon such appropriation.

Passed and adopted on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 4, 2025
Approving Attorney: Madelene Shehan

**INTERGOVERNMENTAL AGREEMENT
FOR BUS SERVICE BETWEEN THE CITY OF FORT COLLINS AND
THE CITY OF LOVELAND**

This Agreement is made this ____ day of _____, 2025 between the **City of Fort Collins, Colorado**, a municipal corporation (hereinafter “Fort Collins”), and the **City of Loveland, Colorado**, a municipal corporation (hereinafter “Loveland”) (Fort Collins and Loveland collectively may be referred to as the “Parties” or individually, as a “Party”).

RECITALS

WHEREAS, the Parties desire to provide regional connector bus service between Fort Collins and Loveland; and

WHEREAS, Fort Collins has its own fixed-route bus system (hereinafter “Transfort”); and

WHEREAS, FLEX is a regional connector bus service operated by Transfort in partnership with Loveland, Berthoud, Longmont, City of Boulder, and Boulder County (hereinafter “Partners”) to provide services to said communities pursuant to separate Intergovernmental Agreements; and

WHEREAS, Transfort is willing and able to extend FLEX services along the U.S. Highway 287 and Highway 119 corridors between Fort Collins and Boulder (hereinafter “FLEX”) with stops in Fort Collins, Loveland, Longmont, and Boulder; and

WHEREAS, Fort Collins intends to execute agreements with the other Partners to address such Partners’ obligations regarding the FLEX bus service; and

WHEREAS, the Parties have determined that significant economic and efficiency benefits result for each Party through the provision of FLEX by Transfort.

NOW, THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration, receipt and adequacy of which is acknowledged, the Parties agree as follows:

AGREEMENT

1. The foregoing recitals are hereby incorporated as though fully set forth herein.
2. Fort Collins shall provide regional connector bus service, FLEX, in accordance with the terms of this Agreement and as specifically identified and described in **Exhibit A**, attached hereto and incorporated herein by this reference, throughout the term of this Agreement. The services identified and described in **Exhibit A** are subject to increase, modification, reduction, and termination pursuant to this **Section 2** and **Section 13** of this Agreement.

- a. Increased service beyond that described in **Exhibit A** may be provided by Fort Collins, at its sole discretion, to the extent Fort Collins determines appropriate given the demand for service and available resources. Prior to providing additional service at Fort Collins' expense, Fort Collins shall provide advance written notice to the Partners. Prior to providing additional service with Partner contribution, Fort Collins and the Partners will amend **Exhibit A**, and the respective cost share associated with the change pursuant to **Section 6** if the Partners all agree to such additional service and respective cost share. If the Partners and Fort Collins cannot agree to amend **Exhibit A** for the additional service then any such additional service that exceeds the services described in **Exhibit A** may be reduced or stopped by Fort Collins, at its sole discretion. Prior to reducing or stopping any such additional service, Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice to the Partners.
 - b. In the event Fort Collins determines that circumstances require modification of FLEX services as described in **Exhibit A** to better accommodate the demand for service or the efficient provision of service, Fort Collins shall be entitled to implement such modification at its sole discretion. Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice of any such modification to the Partners.
3. This Agreement shall commence on January 1, 2025, and shall continue in full force and effect until December 31, 2025, unless sooner terminated as herein provided.
4. Fort Collins agrees that all services provided under this Agreement shall be consistent with Transfort system operating policies and procedures, as the same may be amended in Fort Collins' sole discretion, and that all such services shall be consistent with the Transfort operation schedule.
5. In consideration of the services provided by Fort Collins under this Agreement, and the mutual financial commitments herein made, Loveland agrees to contribute to the direct and indirect costs of operating FLEX, as supplemented by such additional federal or state grant funds as may be available therefor. The Parties agree to use ridership data to formulate the cost share associated with each Partner. Based on average ridership data from 2019, 2021 and 2022 for each term of this Agreement, Loveland's share of direct and indirect costs of operating FLEX for the year 2025 is \$315,047, subject to **Sections 6 and 7**. Loveland shall pay to Fort Collins this amount less its pro rata share of any FLEX Fare Revenue and FLEX Revenue, pursuant to **Section 6**. Fort Collins will invoice Partners within thirty (30) days of execution of the Agreement for the FLEX service provided in 2025. Such payment shall be made within sixty (60) days after receipt of an invoice.
6. The Parties acknowledge and agree that the budget proposal for operation of FLEX for 2025 as described in **Exhibit B**, attached hereto and incorporated herein by this reference, includes estimated operation expenses, projected FLEX Revenue, and anticipated revenues from bus fares pursuant to **Section 9** ("FLEX Fare Revenue").
 - a. The Parties agree that all FLEX Revenue and FLEX Fare Revenue shall be used to supplement FLEX operation expenses to equally benefit the Parties. The Parties acknowledge and agree that, based on variables such as ridership and the actual amount of applicable grant funding awarded,

the true FLEX Revenue and FLEX Fare Revenue may differ from the estimates described in **Exhibit B**. Therefore, adjustments to the Parties' cost contributions may be necessary from time to time and may be approved by mutual written agreement of the Parties' Representatives.

- b. Federal or state grant funds as may be available, including any FASTER funds awarded, shall be included in the FLEX Revenue.
 - c. Any additional revenues collected by Loveland from the operation of FLEX shall be remitted to Fort Collins. Such revenue, and any additional revenues collected by Fort Collins from the operation of FLEX, shall be included in the FLEX Revenue.
 - d. If FLEX Revenue and FLEX Fare Revenue for 2025 is insufficient to meet the budget for operation of FLEX, the Parties may elect to appropriate and pay their pro rata share of any shortage. If either Party does not appropriate and pay its pro rata share of the shortage in FLEX Revenue and FLEX Fare Revenue, Fort Collins in its sole discretion may reduce FLEX services as necessary to reduce operating expenses in an amount sufficient to address such a shortage or terminate FLEX service. Prior to any reduction in service or termination, Fort Collins shall provide advance written notice to the Partners.
7. The Parties agree to run a ridership analysis on a triennial basis and adjust cost shares according to ridership quantities relative to each Partner. The next analysis will be conducted in 2026. Ridership data will be an average of the previous three (3) years of service.
 8. Fort Collins Transfort buses will utilize existing Regional Transportation District (hereafter "RTD") stops in Boulder County, or as otherwise agreed by the Parties.
 9. The basic cash fare to be charged for FLEX shall be One Dollar and Twenty-Five Cents (\$1.25) per ride; however, Fort Collins is not currently charging fares for the Transfort bus system. Nevertheless, Fort Collins in its sole discretion shall be entitled to modify the fare to be charged as necessary for the efficient and cost-effective operation of FLEX, provided that advance written notice of any such modification is provided to Loveland. All Fort Collins discounted fare categories for Transfort bus service will apply to FLEX. Fort Collins shall collect any fares due from passengers and accurately record and account for such fare receipts and ridership levels. Fort Collins shall prepare quarterly reports of such receipts and ridership levels and shall provide such quarterly reports to Loveland.
 10. All Fort Collins and City of Loveland bus pass programs will be accepted as full fare to ride FLEX. Transfers from FLEX to the Transfort or COLT bus systems will be honored. The RTD Eco Pass will be accepted as full fare to ride FLEX; however, free transfers from FLEX to RTD will not be honored.
 11. Each Party shall designate a representative ("Party's Representative"), who shall be responsible for managing such Party's performance of the terms of this Agreement and shall provide the other Party with written notice thereof, along with the address, telephone, and email information of the Party's Representative. All notices to be provided under this Agreement shall be provided to the Parties' Representatives. Any notice pursuant to this Agreement shall be hand-delivered or sent by certified

mail, return receipt requested, and addressed to the Party's Representative. Any such notice shall be deemed given upon hand-delivery to the Party's Representative, delivery to their address, or three (3) days after mailing.

If to Fort Collins:

Transport Director
City of Fort Collins
250 N. Mason Street
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

If to Loveland:

Public Works Director
City of Loveland
2525 West 1st Street Loveland, CO 80537

With a copy to:

City Attorney
City of Loveland
500 E. Third Street, Suite 300
Loveland, CO 80537

12. The Parties agree to cooperate fully, to a reasonable extent, in the development and implementation of any surveys or studies undertaken by the other Party to evaluate demand, usage, cost, effectiveness, efficiency, or any other factor relating to the success or performance of FLEX or the need for such service. However, such cooperation shall not require the expenditure of funds more than the specific amounts set forth in **Section 5** and **Exhibit B**, unless approved in writing and duly appropriated by the Parties.
13. The Parties acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective Party and shall not constitute or give rise to a general obligation or other indebtedness of either Party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado nor a mandatory charge or requirement against either Party in any ensuing fiscal year beyond the current fiscal year. If the governing body of either Party fails to budget

and appropriate funds for its share of expenses as described in this Agreement, then this Agreement shall terminate as of the end of the fiscal year for which such funds were last budgeted and appropriated.

14. In the event a Party has been declared in default, such defaulting Party shall be allowed a period of thirty (30) days within which to cure said default. In the event the default remains uncorrected, the Party declaring default may elect to terminate the Agreement and so notify the defaulting Party in writing. Any amounts due to the non-defaulting Party shall be paid within fifteen (15) days of the date notice of termination is received.
15. Liability of the Parties shall be apportioned as follows:
 - a. Fort Collins shall be responsible for all claims, damages, liability, and court awards, including costs, expenses, and attorney fees incurred, should Fort Collins be found liable as a result of any action or omission of Fort Collins or its officers, employees, and agents, in connection with the performance of this Agreement.
 - b. Loveland shall be responsible for all claims, damages, liability, and court awards, including costs, expenses, and attorney fees incurred, should Loveland be found liable as a result of any action or omission of Loveland or its officers, employees, and agents, in connection with the performance of this Agreement.
 - c. Nothing in this **Section 15** or any other provision of this Agreement shall be construed as a waiver of the notice requirements, defenses, immunities, and limitations the Parties may have under the Colorado Governmental Immunity Act (Section 24-10-101, C.R.S. *et seq.*) or any other defenses, immunities, or limitations of liability available to any Party by law.
 - d. Any liability of the Parties under this Agreement shall be subject to appropriation of funds by their respective governing bodies sufficient to satisfy such liability as required by their Charter provisions.
 - e. No elected official, director, officer, agent or employee of the Parties shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of any breach thereof, or because of its or their execution, approval, or attempted execution of this Agreement.
16. This Agreement embodies the entire agreement of the Parties about the FLEX program. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement, or understanding of any kind or nature not set forth herein or agreed to pursuant to **Section 18**.
17. The Parties may not assign this Agreement, any part hereof, or their rights hereunder without the express written consent of all of the Parties. Any attempt to assign this Agreement in the absence of such written consent shall be null and void *ab initio*.

18. No changes, amendments or modifications of any of the terms or conditions of this Agreement shall be valid unless reduced to writing and signed by the Parties' Representatives, except as provided herein.
19. The laws of the State of Colorado shall be applied to the interpretation, execution and enforcement of this Agreement. The Parties recognize the legal constraints imposed upon them by the constitutions, statutes, and regulations of the State of Colorado and the United States and those imposed upon the Parties by their respective charters, municipal codes, and other similar documents, and subject to such constraints, the Parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provision in this Agreement to the contrary, in no event shall any party exercise any power or take any action which shall be prohibited by applicable law.
20. Any provision rendered null and void by operation of law shall not invalidate the remainder of this Agreement to the extent that this Agreement is capable of execution.
21. Either Party's failure to enforce any provision of this Agreement shall not in any way be construed as a waiver of any such provision or prevent that Party thereafter from enforcing each and every other provision of this Agreement.
22. This Agreement does not and is not intended to confer any rights or remedies upon any entity or person other than the Parties.
23. This Agreement may be executed in multiple counterparts; all counterparts so executed shall constitute one agreement binding upon all parties, notwithstanding that all parties are not signatories to the original or the same counterpart.
24. This Agreement may be executed by electronic signature in accordance with C.R.S. 24-71.3-101 *et seq.* Documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

CITY OF FORT COLLINS, COLORADO
a municipal corporation

By: _____
Kelly DiMartino, City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

Assistant City Attorney

CITY OF LOVELAND, COLORADO
a municipal corporation

By: _____
Jim Thompson, City Manager

ATTEST:

APPROVED AS TO FORM:

Sydney Corbin
Assistant City Clerk



[Signature]
Assistant City Attorney

EXHIBIT A

FLEX service will be provided within the following parameters:

- Days of Service: Monday - Friday (between the cities of Fort Collins and Boulder) and Monday - Saturday (between the cities of Fort Collins and Longmont). No service is provided on New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Hours of Service: 5AM - 8 PM
- Frequency of Service: 60 Minutes

Service Area Maps:



EXHIBIT B

2025 PARTNER SHARE CALCULATION WITHOUT FASTER FUNDS

	2023	2024	2025			
Operating Cost	\$ 2,161,806	\$ 2,248,278	\$ 2,338,209			
Fares	N/A	N/A	N/A			
CMAQ Flex to Boulder Enhancement	\$ 225,102	N/A	N/A			
EcoPass Reimbursement	\$ 5,000	N/A	N/A			
FASTER Funding	\$ 200,000	\$ 200,000	\$ -			
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,271,168			

	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed
Fort Collins	46.69%	\$ 1,060,467	\$ 831,637		
Loveland	32.32%	\$ 734,115	\$ 630,095	\$ 315,047	\$ 315,047
Longmont	7.28%	\$ 165,413			
Boulder County	6.25%	\$ 142,056			
City of Boulder	5.23%	\$ 118,699			
Berthoud	2.22%	\$ 50,419	\$ 33,304		
Total		\$ 2,271,168			

Fort Collins UZA 5307 Breakdown	% TMA Service Area Population	\$
Fort Collins	65.38%	\$ 228,830
Loveland	29.72%	\$ 104,020
Berthoud	4.89%	\$ 17,115
*highlight = total owed by partner		

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CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,071,168			

	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed
Fort Collins	46.69%	\$ 967,082	\$ 738,252		
Loveland	32.32%	\$ 669,469	\$ 565,449	\$ 282,724	\$ 282,724
Longmont	7.28%	\$ 150,847			
Boulder County	6.25%	\$ 129,546			
City of Boulder	5.23%	\$ 108,246			
Berthoud	2.22%	\$ 45,979	\$ 28,864		
Total		\$ 2,071,168			

Fort Collins UZA 5307 Breakdown	% TMA Service Area Population	\$
Fort Collins	65.38%	\$ 228,830
Loveland	29.72%	\$ 104,020
Berthoud	4.89%	\$ 17,115
*highlight = total owed by partner		

RESOLUTION 2025-007
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
FORT COLLINS, COLORADO AND THE TOWN OF BERTHOUD
FOR FLEX ROUTE REGIONAL TRANSIT SERVICES

A. Each year since 2016, the City has entered into an intergovernmental agreement (“IGA”) with the Town of Berthoud (“Berthoud”) to provide FLEX Route Regional Transit Services.

B. Both the City and Berthoud contribute a percentage of funds based on the ridership of each jurisdiction.

C. This partnership has contributed toward regional connectivity transit goals, and City Council wishes to continue offering these services.

D. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process; thus, no appropriation action is required with this item.

E. This Resolution comes before City Council to authorize the attached IGA for Bus Service between the City of Fort Collins and the Town of Berthoud substantially in the form attached hereto as Exhibit “A” and incorporated herein by this reference (the “IGA”).

F. The attached IGA for Bus Service with the Town of Berthoud is intended to be effective retroactively on January 1, 2025.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager be authorized to execute the IGA between the City and Berthoud in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. City Council hereby authorizes the City Manager to execute the IGA in substantially the form attached hereto as Exhibit “A,” together with such modifications and additions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution as set forth above.

Section 2. During the term of the IGA the City Manager, in consultation with the City Attorney, also is authorized to approve and execute amendments to the IGA consistent with this Resolution so long as the City Manager determines such

amendments: (a) are reasonably necessary and appropriate to protect the City's interests or provide a benefit to the City; (b) effectuate the purposes of this Resolution; and (c) limit the City's financial obligation to expenditure of funds already appropriated and approved by Council or conditioned upon such appropriation.

Passed and adopted on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 4, 2025
Approving Attorney: Madelene Shehan

**INTERGOVERNMENTAL AGREEMENT
FOR BUS SERVICE BETWEEN THE CITY OF FORT COLLINS AND
THE TOWN OF BERTHOUD**

This Agreement is made this _____ day of _____, 2025 between the **City of Fort Collins, Colorado**, a municipal corporation (hereinafter “Fort Collins”), and the **Town of Berthoud, Colorado**, a public body corporate and politic (hereinafter “Berthoud”) (Fort Collins and Berthoud collectively may be referred to as the “Parties” or, individually, as a “Party”).

RECITALS

WHEREAS, the Parties desire to provide regional connector bus service between Fort Collins and Berthoud; and

WHEREAS, Fort Collins has its own fixed-route bus system (hereinafter “Transfort”); and

WHEREAS, FLEX is a regional connector bus service operated by Transfort in partnership with Loveland, Berthoud, Longmont, City of Boulder, and Boulder County (hereinafter “Partners”) to provide services to said communities pursuant to separate Intergovernmental Agreements; and

WHEREAS, Transfort is willing and able to extend FLEX services along the U.S. Highway 287 and Highway 119 corridors between Fort Collins and Boulder (hereinafter “FLEX”) with stops in Fort Collins, Loveland, Berthoud, Longmont, and Boulder; and

WHEREAS, the Parties have determined that significant economic and efficiency benefits result for each Party through the provision of FLEX by Transfort.

NOW, THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration, receipt and adequacy of which is acknowledged, the Parties agree as follows:

AGREEMENT

1. The foregoing recitals are hereby incorporated as though fully set forth herein.
2. Fort Collins shall provide connector bus service, FLEX, in accordance with the terms of this Agreement and as specifically identified and described in **Exhibit A**, attached hereto and incorporated herein by this reference, throughout the term of this Agreement. The services identified and described in **Exhibit A** are subject to increase, modification, reduction, termination, and pursuant to this **Section 2** and **Section 13** of this Agreement.
 - a. Increased service beyond that described in **Exhibit A** may be provided by Fort Collins, at its sole discretion, to the extent Fort Collins determines appropriate given the demand for service and available resources. Prior to providing additional service at Fort Collins’ expense, Fort Collins shall provide advance written notice to the Partners. Prior to providing additional service with

Partner contribution, Fort Collins and the Partners will amend **Exhibit A**, and the respective cost share associated with the change pursuant to **Section 6** if the Partners all agree to such additional service and respective costshare. If the Partners and Fort Collins cannot agree to amend **Exhibit A** for the additional service then any such additional service that exceeds the services described in **Exhibit A** may be reduced or stopped by Fort Collins, at its sole discretion. Prior to reducing or stopping any such additional service, Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice to the Partners.

- b. In the event Fort Collins determines that circumstances require modification of FLEX services as described in **Exhibit A** to better accommodate the demand for service or the efficient provision of service, Fort Collins shall be entitled to implement such modification at its sole discretion. Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice of any such modification to the Partners.
3. This Agreement shall commence on January 1, 2025, and shall continue in full force and effect until December 31, 2025, unless sooner terminated as herein provided.
4. Fort Collins agrees that all services provided under this Agreement shall be consistent with Transfort system operating policies and procedures, as the same may be amended, from time to time, in Fort Collins' sole discretion, and that all such services shall be consistent with the Transfort operation schedule.
5. In consideration of the services provided by Fort Collins under this Agreement, and the mutual financial commitments herein made, Berthoud agrees to contribute to the direct and indirect costs of operating FLEX, as supplemented by such additional federal or state grant funds as may be available therefor. The Parties agree to use ridership data to formulate the cost share associated with each Partner. Based on average ridership data from 2019, 2021 and 2022 for each term of this Agreement, Berthoud's share of direct and indirect costs of operating FLEX for the year 2025 is \$33,304 subject to **Sections 6 and 7**. Berthoud shall pay to Fort Collins this amount less its pro rata share of any FLEX Fare Revenue and FLEX Revenue, pursuant to **Section 6**. Fort Collins will invoice Partners within thirty (30) days of execution of the Agreement for the FLEX service provided in 2025. Such payment shall be made within sixty (60) days after receipt of an invoice.
6. The Parties acknowledge and agree that the budget proposal for operation of FLEX for 2025 as described in **Exhibit B**, attached hereto and incorporated herein by this reference, includes estimated operation expenses, projected FLEX Revenue, and anticipated revenues from bus fares pursuant to **Section 9** ("FLEX Fare Revenue").
 - a. The Parties agree that all FLEX Revenue and FLEX Fare Revenue shall be used to supplement FLEX operation expenses to equally benefit the Parties. The Parties acknowledge and agree that, based on variables such as ridership and the actual amount of applicable grant funding awarded, the true FLEX Revenue and FLEX Fare Revenue may differ from the estimates described in **Exhibit B**. Therefore, adjustments to the Parties' cost contributions may be necessary from time to time and may be approved by mutual written agreement of the Parties' Representatives.

- b. Federal or state grant funds as may be available, including any FASTER funds awarded, shall be included in the FLEX Revenue.
 - c. Any additional revenues collected by Berthoud from the operation of FLEX shall be remitted to Fort Collins. Such revenue, and any additional revenues collected by Fort Collins from the operation of FLEX, shall be included in the FLEX Revenue.
 - d. If FLEX Revenue and FLEX Fare Revenue for 2025 is insufficient to meet the budget for operation of FLEX, the Parties may elect to appropriate and pay their pro rata share of any shortage. If either Party does not appropriate and pay its pro rata share of the shortage in FLEX Revenue and FLEX Fare Revenue, Fort Collins in its sole discretion may reduce FLEX services as necessary to reduce operating expenses in an amount sufficient to address such a shortage or terminate FLEX service. Prior to any reduction in service or termination, Fort Collins shall provide advance written notice to the Partners.
7. The Parties agree to run a ridership analysis on a triennial basis and adjust cost shares according to ridership quantities relative to each Partner. The next analysis will be conducted in 2026. Ridership data will be an average of the previous three (3) years of service.
 8. Fort Collins Transfort buses will utilize Regional Transportation District (hereafter "RTD") stops in Boulder County, or as otherwise agreed upon by the Parties.
 9. The basic cash fare to be charged for FLEX shall be One Dollar and Twenty-Five Cents (\$1.25) per ride; however, Fort Collins currently is not charging fares for the Transfort bus system. Nevertheless, Fort Collins in its sole discretion shall be entitled to modify the fare to be charged as necessary for the efficient and cost-effective operation of FLEX, provided that advance written notice of any such modification is provided to the Partners. All Fort Collins discounted fare categories for Transfort bus service will apply to FLEX. Fort Collins shall collect any fares due from passengers and accurately record and account for such fare receipts and ridership levels. Fort Collins shall prepare quarterly reports of such receipts and ridership levels and shall provide such quarterly reports to the Partners.
 10. All Fort Collins and City of Loveland bus pass programs will be accepted as full fare to ride FLEX. Transfers from FLEX to the Transfort or COLT bus systems will be honored. RTD Eco Pass will be accepted as full fare to ride FLEX; however, free transfers from FLEX to RTD will not be honored.
 11. Each Party shall designate a representative ("Party's Representative"), who shall be responsible for managing such Party's performance of the terms of this Agreement and shall provide the other Party with written notice thereof, along with the address, telephone, and email information of the Party's Representative. All notices to be provided under this Agreement shall be provided to the Parties' Representatives. Any notice pursuant to this Agreement shall be hand-delivered or sent by certified mail, return receipt requested, and addressed to the Party's Representative. Any such notice shall be deemed given upon hand-delivery to the Party's Representative, delivery to their address, or three (3) days after mailing.

If to Fort Collins:

City of Fort Collins

Transport Director
City of Fort Collins
250 N. Mason Street
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

If to Berthoud:

Town of Berthoud
Assistant to the Town Administrator
807 Mountain Ave
Berthoud, CO 80513

12. The Parties agree to cooperate fully, to a reasonable extent, in the development and implementation of any surveys or studies undertaken by the other Party to evaluate demand, usage, cost, effectiveness, efficiency, or any other factor relating to the success or performance of FLEX or the need for such service. Such cooperation shall not require the expenditure of funds more than the specific amounts set forth in **Section 5** and **Exhibit B**, however, unless approved in writing and duly appropriated by the Parties.
13. The Parties acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective Party and shall not constitute or give rise to a general obligation or other indebtedness of either Party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado, nor a mandatory charge or requirement against either Party in any ensuing fiscal year beyond the current fiscal year. If the governing body of either Party fails to budget and appropriate funds for its share of expenses as described in this Agreement, then this Agreement shall terminate as of the end of the fiscal year for which such funds were last budgeted and appropriated.
14. In the event a Party has been declared in default, such defaulting Party shall be allowed notice thereof from the Party declaring default and a period of thirty (30) days within which to cure said default. In

the event the default remains uncorrected, the Party declaring default may elect to terminate the Agreement and so notify the defaulting Party in writing. Any amounts due to the non-defaulting Party shall be paid within fifteen (15) days of the date of notice of termination is received.

15. Liability of the Parties shall be apportioned as follows:

- a. Fort Collins shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Fort Collins be found liable as a result of any action or omission of Fort Collins or its officers, employees, and agents, in connection with the performance of this Agreement.
- b. Berthoud shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Berthoud be found liable as a result of any action or omission of Berthoud or its officers, employees, and agents, in connection with the performance of this Agreement.
- c. Nothing in this **Section 15** or any other provision of this Agreement shall be construed as a waiver of the notice requirements, defenses, immunities, and limitations the Parties may have under the Colorado Governmental Immunity Act (Section 24-10-101, *et seq.*, C.R.S.) or any other defenses, immunities, or limitations of liability available to any Party by law.
- d. Any liability of the Parties under this Agreement shall be subject to appropriation of funds by their respective governing bodies.
- e. No elected official, director, officer, agent or employee of the Parties shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of any breach thereof or because of its or their execution, approval or attempted execution of this Agreement.

16. This Agreement embodies the entire agreement of the Parties about the FLEX program. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement or understanding of any kind or nature not set forth herein or agreed to pursuant to **Section 18**.

17. The Parties may not assign any part of this Agreement or its rights hereunder without the express written consent of all of the Parties. Any attempt to assign this Agreement in the absence of such written consent shall be null and void *ab initio*.

18. No changes, amendments or modifications of any of the terms or conditions of this Agreement shall be valid unless reduced to writing and signed by the Parties' Representatives, except as provided herein.

19. The laws of the State of Colorado shall be applied to the interpretation, execution and enforcement of this Agreement. The Parties recognize the legal constraints imposed upon them by the constitutions, statutes, and regulations of the State of Colorado and the United States, and imposed upon the Parties by their respective charters, municipal codes and other similar documents and, subject to such

constraints, the Parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provision in this Agreement to the contrary, in no event shall any party exercise any power or take any action which shall be prohibited by applicable law.

20. Any provision rendered null and void by operation of law shall not invalidate the remainder of this Agreement to the extent that this Agreement is capable of execution.
21. Either Party's failure to enforce any provision of this Agreement shall not in any way be construed as a waiver of any such provision or prevent that Party thereafter from enforcing each and every other provision of this Agreement.
22. This Agreement does not and is not intended to confer any rights or remedies upon any entity or person other than the Parties.
23. This Agreement may be executed in multiple counterparts; all counterparts so executed shall constitute one agreement binding upon all parties, notwithstanding that all parties are not signatories to the original or the same counterpart.
24. This Agreement may be executed by electronic signature in accordance with C.R.S. § 24-71.3-101, *et seq.* Documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

CITY OF FORT COLLINS, COLORADO
a municipal corporation

By: _____
Kelly DiMartino, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

TOWN OF BERTHOUD, COLORADO

By: _____
Town Administrator

ATTEST: _____
Town Clerk

APPROVED AS TO FORM: _____
Town Attorney



EXHIBIT A

FLEX service will be provided within the following parameters:

- Days of Service: Monday – Friday (between the cities of Fort Collins and Boulder) and Monday – Saturday (between the cities of Fort Collins and Longmont). No service is provided on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Hours of Service: 5AM – 8 PM
- Frequency of Service: 60 Minutes

Service Area Maps:

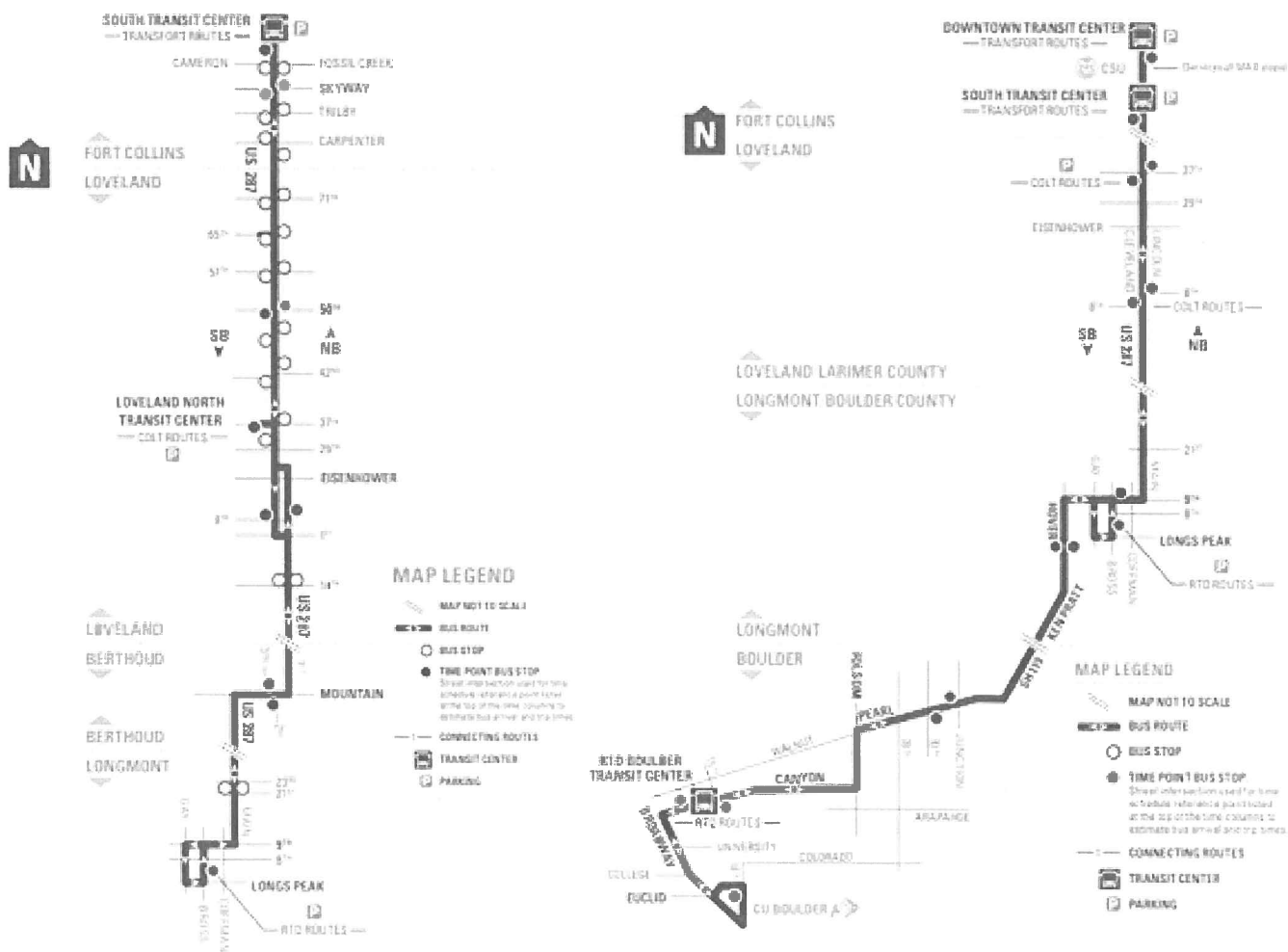


EXHIBIT B

2025 PARTNER SHARE CALCULATION WITHOUT FASTER FUNDS

	2023	2024	2025
Operating Cost	\$ 2,161,806	\$ 2,248,278	\$ 2,338,209
Fares	N/A	N/A	N/A
CMAQ Flex to Boulder Enhancement	\$ 225,102	N/A	N/A
EcoPass Reimbursement	\$ 5,000	N/A	N/A
FASTER Funding	\$ 200,000	\$ 200,000	\$ -
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041
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*highlight = total owed by partner

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Fort Collins	46.69%	\$ 967,082	\$ 738,252		
Loveland	32.32%	\$ 669,469	\$ 565,449	\$ 282,724	\$ 282,724
Longmont	7.28%	\$ 150,847			
Boulder County	6.25%	\$ 129,546			
City of Boulder	5.23%	\$ 108,246			
Berthoud	2.22%	\$ 45,979	\$ 28,864		
Total		\$ 2,071,168			

	% TMA Service Area Population	\$
Fort Collins UZA 5307 Breakdown		\$ 350,000
Fort Collins	65.38%	\$ 228,830
Loveland	29.72%	\$ 104,020
Berthoud	4.89%	\$ 17,115

*highlight = total owed by partner

RESOLUTION 2025-008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
FORT COLLINS, COLORADO AND THE COUNTY OF BOULDER
FOR FLEX ROUTE REGIONAL TRANSIT SERVICES

A. Each year since 2016, the City has entered into an intergovernmental agreement (“IGA”) with the County of Boulder (“Boulder County”) to provide FLEX Route Regional Transit Services.

B. Both the City and Boulder County contribute a percentage of funds based on the ridership of each jurisdiction.

C. This partnership has contributed toward regional connectivity transit goals, and City Council wishes to continue offering these services.

D. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process; thus, no appropriation action is required with this item.

E. This Resolution comes before City Council to authorize the attached IGA for Bus Service between the City of Fort Collins and Boulder County substantially in the form attached hereto as Exhibit “A” and incorporated herein by this reference (the “IGA”).

F. The attached IGA for Bus Service with Boulder County is intended to be effective retroactively on January 1, 2025.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager be authorized to execute the IGA between the City and Boulder County in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the as follows:

Section 1. City Council hereby authorizes the City Manager to execute the IGA in substantially the form attached hereto as Exhibit “A,” together with such modifications and additions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution as set forth above.

Section 2. During the term of the IGA the City Manager, in consultation with the City Attorney, also is authorized to approve and execute amendments to the IGA consistent with this Resolution so long as the City Manager determines such

amendments: (a) are reasonably necessary and appropriate to protect the City's interests or provide a benefit to the City; (b) effectuate the purposes of this Resolution; and (c) limit the City's financial obligation to expenditure of funds already appropriated and approved by Council or conditioned upon such appropriation.

Passed and adopted on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 4, 2025
Approving Attorney: Madelene Shehan

**INTERGOVERNMENTAL AGREEMENT
FOR BUS SERVICE BETWEEN THE CITY OF FORT COLLINS AND
BOULDER COUNTY**

This Agreement is made this ___ day of _____, 2025 between the City of Fort Collins, Colorado, a municipal corporation (hereinafter “Fort Collins”), and the Board of County Commissioners on behalf of the County of Boulder, State of Colorado, a public body corporate and politic, for the benefit of the Community Planning & Permitting Department (hereinafter “Boulder County”) (Fort Collins and Boulder County collectively may be referred to as the “Parties” or individually, as a “Party”).

RECITALS

WHEREAS, the Parties desire to provide regional connector bus service between Fort Collins and Boulder County; and

WHEREAS, Fort Collins has its own fixed-route bus system (hereinafter “Transfort”); and

WHEREAS, FLEX is a regional connector bus service operated by Transfort (hereinafter “FLEX”) in partnership with Loveland, Berthoud, Longmont, City of Boulder, and Boulder County (hereinafter “Partners”) to provide services to said communities pursuant to separate Intergovernmental Agreements; and

WHEREAS, Transfort is willing and able to provide FLEX services along the U.S. Highway 287 and Highway 119 corridors between Fort Collins and Boulder (hereinafter “FLEX”) with stops in Fort Collins, Loveland, Longmont, and Boulder; and

WHEREAS, the Parties have determined that significant economic and efficiency benefits result for each Party through the provision of FLEX by Transfort.

NOW, THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration, receipt and adequacy of which is acknowledged, the Parties agree as follows:

AGREEMENT

1. The foregoing recitals are hereby incorporated as though fully set forth herein.
2. Fort Collins shall provide connector bus service, FLEX, in accordance with the terms of this Agreement and as specifically identified and described in Exhibit A, attached hereto and incorporated herein by this reference, throughout the term of this Agreement. The services identified and described in Exhibit A are subject to increase, modification, reduction, and termination pursuant to this Section 2 and Section 15 of this Agreement.
 - a. Increased service beyond that described in Exhibit A may be provided by Fort Collins, at its sole discretion, to the extent Fort Collins determines appropriate given the demand for service and

HR

available resources. Prior to providing additional service at Fort Collins' expense, Fort Collins shall provide advance written notice to the Partners. Prior to providing additional service with Partner contribution, Fort Collins and the Partners will amend **Exhibit A**, and the respective cost share associated with the change pursuant to **Section 6** if the Partners all agree to such additional service and respective costshare. If the Partners and Fort Collins cannot agree to amend **Exhibit A** for the additional service then any such additional service that exceeds the services described in **Exhibit A** may be reduced or stopped by Fort Collins, at its sole discretion. Prior to reducing or stopping any such additional service, Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice to the Partners.

- b. In the event Fort Collins determines that circumstances require modification of FLEX services as described in **Exhibit A** to better accommodate the demand for service or the efficient provision of service, Fort Collins shall be entitled to implement such modification at its sole discretion. Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice of any such modification to the Partners.
3. This Agreement shall commence on January 1, 2025, and shall continue in full force and effect until December 31, 2025, unless extended or sooner terminated as herein provided.
4. Fort Collins agrees that all services provided under this Agreement shall be consistent with Transfort system operating policies and procedures, as the same may be amended, from time to time, in Fort Collins' sole discretion, and that all such services shall be consistent with the Transfort operation schedule.
5. In consideration of the services provided by Fort Collins under this Agreement, and the mutual financial commitments herein made, Boulder County agrees to contribute to the direct and indirect costs of operating FLEX, as supplemented by such additional federal or state grant funds as may be available therefor. The Parties agree to use ridership data to formulate the cost share associated with each Partner. Based on average ridership data from 2019, 2021 and 2022 for each term of this Agreement, Boulder County's share of direct and indirect costs of operating FLEX for the year 2025 is \$142,056, subject to **Sections 6 and 7**. Boulder County shall pay to Fort Collins this amount less its pro rata share of any FLEX Fare Revenue and FLEX Revenue, pursuant to **Section 6**. Fort Collins will invoice Partners within thirty (30) days of execution of the Agreement for the FLEX service provided in 2025. Such payment shall be made within sixty (60) days after receipt of an invoice.
6. The Parties acknowledge and agree that the budget proposal for operation of FLEX for 2025 as described in **Exhibit B**, attached hereto and incorporated herein by this reference, includes estimated operation expenses, projected FLEX Revenue, and anticipated revenues from bus fares pursuant to **Section 9** ("FLEX Fare Revenue").
 - a. The Parties agree that all FLEX Revenue and FLEX Fare Revenue shall be used to supplement FLEX operation expenses to equally benefit the Parties. The Parties acknowledge and agree that, based on variables such as ridership and the actual amount of applicable grant funding awarded, the true FLEX Revenue and FLEX Fare Revenue may differ from the estimates described in

Exhibit B. Therefore, adjustments to the Parties' cost contributions may be necessary from time to time and may be approved by mutual written agreement of the Parties' Representatives.

- b. Federal or state grant funds as may be available, including any FASTER funds awarded, shall be included in the FLEX Revenue.
 - c. Any additional revenues collected by Boulder County from the operation of FLEX shall be remitted to Fort Collins. Such revenue, and any additional revenues collected by Fort Collins from the operation of FLEX, shall be included in the FLEX Revenue.
 - d. If FLEX Revenue and FLEX Fare Revenue for 2025 is insufficient to meet the budget for operation of FLEX, the Parties may elect to appropriate and pay their pro rata share of any shortage. If either Party does not appropriate and pay its pro rata share of the shortage in FLEX Revenue and FLEX Fare Revenue, Fort Collins in its sole discretion may reduce FLEX services as necessary to reduce operating expenses in an amount sufficient to address such a shortage or terminate FLEX service. Prior to any reduction in service or termination, Fort Collins shall provide advance written notice to the Partners.
7. The Parties agree to run a ridership analysis on a triennial basis and adjust cost shares according to ridership quantities relative to each Partner. The next analysis will be conducted in 2026. Ridership data will be an average of the previous three (3) years of service.
 8. Fort Collins Transfort buses will utilize Regional Transportation District (hereinafter "RTD") stops in Boulder County, or as otherwise agreed upon by the Parties.
 9. The basic cash fare to be charged for FLEX shall be One Dollar and Twenty-Five Cents (\$1.25) per ride; however, Fort Collins currently is not charging fares for the Transfort bus system. Nevertheless, Fort Collins in its sole discretion shall be entitled to modify the fare to be charged as necessary for the efficient and cost-effective operation of FLEX, provided that advance written notice of any such modification is provided to the Partners. All Fort Collins discounted fare categories for Transfort bus service will apply to FLEX. Fort Collins shall collect any fares due from passengers and accurately record and account for such fare receipts and ridership levels. Fort Collins shall prepare quarterly reports of such receipts and ridership levels and shall provide such quarterly reports to the Partners.
 10. All Fort Collins and City of Loveland bus pass programs will be accepted as full fare to ride FLEX. Transfers from FLEX to the Transfort or COLT bus systems will be honored. RTD Eco Pass will be accepted as full fare to ride FLEX, but free transfers from FLEX to RTD will not be honored.
 11. Boulder County will reimburse Fort Collins for all Eco Pass boardings on the FLEX route. Patrons using an Eco Pass must show the Eco Pass with the patron's photo to the FLEX operators. FLEX operators should make a reasonable attempt to confirm that the photo on the Eco Pass is the patron's photo. FLEX operators will count each boarding made by Eco Pass via the farebox keypad or some other method. Boulder County will pay Fort Collins \$1.25 for each Eco Pass boarding. Fort Collins will invoice Boulder County not more often than quarterly for the Eco Pass boardings.

12. Each Party shall designate a representative ("Party's Representative"), who shall be responsible for managing such Party's performance of the terms of this Agreement and shall provide the other Party with written notice thereof, along with the address, telephone, and email information of the Parties' Representative. All notices to be provided under this Agreement shall be provided to the Parties' Representatives. Any notice pursuant to this Agreement shall be hand-delivered or sent by certified mail, return receipt requested, and addressed to the Party's Representative. Any such notice shall be deemed given upon hand-delivery to the Party's Representative, delivery to their address, or three (3) days after mailing.

If to Fort Collins:

City of Fort Collins

Transport Director
City of Fort Collins
250 N. Mason Street
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

If to Boulder County:

Dale Case, Director- Community Planning & Permitting
The County of Boulder
PO Box 471
Boulder, CO 80306

13. The Parties agree to cooperate fully, to a reasonable extent, in the development and implementation of any surveys or studies undertaken by the other Party to evaluate demand, usage, cost, effectiveness, efficiency, or any other factor relating to the success or performance of FLEX or the need for such service. Such cooperation shall not require the expenditure of funds more than the specific amounts set forth in Section 5 and Exhibit B, however, unless approved in writing and appropriated by the Parties.
14. The Parties acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective Party and shall not constitute or give rise to a general obligation or other indebtedness of either Party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado nor a mandatory charge or requirement against either Party in any

ensuing fiscal year beyond the current fiscal year. If the governing body of either Party fails to budget and appropriate funds for its share of expenses as described in this Agreement, then this Agreement shall terminate as of the end of the fiscal year for which such funds were last budgeted and appropriated.

15. In the event a Party has been declared in default, such defaulting Party shall be allowed notice thereof from the Party declaring default and a period of thirty (30) days within which to cure said default. In the event the default remains uncorrected, the Party declaring default may elect to terminate the Agreement and so notify the defaulting Party in writing. Any amounts due to the non-defaulting Party shall be paid within fifteen (15) days of the date notice of termination is received.
16. Liability of the Parties shall be apportioned as follows:
 - a. Fort Collins shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Fort Collins be found liable as a result of any action or omission of Fort Collins or its officers, employees, and agents, in connection with the performance of this Agreement.
 - b. Boulder County shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Boulder County be found liable as a result of any action or omission of Boulder County or its officers, employees, and agents, in connection with the performance of this Agreement.
 - c. Nothing in this Section 17 or any other provision of this Agreement shall be construed as a waiver of the notice requirements, defenses, immunities, and limitations the Parties may have under the Colorado Governmental Immunity Act (Sections 24-10-101, C.R.S. *et seq.*) or any other defenses, immunities, or limitations of liability available to any Party by law.
 - d. Any liability of the Parties under this Agreement shall be subject to appropriation of funds by their respective governing bodies sufficient to satisfy such liability as required by their Charter provisions.
 - e. No elected official, director, officer, agent or employee of the Parties shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of any breach thereof or because of its or their execution, approval or attempted execution of this Agreement.
17. This Agreement embodies the entire agreement of the Parties about the FLEX program. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement or understanding of any kind or nature not set forth herein or agreed to pursuant to Section 20.
18. The Parties may not assign any part of this Agreement or its rights hereunder without the express written consent of all of the Parties. Any attempt to assign this Agreement in the absence of such written consent shall be null and void *ab initio*.
19. No changes, amendments or modifications of any of the terms or conditions of this Agreement shall be

valid unless reduced to writing and signed by the Parties' Representatives, except as provided herein.

20. The laws of the State of Colorado shall be applied to the interpretation, execution and enforcement of this Agreement. The Parties recognize the legal constraints imposed upon them by the constitutions, statutes, and regulations of the State of Colorado and the United States, and imposed upon the Parties by their respective charters, municipal codes and other similar documents and, subject to such constraints, the Parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provision in this Agreement to the contrary, in no event shall any party exercise any power or take any action which shall be prohibited by applicable law.
21. Any provision rendered null and void by operation of law shall not invalidate the remainder of this Agreement to the extent that this Agreement is capable of execution.
22. Either Party's failure to enforce any provision of this Agreement shall not in any way be construed as a waiver of any such provision or prevent that Party thereafter from enforcing each and every other provision of this Agreement.
23. This Agreement does not and is not intended to confer any rights or remedies upon any entity or person other than the Parties.
24. This Agreement may be executed in multiple counterparts; all counterparts so executed shall constitute one agreement binding upon all parties, notwithstanding that all parties are not signatories to the original or the same counterpart.
25. This Agreement may be executed by electronic signature in accordance with C.R.S. § 24-71.3-101, *et seq.* Documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.
26. Each Party is a "public entity" under the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, and shall always during the terms of this Agreement maintain such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Act. This insurance shall have minimum limits, which shall match or exceed the maximum governmental liability limits set forth in C.R.S. § 24-10-114, as amended.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

CITY OF FORT COLLINS, COLORADO
a municipal corporation

By: _____
Kelly DiMartino, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City
Attorney

THE COUNTY OF BOULDER,
a body corporate and politic

By: Ashley Stolzmann
Ashley Stolzmann,
Chair, Board of County Commissioners

MR

EXHIBIT A

FLEX service will be provided within the following parameters:

- Days of Service: Monday – Friday (between the cities of Fort Collins and Boulder) and Monday – Saturday (between the cities of Fort Collins and Longmont). No service is provided on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Hours of Service: 5AM – 8 PM
- Frequency of Service: 60 Minutes

Service Area Maps:

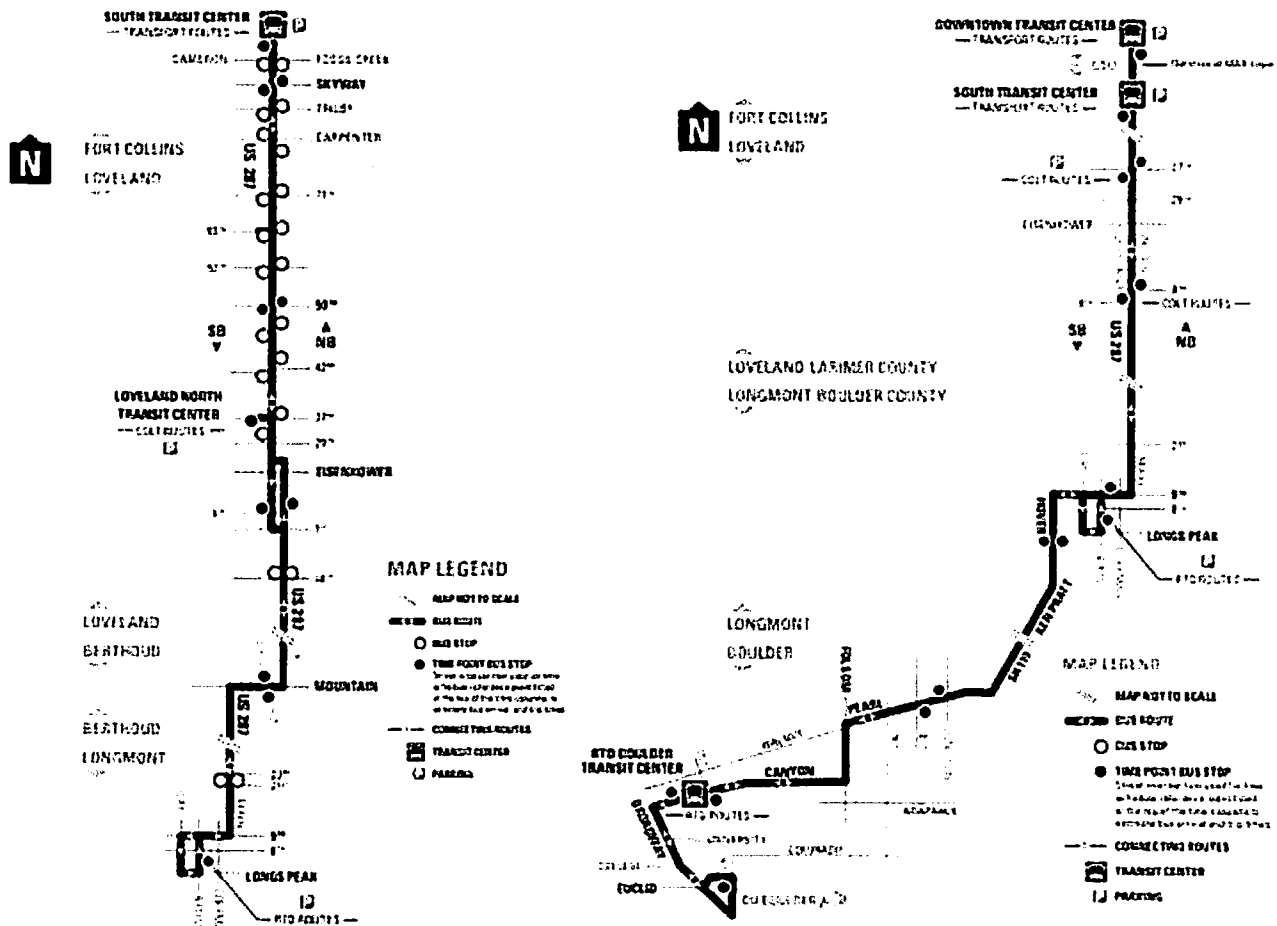


EXHIBIT B

2025 PARTNER SHARE CALCULATION WITHOUT FASTER FUNDS

	2023	2024	2025			
Operating Cost	\$ 2,161,806	\$ 2,248,278	\$ 2,338,209			
Fares	N/A	N/A	N/A			
CMAQ Flex to Boulder Enhancement	\$ 225,102	N/A	N/A			
EcoPass Reimbursement	\$ 5,000	N/A	N/A			
FASTER Funding	\$ 200,000	\$ 200,000	\$ -			
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,271,168			

	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed
Fort Collins	46.69%	\$ 1,060,467	\$ 831,637		
Loveland	32.32%	\$ 734,315	\$ 630,095	\$ 315,047	\$ 315,047
Longmont	7.28%	\$ 165,413			
Boulder County	6.25%	\$ 142,056			
City of Boulder	5.23%	\$ 118,699			
Berthoud	2.22%	\$ 50,419	\$ 33,304		
Total		\$ 2,271,168			

	% TMA Service Area Population	\$
Fort Collins UZA 5307 Breakdown		\$ 350,000
Fort Collins	65.38%	\$ 228,830
Loveland	29.72%	\$ 104,020
Berthoud	4.89%	\$ 17,115

*highlight = total owed by partner

2025 PARTNER SHARE CALCULATION WITH FASTER FUNDS

	2023	2024	2025			
Operating Cost	\$ 2,161,806	\$ 2,248,278	\$ 2,338,209			
Fares	N/A	N/A	N/A			
CMAQ Flex to Boulder Enhancement	\$ 225,102	N/A	N/A			
EcoPass Reimbursement	\$ 5,000	N/A	N/A			
FASTER Funding	\$ 200,000	\$ 200,000	\$ 200,000			
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,071,168			

	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed
Fort Collins	46.69%	\$ 967,082	\$ 738,252		
Loveland	32.32%	\$ 669,469	\$ 565,449	\$ 282,724	\$ 282,724
Longmont	7.28%	\$ 150,847			
Boulder County	6.25%	\$ 129,546			
City of Boulder	5.23%	\$ 108,246			
Berthoud	2.22%	\$ 45,979	\$ 28,864		
Total		\$ 2,071,168			

	% TMA Service Area Population	\$
Fort Collins UZA 5307 Breakdown		\$ 350,000
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Loveland	29.72%	\$ 104,020
Berthoud	4.89%	\$ 17,115

*highlight = total owed by partner

RESOLUTION 2025-009
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 AUTHORIZING THE EXECUTION OF AN
 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
 FORT COLLINS, COLORADO AND THE CITY OF BOULDER FOR
 FLEX ROUTE REGIONAL TRANSIT SERVICES

A. Each year since 2016, the City has entered into an intergovernmental agreement (“IGA”) with the City of Boulder (“Boulder”) to provide FLEX Route Regional Transit Services.

B. Both the City and Boulder contribute a percentage of funds based on the ridership of each jurisdiction.

C. This partnership has contributed toward regional connectivity transit goals, and City Council wishes to continue offering these services.

D. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process; thus, no appropriation action is required with this item.

E. This Resolution comes before City Council to authorize the attached IGA for Bus Service between the City of Fort Collins and City of Boulder substantially in the form attached hereto as Exhibit “A” and incorporated herein by this reference (the “IGA”).

F. The attached IGA for Bus Service with the City of Boulder is intended to be effective retroactively on January 1, 2025.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager be authorized to execute the IGA between the City and Boulder in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. City Council hereby authorizes the City Manager to execute the IGA in substantially the form attached hereto as Exhibit “A,” together with such modifications and additions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution as set forth above.

Section 2. During the term of the IGA the City Manager, in consultation with the City Attorney, also is authorized to approve and execute amendments to the IGA consistent with this Resolution so long as the City Manager determines such

amendments: (a) are reasonably necessary and appropriate to protect the City's interests or provide a benefit to the City; (b) effectuate the purposes of this Resolution; and (c) limit the City's financial obligation to expenditure of funds already appropriated and approved by Council or conditioned upon such appropriation.

Passed and adopted on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 4, 2025
Approving Attorney: Madelene Shehan

**INTERGOVERNMENTAL AGREEMENT
FOR BUS SERVICE BETWEEN THE CITY OF FORT COLLINS AND
CITY OF BOULDER**

This Agreement is made this ___ day of _____, 2025 between the **City of Fort Collins, Colorado**, a home rule municipal corporation (hereinafter “Fort Collins”), and the **City of Boulder, Colorado**, a home rule city (hereinafter “Boulder”) (Fort Collins and Boulder collectively may be referred to as the “Parties” or, individually, as a “Party”).

RECITALS

WHEREAS, the Parties desire to provide regional connector bus service between Fort Collins and Boulder; and

WHEREAS, Fort Collins has its own fixed-route bus system (hereinafter “Transfort”); and

WHEREAS, FLEX is a regional connector bus service operated by Transfort in partnership with Loveland, Berthoud, Longmont, City of Boulder, and Boulder County (hereinafter “Partners”) to provide services to said communities pursuant to separate Intergovernmental Agreements; and

WHEREAS, Transfort is willing and able to extend FLEX services along the U.S. Highway 287 and Highway 119 corridors between Fort Collins and Boulder (hereinafter “FLEX”) with stops in Fort Collins, Loveland, Berthoud, Longmont, and Boulder; and

WHEREAS, the Parties have determined that significant economic and efficiency benefits result for each Party through the provision of FLEX by Transfort.

NOW, THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration, receipt and adequacy of which is acknowledged, the Parties agree as follows:

AGREEMENT

1. The foregoing recitals are hereby incorporated as though fully set forth herein.
2. Fort Collins shall provide connector bus service, FLEX, in accordance with the terms of this Agreement and as specifically identified and described in **Exhibit A**, attached hereto and incorporated herein by this reference, throughout the term of this Agreement. The services identified and described in **Exhibit A** are subject to increase, modification, reduction, and termination, pursuant to this **Section 2** and **Section 13** of this Agreement.
 - a. Increased service beyond that described in **Exhibit A** may be provided by Fort Collins, at its sole discretion, to the extent Fort Collins determines appropriate given the demand for service and available resources. Prior to providing additional service at Fort Collins’ expense, Fort Collins

shall provide advance written notice to the Partners. Prior to providing additional service with Partner contribution, Fort Collins and the Partners will amend **Exhibit A**, and the respective cost share associated with the change pursuant to **Section 6** if the Partners all agree to such additional service and respective cost share. If the Partners and Fort Collins cannot agree to amend **Exhibit A** for the additional service then any such additional service that exceeds the services described in **Exhibit A** may be reduced or stopped by Fort Collins, at its sole discretion. Prior to reducing or stopping any such additional service, Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice to the Partners.

- b. In the event Fort Collins determines that circumstances require modification of FLEX services as described in **Exhibit A** to better accommodate the demand for service or the efficient provision of service, Fort Collins shall be entitled to implement such modification at its sole discretion. Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice of any such modification to the Partners.
3. This Agreement shall commence on January 1, 2025, and shall continue in full force and effect until December 31, 2025, unless sooner terminated as herein provided.
4. Fort Collins agrees that all services provided under this Agreement shall be consistent with Transfort system operating policies and procedures, as the same may be amended, from time to time, in Fort Collins' sole discretion, and that all such services shall be consistent with the Transfort operation schedule.
5. In consideration of the services provided by Fort Collins under this Agreement, and the mutual financial commitments herein made, Boulder agrees to contribute to the direct and indirect costs of operating FLEX, as supplemented by such additional federal or state grant funds as may be available therefor. The Parties agree to use ridership data to formulate the cost share associated with each Partner. Based on average ridership data from 2019, 2021 and 2022 for each term of this Agreement, Boulder's share of direct and indirect costs of operating FLEX for the year 2025 is \$118,699, and, subject to **Sections 6 and 7**. Boulder shall pay to Fort Collins this amount less its pro rata share of any FLEX Fare Revenue and FLEX Revenue, pursuant to **Section 6**. Fort Collins will invoice Partners within thirty (30) days of execution of the Agreement for the FLEX service provided in 2025. Such payment shall be made within sixty (60) days after receipt of an invoice.
6. The Parties acknowledge and agree that the budget proposal for operation of FLEX for 2025 as described in **Exhibit B**, attached hereto and incorporated herein by this reference, includes estimated operation expenses, projected FLEX Revenue, and anticipated revenues from bus fares pursuant to **Section 9** ("FLEX Fare Revenue").
 - a. The Parties agree that all FLEX Revenue and FLEX Fare Revenue shall be used to supplement FLEX operation expenses to equally benefit the Parties. The Parties acknowledge and agree that, based on variables such as ridership and the actual amount of applicable grant funding awarded, the true FLEX Revenue and FLEX Fare Revenue may differ from the estimates described in **Exhibit B**. Therefore, adjustments to the Parties' cost contributions may be necessary from time

to time and may be approved by mutual written agreement of the Parties' Representatives.

- b. Federal or state grant funds as may be available, including any FASTER funds awarded, shall be included in the FLEX Revenue.
 - c. Any additional revenues collected by Boulder from the operation of FLEX shall be remitted to Fort Collins. Such revenue, and any additional revenues collected by Fort Collins from the operation of FLEX, shall be included in the FLEX Revenue.
 - d. If FLEX Revenue and FLEX Fare Revenue for 2025 is insufficient to meet the budget for operation of FLEX, the Parties may elect to appropriate and pay their pro rata share of any shortage. If either Party does not appropriate and pay its pro rata share of the shortage in FLEX Revenue and FLEX Fare Revenue, Fort Collins in its sole discretion may reduce FLEX services as necessary to reduce operating expenses in an amount sufficient to address such a shortage or terminate FLEX service. Prior to any reduction in service or termination, Fort Collins shall provide advance written notice to the Partners.
7. The Parties agree to run a ridership analysis on a triennial basis and adjust cost shares according to ridership quantities relative to each Partner. The next analysis will be conducted in 2026. Ridership data will be an average of the previous three (3) years of service.
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 9. The basic cash fare to be charged for FLEX shall be One Dollar and Twenty-Five Cents (\$1.25) per ride; however, Fort Collins currently is not charging fares for the Transfort bus system. Nevertheless, Fort Collins in its sole discretion shall be entitled to modify the fare to be charged as necessary for the efficient and cost-effective operation of FLEX, provided that advance written notice of any such modification is provided to the Partners. All Fort Collins discounted fare categories for Transfort bus service will apply to FLEX. Fort Collins shall collect any fares due from passengers and accurately record and account for such fare receipts and ridership levels. Fort Collins shall prepare quarterly reports of such receipts and ridership levels and shall provide such quarterly reports to the Partners.
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 11. Each Party shall designate a representative ("Party's Representative"), who shall be responsible for managing such Party's performance of the terms of this Agreement and shall provide the other Party with written notice thereof, along with address, telephone, and email information. All notices to be provided under this Agreement shall be provided to the Parties' Representatives. Any notice pursuant to this Agreement shall be hand-delivered or sent by certified mail, return receipt requested, and addressed to the Party's Representative. Any such notice shall be deemed given upon hand-delivery to the Party's Representative, delivery to their address, or three (3) days after mailing.

If to Fort Collins:

City of Fort Collins

Transfort Director
City of Fort Collins
250 N. Mason Street
Fort Collins, CO 80522

With a copy to:

City Attorney
City of Fort Collins
P.O. Box 580
Fort Collins, CO 80522

If to City of Boulder:

Transit Program Manager
City of Boulder
1777 Broadway
Boulder, CO 80302

With a copy to:

City Attorney
City of Boulder
P.O. Box 791
Boulder, CO 80306

12. The Parties agree to cooperate fully, to a reasonable extent, in the development and implementation of any surveys or studies undertaken by the other Party to evaluate demand, usage, cost, effectiveness, efficiency, or any other factor relating to the success or performance of FLEX or the need for such service. Such cooperation shall not require the expenditure of funds more than the specific amounts set forth in **Section 5** and **Exhibit B**, however, unless approved in writing and appropriated by the Parties.
13. The Parties acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective Party and shall not constitute or give rise to a general obligation or other indebtedness of either Party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado nor a mandatory charge or requirement against either Party in any

ensuing fiscal year beyond the current fiscal year. If the governing body of either Party fails to budget and appropriate funds for its share of expenses as described in this Agreement, then this Agreement shall terminate as of the end of the fiscal year for which such funds were last budgeted and appropriated.

14. In the event a Party has been declared in default, such defaulting Party shall be allowed a period of thirty (30) days within which to cure said default. In the event the default remains uncorrected, the Party declaring default may elect to terminate the Agreement and so notify the defaulting Party in writing. Any amounts due to the non-defaulting Party shall be paid within fifteen (15) days of the date notice of termination is received.
15. Liability of the Parties shall be apportioned as follows:
 - a. Fort Collins shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Fort Collins be found liable as a result of any action or omission of Fort Collins or its officers, employees, and agents, in connection with the performance of this Agreement.
 - b. City of Boulder shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should City of Boulder be found liable as a result of any action or omission of City of Boulder or its officers, employees, and agents, in connection with the performance of this Agreement.
 - c. Nothing in this **Section 15** or any other provision of this Agreement shall be construed as a waiver of the notice requirements, defenses, immunities, and limitations the Parties may have under the Colorado Governmental Immunity Act (Section 24-10-101, C.R.S. *et seq.*) or any other defenses, immunities, or limitations of liability available to any Party by law.
 - d. Any liability of the Parties under this Agreement shall be subject to appropriation of funds by their respective governing bodies sufficient to satisfy such liability as required by their Charter provisions.
 - e. No elected official, director, officer, agent or employee of the Parties shall be charged personally or held contractually liable under any term or provision of this Agreement, or because of any breach thereof or because of its or their execution, approval or attempted execution of this Agreement.
16. This Agreement embodies the entire agreement of the Parties about the FLEX program. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement or understanding of any kind or nature not set forth herein or agreed to pursuant to **Section 18**.
17. The Parties may not assign any part of this Agreement or its rights hereunder without the express written consent of all of the Parties. Any attempt to assign this Agreement in the absence of such written consent shall be null and void *ab initio*.

18. No changes, amendments or modifications of any of the terms or conditions of this Agreement shall be valid unless reduced to writing and signed by the Parties, except as provided herein.
19. The laws of the State of Colorado shall be applied to the interpretation, execution and enforcement of this Agreement. The Parties recognize the legal constraints imposed upon them by the constitutions, statutes, and regulations of the State of Colorado and the United States, and imposed upon the Parties by their respective charters, municipal codes and other similar documents and, subject to such constraints, the Parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provision in this Agreement to the contrary, in no event shall any party exercise any power or take any action which shall be prohibited by applicable law.
20. Any provision rendered null and void by operation of law shall not invalidate the remainder of this Agreement to the extent that this Agreement is capable of execution.
21. Either Party's failure to enforce any provision of this Agreement shall not in any way be construed as a waiver of any such provision or prevent that Party thereafter from enforcing each and every other provision of this Agreement.
22. This Agreement does not and is not intended to confer any rights or remedies upon any entity or person other than the Parties.
23. This Agreement may be executed in multiple counterparts; all counterparts so executed shall constitute one agreement binding upon all parties, notwithstanding that all parties are not signatories to the original or the same counterpart.
24. This Agreement may be executed by electronic signature in accordance with C.R.S. § 24-71.3-101, *et seq.* Documents executed, scanned and transmitted electronically and electronic signatures shall be deemed original signatures for purposes of this Agreement and all matters related thereto, with such scanned and electronic signatures having the same legal effect as original signatures.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

CITY OF FORT COLLINS, COLORADO
a municipal corporation

By: _____
Kelly DiMartino, City Manager

ATTEST:

City Clerk


APPROVED AS TO FORM:

Assistant City
Attorney

CITY OF BOULDER, COLORADO
a Colorado home rule city

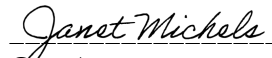
By:  _____
Nuria Rivera-Vandermyde, City Manager

ATTEST:



City Clerk

APPROVED AS TO FORM:

 10/17/2024

City Attorney

EXHIBIT A

FLEX service will be provided within the following parameters:

- Days of Service: Monday – Friday (between the cities of Fort Collins and Boulder) and Monday – Saturday (between the cities of Fort Collins and Longmont). No service is provided on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Hours of Service: 5AM – 8 PM
- Frequency of Service: 60 Minutes

Service Area Maps:



EXHIBIT B

2025 PARTNER SHARE CALCULATION WITHOUT FASTER FUNDS

	2023	2024	2025			
Operating Cost	\$ 2,161,806	\$ 2,248,278	\$ 2,338,209			
Fares	N/A	N/A	N/A			
CMAQ Flex to Boulder Enhancement	\$ 225,102	N/A	N/A			
EcoPass Reimbursement	\$ 5,000	N/A	N/A			
FASTER Funding	\$ 200,000	\$ 200,000	\$ -			
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,271,168			
	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed	
Fort Collins	46.69%	\$ 1,060,467	\$ 831,637			
Loveland	32.32%	\$ 734,115	\$ 630,095	\$ 315,047	\$ 315,047	
Longmont	7.28%	\$ 165,413				
Boulder County	6.25%	\$ 142,056				
City of Boulder	5.23%	\$ 118,699				
Berthoud	2.22%	\$ 50,419	\$ 33,304			
Total		\$ 2,271,168				
	% TMA Service Area Population	\$				
Fort Collins UZA 5307 Breakdown		\$ 350,000				
Fort Collins	65.38%	\$ 228,830				
Loveland	29.72%	\$ 104,020				
Berthoud	4.89%	\$ 17,115				
*highlight = total owed by partner						

2025 PARTNER SHARE CALCULATION WITH FASTER FUNDS

	2023	2024	2025			
Operating Cost	\$ 2,161,806	\$ 2,248,278	\$ 2,338,209			
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FASTER Funding	\$ 200,000	\$ 200,000	\$ 200,000			
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,071,168			
	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed	
Fort Collins	46.69%	\$ 967,082	\$ 738,252			
Loveland	32.32%	\$ 669,469	\$ 565,449	\$ 282,724	\$ 282,724	
Longmont	7.28%	\$ 150,847				
Boulder County	6.25%	\$ 129,546				
City of Boulder	5.23%	\$ 108,246				
Berthoud	2.22%	\$ 45,979	\$ 28,864			
Total		\$ 2,071,168				
	% TMA Service Area Population	\$				
Fort Collins UZA 5307 Breakdown		\$ 350,000				
Fort Collins	65.38%	\$ 228,830				
Loveland	29.72%	\$ 104,020				
Berthoud	4.89%	\$ 17,115				
*highlight = total owed by partner						

RESOLUTION 2025-010
 OF THE COUNCIL OF THE CITY OF FORT COLLINS
 AUTHORIZING THE EXECUTION OF AN
 INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
 FORT COLLINS, COLORADO AND THE CITY OF LONGMONT
 FOR FLEX ROUTE REGIONAL TRANSIT SERVICES

A. Each year since 2016, the City has entered into an intergovernmental agreement (“IGA”) with the City of Longmont (“Longmont”) to provide FLEX Route Regional Transit Services.

B. Both the City and Longmont contribute a percentage of funds based on the ridership of each jurisdiction.

C. This partnership has contributed toward regional connectivity transit goals, and City Council wishes to continue offering these services.

D. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process; thus, no appropriation action is required with this item.

E. This Resolution comes before City Council to authorize the attached IGA for Bus Service between the City of Fort Collins and the City of Longmont substantially in the form attached hereto as Exhibit “A” and incorporated herein by this reference (the “IGA”).

F. The attached IGA for Bus Service with the City of Longmont is intended to be effective retroactively on January 1, 2025.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager be authorized to execute the IGA between the City and Longmont in support thereof.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. City Council hereby authorizes the City Manager to execute the IGA in substantially the form attached hereto as Exhibit “A,” together with such modifications and additions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution as set forth above.

Section 2. During the term of the IGA the City Manager, in consultation with the City Attorney, also is authorized to approve and execute amendments to the IGA

consistent with this Resolution so long as the City Manager determines such amendments: (a) are reasonably necessary and appropriate to protect the City's interests or provide a benefit to the City; (b) effectuate the purposes of this Resolution; and (c) limit the City's financial obligation to expenditure of funds already appropriated and approved by Council or conditioned upon such appropriation.

Passed and adopted on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 4, 2025
Approving Attorney: Madelene Shehan

RESOLUTION R-2024-79

A RESOLUTION OF THE LONGMONT CITY COUNCIL APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF LONGMONT AND THE CITY OF FORT COLLINS FOR FLEX BUS SERVICES

THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, RESOLVES:

Section 1

Under section 13.7 of the Longmont Home Rule Charter and section 4.12.095 of the Longmont Municipal Code, the Council approves and authorizes the Mayor to sign the intergovernmental agreement referenced in the title of this resolution in substantially the form now before the Council.

Section 2

The Council repeals all resolutions or parts of resolutions in conflict with this resolution, but only to the extent of such inconsistency.

Passed and adopted this 19th day of November, 2024.

Signed by: Mayor Pro Tem Susie Hidalgo-Fahrig MAYOR

ATTEST:

DocuSigned by: [Signature] CITY CLERK



1 APPROVED AS TO FORM:


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Signed by:

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ASSISTANT CITY ATTORNEY

11/15/2024 | 11:44 AM MST

DATE

Signed by:

F8D0C83E0F15402...
PROOFREAD

11/15/2024 | 11:42 AM MST

DATE

APPROVED AS TO FORM AND SUBSTANCE:

DocuSigned by:

1AF7E4688834469...
ORIGINATING DEPARTMENT

11/15/2024 | 1:25 PM MST

DATE

CA File: 24-003184

**INTERGOVERNMENTAL AGREEMENT
FOR BUS SERVICE BETWEEN THE CITY OF FORT COLLINS AND THE CITY OF
LONGMONT**

This Agreement is made this _____ day of _____, 202 between the City of Fort Collins, Colorado, a municipal corporation (hereinafter “Fort Collins”), and the City of Longmont, Colorado, a municipal corporation (hereafter “Longmont”) (Fort Collins and Longmont collectively may be referred to as the “Parties” or individually as a “Party”).

RECITALS

WHEREAS, the Parties desire to provide regional connector bus service between Fort Collins and Longmont; and

WHEREAS, Fort Collins has its own fixed-route bus system (hereinafter “Transfort”); and

WHEREAS, FLEX is a regional connector bus service operated by Transfort in partnership with Loveland, Berthoud, Longmont, City of Boulder, and Boulder County (hereinafter “Partners”) to provide services to said communities pursuant to separate Intergovernmental Agreements; and

WHEREAS, Transfort is willing and able to extend FLEX services along the U.S. Highway 287 and Highway 119 corridors between Fort Collins and Boulder (hereinafter “FLEX”) with stops in Fort Collins, Loveland, Berthoud, Longmont, and Boulder; and

WHEREAS, the Parties have determined that significant economic and efficiency benefits result for each Party through the provision of FLEX by Transfort.

NOW, THEREFORE, in consideration of the mutual promises herein and other good and valuable consideration, receipt and adequacy of which is acknowledged, the Parties agree as follows:

AGREEMENT

1. The forgoing recitals are hereby incorporated as though fully set forth herein.
2. Fort Collins shall provide connector bus service, FLEX, in accordance with the terms of this Agreement and as specifically identified and described in **Exhibit A**, attached hereto and incorporated herein by this reference, throughout the term of this Agreement. The services identified and described in **Exhibit A** are subject to increase, modification, reduction, termination, and pursuant to this **Section 2** and **Section 13** of this Agreement.
 - a. Increased service beyond that described in **Exhibit A** may be provided by Fort Collins, at its sole discretion, to the extent Fort Collins determines

appropriate given the demand for service and available resources. Prior to providing additional service at Fort Collins' expense, Fort Collins shall provide advance written notice to the Partners. Prior to providing additional service with Partner contribution, Fort Collins and the Partners will amend **Exhibit A** and the respective cost share associated with the change pursuant to **Section 6** if the Partners all agree to such additional service and respective costshare. If the Partners and Fort Collins cannot agree to amend **Exhibit A** for the additional service then any such additional service that exceeds the services described in **Exhibit A** may be reduced or stopped by Fort Collins, at its sole discretion. Prior to reducing or stopping any such additional service, Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice to the Partners.

- b. In the event Fort Collins determines that circumstances require modification of FLEX services as described in **Exhibit A** to better accommodate the demand for service or the efficient provision of service, Fort Collins shall be entitled to implement such modification at its sole discretion. Fort Collins will make reasonable efforts to provide thirty (30) days of advance written notice of any such modification to the Partners.
3. This Agreement shall commence on January 1, 2025, and shall continue in full force and effect until December 31, 2025, unless sooner terminated as herein provided.
4. Fort Collins agrees that all services provided under this Agreement shall be consistent with Transfort system operating policies and procedures, as the same may be amended, from time to time, in Fort Collins' sole discretion, and that all such services shall be consistent with the Transfort operation schedule.
5. In consideration of the services provided by Fort Collins under this Agreement, and the mutual financial commitments herein made, Longmont agrees to contribute to the direct and indirect costs of operating FLEX, as supplemented by such additional federal or state grant funds as may be available therefor. The Parties agree to use ridership data to formulate the cost share associated with each Partner. Based on average ridership data from 2019, 2021 and 2022 for each term of this Agreement, Longmont's share of direct and indirect costs of operating FLEX for the year 2025 is \$165,413, and, subject to **Sections 6 and 7**. Longmont shall pay to Fort Collins this amount less its pro rata share of any FLEX Fare Revenue and FLEX Revenue, pursuant to **Section 6**. Fort Collins will invoice Partners within thirty (30) days of execution of the Agreement for the FLEX service provided in 2025. Such payment shall be made within sixty (60) days after receipt of an invoice.
6. The Parties acknowledge and agree that the budget proposal for operation of FLEX for 2025 as described in **Exhibit B**, attached hereto and incorporated herein by this reference, includes estimated operation expenses, projected FLEX Revenue, and anticipated revenues from bus fares pursuant to **Section 9** ("FLEX Fare Revenue").
 - a. The Parties agree that all FLEX Revenue and FLEX Fare Revenue shall be

used to supplement FLEX operation expenses to equally benefit the Parties. The Parties acknowledge and agree that, based on variables such as ridership and the actual amount of applicable grant funding awarded, the true FLEX Revenue and FLEX Fare Revenue may differ from the estimates described in **Exhibit B**. Therefore, adjustments to the Parties' cost contributions may be necessary from time to time and may be approved by mutual written agreement of the Parties' Representatives.

- b. Federal or state grant funds as may be available, including any FASTER funds awarded, shall be included in the FLEX Revenue.
 - c. Any additional revenues collected by Longmont from the operation of FLEX shall be remitted to Fort Collins. Such revenue, and any additional revenues collected by Fort Collins from the operation of FLEX, shall be included in the FLEX Revenue.
 - d. If FLEX Revenue and FLEX Fare Revenue for 2025 is insufficient to meet the budget for operation of FLEX, the Parties may elect to appropriate and pay their pro rata share of any shortage. If either Party does not appropriate and pay its pro rata share of the shortage in FLEX Revenue and FLEX Fare Revenue, Fort Collins in its sole discretion may reduce FLEX services as necessary to reduce operating expenses in an amount sufficient to address such a shortage or terminate FLEX service. Prior to any reduction in service or termination, Fort Collins shall provide advance written notice to the Partners.
7. The Parties agree to run a ridership analysis on a triennial basis and adjust cost shares according to ridership quantities relative to each Partner. The next analysis will be conducted in 2026. Ridership data will be an average of the previous three (3) years of service.
 8. Fort Collins Transfort buses will utilize existing Regional Transportation District (hereafter "RTD") stops in Boulder County, or as otherwise agreed by the Parties.
 9. The basic cash fare to be charged for FLEX shall be One Dollar and Twenty-Five Cents (\$1.25) per ride; however, Fort Collins currently is not charging fares for the Transfort bus system. Nevertheless, Fort Collins in its sole discretion shall be entitled to modify the fare to be charged as necessary for the efficient and cost-effective operation of FLEX, provided that advance written notice of any such modification is provided to the Partners. All Fort Collins discounted fare categories for Transfort bus service will apply to FLEX. Fort Collins shall collect any fares due from passengers and accurately record and account for such fare receipts and ridership levels. Fort Collins shall prepare quarterly reports of such receipts and ridership levels and shall provide such quarterly reports to the Partners.
 10. All Fort Collins and City of Loveland bus pass programs will be accepted as full fare to ride FLEX. Transfers from FLEX to the Transfort or COLT bus systems will be honored. RTD Eco Pass will be accepted as full fare to ride FLEX, but free transfers from FLEX to RTD

will not be honored.

- 11. Each Party shall designate a representative (“Party’s Representative”), who shall be responsible for managing such Party’s performance of the terms of this Agreement and shall provide the other Party with written notice thereof, along with the address, telephone, and email information of the Party’s Representative. All notices to be provided under this Agreement shall be provided to the Parties’ Representatives. Any notice pursuant to this Agreement shall be hand-delivered or sent by certified mail, return receipt requested, and addressed to the Party’s Representative. Any such notice shall be deemed given upon hand-delivery to the Party’s Representative, delivery to their address, or three (3) days after mailing.

If to Fort Collins:

City of Fort Collins

Transfort Director
 City of Fort
 Collins
 250 N. Mason Street Fort
 Collins, CO 80522

With a copy to:

City Attorney
 City of Fort Collins
 P.O. Box 580
 Fort Collins, CO 80522

If to City of Longmont:

Transportation
 Planning Manager
 City of
 Longmont
 385 Kimbark Street
 Longmont, CO 80501

With a copy to:

City Attorney
 City of
 Longmont
 350 Kimbark Street
 Longmont, CO 80501

12. The Parties agree to cooperate fully, to a reasonable extent, in the development and implementation of any surveys or studies undertaken by the other Party to evaluate demand, usage, cost, effectiveness, efficiency, or any other factor relating to the success or performance of FLEX or the need for such service. However, such cooperation shall not require the expenditure of funds more than the specific amounts set forth in **Section 5** and **Exhibit B**, however, unless approved in writing and appropriated by the Parties.

13. The Parties acknowledge that their obligations under this Agreement are subject to annual appropriation by the governing body of each respective Party and shall not constitute or give rise to a general obligation or other indebtedness of either Party within the meaning of any constitutional or statutory provision or limitation of the State of Colorado nor a mandatory charge or requirement against either Party in any ensuing fiscal year beyond the current fiscal year. If the governing body of either Party fails to budget and appropriate funds for its share of expenses as described in this Agreement, then this Agreement shall terminate as of the end of the fiscal year for which such funds were last budgeted and appropriated.

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a. Fort Collins shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Fort Collins be found liable as a result of any action or omission of Fort Collins or its officers, employees, and agents, in connection with the performance of this Agreement.

b. Longmont shall be responsible for all claims, damages, liability and court awards, including costs, expenses, and attorney fees incurred, should Longmont be found liable as a result of any action or omission of Longmont or its officers, employees, and agents, in connection with the performance of this Agreement.

c. Nothing in this **Section 15** or any other provision of this Agreement shall be construed as a waiver of the notice requirements, defenses, immunities, and limitations the Parties may have under the Colorado Governmental Immunity Act (Section 24-10-101, C.R.S. *et seq.*) or any other defenses, immunities, or limitations of liability available to any Party by law.

d. Any liability of the Parties under this Agreement shall be subject to appropriation of funds by their respective governing bodies sufficient to satisfy such liability as required by their Charter provisions.

e. No elected official, director, officer, agent or employee of the Parties shall be charged personally or held contractually liable under any term or

provision of this Agreement, or because of any breach thereof or because of its or their execution, approval or attempted execution of this Agreement.

16. This Agreement embodies the entire agreement of the Parties about the FLEX program. The Parties shall not be bound by or be liable for any statement, representation, promise, inducement or understanding of any kind or nature not set forth herein or agreed to pursuant to Section 18.

17. The Parties may not assign any part of this Agreement or its rights hereunder without the express written consent of all of the Parties. Any attempt to assign this Agreement in the absence of such written consent shall be null and void *ab initio*.

18. No changes, amendments or modifications of any of the terms or conditions of this Agreement shall be valid unless reduced to writing and signed by the Parties' Representatives, except as provided herein.

19. The laws of the State of Colorado shall be applied to the interpretation, execution and enforcement of this Agreement. The Parties recognize the legal constraints imposed upon them by the constitutions, statutes, and regulations of the State of Colorado and the United States, and imposed upon the Parties by their respective charters, municipal codes and other similar documents and, subject to such constraints, the Parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provision in this Agreement to the contrary, in no event shall any party exercise any power or take any action which shall be prohibited by applicable law.

20. Any provision rendered null and void by operation of law shall not invalidate the remainder of this Agreement to the extent that this Agreement is capable of execution.

21. Either Party's failure to enforce any provision of this Agreement shall not in any way be construed as a waiver of any such provision or prevent that Party thereafter from enforcing each and every other provision of this Agreement.

22. This Agreement does not and is not intended to confer any rights or remedies upon any entity or person other than the Parties.

23. This Agreement may be executed in multiple counterparts; all counterparts so executed shall constitute one agreement binding upon all parties, notwithstanding that all parties are not signatories to the original or the same counterpart.

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[THE REMAINDER OF THIS PAGE IS INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written. By the signature of its representative below, each Party affirms that it has taken all necessary action to authorize said representative to execute this Agreement.

CITY OF FORT COLLINS, COLORADO
a municipal corporation

By: _____
Kelly DiMartino, City Manager

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

CITY OF LONGMONT:

Signed by:
Mayor Pro Tem Susie Hidalgo-Fahring
38EE32DEA08E4FB...
MAYOR

ATTEST:

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[Signature]
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CITY CLERK



11/20/2024 | 12:49 PM MST
DATE

APPROVED AS TO FORM:

Signed by:
[Signature]
CD2E2A46834342A...
ASSISTANT CITY ATTORNEY

11/15/2024 | 11:44 AM MST
DATE

Signed by:
[Signature]
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PROOFREAD

11/15/2024 | 11:42 AM MST
DATE

APPROVED AS TO FORM AND SUBSTANCE:

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[Signature]
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ORIGINATING DEPARTMENT

11/15/2024 | 1:25 PM MST
DATE

CA File: 24-003184

EXHIBIT A

FLEX service will be provided within the following parameters:

- Days of Service: Monday – Friday (between the cities of Fort Collins and Boulder) and Monday through Saturday (between the cities of Fort Collins and Longmont). No service is provided on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Hours of Service: 5AM – 8 PM
- Frequency of Service: 60

Minutes Service Area Maps:

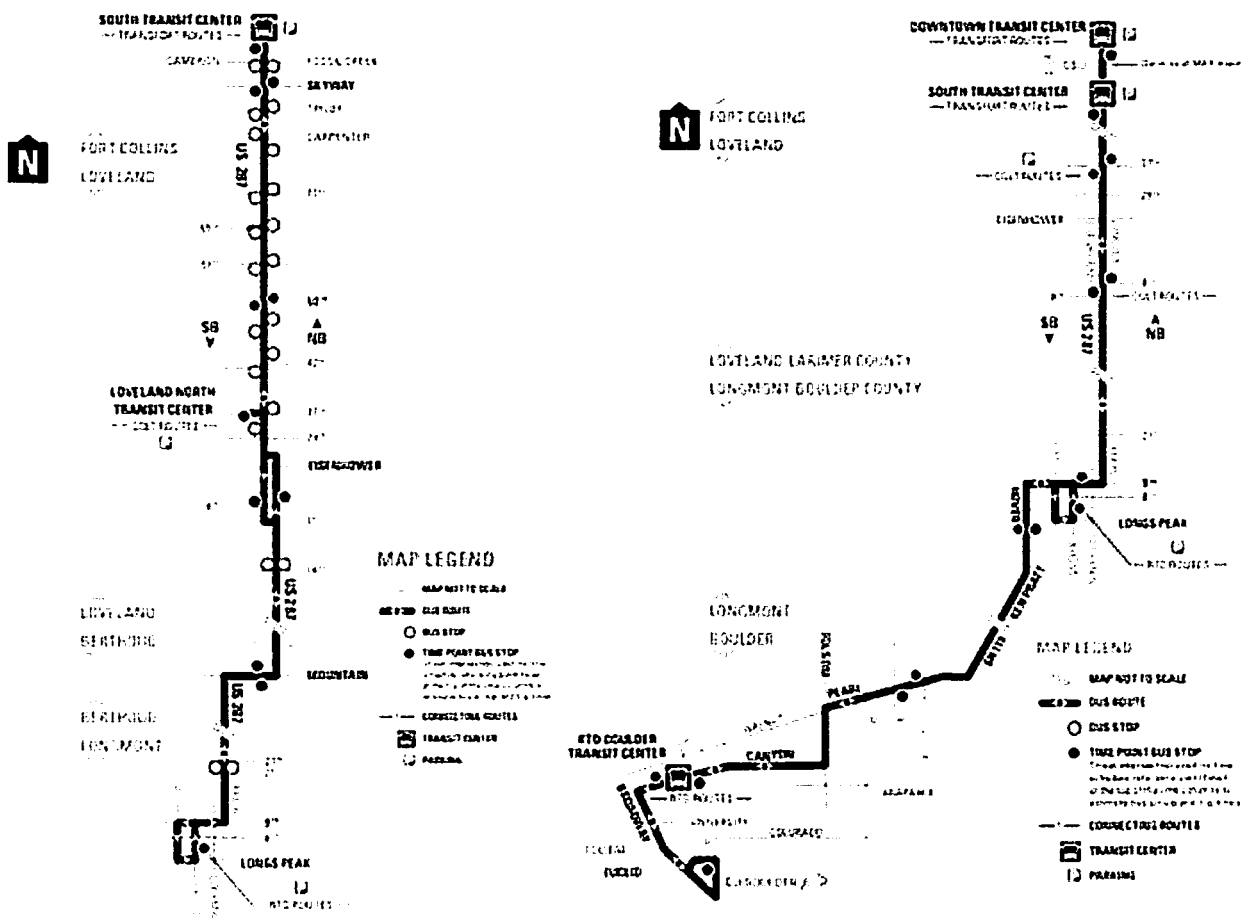


EXHIBIT B

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FASTER Funding	\$ 200,000	\$ 200,000	\$ -			
CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
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Loveland	32.32%	\$ 734,115	\$ 630,095	\$ 315,047	\$ 315,047	
Longmont	7.28%	\$ 169,433				
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CSU Contribution	\$ 63,193	\$ 65,089	\$ 67,041			
Remainder to be split among partners	\$ 1,668,511	\$ 1,983,189	\$ 2,071,168			
	% Passenger Activity (2019, 2021, 2022)	Amount Owed	Less 5307 Contribution	Loveland's Additional FY25 5307 Withheld Amount	Loveland's Amount Owed	
Fort Collins	46.69%	\$ 967,082	\$ 738,252			
Loveland	32.32%	\$ 669,469	\$ 565,449	\$ 282,724	\$ 282,724	
Longmont	7.28%	\$ 160,847				
Boulder County	6.25%	\$ 129,546				
City of Boulder	5.23%	\$ 108,246				
Berthoud	2.22%	\$ 45,979	\$ 28,864			
Total		\$ 2,071,168				
	% TMA Service Area Population	\$				
Fort Collins UZA 5307 Breakdown		\$ 350,000				
Fort Collins	65.38%	\$ 228,830				
Loveland	29.72%	\$ 104,020				
Berthoud	4.89%	\$ 17,155				
*highlight = total owed by partner						



Certificate Of Completion

Envelope Id: 6309ADB798184A9B8A5D583FFCB65F13
 Subject: R-2024-79_Resolution Approving IGA with Fort Collins for FLEX Bus Servi...
 Source Envelope:
 Document Pages: 12
 Certificate Pages: 5
 AutoNav: Enabled
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Envelope Originator:
 Michelle Gomez
 350 Kimbark St.
 Longmont, CO 80501
 michelle.gomez@longmontcolorado.gov
 IP Address: 69.87.213.124

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 michelle.gomez@longmontcolorado.gov

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Signer Events

Cristi Campbell
 cristi.campbell@longmontcolorado.gov
 Legal Administrator Paralegal
 City of Longmont
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Signature

Signed by:

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Christopher Robbie
 christopher.robbie@longmontcolorado.gov
 Assistant City Attorney II
 City of Longmont
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Phil Greenwald
 phil.greenwald@longmontcolorado.gov
 Security Level: Email, Account Authentication (Optional)

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Mayor Pro Tem Susie Hidalgo-Fahring
 susie.hidalgo-fahring@longmontcolorado.gov
 Security Level: Email, Account Authentication (Optional)

Signed by:

 36EE32DEA09E4FB

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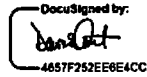
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Signer Events

Dawn Quintana
 dawn.quintana@longmontcolorado.gov
 City Clerk
 City of Longmont
 Security Level: Email, Account Authentication
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Signature



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To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at valerie.scott@longmontcolorado.gov and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

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File Attachments for Item:

14. Second Reading of Ordinance No. 009, 2025, Amending the Land Use Code to Align with Two Adopted State House Bills Concerning Accessory Dwelling Units and Parking for Multi-Unit Dwellings and to Clarify and Correct Certain Provisions.

This Ordinance, adopted on First Reading on January 21, 2025, by a vote of 6-1 (Nay: Ohlson) adopts revisions, clarifications, and organization to the Land Use Code provisions that address specific areas that are the subject of two Colorado State House Bills passed last year. HB24-1152 requires the ability to build an ADU in more areas of the City, and HB24-1304 removes the minimum parking requirements for new multi-unit and residential mixed-use development. This item also includes clean-up to the Land Use Code.

Attached to this AIS is Section 10 of the Ordinance, which shows the changes adopted on First Reading. **Since this Ordinance was adopted on First Reading, staff has identified the need to clarify the definitions in Section 7.2.2 of the Land Use Code related to the identification of an ADU. As a result, staff is requesting that Council move to amend the Ordinance on Second Reading to fix these conflicting definitions in the manner described below.**

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Noah Beals, Development Review Manager

SUBJECT

Second Reading of Ordinance No. 009, 2025, Amending the Land Use Code to Align with Two Adopted State House Bills Concerning Accessory Dwelling Units and Parking for Multi-Unit Dwellings and to Clarify and Correct Certain Provisions.

EXECUTIVE SUMMARY

This Ordinance, adopted on First Reading on January 21, 2025, by a vote of 6-1 (Nay: Ohlson) adopts revisions, clarifications, and organization to the Land Use Code provisions that address specific areas that are the subject of two Colorado State House Bills passed last year. HB24-1152 requires the ability to build an ADU in more areas of the City, and HB24-1304 removes the minimum parking requirements for new multi-unit and residential mixed-use development. This item also includes clean-up to the Land Use Code.

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STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading with the amendment proposed below.

DISCUSSION

Requested amendment to definitions related to ADUs:

I move that Section 22 of Ordinance No. 009, 2025 be amended as follows:

1. To the definition of *Accessory dwelling unit (ADU), detached*, add to the end of the second sentence the words “as provided in Section 3.1.9”.
2. To the definition of *Accessory dwelling unit (ADU), attached*, add to the end of the first sentence the words “and attached thereto”, and add to the end of the second sentence the words “as provided in Section 3.1.9”.
3. Add to the end of the current Land Use Code definition of *Dwelling, single-unit*, a comma and the phrase “whether or not it also contains an attached accessory dwelling unit.”
4. Add to the current Land Use Code definition of *Dwelling, single-unit detached*, before the phrase “by any means”, a comma and the phrase “whether or not it also contains an attached dwelling unit.”
5. Add to the end of the current Land Use Code definition of *Dwelling, two unit*, a comma and the phrase “not considering any attached accessory dwelling units, and meeting the description of a Duplex under Section 3.1.5.”

Here is how these definitions would read after the requested amendment:

Section 22. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended to read as follows:

...

Accessory dwelling unit (ADU), detached shall mean an additional, subordinate dwelling unit created on a lot with a primary dwelling unit. The additional unit is smaller than the primary dwelling unit (except when the accessory dwelling unit is in an existing basement), as provided in Section 3.1.9. The accessory dwelling unit includes its own complete independent living facilities, including facilities for living, sleeping, eating, cooking, and sanitation. It is designed for residential occupancy by one or more people, independent of the primary dwelling unit.

Accessory dwelling unit (ADU), attached shall be defined as an additional, subordinate dwelling unit created on a lot with a primary dwelling unit and attached thereto. The additional unit is smaller than the primary dwelling unit (except when the accessory dwelling unit is in an existing basement), as provided in Section 3.1.9. The accessory dwelling unit includes its own complete independent living facilities, including facilities for living, sleeping, eating, cooking, and sanitation. It is designed for residential occupancy by one or more people, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

...

Building Footprint, the outline of the total area that is covered by a building's perimeter occupied or obstructed from ground to sky by the structure or portion of the structure, as measured to the exterior face at or above-grade including exterior walls on all levels, to the furthest edge of roofs, and to the furthest edge of any other above-grade surfaces. This does not include structures or portions of structures with surfaces located no more than 30-inches above grade; fences and retaining walls; or detached ground-mounted mechanical equipment serving permitted uses.

...

Occupant, shall mean a person who occupies habitable space in a dwelling unit or any portion thereof.

...

Dwelling, single-unit shall mean a dwelling containing no more than one (1) dwelling unit, whether or not it also contains an attached accessory dwelling unit.

...

Dwelling, single-unit detached shall mean a single-unit dwelling that is not attached to any other dwelling or building, other than an attached accessory dwelling unit, by any means, including mobile homes and manufactured housing situated on a permanent foundation.

Dwelling, two-unit shall mean a dwelling containing two (2) dwelling units, not considering any attached accessory dwelling units, and meeting the description of a Duplex under Section 3.1.5.

...

First Reading Background/Discussion:

The list of updates is summarized into 34 specific areas; see the attached summary. These include changes to the following sections:

- Article 2 Zone Districts Sections: 2.1.2, 2.1.3, 2.1.4, 2.1.5, 2.1.6, 2.2.1, and 2.2.3
- Article 3 Building Types Sections: 3.1.6, 3.1.7, 3.1.9, and 3.1.10
- Article 4 Use Standards Sections: 4.2, 4.3.1, and 4.3.3
- Article 5 General Development and Site Design Sections: 5.9.1 and 5.10.3
- Article 6 Administration and Procedures Sections: 6.4.3 and 6.21.4
- Article 7 Rules of Measurement and Definitions Section: 7.2.2

The housing updates to the Land Use Code in 2022 and 2023 initially proposed adding ADUs as a use to all residential zone districts. Due to strong opposition from community members, in the Land Use Code updates adopted and effective in 2024, ADUs were not expanded to all residential zone districts and remained the same from the 1997 Land Use Code. Since the adoption of the housing updates to the Land Use Code, the Colorado General Assembly passed HB24-1152. This bill requires jurisdictions within a metropolitan planning organization with a population of at least 1,000 residents to allow ADUs. Specifically, an ADU may be built on lots where a single-unit dwelling exists or where a single-unit dwelling could be built. State law requires jurisdictions to comply with this bill by June 2025. Most of the proposed changes in this Ordinance are to bring the Land Use Code into compliance with this legislation. The following is a summary of the requirements of HB24-1152:

- Permit ADUs where the Land Use Code permits single-unit dwellings.
- ADU must be built on the same lot as a primary dwelling.
- ADU may be attached or detached to the primary dwelling.
- Allow existing accessory buildings to be converted into an ADU.
- Allow an ADU to be at least 750 square feet in size.

- May not require setbacks to be greater than minimum for the primary dwelling.
- May not require more restrictive design standard than are applied to the primary dwelling.
- May not require a new off-street parking space for the ADU.
- May not require owner occupancy of one of the units on the lot.
- ADU proposals must be reviewed and decided by local government staff based solely on objective standards and cannot be elevated to an elected or appointed public body including a hearing officer.

In addition to these requirements, the bill also allows subject jurisdictions to:

- Require that a historic preservation commission to offer a recommendation to the local government staff.
- Restrict an ADU from being used as a short-term rental.
- Apply and enforce safety codes.
- Require a statement from the water service provider regarding the capacity of the service.

The proposed changes will bring the Land Use Code into compliance with these requirements.

HB24-1152 also includes provisions for local governments to become a certified "accessory dwelling unit supportive jurisdiction." The certification requirements address items that are programmatic in nature and not code related. These include fee waivers, working with designers and builders to create pre-approved plans, and enabling more home ownership. These provisions are not a requirement of the bill; therefore, they are not included in this Ordinance. Instead, becoming an "accessory dwelling unit supportive jurisdiction" is the subject of the agenda item at the March 25, 2025, work session.

Along with the passage of HB24-1152 the General Assembly passed HB24-1304, regarding minimum parking requirements for multi-unit and residential mixed-use development projects. This bill requires jurisdictions within a metropolitan planning organization to eliminate minimum parking requirements for multi-unit dwellings and residential mixed-use development projects. The associated code changes in this Ordinance strike out all minimum parking requirements for these residential uses. This does not affect single-unit, institutional, and commercial parking standards.

HB24-1304 does not impact other requirements for off-street parking spaces. For instance, if a multi-unit project does provide off-street parking, such spaces will still be required to meet minimum size, accessibility, EV readiness, and landscaping requirements.

Other proposed code changes in this Ordinance include clean-up items that provide clarification, such as deleting duplicative standards, updating references, and combining tables.

CITY FINANCIAL IMPACTS

No financial impacts to the City are anticipated as a result of these changes.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Staff presented the proposed changes to the Planning and Zoning Commission (P&Z) at their November work session and public hearing.

The P&Z discussion included several clarifying questions:

Is there a limit to the number of ADUs on a property?

Yes, the proposed Code would limit to only one ADU per property.

Is there code language that continues to allow water services to extend from the primary building?

Yes, the Municipal Code provides criteria to allow water utilities to extend from the primary building in the Utilities section (see Chapter 26 Article 3 Division 3 Section 26-94 of Municipal Code).

Is there concern ADUs will be built and not be used as dwelling units?

No, the current Code does not allow any new ADUs to be used as short-term rentals, and this does not change.

Does the code language allow for different types of ADUs?

Yes, both attached and detached ADUs are permitted. Attached includes conversions of existing areas in the primary house including basements and new additions.

P&Z spent the most time discussing proposed code language that effectively would prohibit water/sewer in an accessory building with one exception for an ADU. P&Z had expressed that there are many reasons to have water/sewer in an accessory building and the added costs associated with ADUs could be overbearing. They expressed this change would need more public engagement and at this time they would not be supportive of prohibiting water/sewer for all other accessory buildings. Staff acknowledge this code language could be removed at this time.

P&Z also discussed the removal of parking requirements for multi-unit and residential mixed-use projects. There was acknowledgment by the Commission that the State requirement placed the need for housing over a need to provide off-street parking.

Overall, the Commission unanimously agreed to recommend approval of the proposed code changes, provided the prohibition on water/sewer services for accessory buildings being removed.

The Land Use Code language presented to Council for 1st reading aligns with the P&Z recommendation with the language prohibiting water/sewer services for accessory buildings being removed.

PUBLIC OUTREACH

Staff did not conduct any public outreach for these Land Use Code updates. These updates were referenced in the Development Newsletter and agenda publication of the Planning and Zoning Commission.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration
2. Changes made on First Reading to Section 10

ORDINANCE NO. 009, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE LAND USE CODE TO ALIGN WITH TWO
ADOPTED STATE HOUSE BILLS CONCERNING ACCESSORY
DWELLING UNITS AND PARKING FOR MULTI-USE DWELLINGS
AND TO CLARIFY AND CORRECT CERTAIN PROVISIONS

A. Pursuant to Ordinance 055, 2024, Council adopted the revised Land Use Code by reference which went into effect on May 27, 2024.

B. Pursuant to Ordinance 081, 2024, Council amended the revised Land Use Code to remove residential occupancy limits based on familial relationships, which went into effect on July 12, 2024.

C. The Land Use Code contains various restrictions on the use of accessory dwelling units (ADUs).

D. The terms of Colorado House Bill 24-1152, effective May 13, 2024, require the City to eliminate certain restrictions on ADUs and allow ADUs to be built in all zones where a single-unit dwelling exists or could be built by June 30, 2025.

E. The Land Use Code also contains minimum parking requirements for new multi-unit and residential mixed-use development.

F. The terms of Colorado House Bill 24-1304, effective August 7, 2024, prohibit the City from imposing minimum parking requirements on land use approvals for new multi-unit and residential mixed-use development after June 30, 2025.

G. The City desires to comply with House Bills 24-1152 and 24-1304, and in order to do so, the existing Land Use Code ADU and minimum parking requirements must be amended as set forth in this Ordinance.

H. To provide clarification, this Ordinance also corrects various items in the Land Use Code, such as deleting duplicative standards, updating references, and combining tables.

I. On November 21, 2024, the Planning and Zoning Commission unanimously voted to recommend that Council adopt the proposed changes set forth in this Ordinance.

J. This Ordinance amends the Land Use Code which was adopted by reference in Ordinance 055, 2024, and amended in Ordinance 081, 2024. However, the amendments contained in this Ordinance are set forth in their entirety herein.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.2, UE – Urban Estate District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types list, Lot size Table, Lot Width Table, Building Height Table is hereby amended to read as follows:

...

The following building types are permitted in the UE District:

BUILDING TYPES	LOT SIZE	LOT WIDTH	BUILDING HEIGHT	ADDITIONAL REQUIREMENTS
Detached house (Urban & Suburban)	21,780 ft ² (1/2 Acre) min.	100' min.	3 Stories max.	Only one detached house on a lot, may include one (1) ADU
Duplex	21,780 ft ² (1/2 Acre) min.	100' min.	3 Stories max.	Only one duplex on a lot, shall not be combined with a detached house or ADU
Accessory Dwelling Unit	N/A	N/A	No taller than Detached house on the same lot	Located on the same lot with a detached house
Detached Accessory Structure	21,780 ft ² (1/2 Acre) min.	100' min.	30' max.	Located on the same lot with a primary use
Non Residential	N/A	N/A	3 Stories max.	See other Articles
Residential Cluster	See section 3.1.10		3 Stories max.	See other Articles

Section 2. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.3, RF – Residential Foothills District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types list, Lot size Table, Lot Width Table, Building Height Table is hereby amended to read as follows:

...

The following building types are permitted in the RF District:

BUILDING TYPES	LOT SIZE	LOT WIDTH	BUILDING HEIGHT	ELEVATION	ADDITIONAL REQUIREMENTS
Detached house	100,000 ft ²	200' min.	3 Stories max.	No elevation of any	Only one detached house

(Urban & Suburban)	(2.29 Acres) min.			building built on a lot in the RF District shall extend above five thousand two hundred fifty (5,250) feet above mean sea level	on a lot, may include one (1) ADU
Accessory Dwelling Unit	N/A	N/A	No taller than Detached house on the same lot		Located on the same lot with a detached house
Detached Accessory Structure	100,000 ft ² (2.29 Acres) min.	200' min.	30' max.		Located on the same lot with a primary use
Non Residential	N/A	N/A	3 Stories max.		See other Articles
Residential Cluster	See section 3.1.10		3 Stories max.		See other Articles

...

Section 3. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.4, RL – Low Density Residential District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types list, # Of Units Table, and Lot Area Table is hereby amended to read as follows:

...

BUILDING TYPES

The following building types are permitted in the RL District:

BUILDING TYPES	# OF UNITS*	LOT AREA	ADDITIONAL REQUIREMENTS
Detached House (Urban & Suburban)	1 max.	The greater of 6000 ft ² or three (3) times the total floor area of all buildings excluding an ADU	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	Located on the same lot with a detached house
Detached Accessory Structure	See Section 3.1.8		Located on the same lot with and

		behind a detached house
--	--	-------------------------

*The total number of units shall not exceed one (1). Detached house and one (1) ADU. Refer to Building Types Article 3 and Use Standards Article 4 for specific definitions.

...

Section 4. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.5, MH – Manufactured Housing District, BUILDING TYPES and DEVELOPMENT STANDARDS, Building Types, Building Height Table, Building Footprint Table, and Setbacks Table is hereby amended to read as follows:

...

The following building types are permitted in the MH District:

BUILDING TYPES	BUILDING HEIGHT	FOOTPRINT	ADDITIONAL STANDARDS
Mobile Home	3 Stories max.	N/A	Lot may include one (1) ADU.
Accessory Dwelling Unit (Detached & Attached)	No taller than Mobile Home on the same lot.	No greater than Mobil Home on the same lot.	Only one (1) ADU on a lot with a Mobile Home.
Detached Accessory Structure	28' max.	800 ft ²	Located on the same lot with a primary use.
Nonresidential Buildings	3 Stories max.	5,000 ft ²	See Article 4 and 5

SETBACKS AND SEPARATION			
Front Setback*	15' min.	Distance between Mobile Home and Accessory Dwelling Units	10' min.
Rear Setback*	10' min.		
Side Setback*	10' min.	Distance between Accessory Structure	3' min.

*Setbacks are from property line.

Section 5. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.1.6, OT – Old Town District, BUILDING TYPES, Building Types list, Additional Site Requirement Table, is hereby amended to read as follows:

...

BUILDING TYPES

The following building types are permitted in the OT-A subdistrict:

Building Types	Units*	Lot Area	Floor Area	Additional Site Requirement
Detached House (Urban & Suburban)	1 max.	6,000 ft ² min.	2,400 ft ²	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

BUILDING TYPES

The following building types are permitted in the OT-B subdistrict:

Building Types	Units*	Lot Area	Floor Area	Additional Site Requirement
Detached House (Urban & Suburban)	1 max.	5,000 ft ² min.	2,400 ft ² max.	N/A
Duplex	2 max.	5,000 ft ² min	40% of lot area max.	N/A
Triplex	3 max.	6,000 ft ² min	70 % of lot area max.	N/A
Apartment Building	4 max.	6,000 ft ² min	85% of lot area max.	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

BUILDING TYPES

The following building types are permitted in the OT-C subdistrict:

Building Types	Units	Lot Area	Floor Area	Additional Site Requirement
Detached House (Urban & Suburban)	1 max.	4,500 ft ² min.	2,400 ft ²	N/A
Duplex	2 max.	4,500 ft ² min.	No max.	N/A
Apartment Bldg. (Triplex and other)	3 min.	4,500 ft ² min. & additional 750 ft ² min. for each unit greater than 3 units	No max.	N/A
Rowhouse	2 min. to 3 max.	4,500 ft ² min.	No max.	N/A
	4 max.	6,000 ft ² min.	No max.	N/A
	5 max.	7,500 ft ² min.	No max.	N/A
Cottage Court	5 min.	9,000 ft ² min.	See Section 3.1.3	N/A
Mixed-Use	3 min.	4,500 ft ² min. & additional 750 ft ² min. for each unit greater than 3 units	No max.	N/A
Accessory Dwelling Unit (Attached & Detached)	1 max.	N/A	See Section 3.1.9	Located on the same lot with a Detached House, Duplex, or Triplex
Detached Accessory Structure	See Section 3.1.8			Located on the same lot with a primary use

OT – Old Town District (Low, Medium, and High)

DEVELOPMENT STANDARDS

FLOOR AREA – REAR LOT AREA	
OT-A	25% max. of rear 50% lot area**
OT-B & OT-C	33% max. of rear 50% lot area**

**All floor area of an ADU is excluded

6. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.2.1., LMN – Low Density Mixed-Use Neighborhood District, DEVELOPMENT STANDARDS, Residential Building Setbacks table is hereby amended to read as follows:

...

RESIDENTIAL AND ACCESSORY BUILDING SETBACKS	
Front Setback – from Arterial streets	15' min. A
Front Setback – from Non-Arterial streets	9' min.
Rear Setback	8' min. B
Side Setback	5' min. C

...

Section 7. ARTICLE 2 ZONE DISTRICTS, DIVISION 2.1 RESIDENTIAL DISTRICTS, Section 2.2.3, HMN – High Density Mixed-Use Neighborhood District, BUILDING TYPES, Minimum Density Table is hereby amended to read as follows:

...

HMN BUILDING TYPES	# OF UNITS	MAXIMUM DENSITY	MINIMUM DENSITY
Non-Residential	N/A	N/A	N/A
Mixed-Use	4+ min.	None	1 unit per 2,000 sq. ft. of site area
Apartment	4+ min.		
Rowhouse	3+ min.		
ADU (with an existing Detached House)	1 max.		N/A
Detached Accessory Structure (with an existing Detached House)	1 max.		N/A

Minimum and Maximum Density applies to an entire site or subdivision.

Section 8. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.6 Detached House, Urban, ZONE DISTRICTS and LOT STANDARDS is hereby amended as follows:

...

ZONE DISTRICTS

The following Zone Districts allow Detached House, Urban Building:

- OT
- LMN
- MMN
- RL
- RUL
- UE
- HC
- CL
- CS
- CCR
- CCN

...

LOT STANDARDS*	
Lot Size - Minimum	3000 ft ² * A
Lot Width - Minimum	40' min. B

*Lot standards may vary from dimensions stated here if:

- Part of a larger development and consistent with density requirements; or
- Zone District specific standard applies (see Article 2)

...

Section 9. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.7 Detached House, Suburban, ZONE DISTRICTS and LOT STANDARDS is hereby amended as follows:

...

ZONE DISTRICTS

The following Zone Districts allow Detached House, Suburban building type:

- OT
- LMN
- MMN
- RL
- RF
- UE
- RUL
- CCN
- CCR
- CG
- CS
- CL
- HC
- E

...

LOT STANDARDS	
Lot Area	3000 ft ² min.*
Lot Width**	60' min. A
Front Setback**	20' B
Rear Setback**	15'
Rear Setback, Alley-Accessed Garages**	6'
Residential Use – Side Setback**	Corner Lot – 15' min. Interior Lot – 5' min.

*Lot standards may vary from dimensions stated here if:

- part of a larger development and consistent with density requirements; or
- Zone District specific standard applies (see Article 2)

**Except in OT, the standards in this zone district apply.

...

Section 10. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.9 BUILDING TYPE: Accessory Dwelling Unit (ADU), DESCRIPTION, ZONE DISTRICTS, Detached ADU FLOOR AREA, and ADU FLOOR AREA is hereby amended as follows:

DESCRIPTION

- Provides complete independent living facilities including
 - living,
 - sleeping,
 - eating,
 - cooking, and
 - sanitation.
- Per zone district Standards may be accessory to a Detached House, Mobile Home, Duplex, or triplex, located on the same lot.
- New construction or built within an existing detached accessory building
- Max. square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may come in one of two varieties:
 - Detached
 - Attached

ZONE DISTRICTS

All zone districts where single unit dwelling is permitted or exists.

Detached ADU FLOOR AREA			
Detached ADU with or without non-	New construction	Primary Building ≤1,667 ft ²	750 ft ² max.

habitable space (Rear Lot)		Primary Building ≥1,667 ft ²	1,000 ft ² max./ or 45% of primary dwelling unit. (whichever is less)
	Existing accessory structure*		800 ft ² max.**

*Legal structure upon the adoption of the LUC. **Does not include non-habitable space.

...

ADU MAX. FLOOR AREA		
Attached ADU	Located on a floor level at or above grade	The greater of 750 sf or 45% of primary dwelling unit
	Located on floor level below grade	The greater of 750 sf or 100% of the floor level

Section 11. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.10 Residential Cluster, Setbacks for attached, detached and accessory buildings in a Residential Cluster and Units Per Acres in a Residential Cluster is hereby amended as follows:

...

Setbacks for attached, detached, accessory dwelling unit, and accessory buildings in a Residential Cluster				
Building	Front	Interior Side	Street Side	Rear
Detached	15' min	5' min	15' min	8' min
Attached	10' min	0' min	15' min	8' min
Accessory Dwelling Unit	15' min	5' min	15' min	8' min
Detached Accessory	Behind primary building	5' min	15' min	8' min

...

Units per Acres in a Residential Cluster		
Zone District	Max. Dwelling Units*	Acres
UE	2	1
RUL	1	10
RF	1	1

*In addition to the max dwelling units, lots with a detached house may include one (1) ADU.

...

- (j) A home occupation shall not be interpreted to include the following:
 - (I) animal hospital;
 - (II) long-term care facility;
 - (III) restaurant;
 - (IV) bed & breakfast;
 - (V) adult-oriented use;
 - (VI) vehicle repair, servicing, detailing or towing if vehicles are dispatched from the premises, or are brought to the premises, or are parked or stored on the premises or on an adjacent street;
 - (VII) medical marijuana businesses ("MMBs"), as defined in Section 15-452 of the City Code;
 - (VIII) retail marijuana establishment as defined in Section 15-603 of the City Code; and (IX) short term primary rentals and short term non-primary rentals.

Section 15. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.1 RESIDENTIAL USES, Subsection (K) Shelter for victims of Domestic Violence is hereby amended to read as follows:

...

(K) Shelter for victims of Domestic Violence

- (1) Shall be separated from a shelter by a minimum of one thousand five hundred (1,500) feet.

Section 16. ARTICLE 4 USE STANDARDS, DIVISION 4.3 ADDITIONAL USE STANDARDS, Section 4.3.3COMMERCIAL/RETAIL USES, Subsection (Y)(1)(g) Small Scale Reception center is hereby amended to read as follows:

- (g) **Buffering.** If the reception center abuts a single unit dwelling or property zoned for such activity, buffering shall be established between the two (2) land uses sufficient to screen the building, parking, outdoor lighting and associated outdoor activity from view. A combination of setbacks, landscaping, building placement, fences or walls and elevation changes and/or berming shall be utilized to achieve appropriate buffering.

...

Section 17. ARTICLE 5 General Development and Site Design, DIVISION 5.9 BUILDING PLACEMENT AND SITE DESIGN, Section 5.9.1(K) Parking Lots – Required Number of Off-Street Spaces for Type of Used is hereby amended to read as follows:

...

(K) Parking Lots - Required Number of Off-Street Spaces for Type of Use.

(1) Residential, Commercial, and Institutional Parking Requirements.

Residential, commercial, and institutional uses shall provide a *minimum* number of parking spaces as defined by the standards below.

(a) Single Unit and Two-Unit.

Detached House: there shall be one (1) parking space on lots with greater than forty (40) feet of street frontage or two (2) parking spaces on lots with forty (40) feet or less of street frontage.

Duplex and Rowhouse: for each dwelling unit with two (2) or fewer bedrooms there shall be one (1) parking space and two (2) parking spaces for each dwelling unit with three (3) or more bedrooms.

Parking of any vehicle in the front yard of a lot on which exists a Detached House or Duplex shall be prohibited unless such vehicle is parked on an improved area having a surface of asphalt, concrete, rock, gravel or other similar inorganic material, and such improved area has a permanent border.

(b) Manufactured Homes. For each manufactured home in a manufactured home community there shall be one (1) parking spaces per dwelling unit.

(c) Fraternity and Sorority Houses. For each fraternity or sorority house, there shall be two (2) parking spaces per three (3) beds. The alternative compliance provisions Section 5.9.1(K)(1)(a)(II) may be applied to vary this standard.

(d) Recreational Uses For each recreational use located in a residential district there shall be one (1) parking space per four (4) persons maximum rated capacity.

(e) Schools, Places of Worship or Assembly and Child Care Centers. For each school, place of worship or assembly and child

care center, there shall be one (1) parking space per four (4) seats in the auditorium or place of worship or assembly, or two (2) parking spaces per three (3) employees, or one (1) parking space per one thousand (1,000) square feet of floor area, whichever requires the greatest number of parking spaces. In the event that a school, place of worship or assembly, or child care center is located adjacent to uses such as retail, office, employment or industrial uses, and the mix of uses creates staggered peak periods of parking demand, and the adjacent landowners have entered into a shared parking agreement, then the maximum number of parking spaces allowed for a place of worship or assembly shall be one (1) parking space per four (4) seats in the auditorium or place of worship or assembly, and the maximum number of parking spaces allowed for a school or child care center shall be three (3) spaces per one thousand (1,000) square feet of floor area. When staggered peak periods of parking demand do not exist with adjacent uses such as retail, office, employment or industrial uses, then the maximum number of parking spaces allowed for a place of worship or assembly shall be one (1) parking space per three (3) seats in the auditorium or place of worship or assembly, and the maximum number of parking spaces allowed for a school or child care center shall be four (4) spaces per one thousand (1,000) square feet of floor area.

- (f) **Small Scale Reception Centers in the UE, Urban Estate District.** For each reception center there shall be one (1) parking space per four (4) persons maximum rated occupancy as determined by the building code.
- (g) **Short term non-primary rentals and short term primary rentals.** The minimum number of off-street parking spaces required are as follows:

Number of Bedrooms Rented	Number of Off-Street Parking Spaces
1—2	1
3—4	2
5—6	3

- (l) The number of additional off-street parking spaces required for more than six (6) bedrooms rented shall be calculated in the

same manner used in the above chart (e.g., 7-8 bedrooms rented requires four (4) off-street parking spaces).

- (II) Short term rentals licensed pursuant to the Code of the City of Fort Collins Section 15-646 and for which the license application was submitted prior to October 31, 2017, are exempt from compliance with these parking requirements so long as such license remains continuously valid. Subsequent licenses issued pursuant to Section 15-646 shall comply with these parking requirements.

...

Section 18. ARTICLE 5 General Development and Site Design, DIVISION 5.10 LANDSCAPING AND TREE PROTECTION, 5.10.3 BUFFERING BETWEEN BUILDINGS WITH OCCUPIABLE SPACE AND OIL AND GASE, Section 5.10.3(F)(3) *Disclosure* is hereby amended to read as follows:

...

- (3) Sellers and lessors of any real property within an oil and gas buffer must provide the following written notice of material facts related to oil and gas facilities identified by environmental site assessments the disclosure notice must be provided in at least fourteen (14) point font to any potential purchaser who intends to resell, occupy and/or lease the property prior to or as part of the purchase or rental agreement:

As required by 5.10.3 of the Fort Collins Land Use Code, notice is hereby given that [insert description of lot] is within [insert buffer standard set forth in Subsection (D) including well status and distance from well]. At the time of [sale or lease], environmental assessments, studies or reports done involving the physical condition of the Property impacted by oil and gas production are within the acceptable Environmental Protection Agency limits. For more information contact the City of Fort Collins Environmental Planner or the Colorado Energy and Carbon Management Commission formerly known as the Colorado Oil and Gas Conservation Commission.

The above notice shall be provided by the prospective seller or lessor to the prospective buyer or lessee of real property no less than thirty (30) days before closing or such shorter time period agreed to by the parties and shall be provided before the signing of any purchase, sale, or rental agreement for the subject property

Section 19. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.4 BASIC DEVELOPMENT REVIEW, Basic Development Review and Minor Subdivision

review procedures, Section 6.4.3(L) *Step 12*: (Appeals) is hereby amended to read as follows:

Step 12 (Appeals): Applicable pursuant to Section 6.3.12(C). Regardless of the foregoing the Appeals step is not applicable to applications for Accessory Dwelling Units.

Section 20. The title of Article 6, ADMINISTRATION and PROCEDURES, DIVISION 6.21 PROJECT STOCKPILING PERMITS, AND DEVELOPMENT CONSTRUCTION AND OFF-SITE CONSTRUCTION STAGING is hereby amended to read as follows:

DIVISION 6.21 PROJECT STOCKPILING PERMITS, AND DEVELOPMENT CONSTRUCTION

Section 21. Article 6, ADMINISTRATION and PROCEDURE, DIVISION 6.21 PROJECT STOCKPILING PERMITS, AND DEVELOPMENT CONSTRUCTION AND OFF-SITE CONSTRUCTION STAGING, Section 6.21.4 OFF-SITE CONSTRUCTION STAGING is hereby deleted in its entirety.

Section 22. ARTICLE 7 RULES OF MEASUREMENT and DEFINITIONS, DIVISION 7.2 DEFINITION, SECTION 7.2.2 DEFINITIONS is hereby amended to read as follows:

...

Accessory dwelling unit (ADU), detached shall mean an additional, subordinate dwelling unit created on a lot with a primary dwelling unit. The additional unit is smaller than the primary dwelling unit (except when the accessory dwelling unit is in an existing basement). The accessory dwelling unit includes its own complete independent living facilities, including facilities for living, sleeping, eating, cooking, and sanitation. It is designed for residential occupancy by one or more people, independent of the primary dwelling unit.

...

Accessory dwelling unit (ADU), attached shall be defined as an additional, subordinate dwelling unit created on a lot with a primary dwelling unit. The additional unit is smaller than the primary dwelling unit (except when the accessory dwelling unit is in an existing basement). The accessory dwelling unit includes its own complete independent living facilities, including facilities for living, sleeping, eating, cooking, and sanitation. It is designed for residential occupancy by one or more people, independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside.

...

Building Footprint, the outline of the total area that is covered by a building's perimeter occupied or obstructed from ground to sky by the structure or portion of the structure, as measured to the exterior face at or above-grade including exterior walls on all levels, to the furthest edge of roofs, and to the furthest edge of any other above-grade surfaces. This does not include structures or portions of structures with surfaces located no more than 30-inches above grade; fences and retaining walls; or detached ground-mounted mechanical equipment serving permitted uses.

...

Occupant, shall mean a person who occupies habitable space in a dwelling unit or any portion thereof.

...

Introduced, considered favorably on first reading on January 21, 2025, and approved on second reading for final passage on February 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: February 14, 2025
Approving Attorney: Madelene Shehan

Section 10. ARTICLE 3 BUILDING TYPES, DIVISION 3.1 RESIDENTIAL BUILDING TYPES, Section 3.1.9 BUILDING TYPE: Accessory Dwelling Unit (ADU), DESCRIPTION, ZONE DISTRICTS, Detached ADU FLOOR AREA, and ADU FLOOR AREA is hereby amended as follows:

DESCRIPTION

- ~~Full living amenities~~
- ~~Accessory to a Duplex or Detached House~~
- Provides complete independent living facilities including
 - living,
 - sleeping,
 - eating,
 - cooking, and
 - sanitation.
- Per zone district Standards may be accessory to a Detached House, Mobile Home, Duplex, or triplex, located on the same lot.
- New construction or built within an existing detached accessory building
- ~~Min & Max.~~ square footage
- Subordinate to and complements the primary dwelling (architecture, building materials)
- ADUs may ~~came~~ come in one of two varieties:
 - Detached
 - Attached

~~**ZONE DISTRICTS**~~

~~Only Allowed where there is an existing:
- detached house;
- duplex; triplex; or
- non-residential use operating in a
- detached house.~~

- ~~OT~~ • ~~CS~~ • ~~D~~
- ~~CC~~ • ~~CL~~ • ~~HC~~
- ~~CCN~~ • ~~LMN~~ • ~~E~~
- ~~CCR~~ • ~~MMN~~ • ~~I~~
- ~~CG~~ • ~~IIMN~~ • ~~RC~~
- ~~NC~~ • ~~LMN~~

~~Only when part of a Residential Cluster:~~

- ~~RUL~~
- ~~RF~~

ZONE DISTRICTS

All zone districts where single unit dwelling is permitted or exists.

Detached ADU FLOOR AREA			
Detached ADU with or without non-habitable space (Rear Lot)	New construction	Primary Building $\leq 1,335,167$ ft ²	600750 ft ² max.*
		Primary Building $\geq 1,335,167$ ft ²	1,000 ft ² max./ or 45% of primary dwelling unit. (whichever is less)*
	Existing accessory structure**		800 ft ² max.***

*Max. floor Area includes garage, shed or other accessory space. **Legal structure upon the adoption of the LUC. ***Does not include non-habitable space.

...

File Attachments for Item:

15. First Reading of Ordinance No. 017, 2025, Adopting Rooted in Community, Fort Collins' Urban Forest Strategic Plan as a Component of City Plan.

The purpose of this item is to formally adopt Rooted in Community, Fort Collins' first Urban Forest Strategic Plan. The adopted plan will align and guide future growth strategies for sustaining and growing a healthy and resilient urban forest for the people of Fort Collins and benefit the greater community as a whole.

Staff recommends scheduling second reading of this Ordinance on March 4, 2025, to allow the Planning and Zoning Commission to provide a recommendation during their meeting on February 20, 2025.

February 4, 2025

AGENDA ITEM SUMMARY

City Council



STAFF

Kendra Boot, City Forester
 Mike Calhoun, Parks Department Director
 Dean Klingner, Community Services Director

SUBJECT

First Reading of Ordinance No. 017, 2025, Adopting Rooted in Community, Fort Collins' Urban Forest Strategic Plan as a Component of City Plan.

EXECUTIVE SUMMARY

The purpose of this item is to formally adopt Rooted in Community, Fort Collins' first Urban Forest Strategic Plan. The adopted plan will align and guide future growth strategies for sustaining and growing a healthy and resilient urban forest for the people of Fort Collins and benefit the greater community as a whole.

Staff recommends scheduling second reading of this Ordinance on March 4, 2025, to allow the Planning and Zoning Commission to provide a recommendation during their meeting on February 20, 2025.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Rooted in Community, the Fort Collins Urban Forest Strategic Plan provides seven recommended growth strategies to support and maximize the community benefits that arise from fostering a healthy, urban tree canopy. The plan outlines the current state of the urban forest, emphasizes why trees are an important component of our community's infrastructure, and identifies key opportunities to continue improving the urban tree canopy for generations to come.

Summary of Findings:

- Overall, canopy has grown in a positive direction over the last 10 years.
- Commercial type corridors are the areas of the community that have lost canopy during this period of time.
- Eighty-eight percent (88%) of the urban canopy is on private property and the remaining twelve (12%) is on public property.
- City Forestry provides a high level of service to the community.

- Sixty percent (60%) of the public tree inventory are less than 8-inches in diameter and will require additional resources to manage as trees continue to mature and thrive into the future.
- An urban tree canopy (UTC) analysis was completed to intersect canopy disparities, prioritizing future planting efforts around the following variables:
 - Social variables (i.e. income, population density, BIPOC, renters)
 - Health variables (i.e. asthma, heart disease, mental health)
 - Environmental variables (i.e. urban heat and stormwater)
 - Canopy cover associated with bus stops and bike lanes

Future Growth Strategies

The following strategies are listed in more detail with supporting initiatives (Foundational and Transformational Initiatives) in the final plan. The supporting initiatives serve as a menu of options that were identified as opportunities through our community and focus group engagement. These options create pathways for the community and the Forestry Division to focus on and refine over the next twenty years as the urban forest and community evolves, as Council Priorities change, and as other technologies or advancements become available.

The proposed **Growth Strategies**, starting on page 60, are as follows:

1. Strategically invest in growing tree canopy where it will promote resilience and quality of life in Fort Collins. (p.62)
2. Complete the shift to proactive management of Fort Collin’s public trees. (p.64)
3. Strengthen city policies to protect trees. (p.66)
4. Collect data to track changes to tree canopy over time and to inform Forestry activities. (p. 68)
5. Sustainably resource the Forestry Division to keep pace with growth of the urban forest. (p. 70)
6. Deepen engagement with the community about tree stewardship. (p.72)
7. Expand the network of Forestry Division partners. (p. 74)

For a quick view of **Implementation and Metrics** of the seven Growth Strategies, see page 78.

Addressing March 2024 Council Work Session themes

Staff heard various feedback and suggestions from Council which are summarized below:

- **Council:** Provide more emphasis on the broad benefits of the urban forest in Fort Collins, including and especially bird and wildlife habitat.
 - **Staff Response:** The plan addresses the broader benefits of trees throughout the plan but more specifically is identified in Section 2: *Trees Enhance Neighborhood & Community Vitality* (p. 36). An additional section was added: “Trees and Environmental Health” to provide more emphasis on trees providing food and habitat for wildlife (p. 39).
- **Council:** Provide more connection of the urban forest to the seven City Strategic Outcomes Areas, i.e. How does the urban forest support Economic Health?
 - **Staff Response:** The plan provides connection and alignment with the 2024 Citywide Strategic Plan and 2019 City Plan. Each future growth strategy (p. 60) lists each Outcome Area and how the plan supports it. Additionally, a section at the beginning of the plan highlights how trees

support each of the 7 outcome areas (p. 18). In addition, edits to language for Growth Strategy 3 aim to acknowledge how plans, strategies, and policies must work in harmony to achieve desired outcomes.

- **Council:** Clarify how trees fit in as we move toward a more water-wise landscape and how trees can support multiple objectives in a changing climate.
 - **Staff Response:** The plan offers a section on water conservation, drought and climate adaptation (p. 30-33) and includes initiatives to adapt to a changing climate; and to support and align with the Water Efficiency Plan (WEP).
- **Council:** Clarify and educate responsibilities for private trees between neighbors as well as other education and outreach opportunities to help support both community members and tree canopy.
 - **Staff Response:** Several plan initiatives support these efforts listed in both Growth Strategy 3 (p. 66-67) and Growth Strategy 6 (p. 72-73).

Addressing December 2024 Council Work Session themes

General feedback and support for the plan was provided by Council. Changes to the Land Use Code and other tree policies will be brought to Council as separate work streams. Tree policies within the Land Use Code are currently planned for discussion and consideration before the end of this Council term.

Other feedback included:

- Adjustments requested to Transformational Initiative in Growth Strategy 3 (p. 66):
 - Draft plan stated, “Develop additional policy for newly acquired homeownership who make changes to their landscapes. Educate and engage with the public about policy scenarios to gauge public support.”
 - Final plan was adjusted to, “Create educational support, incentives and potential policy improvements to support homeowners and other private property owners achieve long-term success in preserving and planting trees.”

Addressing Land Use Code (LUC) and Tree Policies:

An interdisciplinary team from Planning, City Manager’s Office and Forestry will work with a consultant to analyze the impact of proposed tree policies on future development in Fort Collins related to potential changes in the Land Use Code. A separate Council Work Session will be scheduled in 2025 to discuss findings and identify next steps.

Growth Strategy 3: Strengthen City Policies to Protect Trees (p. 66) takes into consideration and operationalizes input garnered from community engagement events, focus groups, council feedback, review of the existing City ordinance, and best practice tree protection policies from peer communities. This strategy seeks to add nuance to potential future policy within this Growth Strategy. The edits made above after the December 10, 2024 work session and proposed future work strive to balance Council priorities regarding 15-Minute Cities and articulate potential trade-offs in policy decisions.

Next Steps

- Finalize Spanish translation of the Strategic Plan and Appendix
- Prepare Final Strategic Plan and Appendix for accessibility online

CITY FINANCIAL IMPACTS

None at this time for adoption. However, implementation of the Urban Forest Strategic Plan's Future Growth Strategies will require additional resources over time.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Staff visited the following Boards. Meeting minutes and recommendations are attached.

- Land Conservation and Stewardship Board – May 8, 2024
- Natural Resource Advisory Board – May 15, 2024
- Air Quality Advisory Board – May 20, 2024
- Parks and Recreation Advisory Board – May 22, 2024
- Transportation Board – June 12, 2024

PUBLIC OUTREACH

The Urban Forest Strategic Plan conducted numerous community-wide and focus group activities. The information gleaned from these engagement opportunities informed the development of the draft plan. The following list comprises the communication tools, channels, and events the project team employed to garner public input:

'Our City' webpage:

- Including preview of the first plan draft

Social media:

- Ongoing posts and interactions regarding plan status and opportunities for engagement

In-person Public Meetings:

- October 2023 (2 meetings) and March 2024 (1 meeting)
 - North & south Fort Collins meeting locations
 - 160 Participants
 - Spanish translation for all materials and Spanish interpretation provided at all meetings

Community Survey:

- September - December 2023
- 971 respondents
- 657 write-in comments
- In partnership with Our Climate Future Community Consultants and Urban Forest Ambassador volunteers

Diverse Focus Groups:

- 9 focus group meetings were held between October - December 2023
- 49 representatives from local organizations, institutions, businesses, developers, affordable housing representatives, landscape and tree contractors, and government entities

Boards and Commissions and Climate Equity Committee:

- Land Conservation and Stewardship Board – May 8, 2024
- Natural Resource Advisory Board – May 15, 2024
- Air Quality Advisory Board – May 20, 2024
- Parks and Recreation Advisory Board – May 22, 2024
- Transportation Board – June 12, 2024

Public Preview of 90% draft plan:

- 54 document downloads
- 210 page visits
- 74 newsfeed visits (format compliant per PDF Accessibility Law HB21-110)
- Sent to 124 emails with a 75% open rate and 22 clicks

ATTACHMENTS

1. Ordinance for Consideration
2. Exhibit A to Ordinance: Rooted in Community, Urban Forest Strategic Plan, Final Draft
3. Exhibit B to Ordinance: Urban Forest Strategic Plan Appendix
4. Land Conservation and Stewardship Board Minutes, May 8, 2024
5. Natural Resource Advisory Board Minutes, May 15, 2024
6. Air Quality Advisory Board Minutes, May 20, 2024
7. Parks and Recreation Advisory Board Minutes, May 22, 2024
8. Transportation Board Minutes, June 12, 2024
9. Transportation Board Letter of Support
10. Joint Air Quality Advisory Board and Natural Resource Advisory Board Memo of Support
11. Parks and Recreation Advisory Board Letter of Support
12. Work Session Summary, December 10, 2024
13. Presentation

ORDINANCE NO. 017, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING ROOTED IN COMMUNITY, FORT COLLINS' URBAN
FOREST STRATEGIC PLAN AS A COMPONENT OF CITY PLAN

A. The City's Comprehensive Plan, referred to as City Plan, was first adopted pursuant to Resolution 2019-048, was then subsequently ratified by Ordinance No. 040, 2020, and has since been updated to add plan elements as adopted by the City Council.

B. Prioritizing neighborhood livability and social health as well as environmental health are focuses of City Plan and the City actively administers programs, conducts community outreach, and implements projects related to both goals.

C. The Rooted in Community, Urban Forest Strategic Plan (the "Strategic Plan") was developed after extensive public outreach, discussion and consideration of community needs and priorities. This will be the City's first urban forest strategic plan.

D. The Strategic Plan is based on such input from the community, input from other departments across the City organization, and incorporates and integrates with City Council concerns and priorities.

E. The Strategic Plan will align and guide future strategies for sustaining and growing a healthy and resilient urban forest for City residents and benefit the greater community.

F. The Strategic Plan will serve as a guiding document that outlines a set of strategies, prioritizing trees as important infrastructure, over the next 20 years and beyond. The Strategic Plan also outlines the current state of the urban forest.

E. At its work session on December 10, 2024, City Council considered and provided input on a draft of the Strategic Plan. City staff addressed Council's requests and questions in a final version of the Rooted in Community Urban Forest Strategic Plan described on Exhibit A, attached hereto and incorporated herein by this reference, and the Plan Appendix described on Exhibit B, attached hereto and incorporated herein by this reference.

G. The City Council has determined that it is in the best interests of the City of Fort Collins community members to formally adopt the Strategic Plan as a component of City Plan.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Council hereby approves and adopts the Rooted in Community, Urban Forest Strategic Plan attached hereto as Exhibit A, including the Plan Appendix described on Exhibit B, as a component of City Plan.

Introduced, considered favorably on first reading on February 4, 2025, and approved on second reading for final passage on March 4, 2025

Mayor

ATTEST:

City Clerk

Effective Date: March 14, 2025
Approving Attorney: Sara Arfmann

City of
Fort Collins



Rooted In Community

Urban Forest Strategic Plan

2024



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An accompanying Appendix provides detailed information about project methodology and findings.



“Change is never easy, and it often creates discord, but when people come together for the good of humanity and the Earth, we can accomplish great things.”

—David Suzuki



Acknowledgments

► The Fort Collins Urban Forest Strategic Plan was created with funding from the City of Fort Collins.

FORESTRY DIVISION PLANNING TEAM

- Kendra Boot** City Forester
- Ralph Zentz** Assistant City Forester
- Ernie Wintergerst** Senior Supervisor, Forestry

ADVISORY BOARDS

- Air Quality Advisory Board**
- Land Conservation and Stewardship Board**
- Natural Resource Advisory Board**
- Parks and Recreation Advisory Board**
- Transportation Board**

STEERING COMMITTEE

- Teddy Parker-Renga** Colorado State Forest Service
- Fred Haberecht** Fort Collins resident
- Daniel Burcham** Colorado State University
- Katy McLaren** Environmental Services, City of Fort Collins
- Nick Armstrong** Parks and Recreation Advisory Board
- Natalie McNeill** The Davey Tree Expert Company
- Emily Haukeness** Parks and Recreation Communications, City of Fort Collins
- Valerie Van Ryn** Parks and Recreation Communications, City of Fort Collins
- Mike Calhoun** Parks Department, City of Fort Collins
- Honoré Depew** Environmental Services, City of Fort Collins

CITY COUNCIL

- Jeni Arndt** Mayor
- Susan Gutowsky** District 1
- Julie Pignataro** District 2
- Tricia Canonico** District 3
- Melanie Potyondy** District 4
- Kelly Ohlson** District 5
- Emily Francis** Mayor Pro Tem, District 6

Special thanks to:

The Fort Collins community members and visitors who shaped this plan.



Prepared by Davey Resource Group, Inc. for the City of Fort Collins.

Land Acknowledgment

The City of Fort Collins acknowledges and honors the lands situated within the city as the original homelands of the Hinono'eiteen (Arapaho), Tsétséhéstahese (Cheyenne), Numunuu (Comanche), Kiowa (Caiugu), Čariks i Čariks (Pawnee), Sosonih (Shoshone), Oc'eti S'akowin (Lakota) and Núuchiu (Ute) Peoples. This area is an important site of trade, gathering, and healing for these Native Nations. These lands are home to a diverse urban Native community representing multiple Native Nations and Indigenous Peoples. Despite forced removal and land dispossession, they continue to thrive as resilient members of our community. We are grateful for Native community members and honor the rich cultural heritage they bring to our collective community. We further recognize and value their social, intellectual, economic, and cultural contributions. The City of Fort Collins is committed to supporting, partnering, and working with the Native and Indigenous community. 🌱

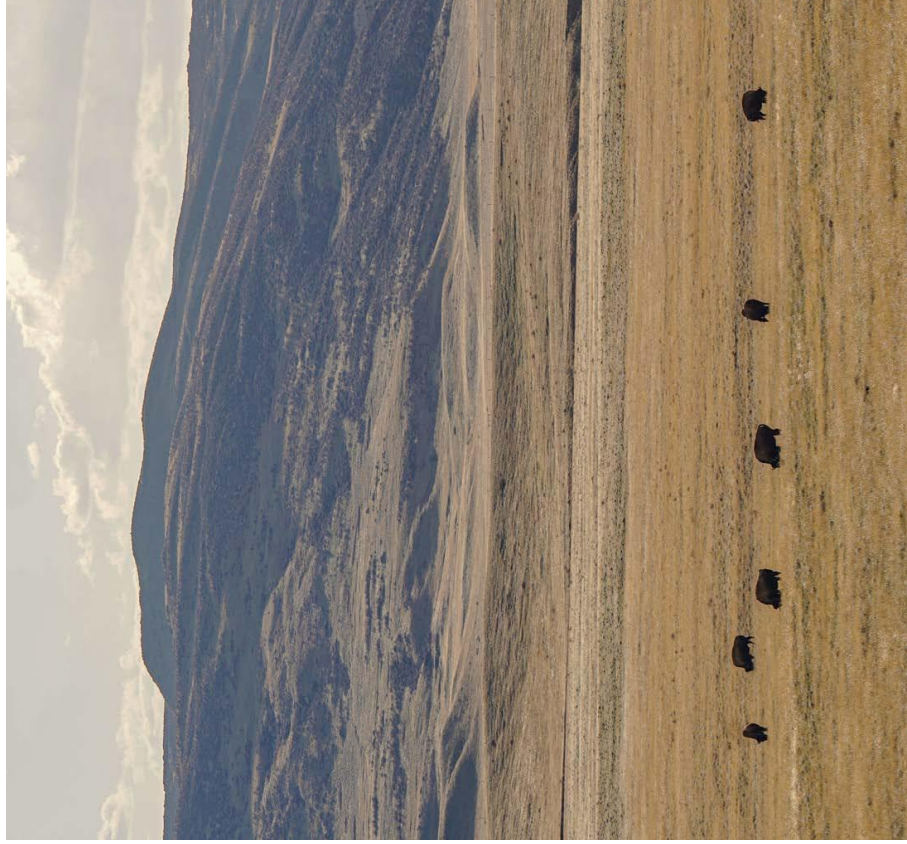
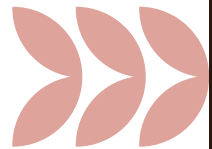


IMAGE 1. SOAPSTONE PRAIRIE NATURAL AREA NEAR FORT COLLINS.

Executive Summary

When you come into Fort Collins, Colorado, it doesn't take long to realize that you have arrived somewhere special. Whether you live here, work here, or like to visit, you have probably, at some point, noticed our tree canopy. Fort Collins' trees add to the livability of our neighborhoods and surrounding areas. Trees improve our mental and physical health, provide protection from urban heat, and are an integral component in our battle against climate change.




TREE CANOPY IS GROWING IN FORT COLLINS

The urban forest is the collection of trees that grow on public and private land across the city. **Over a 10-year period, tree canopy cover in and around Fort Collins has increased by over 930 acres.** Not all communities can say the same—many cities are losing canopy at accelerated rates. However, tree canopy cover varies widely, ranging from almost no trees in some parts of the city to over 40% tree canopy cover in other areas. While nearly all land uses in the city have gained tree canopy over the past decade (commercial land is the only land use type that has lost canopy), we have work to do to ensure that all residents are able to experience the benefits of trees.

Themes of the Urban Forest Strategic Plan

This Rooted in Community is a framework for action. It is a 20-year plan that establishes a vision for managing the urban forest into the future.

Three themes emerged during the planning process:

-  Build resilience & wellbeing of people and trees.
-  Sustainably grow the Forestry Division.
-  Expand the community's knowledge about tree benefits and stewardship.

FUTURE GROWTH STRATEGIES

Rooted in Community proposes seven Growth Strategies for Fort Collins' urban forest:

1. Strategically invest in growing tree canopy where it will promote resilience and quality of life in Fort Collins.
2. Complete the shift to proactive management of Fort Collins' public trees.
3. Strengthen city policies to protect trees.
4. Collect data to track changes to tree canopy over time and to inform forestry activities.
5. Sustainably resource the Forestry Division to keep pace with growth of the urban forest.
6. Deepen engagement with the community about tree stewardship.
7. Expand the network of Forestry Division partners.

TREES ARE AN INVESTMENT IN OUR COMMUNITY

Trees are one of the few investments that appreciate in value over time. Their benefits are innumerable, from improving human health and safety to improving the economic vitality of the community.

\$2.2 million

in benefits is provided annually by Fort Collins' trees through cleaner water, cleaner air, and greenhouse gas reduction.

THE VISION FOR FORT COLLINS' URBAN FOREST

The City of Fort Collins is committed to bringing trees and their benefits to people where they are needed most to support human health, reduce urban heat, and build climate resilience.

Rooted in Community outlines a set of strategies that will build upon the stewardship of Fort Collins' urban forest over the last 160 years. Investments in urban tree canopy will ensure that tree benefits will grow and become more equitable, improving the lives of the people of Fort Collins for generations to come.

Public Engagement for Rooted in Community

More than 1,180 community members gave input about this plan via:

- Partner focus groups (9).
- Public meetings (3).
- Community survey.
- Public draft preview.



1 FORT COLLINS' URBAN FOREST



Fort Collins' Urban Forest

When viewed from above, the green tree canopy of Fort Collins stands out against the surrounding steppe, shrubland, and grassland of the Front Range. These trees bear witness to the sustained stewardship that has been provided by residents over more than 160 years. Trees have grown to become one of the hallmarks of the city, enhancing the natural beauty and hospitality of the Cache la Poudre River valley.

Fort Collins' urban forest includes trees growing along streets, in public parks, cemeteries, golf courses, and natural areas, and in the yards of homes, schools, and businesses. Together, these trees are a dynamic, living system that provides invaluable environmental, economic, and societal benefits to enhance the quality of life in Fort Collins.

URBAN FOREST STRATEGIC PLAN

This Urban Forest Strategic Plan is a comprehensive plan for the management, protection, and improvement of Fort Collins' urban forest. It summarizes the state of the city's urban forest and the City of Fort Collins Forestry Division's program.

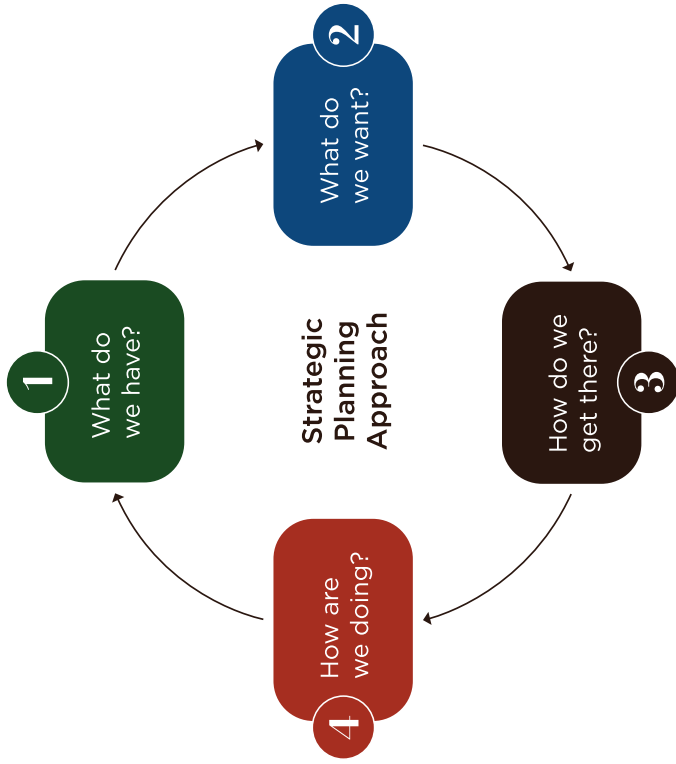
Then, it provides seven Future Growth Strategies with tiered actions that the City of Fort Collins and its partners can take to ensure that its urban forest remains healthy and vibrant into the future.

The plan establishes a 20-year vision for managing the urban forest by answering a series of questions about Fort Collins' present and future (Figure 1).

99%

The proportion of residents who said that trees are an important part of Fort Collins in a public survey.

FIGURE 1. THE STRATEGIC PLANNING PROCESS.



Themes of the Urban Forest Strategic Plan

This Urban Forest Strategic Plan summarizes the state of Fort Collins' urban forest and outlines a vision for the next 20 years to:

- Build resilience & wellbeing of people and trees.
- Sustainably grow the Forestry Division.
- Expand the community's knowledge about tree benefits and stewardship.

A HISTORY OF TREES & FORESTRY IN FORT COLLINS

10,000+ YEARS BEFORE PRESENT

These were the original homelands of the Arapaho and Cheyenne Tribes that were forcibly removed. In the Cache la Poudre River Valley, trees are mostly found along waterways.

1870s-1880s

Gardens and promenades with trees are popularized in Fort Collins.

MID-1800s

The Council Tree is known as an important cultural site for multiple tribes to gather for trade.

1890s-1920s

As part of the City Beautiful movement, city residents plant elms, oaks, and maples along streets in Old Town.

1920s

City Council makes the first allocation for "Street Forestry" (\$700).

1939

The City hires its first Forester, an independent contractor with authority to perform forestry services and allowed to use City equipment.

1951

City Forestry Program proposed by W.D. Thomas, Jr., includes introducing City Forestry Code, arborist licensing, and survey of unsafe and infested trees.

1970

A tree sanitation program begins in response to Dutch Elm Disease.

1977

Fort Collins is recognized as a Tree City USA by the Arbor Day Foundation.

1980

The Forestry Division assumes maintenance of street trees.

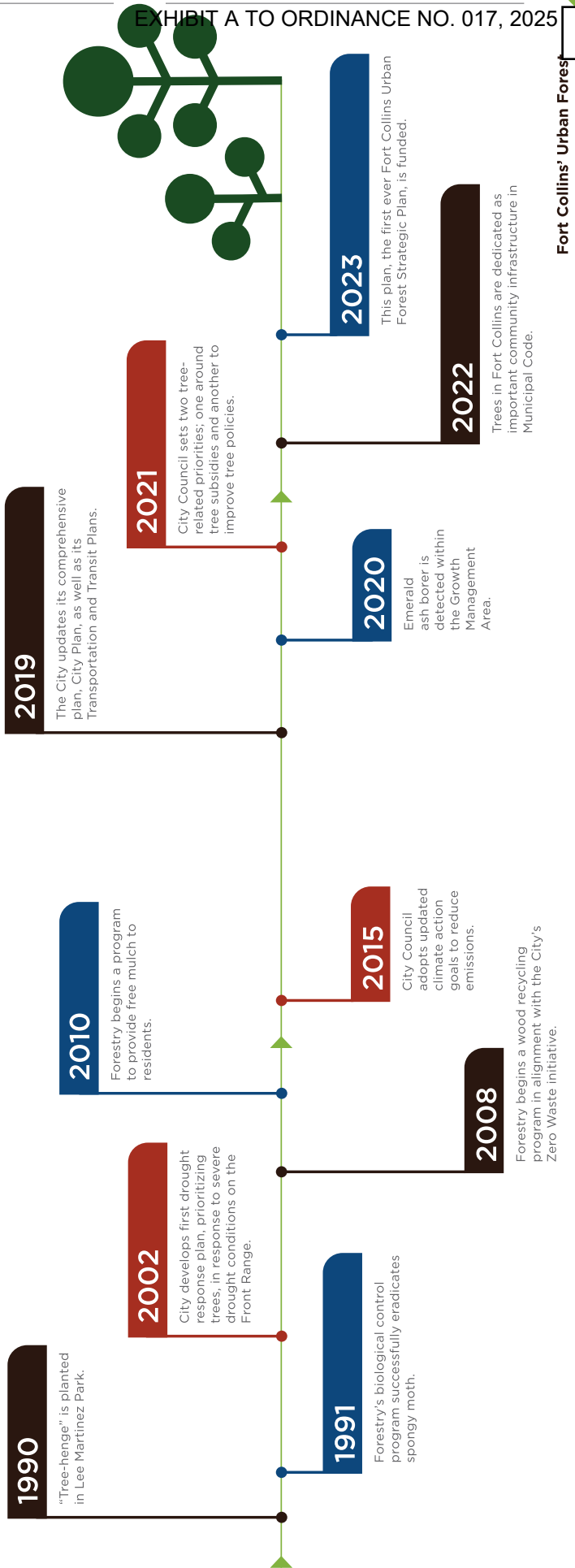
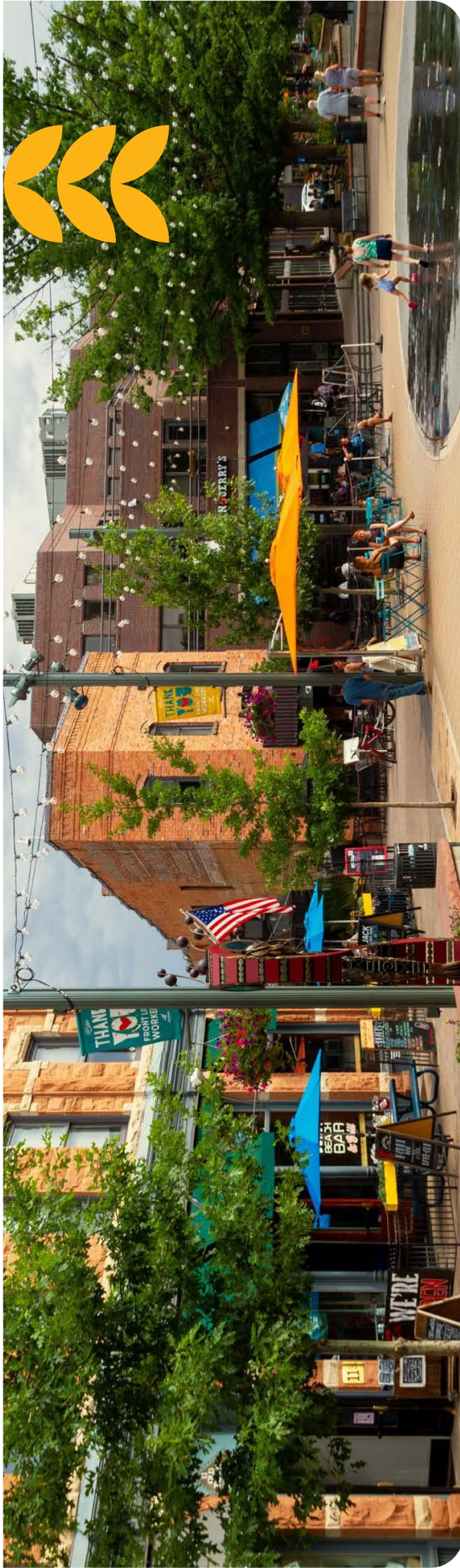
1988

The first computer-based citywide inventory of public trees is conducted.



IMAGE 2. ON THE CACHE LA POUDE RIVER, COLORADO (1875) BY THOMAS WORTHINGTON WHITTREDGE | CREDIT: AMON CARTER MUSEUM OF AMERICAN ART, FORT WORTH, TX.

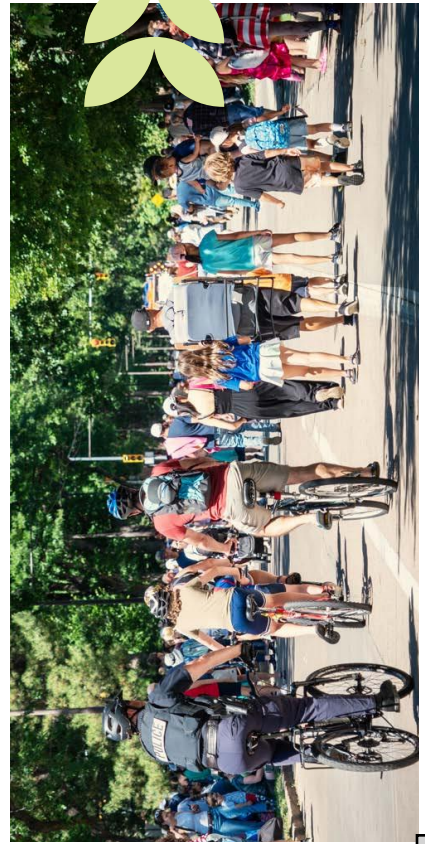




TREES SUPPORT FORT COLLINS' STRATEGIC OBJECTIVES

The City of Fort Collins 2024 Strategic Plan outlines seven Key Outcome Areas by which the City measures progress toward its vision and goals. Trees relate to each of these seven Outcome Areas through the many benefits that they provide and show that Fort Collins is a great place to live, work and visit:

- 1. High Performing Government.** The Forestry Division proactively maintains public trees and responds to hundreds of resident requests each year. It also influences private tree stewardship through arborist licensing, tree planting subsidies, City code implementation, and tree protection and preservation requirements for development.
- 2. Culture & Recreation.** Trees add to the beauty and character of Fort Collins and encourage people to spend more time outdoors.
- 3. Economic Health.** Trees in business districts encourage people to stay longer and participate in the local economy. Trees add value to properties and help residents save money on energy costs.
- 4. Environmental Health.** Trees provide habitat for wildlife and absorb carbon and other greenhouse gasses that contribute to climate change.
- 5. Neighborhood & Community Vitality.** Trees improve wellbeing and health outcomes in people by cleaning and cooling the air and reducing stress.
- 6. Safe Community.** Well-maintained trees build a sense of community and are associated with reductions in crime.
- 7. Transportation & Mobility.** Trees slow traffic and make streets and sidewalks safer and more comfortable for active modes of transportation.



FORT COLLINS' TREE CANOPY COVER HAS GROWN TO 13.7%

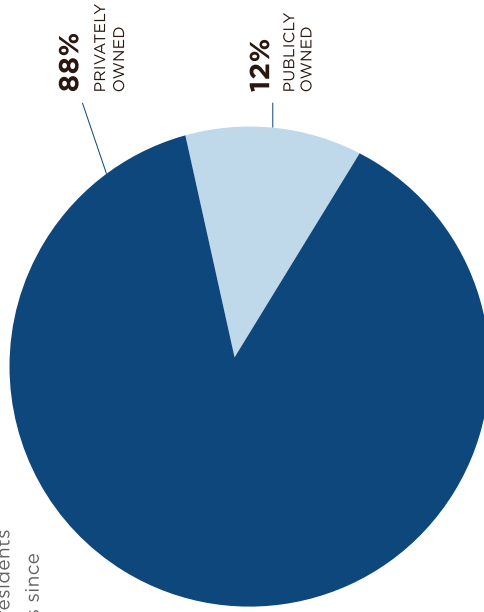
Urban tree canopy was measured across Fort Collins—where it is, how it is changing, and where potential tree planting opportunities exist. The analysis used high-resolution aerial imagery from 2011 and 2021 to determine the 10-year change in canopy cover as viewed from above. It looked at land within the current city limits as well as the growth management area, which delineates the possible future extent of city boundaries.

Average tree canopy cover in Fort Collins and the growth management area is 12.6% (Map 1). Tree cover varies widely, ranging from almost no trees in some parts of the city to over 40% tree cover (Map 2). In general, tree cover tends to be highest within the oldest parts of the city, where residents have been planting trees since the nineteenth century.

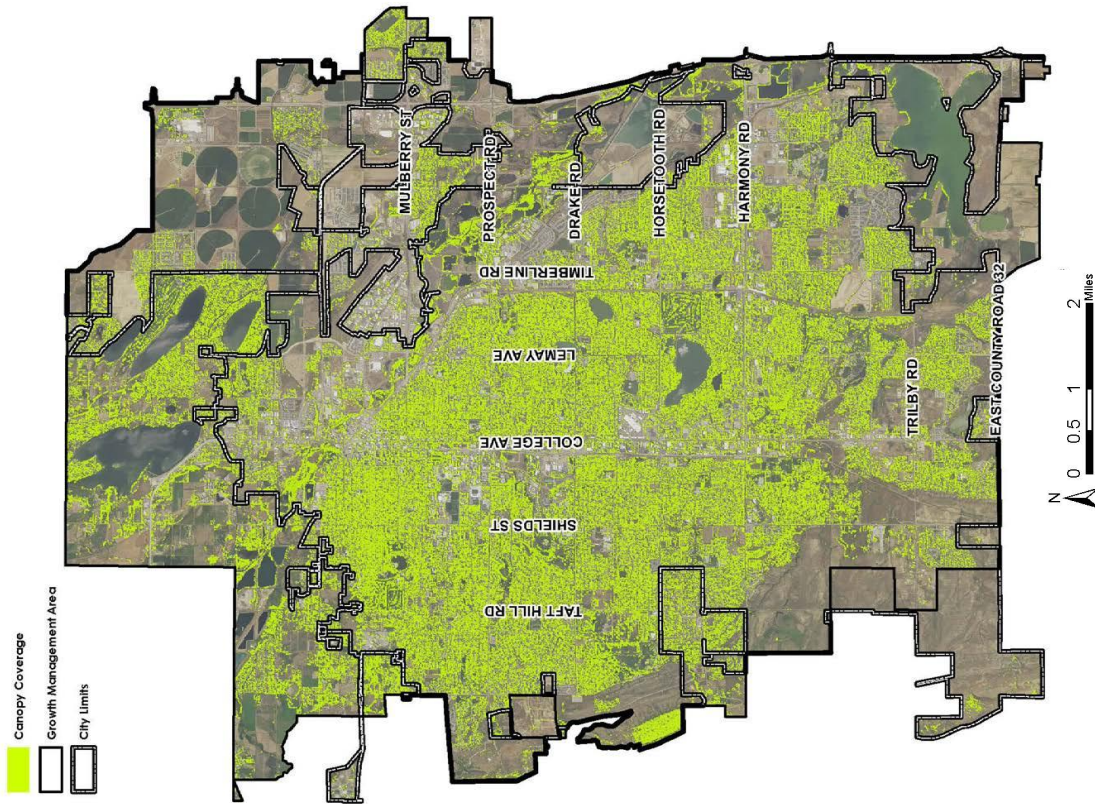
From 2011 to 2021, the city and the growth management area experienced an overall increase in tree canopy cover of 936 acres (+17.2% tree canopy compared to 2011) (Map 3).

The largest gains in tree cover took place within low-canopy areas near the borders of the city, while canopy losses tended to take place within the more densely developed commercial and industrial areas. While the tree canopy study can tell us where canopy gains and losses have occurred over time, it cannot answer specific questions about the causes of tree canopy change. However, it is known that the older age of trees within the urban core, urban environmental stressors, and development (both new and infill) are all possible drivers of canopy change over the study period.

FIGURE 2. FORT COLLINS TREE CANOPY COVER BY TYPE OF LAND OWNERSHIP.



MAP 1. TREE CANOPY COVER IN FORT COLLINS CITY LIMITS AND THE GROWTH MANAGEMENT AREA, MEASURED FROM 2021 HIGH-RESOLUTION AERIAL IMAGERY.



Tree Canopy Cover

City Limits

- 13.7% average tree cover.
- Tree cover has grown by 753 acres (+17.3%) since 2011.

City + Growth Management Area

- 12.6% average tree cover.
- Tree cover has grown by 936 acres (+17.2%) since 2011.

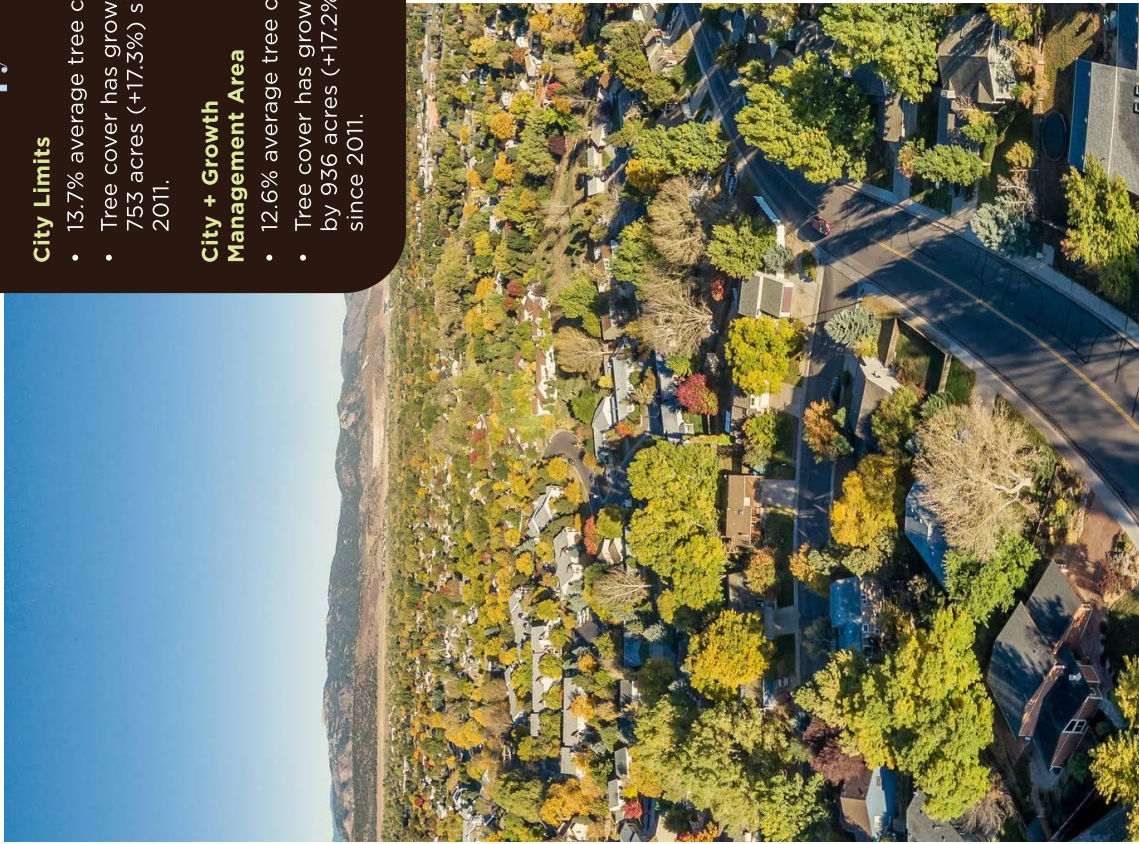
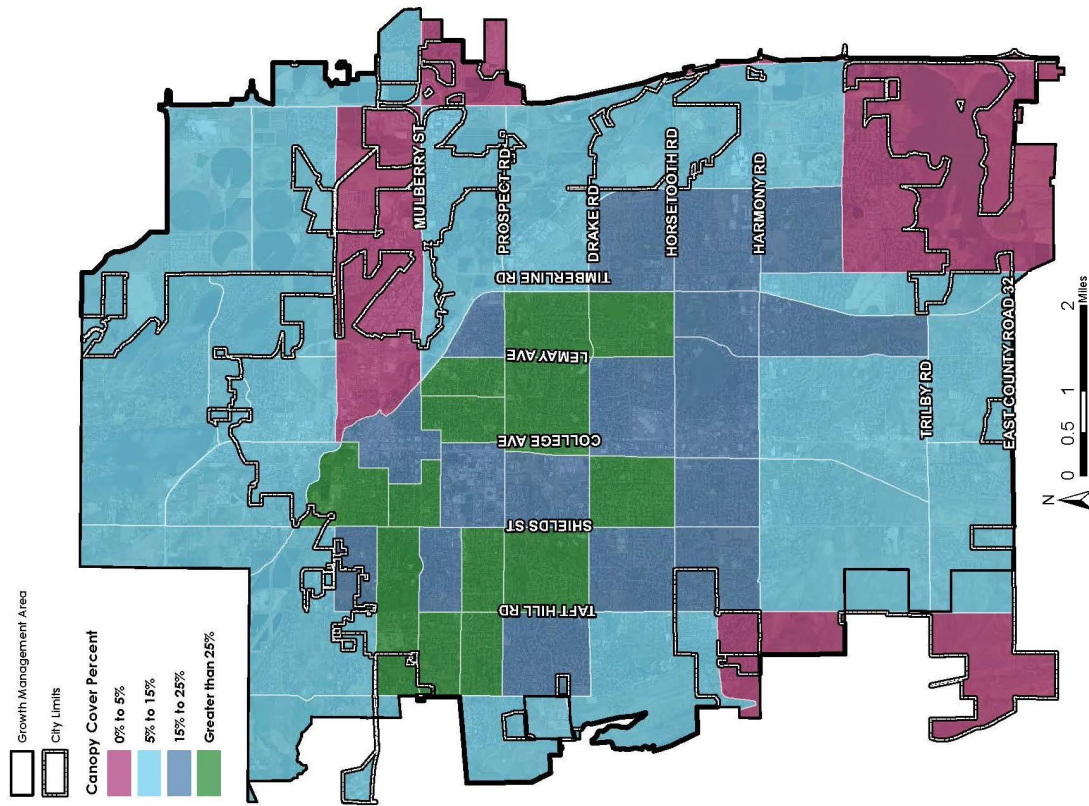


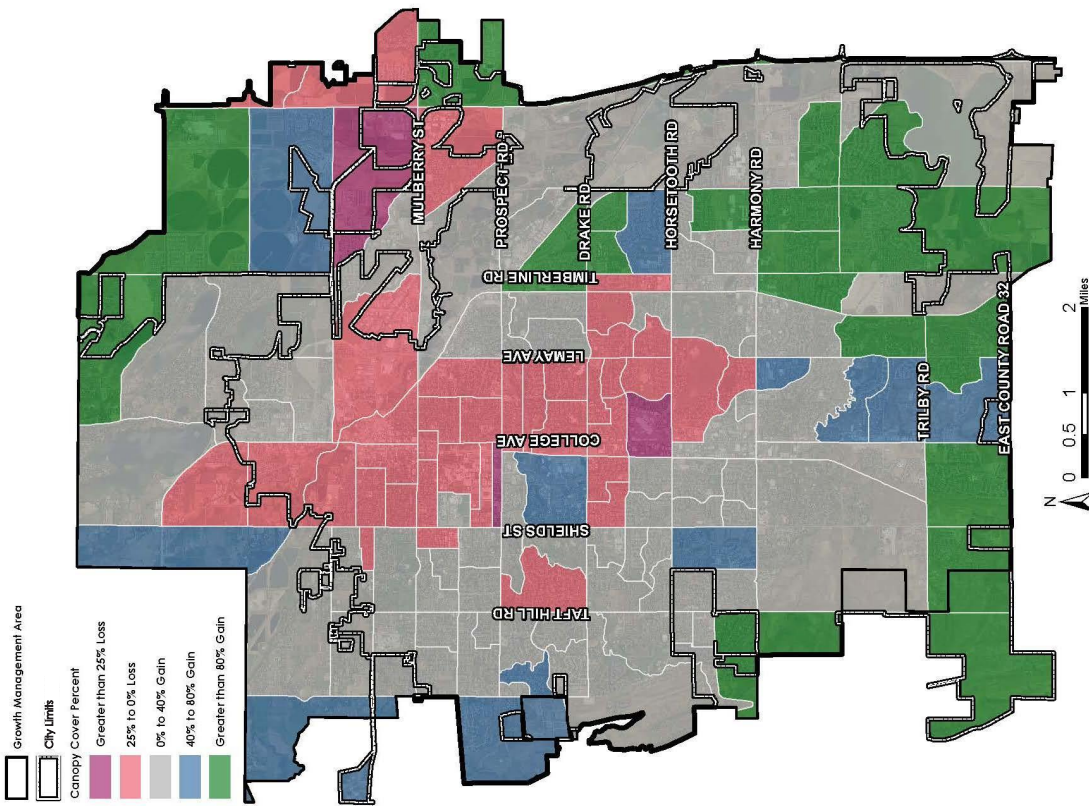
IMAGE 2. TREE CANOPY COVER IN FORT COLLINS.



MAP 2. TREE CANOPY COVER BY U.S. CENSUS BLOCK GROUP. TREE COVER IS HIGHEST WITHIN THE OLDEST PARTS OF THE CITY.



MAP 3. TREE CANOPY CHANGE BY U.S. CENSUS BLOCK GROUP, 2011-2021. TREE CANOPY LOSSES WERE HIGHEST IN THE DENSELY DEVELOPED URBAN CORE.



RESIDENTIAL LAND CONTAINS THE MOST EXISTING TREE CANOPY—AND THE GREATEST POTENTIAL FOR MORE

In Fort Collins, residential land contains over half of the city's tree canopy (Figure 3). Tree canopy has grown 15% on residential land since 2011. The largest tree canopy losses by total acreage have taken place on commercial land, which lost 30 acres (~10%) of tree cover since 2011.

The largest potential for additional tree canopy occurs within residential and mixed-use zoning types, which together contain 8,083 acres of possible additional tree canopy.

MAP 4. PUBLIC TREES AND PLANTING SITES AS DOCUMENTED IN TREEKEEPER TREE MANAGEMENT SOFTWARE. SELECT TREE INFORMATION IS SHARED WITH THE PUBLIC ON THE FORESTRY DIVISION'S WEBSITE.

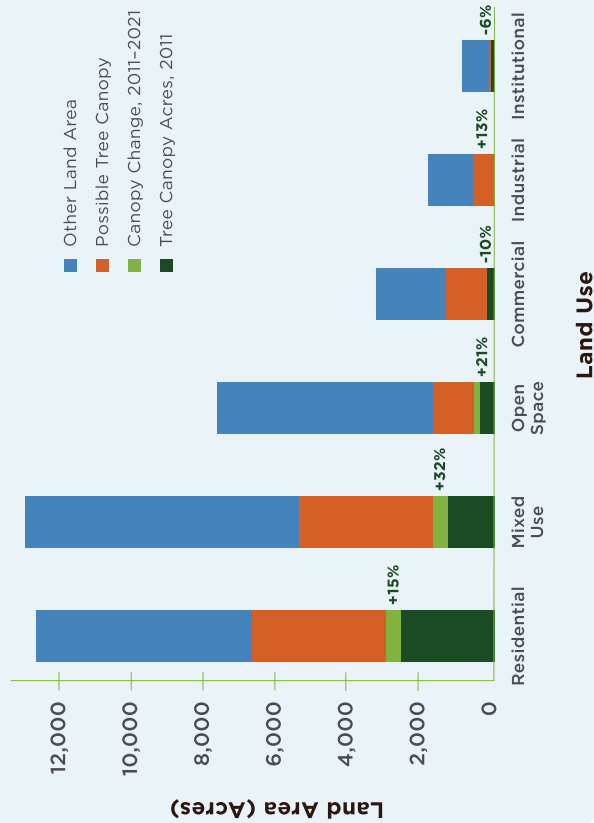
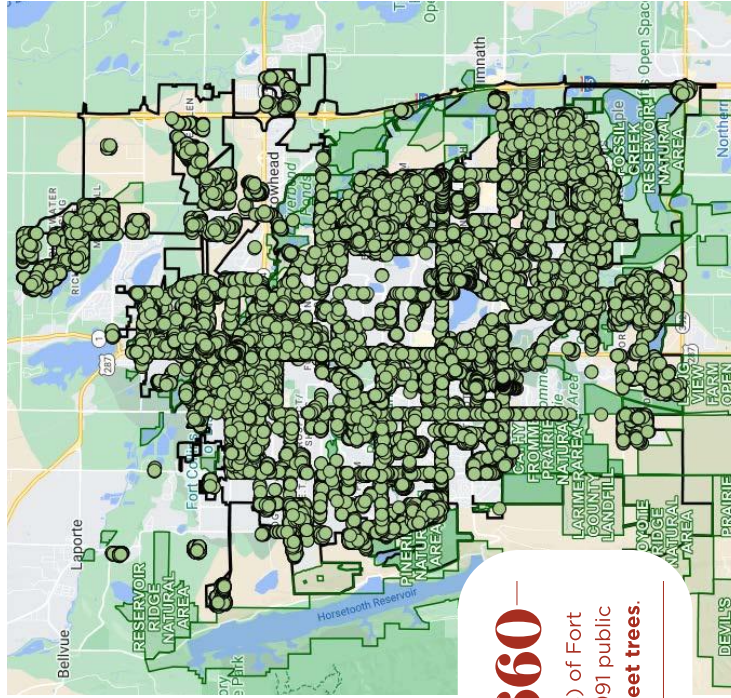


FIGURE 3. ACROSS FORT COLLINS, RESIDENTIAL PROPERTIES CONTAIN THE LARGEST PROPORTION OF CITY TREE CANOPY, AS WELL AS THE LARGEST POTENTIAL FOR FUTURE TREE CANOPY. TREE COVER HAS GROWN IN MOST LAND USE TYPES SINCE 2011.

THE SPECIES COMPOSITION, SIZE, AND CONDITION OF CITY-MANAGED (PUBLIC) TREES

From 2018-2023, the Forestry Division and trained volunteers from the City's Urban Forest Ambassador program updated the public tree inventory, documenting 57,991 trees, 2,668 vacant planting sites, and 729 stumps within street rights-of-way, parks, and City-owned property (Map 4). Detailed information about public trees is used by the Forestry Division to guide management decisions.

MAP 4. PUBLIC TREES AND PLANTING SITES AS DOCUMENTED IN TREEKEEPER TREE MANAGEMENT SOFTWARE. SELECT TREE INFORMATION IS SHARED WITH THE PUBLIC ON THE FORESTRY DIVISION'S WEBSITE.



PUBLIC TREES TREND CLOSE TO RECOMMENDED DIVERSITY GUIDELINES

Tree diversity helps to make the population resilient to pests and diseases. The importance of tree diversity can be seen in the effects of emerald ash borer, due to the large number of ash trees in the community.

There are at least 214 unique species of trees within the public tree inventory that represent 56 genera and 26 families. At a species level, the diversity of public trees is approaching the urban forestry industry guideline of no more than 10% of a single species present in the inventory (Figure 4).

In 2024, both green ash and honeylocust exceeds recommended limits for species abundance (Figure 4). The abundance of all ash species is expected to decline over time due to emerald ash borer. The Forestry Division is reducing the planting of honeylocust on public property and is encouraging developers to shift away

A public tree inventory

provides information about the possible management needs & vulnerabilities of the entire urban forest.

from planting honeylocust as part of required street tree plantings that are associated with development.

Genus- and family-level tree diversity is also important, as many tree pests and diseases have the ability to attack multiple related species. It is recommended that no one genus should comprise more than 20% of the tree inventory, and no one family should comprise more than 30%. The tree genera and families in the public inventory remain below these thresholds; however, the pest and disease susceptibility of the larger tree population remains unknown.

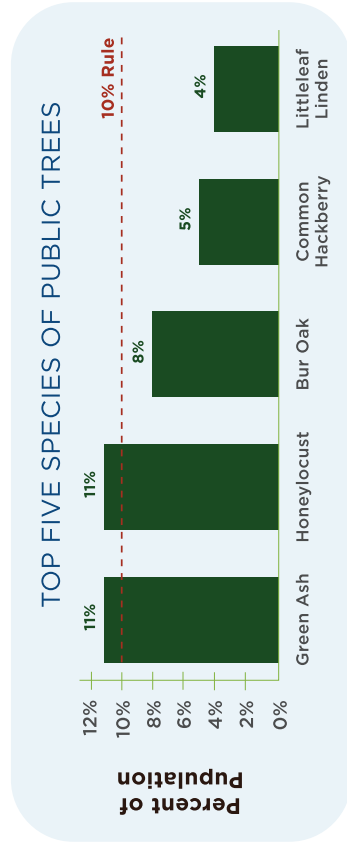


FIGURE 4. TOP FIVE SPECIES OF PUBLIC TREES. URBAN FORESTRY INDUSTRY STANDARDS FOR BIODIVERSITY RECOMMEND THAT ANY ONE SPECIES SHOULD NOT EXCEED 10% OF THE TOTAL POPULATION ("10% RULE").

PUBLIC TREES ARE IN FAIR-TO-GOOD CONDITION

The condition of public trees reflects significant investments in routine maintenance as the Forestry Division moves toward its goal of a five-year pruning cycle and away from reactive maintenance, which is comparably more costly.

More than half of public trees (55%) are rated to be in Good or Fair-Plus condition, meaning that their trunks and crowns are generally healthy and strong (Figure 5). An additional one-third (34%) are rated to be in Fair condition, indicating that they are healthy and show no major defects.

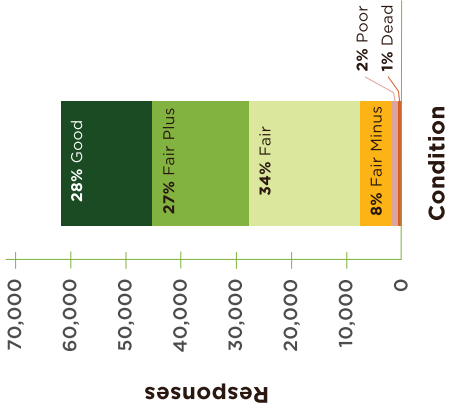


FIGURE 5. THE FORESTRY DIVISION VISUALLY ASSESSES THE HEALTH AND VIGOR OF TREES BASED ON MULTIPLE FACTORS. 89% OF PUBLIC TREES ARE RATED AS FAIR OR BETTER.

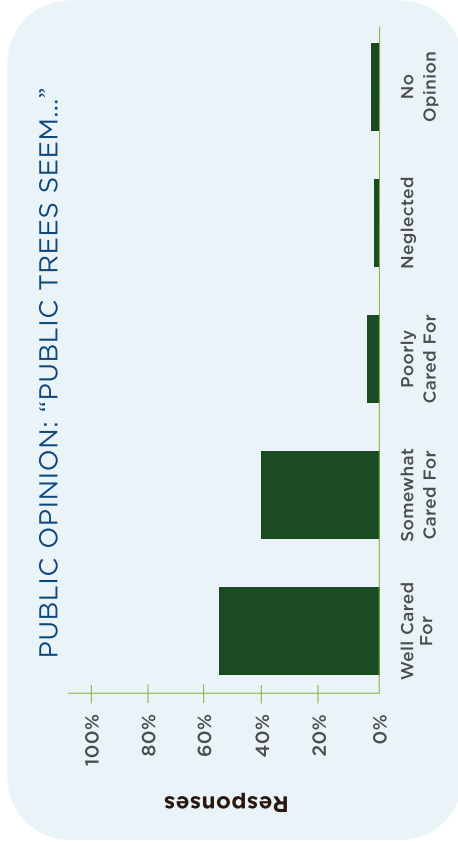


FIGURE 6. 971 PEOPLE RESPONDED TO A PUBLIC SURVEY ABOUT TREES IN FORT COLLINS. OF THOSE, 95% FELT THAT PUBLIC TREES ARE WELL OR SOMEWHAT WELL CARED FOR.



PUBLIC TREES SKEW YOUNG

A mixed-age tree population balances the maintenance needs of public trees over time and protects against significant canopy loss. Sixty percent of public trees in Fort Collins are young (Figure 7), reflecting sustained tree planting efforts within the city that have occurred primarily through new development as the city has grown.

Care of young trees during establishment, as well as proactive maintenance of older age classes, will help increase the proportion of older trees to balance age classes over time.

As the urban forest grows in the number and maturity of trees, the benefits that it provides will also increase. In the next 20 years, at the present rate of planting, the population of public trees is projected to shift toward more medium-sized trees.

THE AGE DISTRIBUTION OF PUBLIC TREES

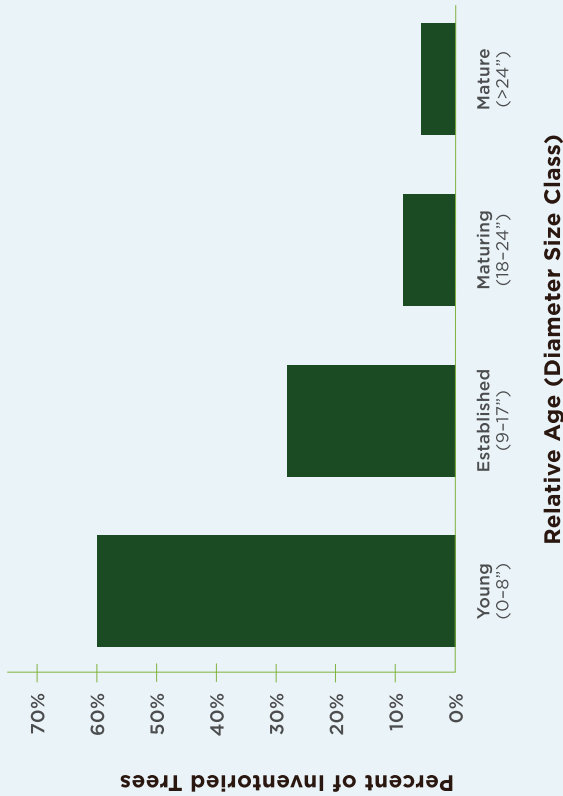


FIGURE 7. THE RELATIVE AGE OF PUBLIC TREES, ESTIMATED FROM TRUNK DIAMETER. SIXTY PERCENT OF PUBLIC TREES ARE YOUNG.

BUILDING RESILIENCE TO FUTURE THREATS

PEST SUSCEPTIBILITY OF PUBLIC TREES

Pests, diseases, and climate change are potential threats to the long-term function and survival of trees. Because tree pests and diseases often have preferred hosts, the susceptibility of the urban forest to a pest or disease can be evaluated based on its species and genus diversity.

Of the pests and diseases of concern in Colorado, emerald ash borer threatens 13% of the public tree inventory that is composed of the genus *Fraxinus*, with potential tree losses valued at \$22 million (Table 1). Its potential impacts on private land are more profound—it is estimated that up to one-third of Fort Collins' urban tree canopy is composed of ash trees. If Asian longhorned beetle

reaches Fort Collins, it threatens the greatest number of public trees in the city (36%), with potential losses valued at \$51 million.

Future indirect impacts of pest and disease outbreaks include the influx of wood waste from tree losses and removals and costs associated with tree replacement. This calls for a comprehensive plan to divert wood waste from landfills and put it into productive use. Urban forest products that are made from wood waste and reclaimed wood reduce greenhouse gas emissions, support local businesses, and improve the environment; however, diverting wood waste requires a high level of planning and coordination across sectors.

TABLE 1. SUSCEPTIBILITY OF FORT COLLINS' PUBLIC TREES TO POTENTIALLY IMPACTFUL PESTS AND DISEASES OF CONCERN IN COLORADO. REPLACEMENT VALUES ARE BASED ON ACTUAL TREE ATTRIBUTES INCLUDING SIZE AND ARE CALCULATED USING I-TREE TOOLS.

PEST/DISEASE NAME	NUMBER OF SUSCEPTIBLE TREES	PERCENT OF PUBLIC TREE INVENTORY	TREE REPLACEMENT VALUE (\$)
Asian longhorned beetle	20,687	36%	\$51,310,744
Spotted lanternfly	8,628	15%	\$13,100,340
Emerald ash borer	7,388	13%	\$22,038,024
Pine wilt nematode	3,830	7%	\$9,957,809
Dutch elm disease	2,351	4%	\$14,876,845
Spruce ips beetle	2,046	4%	\$9,102,307



Drought Tolerance of Public Trees

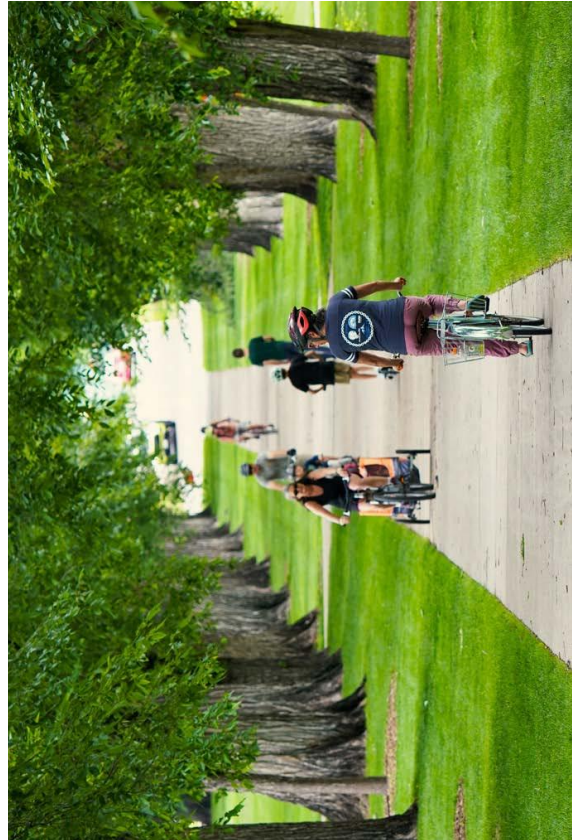
- At least 4% of public trees in Fort Collins have **LOW** drought tolerance, and at least 64% have **MEDIUM** drought tolerance.
- The public tree inventory is gradually collecting information about irrigation status.

CLIMATE VULNERABILITY & RESILIENCE

Future climate predictions include more severe and intense storms as well as more frequent periods of extreme heat, drought, and early and late freezes in Fort Collins, all of which can create challenging conditions for trees.

Although trees require water to survive, in irrigated spaces, trees save water by cooling air and surface temperatures and by capturing natural precipitation, which reduces the amount of irrigated water that is lost through evapotranspiration. Planting trees over turfgrass reduces total outdoor water consumption by up to 50%. For these reasons, tree planting and stewardship in public and private spaces aligns with and benefits Fort Collins' efforts to conserve water now and into the future.

Mature tree canopy **reduces total water use** in irrigated landscapes.



Strategies for Drought and Climate Resilience

Trees cool the air and take decades to reach maturity. For these reasons, it is important to ensure the survival of trees during periods of drought. A combination of emergency response actions and long-term strategies can help reduce tree losses during drought.



Water new trees during establishment.

Newly planted trees are particularly sensitive to drought stress. They require regular water during establishment, whether as natural precipitation or supplemental water. The Forestry Division waters newly planted public trees for two years. In the future, Forestry is prioritizing irrigated spaces for new tree plantings to ensure their long-term survival.



Give trees dedicated irrigation.

Dedicated irrigation valves or zones allows for deeper watering of trees than the rest of the landscape requires. The City is shifting to dedicated irrigation to trees in anticipation of a warmer climate in the future. All public Capital Improvement Projects along streets and in new parks now include dedicated irrigation to trees.



Create a drought response plan.

Forestry has begun to collect information about irrigation status as part of its tree inventory. Inventory information about species and site characteristics can be used to create an emergency response plan. This helps to identify trees that need supplemental water during drought and priority locations for new irrigation. In drought response, trees can be prioritized on factors including the water needs of trees based on their species or microclimate, and the importance of trees based on their size, species, and/or cultural value.



Plant more drought-tolerant species where possible.

The increasing availability of drought-tolerant, urban-adapted tree species presents additional options for future planting. Species recommendations, such as the trees and shrubs that are recommended by Plant Select, have few specimens in the existing public tree inventory, demonstrating a potential for increased use. Collaborative partnerships with local growers will be needed for the continued management of pests and to secure desired climate-resilient nursery stock.



Summary of Findings

- Tree canopy cover in Fort Collins and the Growth Management Area is 12.6% and has grown steadily over the past decade. The extent of tree cover varies widely across the city and the growth management area, ranging from almost no trees to over 40% tree cover.
- The largest gains in tree cover took place within low-canopy areas near the borders of the city, while canopy losses tended to take place within the more densely developed and treed urban core.
- The inventory of 61,388 public trees and planting sites in Fort Collins revealed that the diversity of public trees is approaching a level that will help the urban forest remain resilient to pests and diseases. Future management considerations should include planting species that are resilient to emerging pests, diseases, and climate change.
- The condition of 89% of public trees is rated as Fair or better. This is a reflection of investments made by the Forestry Division in routine maintenance, with a goal of moving away from reactive maintenance and toward a five-year pruning cycle.
- Fort Collins' public trees skew young, reflecting an uptick in more recent tree plantings that are associated with city activities and increased development. Future maintenance needs are expected to increase over time as new trees are planted and existing trees grow into larger size classes, which will require additional resources for the Forestry Division to keep pace.





2 TREES ENHANCE
NEIGHBORHOOD
& COMMUNITY
VITALITY

Trees Enhance Neighborhood & Community Vitality

Trees provide innumerable benefits to the people of Fort Collins, making the city a more comfortable, healthy, and vibrant place to live. Tree benefits also help to offset expenditures that are needed for tree planting and maintenance. Because of the benefits that trees provide, issues around building more equitable tree canopy relate to larger conversations about social equity, environmental justice, and resilience.

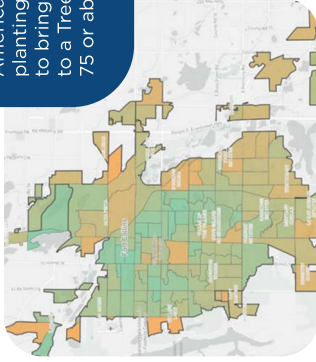
FORT COLLINS' TREES PROVIDE \$2.2 MILLION IN BENEFITS EACH YEAR

Some tree benefits can be assigned a monetary value that is based on avoided costs—this includes air pollution reduction, stormwater runoff mitigation, and carbon sequestration and storage (Table 2). Based on these benefits alone, Fort Collins' trees produce at least \$2.2 million in ecosystem services each year. This amount has increased in the past decade with tree canopy growth. As of

2024, Fort Collins' trees provide an additional \$346,000 in services each year than in 2011. Of these benefits, public trees account for more than \$69,000 in annual benefits and have an estimated replacement value of \$112 million. Replacement value is the cost of replacing a tree with tree(s) of a similar species, size, and condition in the same location.

TREES HELP RESIDENTS SAVE MONEY
Trees save energy by providing shade and blocking wind, which reduces the need for heating and cooling and lowers energy costs for homes and businesses. Properly placing three trees around a home can reduce energy costs for the average household by \$100 to \$250 per year. Trees that shade air conditioning units can help them run up to 10% more efficiently.

Trees also help residents save money on health care costs. Trees reduce the incidences of medical complications due to asthma, heart disease, and heat-related illnesses.



◀ In Fort Collins, 17 block groups (orange) are High or Highest priority for increasing tree equity. Planting here will provide the greatest impact on resident wellbeing.

American Forests' Tree Equity Score

The **Tree Equity Score** by American Forests measures the equitability of tree canopy benefits using climate, demographic, and socioeconomic data. A Tree Equity Score ranges from 0 (least equitable) to 100 (most equitable).

Fort Collins has an Average Tree Equity Score of 87 out of 100 from American Forests.

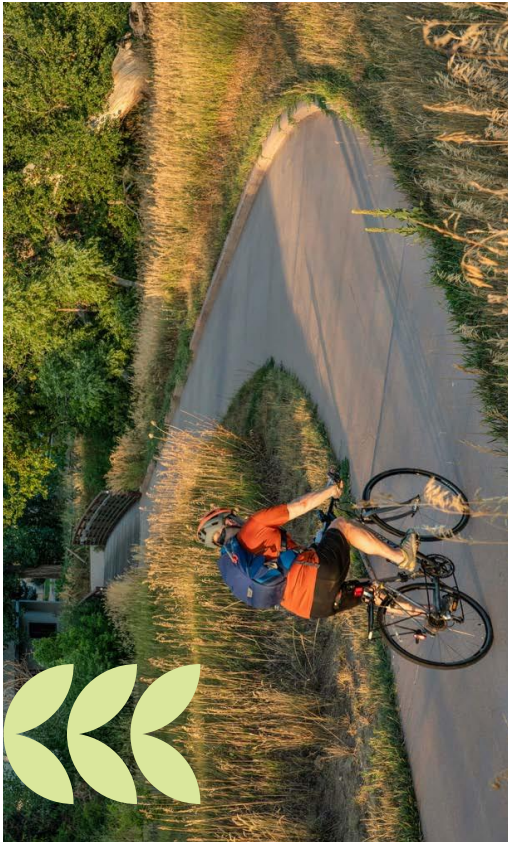
American Forests recommends planting at least 4,574 trees to bring all block groups to a Tree Equity Score of 75 or above.

TABLE 2. ECOSYSTEM BENEFITS PROVIDED BY FORT COLLINS' TOTAL TREE CANOPY AND ITS PUBLIC TREES, AS ESTIMATED BY I-TREE TOOLS.

ECOSYSTEM BENEFITS	ALL TREES		PUBLIC TREES	
	Quantity	Value	Quantity	Value
Air quality: pollution removal (pounds)	570,300	\$942,949	21,320	\$32,038
Carbon sequestration (tons)	5,810	\$991,666	276	\$47,013
Stormwater: avoided runoff (gallons)	35,130,000	\$313,902	2,318,837	\$20,721
Total Annual Benefits Structural Value		\$2,248,517		\$69,374
Carbon storage (tons)	226,820	\$38,684,069	18,616	\$3,175,046
			Replacement Value	\$112,489,358

Trees Enhance Neighborhood & Community Vitality





FORT COLLINS RESIDENTS RANK TREE BENEFITS BY IMPORTANCE

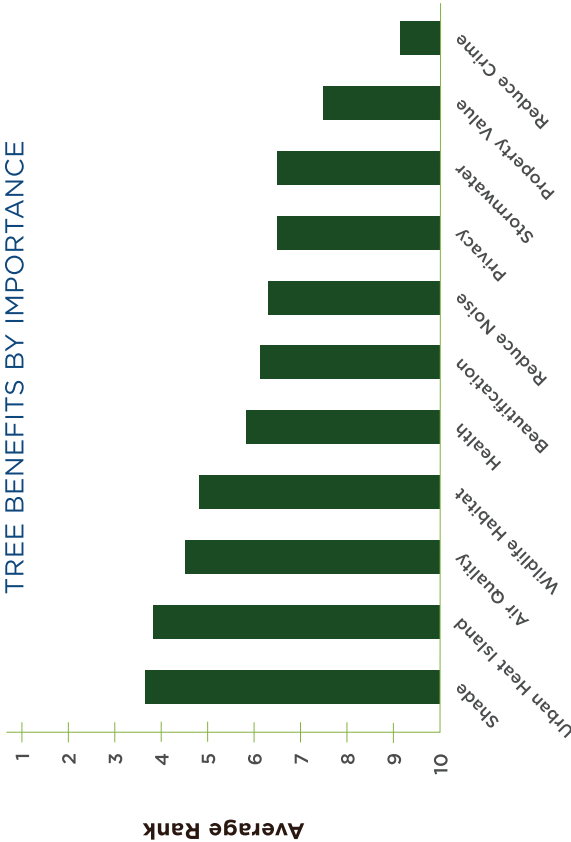


FIGURE 8. AMONG 971 RESPONSES TO A PUBLIC SURVEY, FORT COLLINS RESIDENTS WERE ASKED TO RANK THE TREE BENEFITS THAT THEY VALUED THE MOST, WITH A RANK OF 1 BEING HIGHEST. RESIDENTS PRIORITIZED BENEFITS THAT MAKE THE CITY A MORE COMFORTABLE PLACE, SUCH AS SHADE, HEAT REDUCTION, AND BETTER AIR QUALITY.

Trees and Environmental Health

Trees provide innumerable ecological benefits that improve urban environments:



Trees Cool Our Cities.

High temperatures in urbanized areas contribute to *urban heat island effect*, in which impervious surfaces such as roads, buildings, and sidewalks trap and hold heat. Urban heat island can raise air temperature in cities up to 7°F higher during the day and 5°F higher at night compared to neighboring rural areas. Urban heat island raises energy costs and power plant emissions and increases heat-related illnesses, which cause more deaths in the United States each year than any other natural disaster. Large, healthy trees lower temperatures through both shading and evapotranspiration. Trees reduce peak summer temperatures by 2-9°F and prevent an average of 1,200 heat-related deaths each year in the U.S, making them a critical tool to combat the negative health impacts of high temperatures.



Trees Clean the Air.

Trees act as natural air filters, removing pollutants from the air and reducing their negative impacts on humans and the environment. Through the removal of air pollutants, trees save over 850 lives and prevent 670,000 incidents of acute respiratory symptoms in the U.S. each year. Trees are also an important carbon sink for climate change mitigation through the removal of carbon dioxide and greenhouse gases from the air. One large, healthy oak tree growing in Fort Collins can remove over 30 pounds of pollutants from the air over 20 years.



Trees Intercept and Conserve Water.

Trees intercept and retain stormwater, reducing runoff and water pollutants by 20%-60%, thereby reducing flooding, erosion, and the level of sediment and pollutants that enter local waterways. A mature deciduous tree can intercept 700 gallons of stormwater per year, and a mature evergreen tree can intercept 4,000 gallons of water per year. Underground, tree roots and decomposition help to increase the amount of water that soil can hold, allowing for more efficient use of irrigated water. In addition, the cooling effects of trees during summer months help to reduce the amount of moisture that is lost through evaporation. Through both processes, trees can retain water in the soil and reduce irrigation quantity and frequency.



Trees Provide Food & Habitat for Wildlife.

Trees provide habitat and food for a wide variety of wildlife, supporting biodiversity and maintaining the health of local ecosystems. Oaks can support over 500 species of pollinators and other beneficial insects. In the Colorado Front Range, broadleaf deciduous forests outside of riparian areas are relatively new to the region. The tree canopy of Fort Collins provides migratory birds with an important stopover point. At the same time, trees can provide refuge for species such as hawks and corvids that hunt or outcompete native grassland birds and mammals. For these reasons, tree canopy in natural areas must be thoughtfully placed. In backyards and along streets, however, tree canopy acts as an important buffer for wildlife within the built environment.

Canopy Cover: Bike Lanes & Bus Stops

Bus Stops

- 18.3% average tree cover.
- Bus stops have lost 3.7% tree cover since 2011.

Bike Lanes

- 9.5% average tree cover.
- Tree cover has stayed about the same (+0.1%) since 2011.

TREES SUPPORT FORT COLLINS' SHIFT TO ACTIVE TRANSPORTATION

Trees support the City's goal to build a low-stress, high-comfort active transport network that promotes a physically active and environmentally sustainable community (Transportation Master Plan, 2019). Trees growing in street rights-of-way help to slow traffic, making streets safer and more attractive for use by pedestrians and cyclists. Shade and evapotranspiration cooling provided by street trees allow for more comfortable walking, biking, and use of public transit and increase the appeal of cycling routes. Trees and other vegetation can also reduce the exposure of cyclists and pedestrians to air pollution. Encouraging individuals to shift their short vehicle trips to active transportation modes (e.g., biking, walking) is one of the most effective ways to reduce vehicle miles traveled, a goal of both the City's transportation master plan and Our Climate Future plan (2021).

Bus Stops. Trees provide shade that can make waiting for the bus more comfortable during summer months. Average tree cover is 18.3% at the 22 bus stations and 423 bus stops across Fort Collins, a loss of 3.7% cover since 2011 (Map 5).



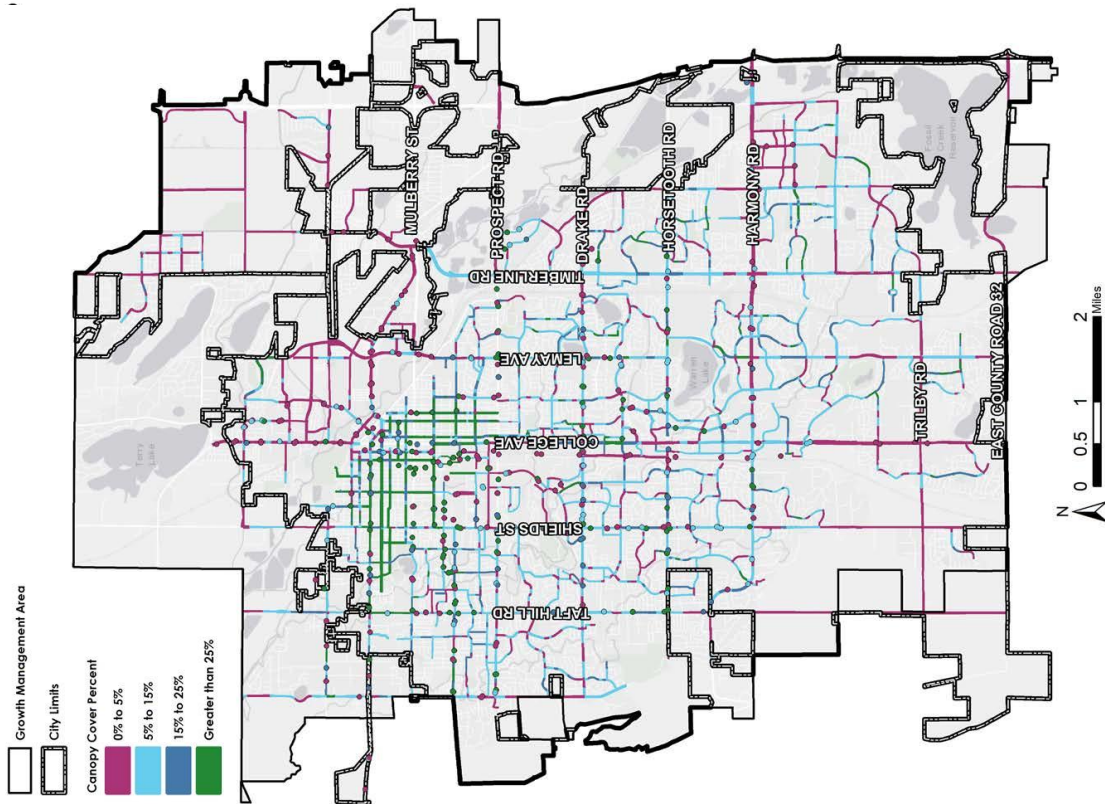
Bike Lanes. Trees not only shade bike lanes; they also contribute to the safety of cyclists by slowing traffic. Over the 267 miles of bike lanes across Fort Collins, average tree canopy cover is 9.5%, approximately the same as it was in 2011 (+0.1%).

BALANCING THE COSTS & BENEFITS OF TREES

As with all infrastructure, tree placement requires considerations for maintenance and safety. Trees can increase some of the maintenance needs of streets and sidewalks, such as the frequency of street sweeping. Trees may also cause heaving of sidewalks where trees have been planted in narrow parkways (<6 feet width), in spaces with poor soil preparation and/or compaction, or in places where the tree

species and the planting site have not been well matched. In colder months, snow and ice can persist within the shadows of trees, creating a slipping hazard for pedestrians. On the other hand, shade from trees increases the lifespan of asphalt. While tree maintenance can be costly, the benefits of trees often outweigh the additional maintenance costs. Careful placement of trees can reduce both risk and cost.

MAP 5. TREE CANOPY COVER WITHIN BIKE LANES (BY STREET SEGMENT) AND WITHIN 30 FT OF BUS STOPS AND TRANSIT STATIONS.

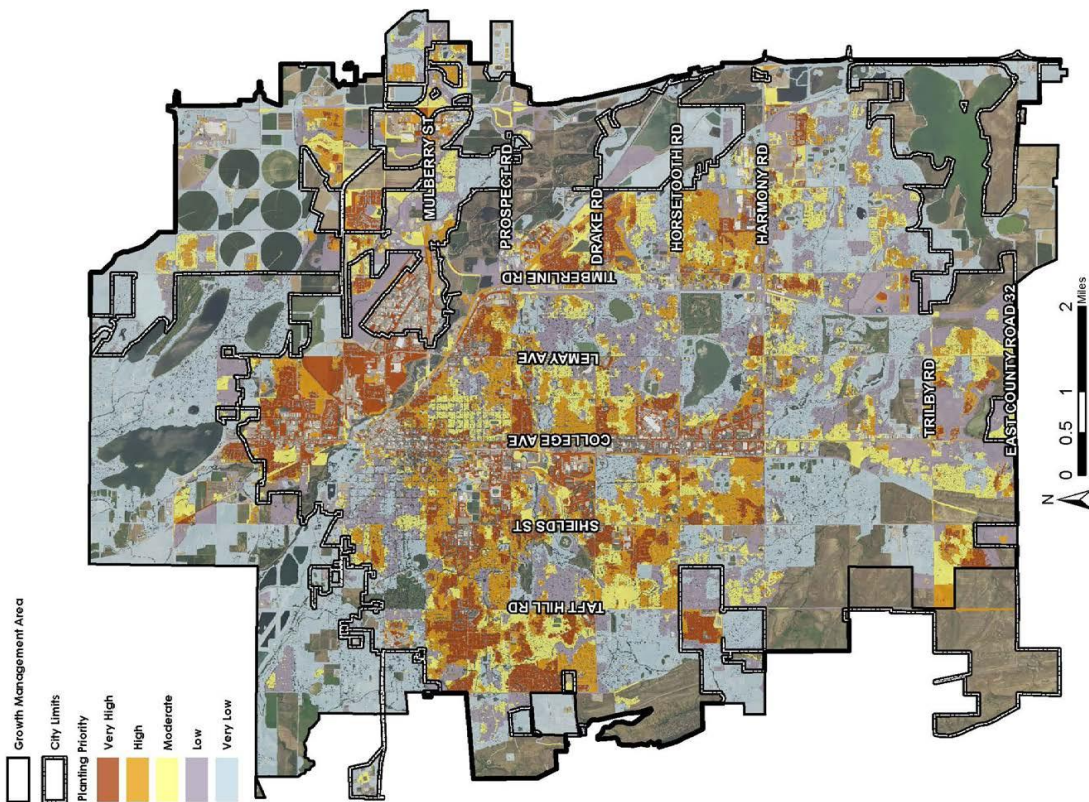


Trees Enhance Neighborhood & Community Vitality

Item 15.



MAP 6. COMPOSITE PRIORITY PLANTING AREAS THAT MAXIMIZE THE ENVIRONMENTAL, SOCIAL, AND HUMAN HEALTH BENEFITS OF TREES.



Trees Enhance Neighborhood & Community Vitality

A FUTURE OF MORE EQUITABLE TREE CANOPY

The tree cover analysis of Fort Collins identified 15,418 acres of possible tree planting area within city limits and the growth management area, on both public and private land. Possible planting area excludes places where tree canopy would conflict with land uses, such as agricultural fields, recreational fields, and major utility corridors.

A priority planting analysis ranked possible tree planting area on a five-point scale from Very Low to Very High, based on the potential for trees to benefit the environment, human health, and social equity (Map 6). The analysis identified 2,250 acres of High or Very High priority where additional tree canopy can capture stormwater, reduce urban heat, improve health outcomes, and benefit vulnerable communities.



COMMUNITY PRIORITIES

Findings from the community engagement process demonstrate that the people of Fort Collins value trees and understand the myriad ways that trees enhance quality of life in the city.

Residents and urban forestry partners noted these opportunities for future growth of the forestry program:

- Residents are invested in the ongoing management of Fort Collins's trees and want to be involved in decisions about how the City will help ensure tree canopy preservation and growth into the future.
- Forestry Division partners, both internal and external to City government, underscored the collaborative nature of Forestry staff and the high level of expertise and service that they provide.
- Forestry partners want to continue to foster growth and collaboration among Forestry, other City departments, and external partners, for example, by ensuring that Forestry is at the table in other planning efforts.
- Both residents and Forestry partners are interested in resources that will help them be effective stewards of tree canopy, including informational resources, financial resources, and opportunities for involvement in urban forestry.



Public Involvement in Plan Development

The Urban Forest Strategic Plan was created with community feedback that was provided through:

Three Public Meetings

- October 2023 & March 2024, North & South Fort Collins.
- 160 participants.

One Community Survey

- September–December 2023.
- 971 respondents.
- 657 write-in comments.
- In partnership with Our Climate Future Community Consultants.


Nine Partner Focus Groups

- October–December 2023.
- 49 representatives from local organizations, institutions, businesses, and government entities.

One Public Draft Preview

- August–September 2024.
- 210 page visits, 54 downloads.
- 2-week preview and comment period.

Summary of Findings

- Fort Collins' trees produce at least \$2.2 million in air quality, stormwater, and carbon storage benefits each year. Tree benefits have increased in the past decade with canopy growth. Today, trees provide an additional \$346,000 in services per year than they did in 2011.
- Trees support community goals to promote a physically active and environmentally sustainable community. Increasing tree canopy cover along bike lanes and near bus stops can be one component of a comprehensive approach to encouraging active modes of transportation.
- Many areas of greatest tree canopy loss have occurred where tree canopy is most needed to build social equity (see Maps 3 and 6). Priority planting maps can be used to guide future planting efforts on both public and private land, to add trees where they can have the greatest impact.
- Residents and urban forestry partners are interested in resources that can assist them with tree planting and maintenance as well as opportunities for input and involvement.
- Residents value trees for the myriad ways that trees enhance the quality of life in Fort Collins. 





3 A HIGH-PERFORMING FORESTRY DIVISION



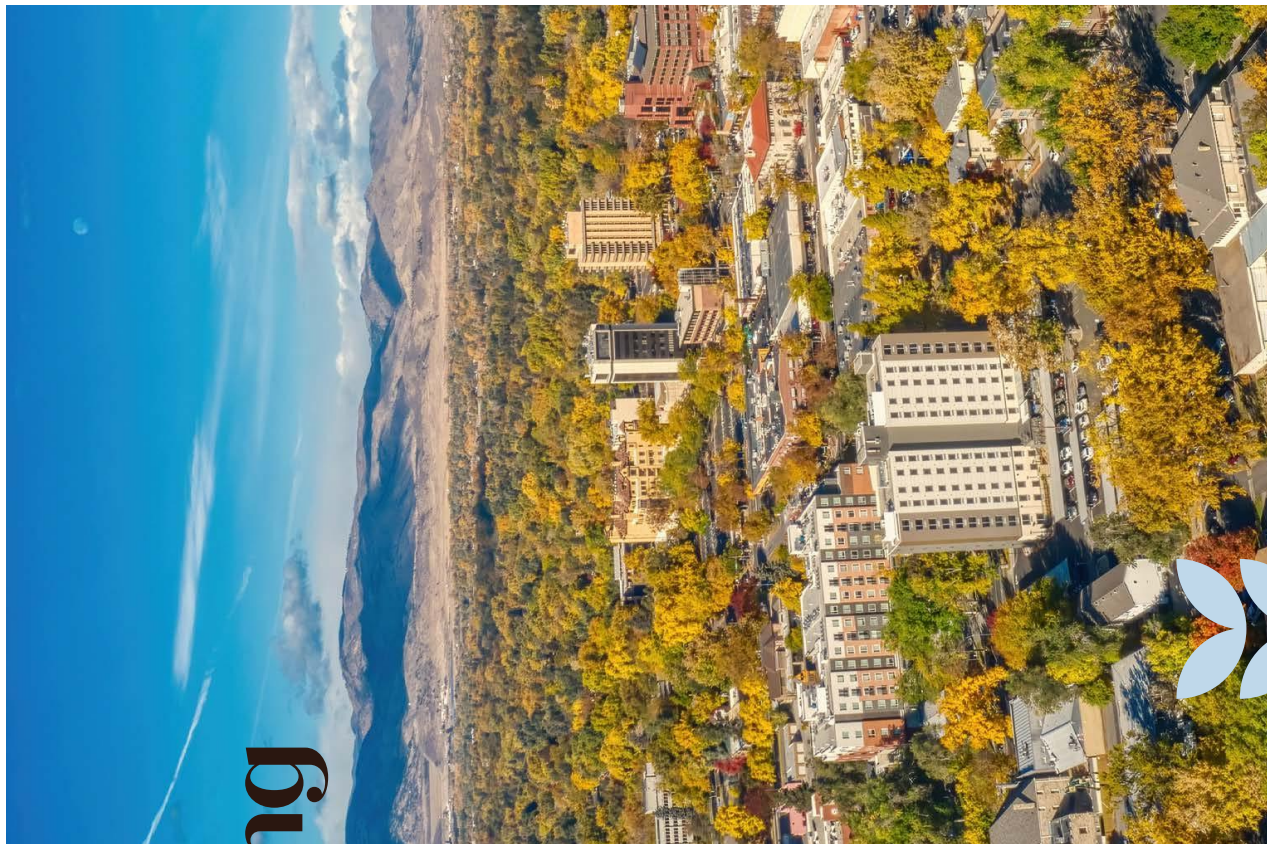
A High-Performing Forestry Division

The Forestry Division is responsible for the planting and care of public trees in Fort Collins. In recent years, Forestry has started a shift toward proactive maintenance. It has set a goal of maintaining public trees on a five-year pruning cycle, which reduces per-tree maintenance costs and the number of emergency and service requests. Forestry is also looking to boost the long-term resilience of the urban forest as the region contends with new tree pests and diseases and the stressors of a changing environment.

THE FORESTRY DIVISION STRIVES TO PROACTIVELY MANAGE PUBLIC TREES

Fort Collins' Forestry Division provides a high level of service in the management of its public tree inventory. Over the past decade, the Forestry Division has contributed to the city's steady canopy growth by increasing the	number of public trees that it plants and prunes each year. As the inventory grows through City tree planting and development, it will be necessary to scale Forestry Division operations and capacity to keep pace.
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Fort Collins is within a minority of U.S. cities that manage their public trees at a high level of service.



A High-Performing Forestry Division

FORESTRY IS POSITIONING PUBLIC TREE CANOPY FOR GROWTH

Proactive pruning, tree planting, and pest management are part of comprehensive urban forestry care that promotes the growth and survival of trees.

Pruning comprises a majority of yearly Forestry activities (Figure 9). As of 2024, Forestry is maintaining trees on a 5-7 year pruning cycle to maintain tree health and is making progress toward achieving a five-year pruning cycle (Figure 10). In 2022, the City reached the benchmark for a five-year pruning cycle for the first time, aided by an

additional one-year budget allocation for storm response in 2021 that supported additional pruning activities. This puts Fort Collins within a minority of U.S. cities that proactively manage their public tree inventory on a routine pruning cycle of any length. In 2021, the Division achieved a level of planting that exceeds removals, aided by \$100,000 in private donations for tree planting. Also in 2021, the Forestry Division began preventative treatments of public ash trees for emerald ash borer.

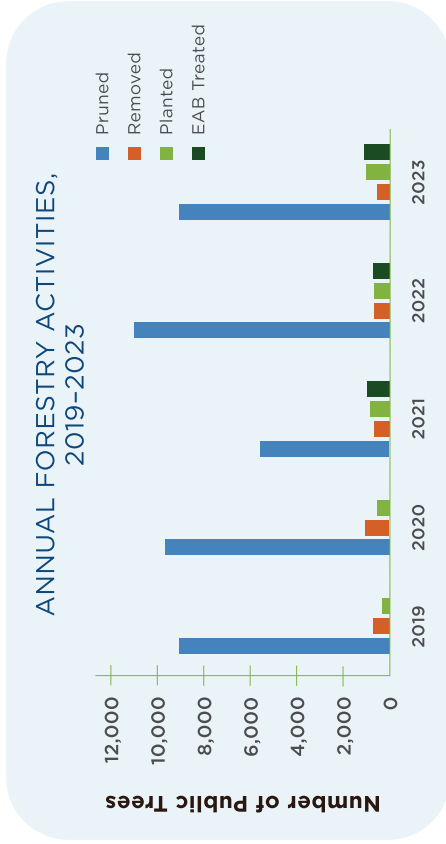


FIGURE 9. MOST OF THE FORESTRY DIVISION'S EFFORTS ARE SPENT ON PROACTIVE MAINTENANCE OF PUBLIC TREES.

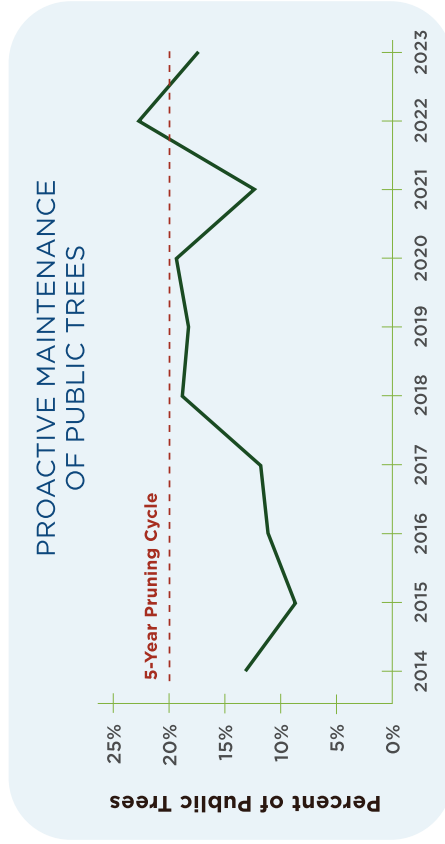


FIGURE 10. THE FORESTRY DIVISION IS APPROACHING A 5-YEAR PRUNING CYCLE FOR PUBLIC TREES. STRUCTURAL INTEGRITY, TREE HEALTH, LONGEVITY, AND FORM ARE IMPROVED THROUGH FREQUENT AND PROPER PRUNING.



Forestry Division Contributions to a High-Performing Government

Fort Collins' Forestry Division, housed within the Parks Department, provides a high level of service in the management of public trees.



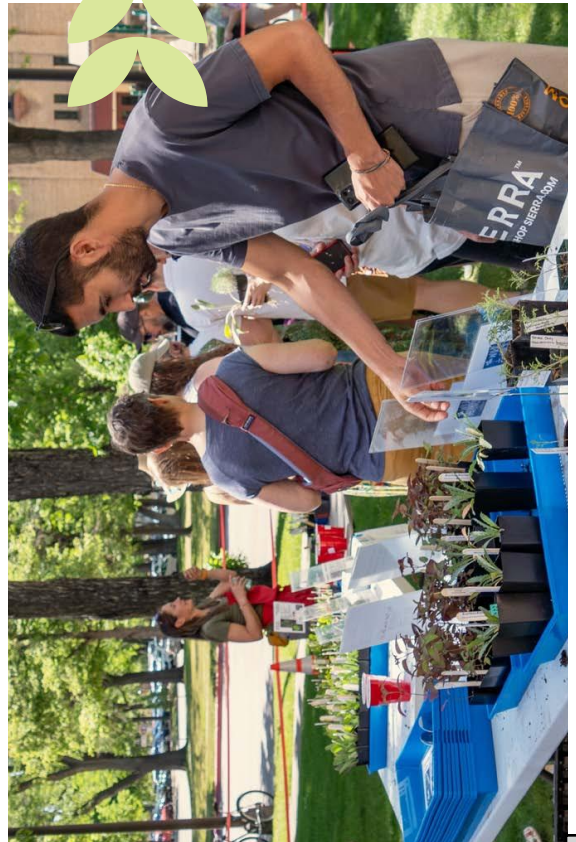
Data-Driven Management. Regularly updating the urban tree canopy assessment, inventory data, and other information in this Urban Forest Strategic Plan will assist Forestry with informed decision making. The information in this Plan can also be used to inform policy updates for the strategic growth and protection of the urban forest.



Resident involvement. Urban Forest Ambassadors are trained volunteers that assist the Forestry Division with inventory data collection. This program provides residents with an opportunity to learn more about their urban forest and contribute to its upkeep. Residents are also able to make requests related to public trees through Access Fort Collins. And more than 900 residents contributed their ideas to the creation of this Urban Forest Strategic Plan through participation in the planning process.



Integration with City Plans and Priorities. Trees and tree benefits are integrated into many City plans, including the City's strategic plan. There are future opportunities to increase Forestry involvement in planning efforts. Implementation of this Urban Forest Strategic Plan will enhance the ways that urban forestry can be related to city Outcome Areas.



FORT COLLINS' ANNUAL FORESTRY BUDGET IS ON PAR WITH OTHER CITIES WHILE DELIVERING A HIGHER LEVEL OF SERVICE

The Forestry Division is supported by the City's General Fund, which is the main operating fund for the City of Fort Collins. From 2019-2023, the Forestry Division's annual budget ranged from \$2.24 million to \$3.35 million. The proportion of total City budget that is

dedicated to Forestry is on par with that of other U.S. cities (Figure 11).

Forestry's budget supports tree activities that are completed by in-house staff and contractors. The largest annual expenditures relate to pruning (Figure 12).

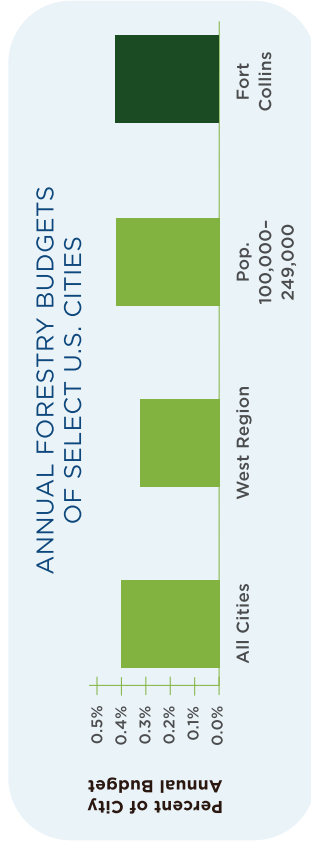


FIGURE 11. AS A PERCENTAGE OF THE TOTAL CITY BUDGET, FORT COLLINS IS ON PAR WITH THE AVERAGE FOR 463 CITIES THAT PROVIDED BUDGETARY INFORMATION TO A NATIONAL MUNICIPAL FORESTRY CENSUS.

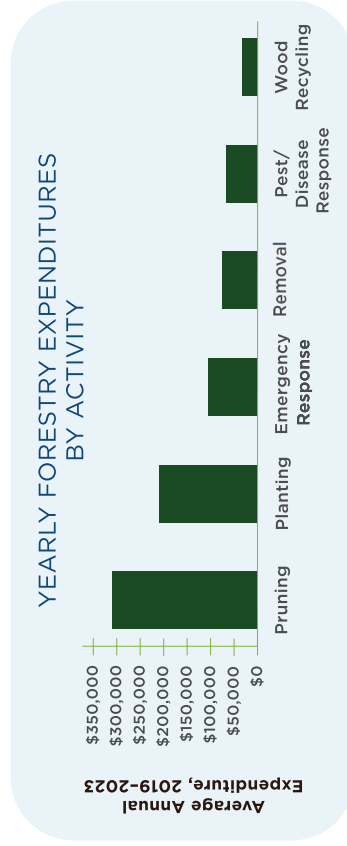


FIGURE 12. MOST OF THE FORESTRY DIVISION'S ANNUAL BUDGET FROM 2019-2023 WAS SPENT ON PRUNING PUBLIC TREES. PROACTIVE PRUNING HAS BEEN SHOWN TO REDUCE EMERGENCY RESPONSE EXPENDITURES BY UP TO 50%.

ADDITIONAL CAPACITY WILL HELP FORESTRY KEEP PACE WITH GROWTH

In 2024, the Division employs 17 full-time staff, 5 hourly staff, and receives part-time assistance from one office assistant. One additional full-time position, housed within the Zoning Department, supports Forestry needs that relate to development. The Forestry Division has identified additional needed capacity in the near term:

- **Planning & Policy Support.** An urban forest planner will help with grant writing, policy development, and the incorporation of the urban forest into long-range planning.
- **Consistent & Safe Operations.** An additional operations crew, fully equipped, will help Forestry consistently achieve a five-year pruning cycle. Additional operations capacity will also allow for crew rotations among different tree activities, which is important for helping existing staff to develop new skills and remain safe and healthy in physically demanding positions.
- **Contracted Services.** In the near term, an increase in contracted tree services can help the Forestry Division maintain the desired levels of pruning and planting until Forestry has the resources to support an additional operations crew. Thereafter, contracted tree services can supplement staff labor.
- **Growing with the Urban Forest.** New development will increase the number of trees in the public inventory. To maintain a high level of services, Forestry budgets, staffing, and resources should scale in proportion to inflation and increases in the number of public trees (Figure 13).



FORT COLLINS ON TRACK TO ACHIEVE 15.7% CANOPY COVER BY 2040

Fort Collins is on a path to achieve 15.7% tree cover by 2040 if the previous decade's trend continues. Increasing the rate of canopy growth to deliver additional human health and environmental benefits would require a concerted effort to increase tree planting and preservation within both the public and private sector (Figure 14).

For example, growing tree cover to 17%-20% by 2040 would require additional planting or preservation of approximately 2,600-8,800 trees per year across public and private lands. The costs of such an endeavor vary but, using Forestry's per-tree expenditure from 2019-2023

as a benchmark, costs are estimated to be \$1.3 million-\$4.3 million per year, spread across the public and private sector. Enhanced tree protection and preservation provides an alternative to tree planting to achieve the City's canopy goal.

The population of public trees (on City property) is projected to slow its growth in the next 20 years as available vacant planting sites are filled (Figure 15). This does not account for additional tree sites that are added via development, which has averaged 1,500-2,000 trees per year in recent years.

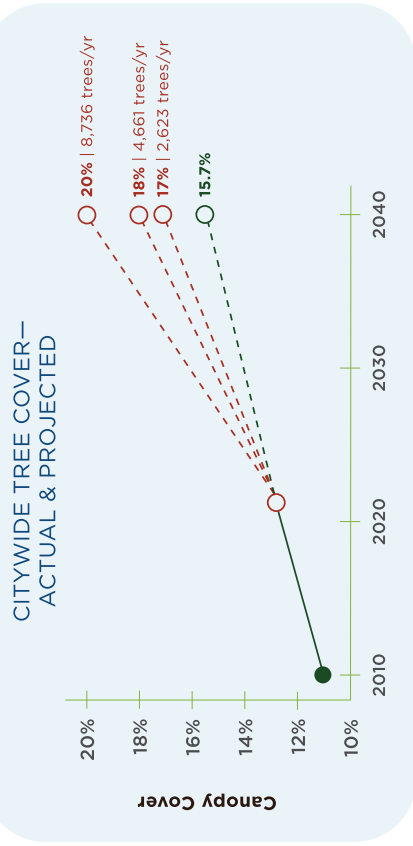


FIGURE 14. IF THE CURRENT TREND CONTINUES, TREE CANOPY COVER IS PROJECTED TO REACH 15.7% BY 2040. ACHIEVING HIGHER LEVELS OF CANOPY COVER BY 2040 WOULD REQUIRE A SUSTAINED INCREASE IN PUBLIC AND PRIVATE TREE PLANTING OVER TIME.



FIGURE 13. WITHIN EXISTING CITY LIMITS, THE PROJECTED PRUNING COSTS UNDER A FIVE-YEAR PRUNING CYCLE FOR PUBLIC TREE MAINTENANCE ARE PROJECTED TO GROW AT THE RATE OF INFLATION. THE NUMBER OF NEW TREES AND GROWTH OF TREES INTO LARGER SIZE CLASSES WILL BE OFFSET BY AN AVERAGE MORTALITY OF 1%-2% PER YEAR AMONG PUBLIC TREES.

Summary of Findings

- Over the past decade, the Forestry Division has increased the number of public trees that it plants and prunes each year. The City has made significant progress toward its goal of a five-year pruning cycle.
- The Forestry Division's budget is on par with the average forestry budget for U.S. cities, while delivering a level of service that is well above average.
- The Forestry Division is fully staffed and has identified needed capacity in grant writing, plan review, and operations. To provide a high level of service, meet its annual targets, and promote the health and career development of Forestry staff, the Forestry Division has a need for an additional operations crew and associated equipment in the coming years. Labor from contracted tree services can supplement Division capacity.
- In the future, Forestry Division resources should scale with the number of new trees that are added to the public tree inventory via development, the rate of inflation, and desired increases in the rate of tree canopy growth.



PUBLIC TREE POPULATION—ACTUAL & PROJECTED

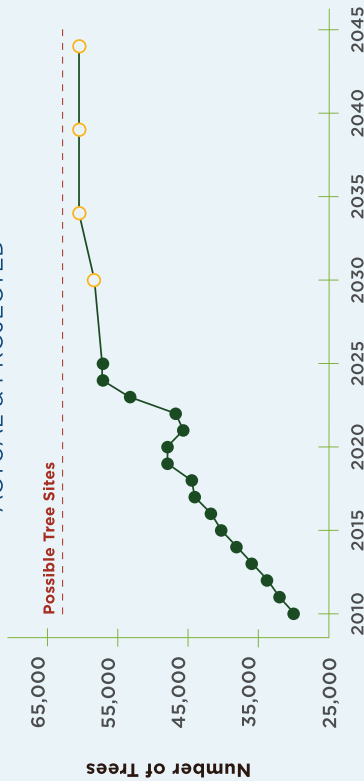


FIGURE 15. IF THE CURRENT RATE OF ANNUAL TREE PLANTING AND MORTALITY CONTINUES, THE PUBLIC TREE POPULATION WILL LEVEL OUT OVER THE NEXT 20 YEARS AS IT APPROACHES THE MAXIMUM NUMBER OF AVAILABLE PLANTING SITES (RED LINE). THIS DOES NOT ACCOUNT FOR NEW TREE PLANTING SITES THAT MAY BE CREATED BY DEVELOPMENT.





4 FUTURE GROWTH STRATEGIES



Future Growth Strategies

Three themes emerged from the strategic planning process to guide stewardship of Fort Collins' urban forest over the next 20 years:

THEMES:



BUILD RESILIENCE & WELLBEING OF PEOPLE AND TREES.

SUSTAINABLY GROW THE FORESTRY DIVISION.

EXPAND THE COMMUNITY'S KNOWLEDGE ABOUT TREE BENEFITS AND STEWARDSHIP.

The findings that are detailed above, as well as additional analysis that is presented in an accompanying technical appendix, informed the development of seven urban forestry Growth Strategies. Each Growth Strategy contains two levels of initiatives that can support implementation of this Urban Forest Strategic Plan. Fort Collins can select from, and refine, this menu of initiatives over the life of the Plan according to its capacity, resources, and community goals.

The Growth Strategies of the Urban Forest Strategic Plan reflect seven Outcome Areas that are detailed in the *City of Fort Collins 2024 Strategic Plan*. The most relevant Outcome Areas are listed for each strategy.





Growth Strategy 1.

STRATEGICALLY INVEST IN GROWING TREE CANOPY WHERE IT WILL PROMOTE RESILIENCE AND QUALITY OF LIFE IN FORT COLLINS.

.....

While tree canopy is growing in Fort Collins, it is not evenly distributed throughout the city. Forestry can support multiple community goals by targeting planting and maintenance where trees provide the most value. Creating a more comprehensive planting plan to guide planting decisions can help Forestry shift species composition, source trees, and spread out maintenance needs.

Outcome Areas:

- Neighborhood & Community Vitality
- Culture & Recreation
- Transportation & Mobility
- Environmental Health

FOUNDATIONAL INITIATIVES

- Prioritize equitable planting and maintenance within areas of greatest tree canopy loss that correspond to priority areas for human and environmental wellbeing.
- Implement a parks planting plan that aligns with the Living Tribute Tree program to strategically fill vacant planting sites in parks.
- Create a more comprehensive planting plan to fill vacant planting spaces over 10 years, prioritizing underserved areas where trees are needed most. Scale annual tree planting efforts to replace public tree losses due to natural mortality and other tree removals.
- Incorporate new species that are adapted to future climate conditions, for example, drought tolerant, pest/disease tolerant, and acclimated to warmer and more extreme temperatures.
- Work with water efficiency experts to create educational resources about trees and irrigation that include species guidance, proper tree watering techniques, and tree watering protocols for water conservation. Encourage the use of dedicated irrigation for trees.
- Grow the Community Canopy Program to supply more trees to residents for planting on private property, prioritizing areas where tree canopy is most needed.
- Influence and utilize Low Impact Development design to capture stormwater to water trees.

TRANSFORMATIONAL INITIATIVES

- Coordinate with other City departments to integrate trees into a complete streets framework. Prioritize planting and maintenance along bicycle routes.
- Undertake a study of bus stops to understand patterns of recent tree canopy loss, create solutions to increase tree cover, and reduce conflicts between trees and bus infrastructure.
- Coordinate with other City departments to use smart growth urban design principles to develop a comprehensive heat mitigation plan for the built environment that prioritizes vulnerable populations. Include strategies for development, land use, and tree preservation.
- Build tree connectivity to parks and schools.
- Develop and set canopy goals for different geographies, for example, by block group, land use, or district, with a focus on underserved populations.
- Shift species composition of the urban forest toward more climate-adapted and drought-tolerant species.
- Build species-level diversity of the public tree inventory. Track the use of cultivars and varieties.
- Explore a citywide tree canopy goal that can inform planting and protection objectives for private property.
- Provide species guidance for tree giveaways and private planting.

Foundational & Transformational Initiatives



- **Foundational Initiatives.** May be simpler to implement, or more urgent, or strategies that must be completed before Transformational Initiatives can be tackled.
- **Transformational Initiatives.** May be more complicated or difficult to implement, or they may represent standalone strategies that are complex or on a long implementation horizon, but overall they may provide more value to the forestry program and the City's larger community goals and Outcome Areas.



Growth Strategy 2.



COMPLETE THE SHIFT TO PROACTIVE MANAGEMENT OF FORT COLLINS' PUBLIC TREES.

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The Forestry Division strives for a five-year pruning rotation to maintain the health of public trees, create safe public spaces in the community, and reduce the cost of storm and emergency response.

Outcome Areas:

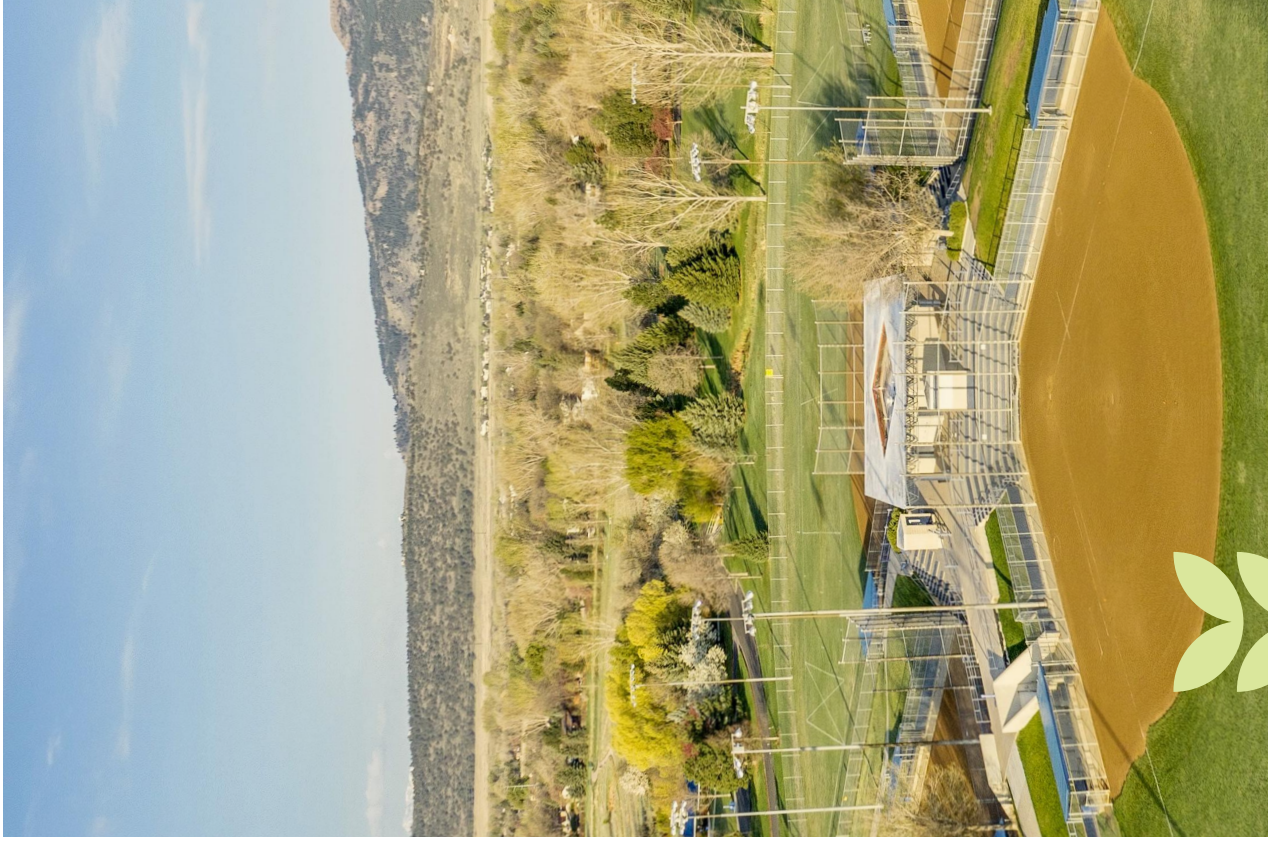
- Economic Health
- Safe Community
- High-Performing Government

FOUNDATIONAL INITIATIVES

- Implement a five-year routine pruning cycle.
- Plan to scale up pruning activities as additional trees are added to the inventory.
- Use the existing tree inventory to inform management decisions based on species and size.
- Create an urban forest management plan that details Forestry operations over the next 5-10 years.
- Incorporate the storm response plan, the City's strategic plans, Parks Master Plan, Our Climate Future plan, and other city management plans into urban forestry operations.

TRANSFORMATIONAL INITIATIVES

- Collect more detailed public tree inventory data to guide management that is based on risk rating, recommended maintenance, and/or related metrics.
- Project tree benefits under different management scenarios.
- Proactively implement climate adaptation strategies for multi-generational tree survivability and success.





STRENGTHEN CITY POLICIES TO PROTECT TREES.

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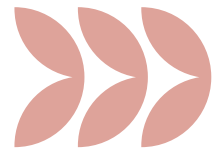
In 2024, Fort Collins' municipal code focuses on the stewardship of public trees; however, only 12% of the City's tree canopy is publicly owned. Opportunities to protect trees on both public and private land—whether through policy or incentives—can help curb canopy losses, mitigate heat, and protect community tree benefits.

Outcome Areas:

- Neighborhood & Community Vitality
- Environmental Health

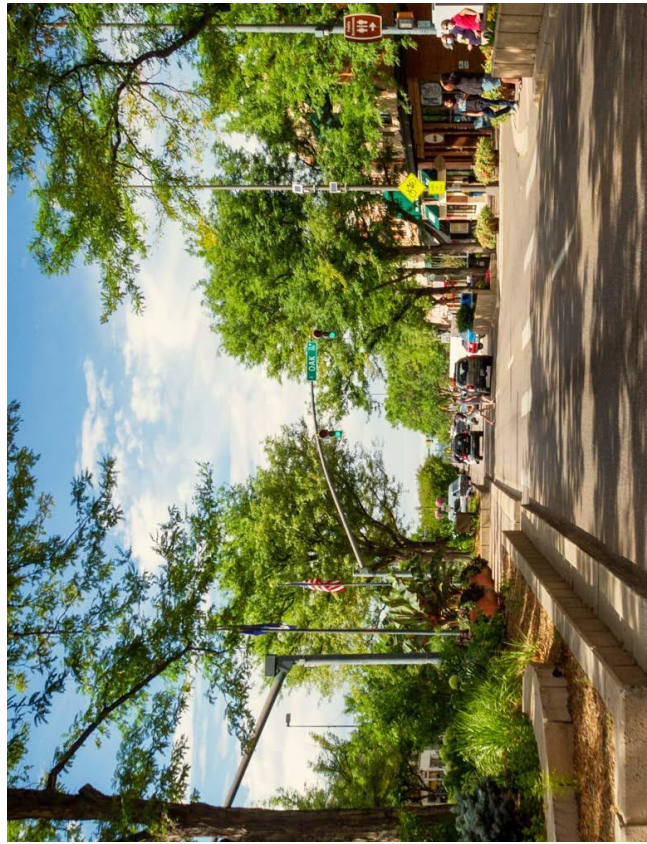
FOUNDATIONAL INITIATIVES

- Engage the community in adopting a citywide land use code to improve tree preservation and protection while balancing other priorities and needs of the community.
- Draft a heritage tree program that allows for the elective enrollment and protection of trees that have cultural, historic, or ecological value.
- Create policy summaries or tip sheets that clarify the responsibility for tree maintenance in spaces including alleyways, property boundaries, and ditches.
- Plan for education and outreach that will guide tree protection for development scenarios on private land.
- Reference existing good practices—best management practices and manuals, ISA Certified Arborist requirements, wood utilization program—in city code.
- Develop an adaptable response strategy for current and future threats from insect and disease.



TRANSFORMATIONAL INITIATIVES

- Clarify the legal responsibility for trees within vacant and boundary areas (land without ownership) to encourage the protection and growth of tree canopy.
- Plan for tree preservation and tree canopy expansion within areas in the Growth Management Area that are to remain as future green space as identified by the Parks & Recreation Master Plan and the Natural Areas Strategic Framework.
- Demonstrate the role for trees in outdoor water efficiency by creating water-smart landscapes that incorporate trees on City property.
- Explore and expand tree protection and preservation policies within the Land Use Code to apply to non-development scenarios.
- Create educational support, incentives, and potential policy improvements to help homeowners and private property owners achieve long-term success in tree planting and preservation.
- Require landfill diversion for wood waste that originates from private land.



Growth Strategy 4.



COLLECT DATA TO TRACK CHANGES TO TREE CANOPY OVER TIME AND TO INFORM FORESTRY ACTIVITIES.

.....

Accurate, up-to-date data informs sound decision making. Regular urban tree canopy assessments and tree inventory updates will provide information that can help the Forestry Division evaluate progress and refine management strategies.

Outcome Areas:

- High-Performing Government

FOUNDATIONAL INITIATIVES

- Repeat an urban tree canopy assessment in five years using 2026 data to measure canopy change. Collaborate with other City departments to expand the analysis to include additional land cover types and geographies.
- Map existing public trees that are under threat from pests and/or drought using inventory data; look for trends that may inform tree activities.
- Complete data fields for all public trees about irrigation status and emerald ash borer treatment priority.
- Conduct a sample inventory of natural areas in alignment with the Natural Areas Strategic Framework.

TRANSFORMATIONAL INITIATIVES

- Repeat an urban tree canopy assessment in two years to capture early canopy changes due to emerald ash borer. Apply advanced mapping options to guide and measure the effects of policy changes.
- Update the public tree inventory on a five-year cycle.
- Use a sample inventory to evaluate tree species composition across the Growth Management Area to better understand resilience of the urban forest to pests, diseases, abiotic stressors, and climate change.





TRANSFORMATIONAL INITIATIVES

- Use resource management software to track public requests.
- Create an urban forestry planner position.
- Annually or biannually report to the public on tree activities.
- Link tree activities to health, social, and environmental data, and to community data (transit ridership, cycling/pedestrian stats, city Outcome Areas) as available.
- Add at least one additional, fully equipped Forestry crew.
- Implement a staff rotation schedule. Regularly rotate Forestry staff to different teams to provide rest from physical labor and build knowledge across the team.
- Increase the space that is available to Forestry for operations, equipment, and wood waste. Locate space where it can maximize efficiency of fuel use and time.
- Increase the budget for tree maintenance over time as young trees grow.
- Create new sources of sustained funding, such as a Tree Fund, and align with City Give.

SUSTAINABLY RESOURCE THE FORESTRY DIVISION TO KEEP PACE WITH GROWTH OF THE URBAN FOREST.

As the urban forest grows, additional capacity and a sustainable funding stream will be needed to keep pace with growth of the public tree inventory. Additional metrics about tree activities will be helpful for internal planning, budgeting, and reporting to both City Council and the community.

Outcome Areas:

- Economic Health
- High-Performing Government

FOUNDATIONAL INITIATIVES

- Internally track public requests that are submitted via phone and email.
- Regularly report on budget expenditures by tree activity.
- Create work plans to make efficient use of personnel and budget.
- Acquire additional staff for tree planting/preparation and pruning.
- Add capacity for grant writing and reporting.
- Pursue grants and other limited funding opportunities.
- Contribute to local initiatives to expand the green workforce.
- Align strategies with *Our Climate Future* and leverage funding from the 2050 Tax.





TRANSFORMATIONAL INITIATIVES

- Integrate forestry activities with implementation of the Active Modes Plan. Engage with Active Modes stakeholders including the cycling community.
- Expand engagement and volunteer opportunities into communities with health and social vulnerabilities.
- Align wood utilization efforts with larger Zero Waste initiatives.
- Engage with parks advocates; see Nature in the City and 15-Minute Walk campaigns.
- Engage with the business sector to promote trees for economic development, for example, by using trees to provide seasonal interest (e.g., Holiday Lights) and create inviting and comfortable spaces.
- Enlist community organizations to engage with their networks on topics including tree benefits, tree responsibilities, policy development, and volunteer opportunities.
- Work with other City departments and initiatives to develop and deliver coordinated education about holistic landscape management that considers trees, water, and the climate.
- Create resources on wood utilization best management practices for the public.
- Provide financial resources to assist property owners with private tree planting, maintenance, and preservation.
- Expand volunteer opportunities to assist with activities such as young tree pruning, watering assistance during drought, or community education.
- Create tip sheets that explain city code and policies in accessible, translated, and easy-to-understand language.

DEEPEN ENGAGEMENT WITH THE COMMUNITY ABOUT TREE STEWARDSHIP.

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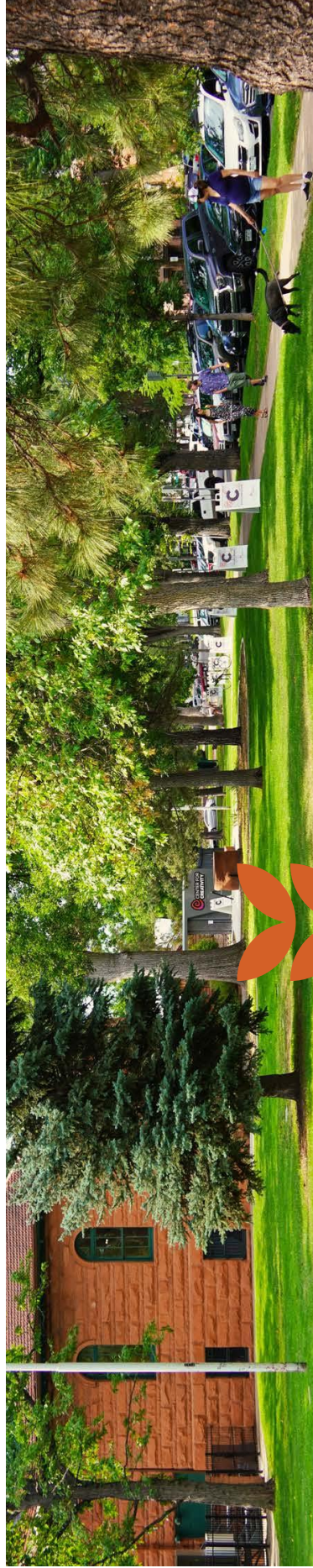
There is a great amount of support for trees and urban forestry in Fort Collins from the public, officials, and the surrounding region. This public support can help facilitate conversations about private tree protections and expand engagement to new community sectors.

Outcome Areas:

- Neighborhood & Community Vitality
- Environmental Health

FOUNDATIONAL INITIATIVES

- Engage the public in policy updates that protect trees on private property.
- Continue and grow the Urban Forest Ambassador program.
- Provide educational resources to assist property owners with private tree planting, maintenance, and preservation.



Future Growth Strategies



Growth Strategy 7.



EXPAND THE NETWORK OF FORESTRY DIVISION PARTNERS.

.....

Technical partnerships within urban forestry are abundant across the Front Range—see for example the Colorado Tree Coalition, the Front Range Urban Forestry Council, and the Emerging Pests in Colorado (EPIC) Committee. Increasing Fort Collins’ presence and role within these collectives can promote greater knowledge sharing and adaptability for the city while building staff technical skills. Involvement can also promote adoption of the latest guidance and standards.

Outcome Areas:

- Safe Community
- High-Performing Government

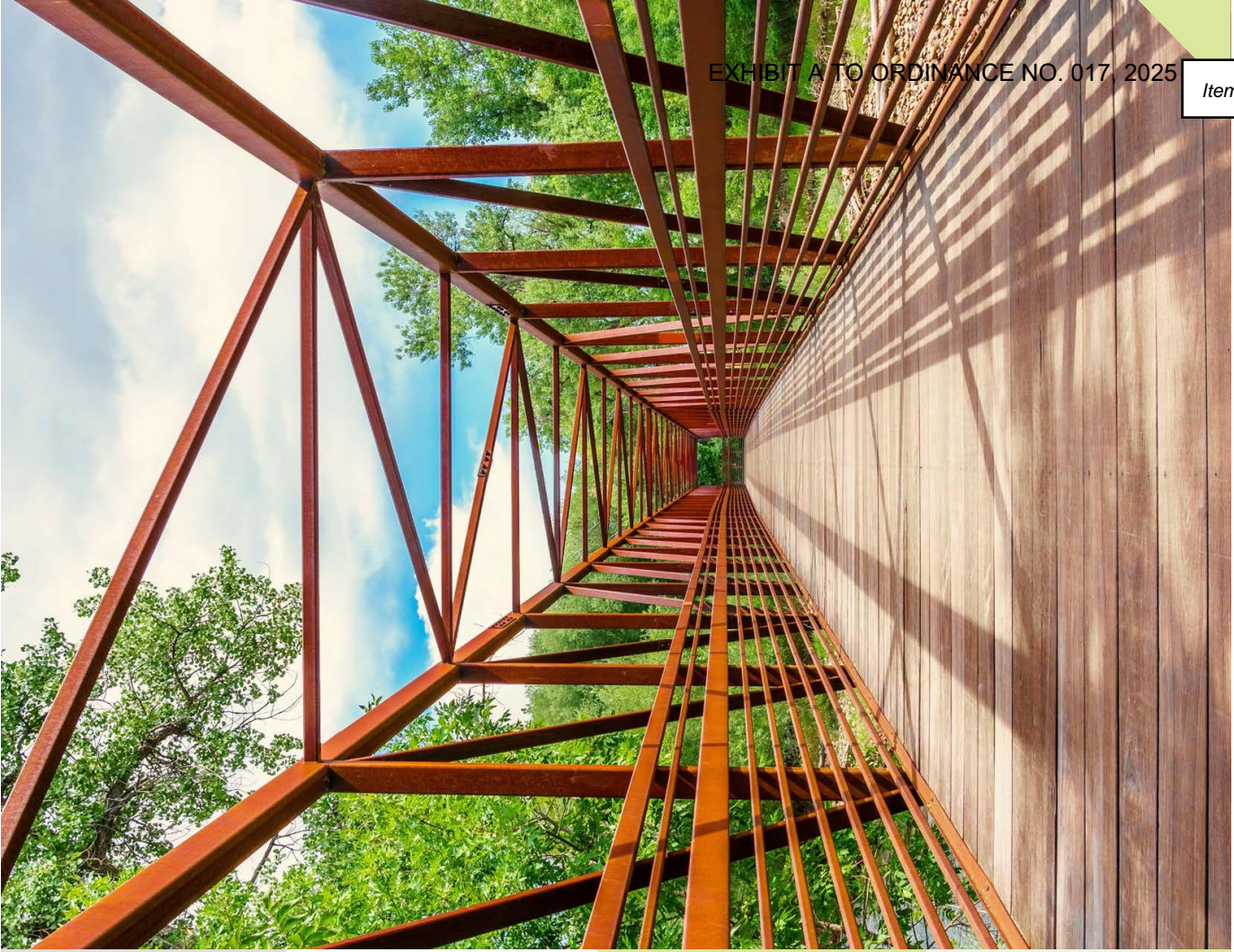
FOUNDATIONAL INITIATIVES

- Continue regional work with nursery growers to secure the quantity and types of climate- and pest-adapted trees that will be needed to meet planting goals.
- Share urban forestry resources and knowledge with neighboring communities.
- Expand staff involvement in regional urban forestry networks; provide additional opportunities for staff that contribute to career development.

TRANSFORMATIONAL INITIATIVES

- Encourage large corporate and institutional campuses to develop tree plans.
- Continue engagement with partners about management of public trees.
- Contribute expertise about trees and urban forestry in regional planning efforts that relate to climate resilience, complete & green streets, human health, wood utilization, etc.
- Continue to support the wood waste program and grow the regional network of urban woodworkers and wood utilization partners.





5

MOVING FORWARD

Moving Forward

Other holidays
repose upon the
past; Arbor Day
proposes for
the future.

—J. Sterling
Morton

The trees in Fort Collins represent the deliberate, sustained stewardship of its residents over the past 160 years. Growth of the urban forest over the next two decades, and adaptation to increase its resilience in the face of future threats, will similarly require deliberate and sustained care.

The Forestry Division is well positioned to lead this effort. It has set an example of collaboration and proactive maintenance. In recent years, the Division has hit two milestones that promote the growth and health of public trees, efficient operations, and public safety: planting that surpasses tree removals, and pruning at a level that is needed to achieve a 5-year pruning cycle.

To maintain this level of service over the next 20 years, the City should make near-term plans for a permanent, modest increase in Forestry Division resources to consistently meet these management targets. Thereafter, Division resources should plan to scale with the number of new trees that are added to the public tree inventory via development, the rate of inflation, and desired increases in the rate of tree canopy growth. Grants, as well as resources such as a Tree Fund, can supplement City funding streams.

In return, tree benefits to the people of Fort Collins—including cooler, cleaner air and water efficiency—will grow and become more equitable, promoting wellbeing and sustainability over the next two decades and beyond.

IMPLEMENTATION & METRICS

The following table summarizes metrics and near-term implementation steps by Growth Strategy. It is not an exhaustive list, and it is expected that this information will change over time as the Urban Forest Strategic Plan is implemented.

1. STRATEGICALLY INVEST IN GROWING TREE CANOPY WHERE IT WILL PROMOTE RESILIENCE AND QUALITY OF LIFE IN FORT COLLINS.

Timeframe: 10-15 years.

Next Steps: Create a more comprehensive planting plan that focuses on underserved neighborhoods and low-canopied areas.

Resources: Regional forestry partners, scientists, local nurseries; transportation partners; grant funds for tree planting.

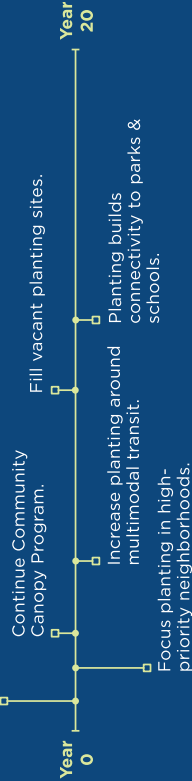
- Metrics:**
- Tree canopy cover: mean & variability.
 - Public trees: number, size, condition, species diversity.
 - Number of trees given to residents through the Community Canopy Program.
 - 15-Minute City priority of City Council.
 - Third-party metrics and planning frameworks for connectivity and social equity, such as Safe Routes to Schools and the Tree Equity Score (American Forests).

Success Looks Like:

- Growth in tree canopy over time.
- Smaller difference between areas of high and low tree canopy.
- Higher proportion of drought- and pest-resistant trees.
- Reduction in daytime and nighttime summer temperatures and the difference in temperature across the Growth Management Area.
- Residents will live within a 15-minute walk to nature and will have trees visible from where they live, work, and play.

Implementation Timeline

Create a more comprehensive planting plan.



2. COMPLETE THE SHIFT TO PROACTIVE MANAGEMENT OF FORT COLLINS' PUBLIC TREES.

- Timeframe:** 5 years.
- Next Steps:** Create an urban forest management plan.
- Resources:** Urban Forest Ambassadors, pruning contractors.
- Metrics:**
- Proportion of public trees pruned each year.
 - Per-tree maintenance expenditures.
 - Value of tree benefits.
 - Expenditures on emergency response.
 - Number of public requests.
 - Number and credentials of Forestry staff.
 - Annual Forestry budget; Forestry allocations, and supplemental funding.
- Success Looks Like:**
- A sustained five-year routine pruning cycle.
 - An increase in the proportion of mature trees.
 - Reduced expenditures for emergency and storm response.
 - Growth in tree canopy benefits over time.
 - Land use incentives prioritize tree benefits and tree canopy equity for the people of Fort Collins.
 - Proactive climate adaptation strategies for long-term tree survivability.

Implementation Timeline



3. STRENGTHEN CITY POLICIES TO PROTECT TREES.

- Timeframe:** 5 years.
- Next Steps:** Begin public outreach about private tree protection, create tip sheets about existing policies.
- Resources:** City Council, peer cities.
- Metrics:**
- Tree canopy cover by land use.
 - Volume of diverted wood waste.
 - Number of participants in community outreach activities.
 - Gallons of outdoor water consumption.
- Success Looks Like:**
- An increase in net canopy growth on private property.
 - A public register of Fort Collins' heritage trees.
 - Expansion of the wood reutilization network.
 - Updated city code that reflects urban forestry best management practices and industry standards.
 - Best management practices for sustainable and water-efficient landscapes.

Implementation Timeline

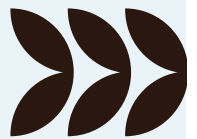
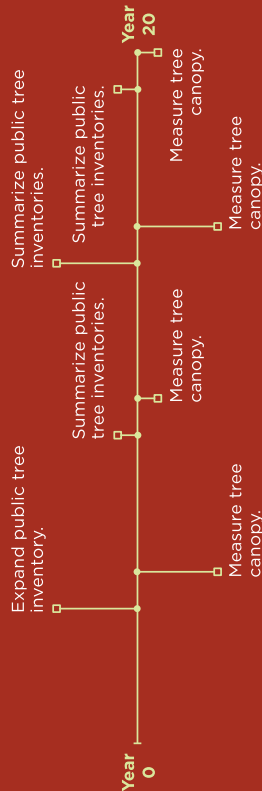




4. COLLECT DATA TO TRACK CHANGES TO TREE CANOPY OVER TIME AND TO INFORM FORESTRY ACTIVITIES.

- Timeframe:** Every 2-5 years.
- Next Steps:** Expand the attributes that are collected within the public tree inventory; plan for an updated urban tree canopy assessment.
- Resources:** Urban Forest Ambassadors, GIS specialists, ISA Certified Arborists, consultants
- Metrics:**
- Up-to-date tree canopy studies and data.
 - Expanded public tree inventory attributes, including risk and irrigation status.
- Success Looks Like:**
- Management and budgeting decisions are grounded in up-to-date information about public trees and citywide tree canopy.
 - Forestry activities are related to City Outcome Areas and other community goals.

Implementation Timeline



5. SUSTAINABLY RESOURCE THE FORESTRY DIVISION TO KEEP PACE WITH GROWTH OF THE URBAN FOREST.

- Timeframe:** 5-10 years.
- Next Steps:** Increase tracking of resident requests and annual reporting of tree activities.
- Resources:** City Council, Parks Department, Forestry Division staff.
- Metrics:**
- Grant awards received.
 - Annual work plans.
 - Annual tree activities by type.
 - Budget requests & expenditures, by category.
 - Number and tracking of public work requests.
 - Number and credentials of Forestry Division staff.
 - Number of missed work days due to injury.
- Success Looks Like:**
- Improved internal tracking on public requests and tree activities.
 - Increased public understanding and support of Forestry Division activities and budget.
 - Consistent, measured biannual budget increases.
 - Planned, sufficient growth of Division staffing and resources.
 - Successful grant requests.
 - A sustainable work environment that prioritizes employee health and wellbeing inside and outside of the workplace.

Implementation Timeline



6. DEEPEN ENGAGEMENT WITH THE COMMUNITY ABOUT TREE STEWARDSHIP.

- Timeframe:** 5–7 years.
- Next Steps:** Increase community engagement about tree care; expand Forestry participation in other City departments' planning efforts.
- Resources:** Urban Forest Ambassadors, Planning and Development Services.
- Metrics:**
- Number of Urban Forest Ambassadors.
 - Accessible tip sheets and written resources.
 - Public participation.
 - City plans that integrate trees.
 - Resources provided to the public for tree planting and care.
 - Tree ordinances and code updates.
 - Forestry staff public appearances, media coverage, web/social media impressions.
- Success Looks Like:**
- Growth in the number of volunteers
 - An increase in the volume of wood waste that is diverted from landfills.
 - Increased net growth of tree canopy on private land.
 - Incorporation of trees in other City plans and initiatives, prioritizing urban heat and equitable distribution of canopy.
 - Expanded funding for tree planting and stewardship on private land.

Implementation Timeline



7. EXPAND THE NETWORK OF FORESTRY DIVISION PARTNERS.

- Timeframe:** 3–5 years.
- Next Steps:** Form a committee to guide implementation of the Urban Forest Strategic Plan.
- Resources:** Colorado Tree Coalition, Front Range Urban Forestry Council, other regional groups.
- Metrics:**
- Number of regionally sourced trees.
 - Number of Forestry staff involved in regional groups/discussions.
 - Institutional/large campus tree plans.
 - Regional resources.
- Success Looks Like:**
- Increase in locally sourced trees.
 - An increase in the number of staff who participate in partner activities.
 - Equitable tree plans that are developed by institutions.
 - An increase in regional resources about trees.

Implementation Timeline





6 SELECTED REFERENCES & GLOSSARY



Selected References

Complete references can be found in the Fort Collins Urban Forest Strategic Plan Technical Appendix.

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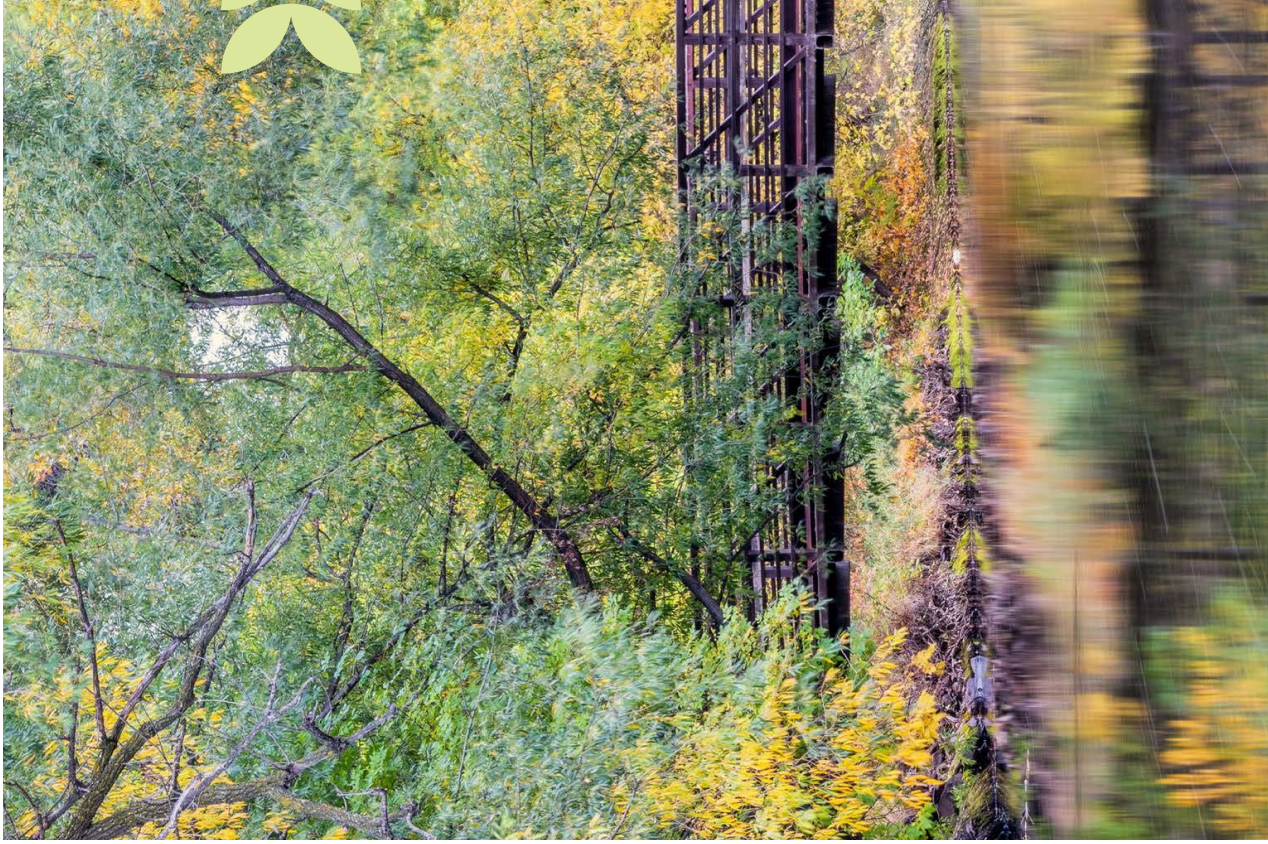
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Glossary

- Biodiversity:** The variety of life that is found in a habitat or ecosystem.
- Block Group:** Federally defined geographic areas that are variable in size and typically contain between 600–3,000 residents.
- Carbon Sequestration:** The removal of carbon from the atmosphere to be stored within tree tissues.
- Conservation:** The careful preservation and protection of a resource, such as water or natural areas.
- Ecosystem Services:** The collection of social, environmental, and economic benefits that ecosystems provide to communities.
- Environmental Justice:** The just treatment and meaningful participation of all people to mitigate inequities and harms in the environment.
- Equity:** Equal access within a community to the same benefits, opportunities, and outcomes, factoring in systemic inequalities.
- Genus (plural, genera):** A grouping of closely related species.
- Geographic Information Systems (GIS):** Technology that is used to capture, store, manipulate, analyze, and display geographic data.
- Growth Management Area:** The area outside Fort Collins' city limits that delineates the possible future extent of city boundaries.
- Habitat:** The sum of the physical, chemical, and biological environment occupied by a particular species, population, or community.
- Land Use:** Describes the human use of land for cultural and economic purposes.

Possible Planting Area: An area of land where it is possible to plant trees; excludes places where tree canopy would conflict with existing land uses.

Priority Planting Analysis: A process to rank possible tree planting area based on the potential for trees to benefit the environment, human health, and social equity.

Resilience: The ability to withstand and recover from stressors such as pests, diseases, and drought.

Social Equity: The fair, just, and equitable management of resources and institutions that serve the community.

Stewardship: The responsible care and management of a resource.

Stormwater Runoff: Surface water that is not absorbed after a rainstorm or snow melt that flows into local waterways.

Tree: A woody plant that reaches a height of 15 feet or more at maturity.

Tree Benefit: A service that trees provide that improves the environment for people, plants, and wildlife.

Tree Canopy: The upper layer of foliage and branches of trees as seen from above.

Tree Canopy Change: A measure of how tree canopy cover differs from one point in time to another, expressed in acres and/or as a percentage.

Tree Canopy Cover: The amount of land that is covered by tree canopy as seen from above, expressed as a percentage of the total land area.

Urban Forest: The collection of trees growing along streets, in public parks and natural areas, and in the yards of homes, schools, and businesses.

Urban Heat Island: Urban areas that experience higher temperatures than nearby rural areas due to buildings and paved surfaces that trap and hold heat.

Vulnerability: Being able to be damaged or harmed.







Rooted In Community

Urban Forest Strategic Plan

Appendix

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About This Document

This appendix, prepared by Davey Resource Group, Inc., accompanies the Fort Collins Urban Forest Strategic Plan (2024). It provides more detailed information about the methodology and findings that underlie the Plan and its Future Growth Strategies.



Strategic Planning Framework

When viewed from above, the green tree canopy of Fort Collins stands out against the surrounding steppe, shrubland, and grassland of the Front Range. Trees that have been planted over the past 160 years have grown to become one of the hallmarks of the city, enhancing the natural beauty and hospitality of the Cache la Poudre River valley.

The city of Fort Collins is in a period of growth—the city is expected to add 70,000 new residents by 2040 (City Plan, 2019). The shade, cooling effects, and carbon absorption of trees will make tree canopy a key component in regional approaches to climate mitigation, adaptation, and resilience as the city grows. Trees make streets and sidewalks safer and more comfortable for cycling, walking, and public transit. Trees cool the air, helping residents to save on energy costs and reducing the incidence of heat-related illness. Trees also capture stormwater and help to conserve irrigation water by cooling the ground and air.

In recent years, the city's Forestry Division, founded in 1977, has been moving toward a more proactive approach to managing public trees. This Urban Forest Strategic Plan summarizes the state of Fort Collins' urban forest, the near-term outlook for its public trees, the forestry program, public sentiment, and the City's planning and policy framework. Then it proposes seven recommendations with tiered actions that the City can take to ensure that its urban forest remains healthy and vibrant into the future.

THE URBAN FOREST STRATEGIC PLAN

An urban forest strategic plan is a comprehensive plan for the management, protection, and improvement of the urban forest. It analyzes the existing condition, value, and resources of the urban forest and outlines a vision for the future, guided by input from the community. The plan provides a roadmap for implementation by prioritizing initiatives and actions to improve the urban forest over time. The development of an urban forest strategic plan is an important step in ensuring the long-term sustainability and resilience of the urban forest.

In 2023, the Forestry Division partnered with Davey Resource Group, Inc. to develop the *Fort Collins Urban Forest Strategic Plan*. The plan uses the principles of *adaptive management* to establish a 20-year vision for managing the urban forest (figure 1). Adaptive management is commonly used for resource planning and management and provides a conceptual framework for managing the urban forest. It seeks to develop an effective plan by answering a series of questions about Fort Collins' present and future:



Adaptive Management Process

1. **What do we have?** We looked at Fort Collins' existing urban forest, its current management, and public perception about trees. We put this into context by examining climate and social factors and the City's policy and planning framework.
2. **What do we want?** We engaged with City staff, partners, and the public and incorporated existing planning documents and urban forestry industry tools to identify priorities for the urban forest and the desired outcomes for the Forestry program.
3. **How do we get there?** We looked for gaps, opportunities, challenges, and desires for future canopy growth, social equity, staffing, and alignment with Fort Collins' future plans. This guided the creation of goals, initiatives, and actions that will be needed to achieve the desired outcomes.
4. **How are we doing?** We developed methods to create responsibility and accountability for the plan through audits and evaluations. Resulting metrics and information will feed back into the future adaptive management approach by providing an updated perspective on "What do we have?".

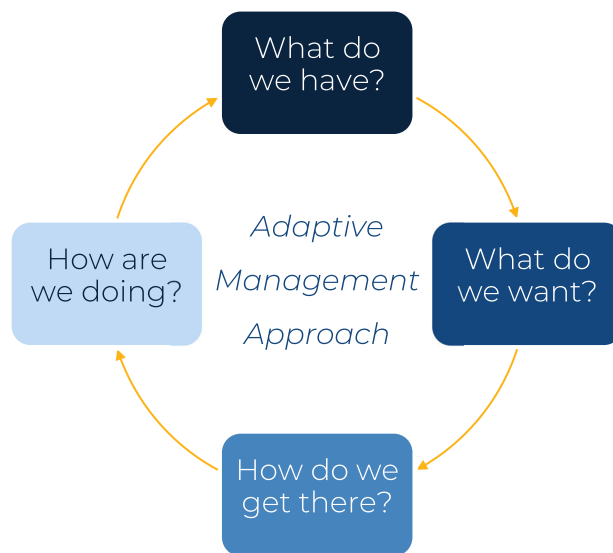


Figure 1. The adaptive management planning process used to create the Urban Forest Strategic Plan.





Trees Support Fort Collins' Strategic Objectives

Fort Collins' 2024 Strategic Plan outlines seven Key Outcome Areas by which the city measures progress toward the vision and goals of its comprehensive plan:

1. High Performing Government
2. Culture & Recreation
3. Economic Health
4. Environmental Health
5. Neighborhood & Community Vitality
6. Safe Community
7. Transportation & Mobility

Trees relate to each of these seven Outcome Areas through the many social, ecological, and economic benefits that trees provide. Tree benefits and their relationships to the City's Key Outcome Areas are detailed throughout this document—look for the tree icon.



Fort Collins' Urban Forest

Fort Collins' urban forest includes trees growing along streets, in public parks and natural areas, and in the yards of homes, schools, and businesses. Together, these trees are a dynamic, living system that provides invaluable environmental, economic, and societal benefits to enhance the quality of life in Fort Collins.

URBAN TREE CANOPY

An **urban tree canopy assessment** was conducted by Davey Resource Group, Inc. in collaboration with the City of Fort Collins to better understand the city's urban tree canopy—where it is, how it's changing, the benefits it provides to residents, and where potential tree planting opportunities exist. The urban tree canopy assessment uses aerial imagery to measure the amount of tree canopy on both public and private property as viewed from above.

The urban tree canopy assessment analyzed 2021 high-resolution aerial imagery of Fort Collins to determine:

- **tree canopy cover by land use and geography:** land area that is shaded by trees when viewed from above, summarized by social and political boundaries
- **change in tree canopy cover from 2011–2021 by land use and geography:** how tree canopy cover has changed within social and political boundaries over the past decade
- **ecosystem benefits analysis:** estimates the benefits provided by the city's entire tree canopy
- **priority planting analysis:** prioritizes possible tree planting locations by stormwater, urban heat island, social equity, and human health benefits
- **tree placement analysis:** characterizes potential planting areas based on their suitability for large-, medium-, and small-stature trees

The information derived from the urban tree canopy assessment:

1. Establishes a baseline of tree canopy cover for future analysis
2. Estimates the rate of change in tree canopy over the past decade
3. Estimates the public benefits that are provided by existing tree canopy
4. Can help inform decision making about urban forest management, tree preservation, and future planting

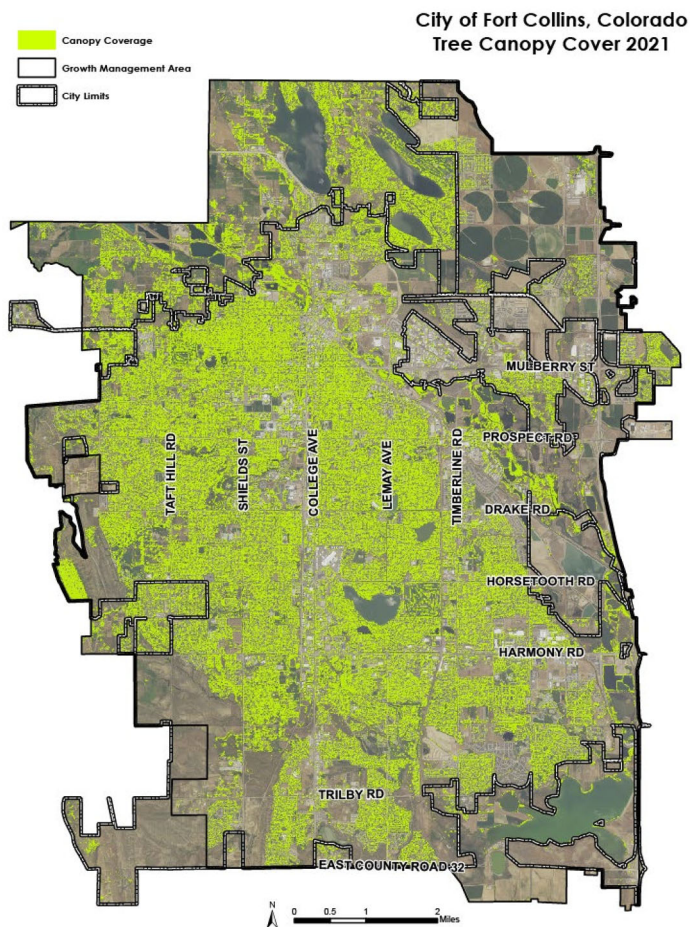


Tree Canopy Cover and Change, City Limits & Growth Management Area

The urban tree canopy assessment measured tree canopy cover within current city limits. To provide a baseline for growth over the next 20 years, the assessment also measured tree cover across city limits plus the growth management area.

Within the current city boundaries, Fort Collins has 5,116 acres of tree canopy, equal to 13.7% tree cover (map 1). The growth management area includes an additional 1,280 acres of tree canopy, bringing the total tree canopy area for city limits plus the growth management area to 6,396 acres (12.6% cover).

Tree canopy cover derived from 2021 aerial imagery was compared to a 2011 tree cover analysis that was conducted by PlanIt Geo to examine how tree canopy has changed across Fort Collins in the prior decade. During this period, Fort Collins experienced a net gain of 753 acres within city limits and a total gain of 936 acres of tree canopy across city limits plus the growth management area (equivalent to 708 football fields), a net increase of 17.2% tree cover since 2011.



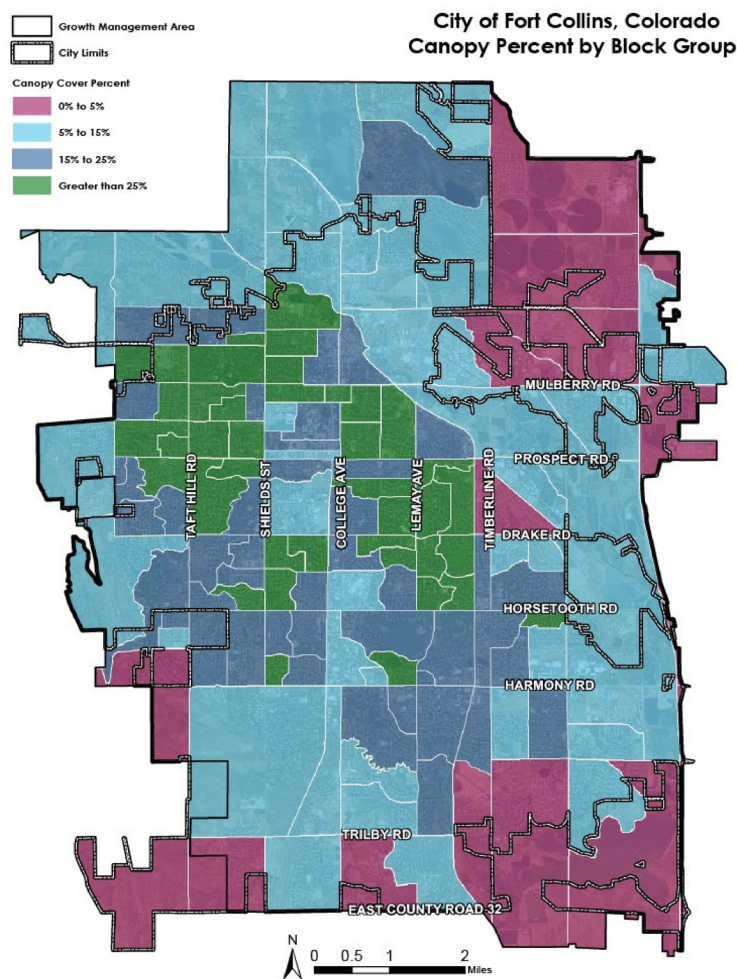
Map 1. Tree canopy cover in Fort Collins city limits and the growth management area, based on 2021 high-resolution aerial imagery.



Tree Canopy Cover and Canopy Change by US Census Block Group

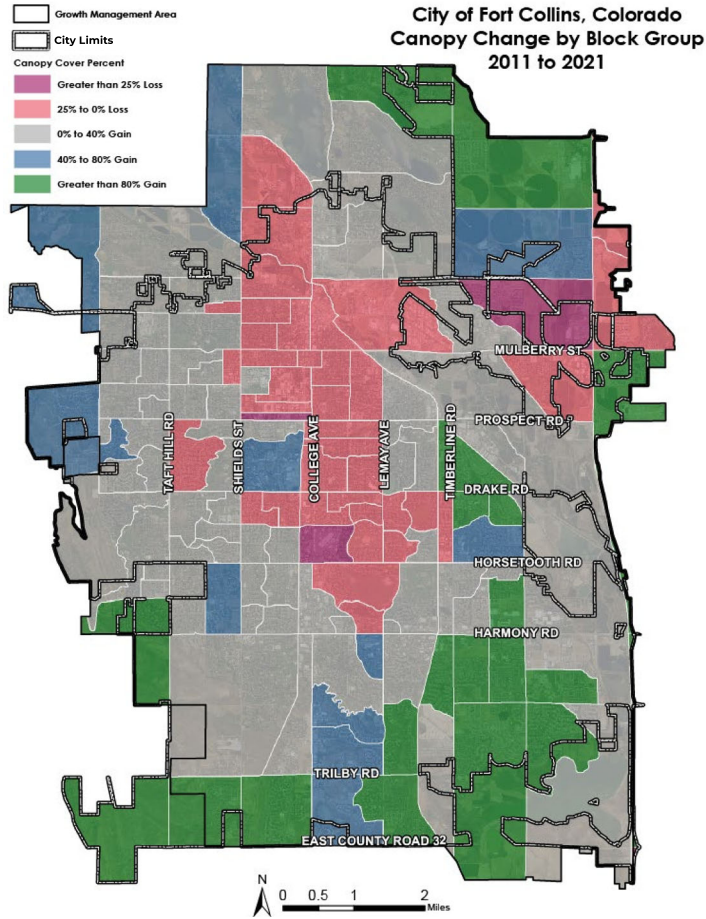
US Census *block groups* are federally defined geographic areas that are variable in size and typically contain between 600–3,000 residents. Block groups make for useful study areas due to the wide variety of sources that use census boundaries to report social and economic data. In Fort Collins during the 2020 U.S. Census, there were 137 block groups ranging in size from 2–3,025 acres.

Among Fort Collins’ block groups, tree cover ranges from <0.1% to 41% (map 2). From 2011–2021, 69% of block groups experienced tree canopy growth (maximum growth: +378% tree cover), while 30% of block groups lost tree canopy (maximum loss: -53% tree cover; map 3; figure 2).



Map 2. Tree canopy cover within Fort Collins city limits and the growth management area by U.S. census block group.





Map 3. Tree canopy change by U.S. census block group, 2011–2021.

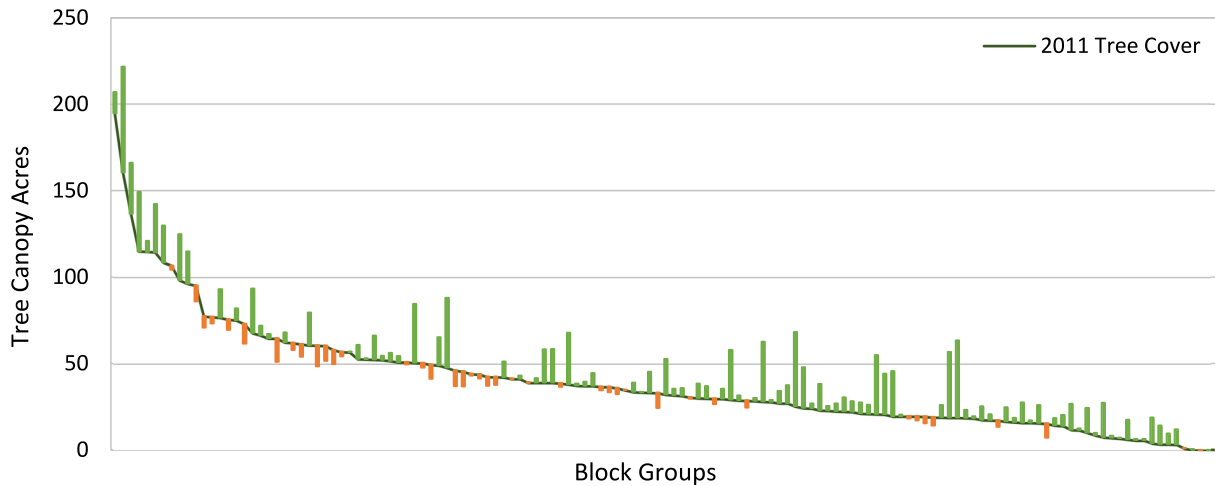
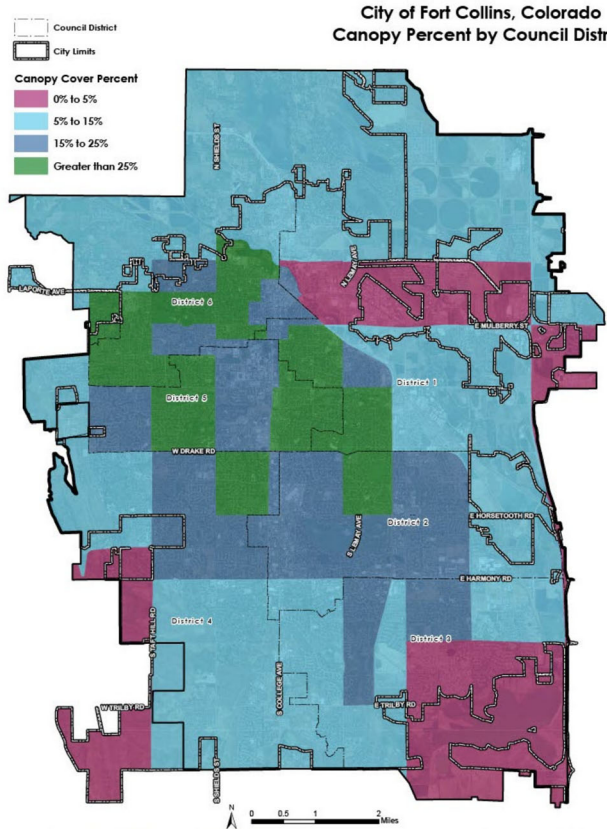


Figure 2. Census block groups in order of largest to smallest by tree canopy acres. Change in tree canopy acres from 2011-2021 is represented by green bars (net gain) and orange bars (net loss).

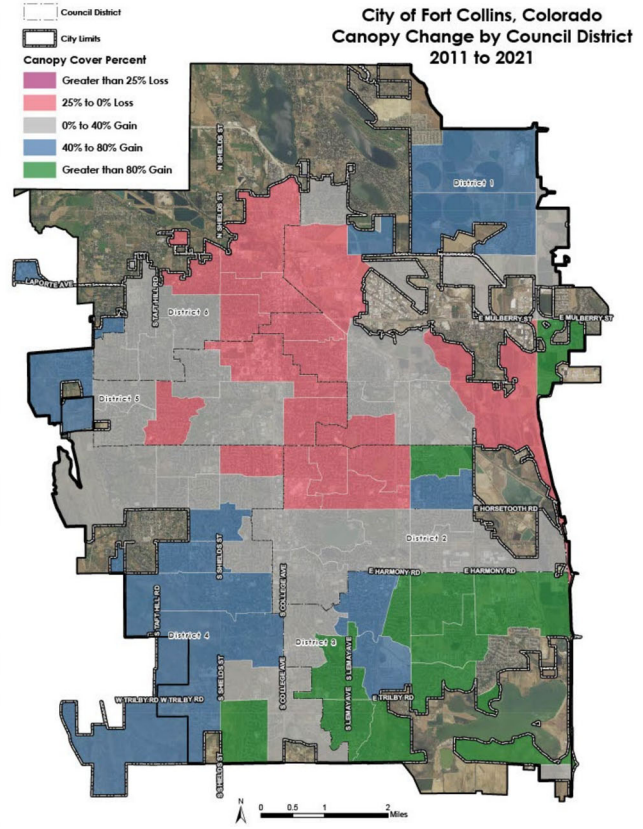


Canopy Cover and Canopy Change by City Council District & Precinct

Among the six city council districts, tree canopy cover ranges from 8.9% to 25.1% (map 4). From 2011–2021, council districts 1–5 experienced net growth in tree cover (range: +6.1% in District 5 to +110% in District 3), while District 6 experienced a slight net loss of tree cover (-0.6%; map 5, figure 3).



Map 4. Tree canopy cover by city council precinct and district.



Map 5. Tree canopy change by city council precinct and district, 2011–2021.

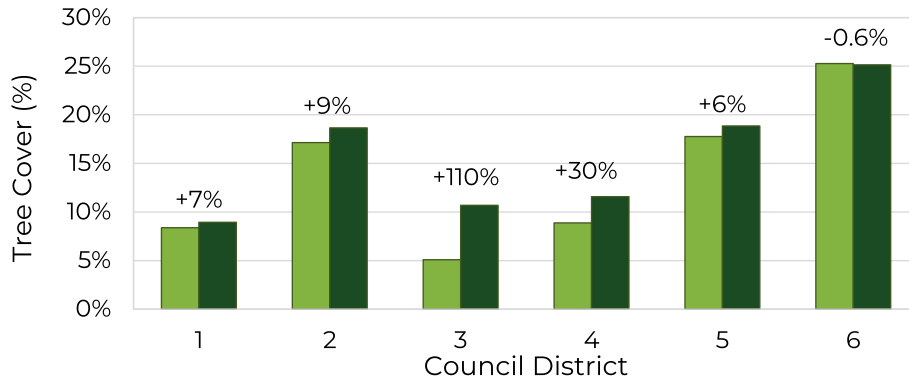


Figure 3. Tree canopy cover by council district in 2011 and 2021. Labels indicate net change in tree cover from 2011–2021.



Canopy Cover and Canopy Change within Parks

Trees add to the natural beauty of parks and enhance the value of green space for many types of recreational uses. Trees within parks and natural areas also serve as important habitat for urban wildlife. For these reasons, planting, maintaining, and preserving canopy trees, with a focus on native species, are priority actions that are named in Fort Collins' *Recreate: Parks & Recreation Master Plan (2021)*.

Among Fort Collins' 60 parks, cemeteries, and golf courses, average tree cover is 18.9% over 1,379 total park acres (figure 4, table 1), greater than the city average of 13.7% tree cover. Tree cover ranges from no measurable tree canopy at Richards Lake Park to up to 62% cover at Indian Hills Park. In the study period from 2011–2021, there was a net gain of 47.7 acres (+1.7%) of tree canopy across the studied parks.

Six future park sites provide a potential for up to 102 acres of new tree canopy area.

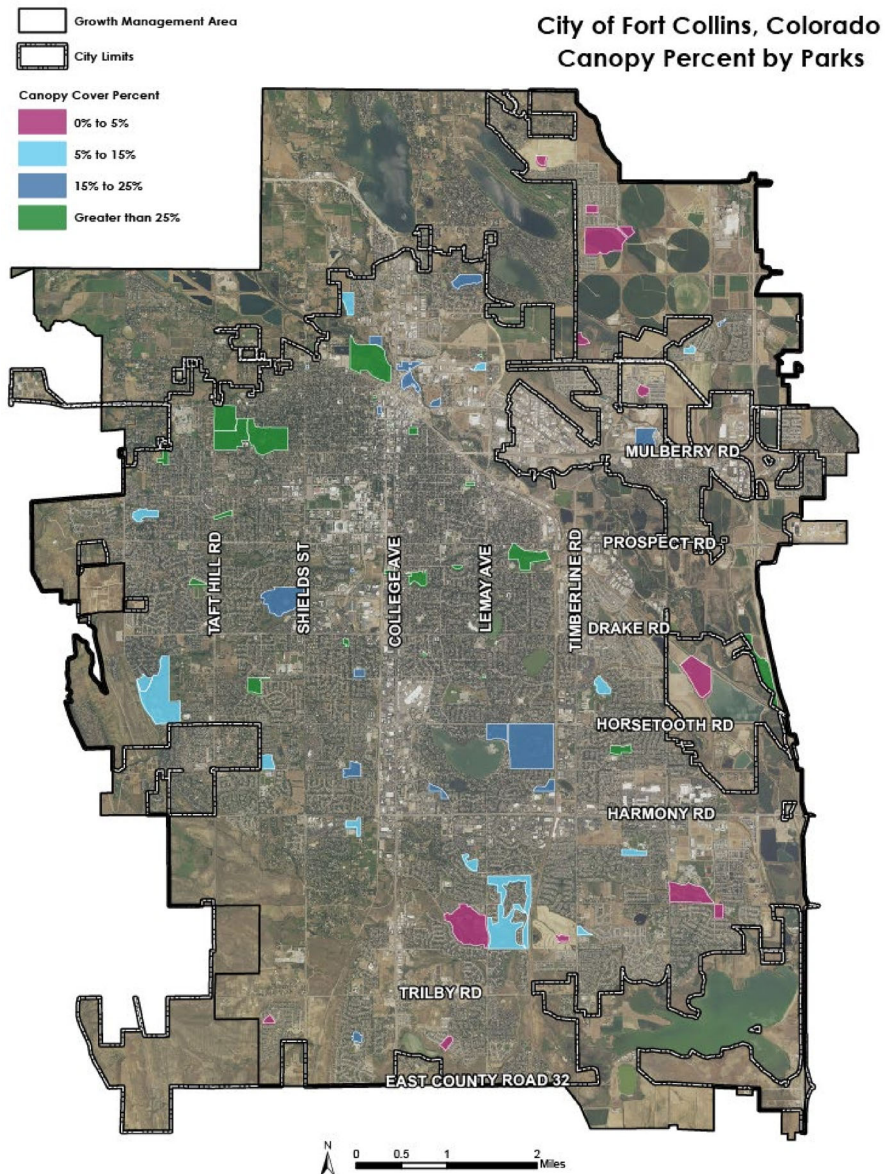


Figure 4. Tree canopy cover within Fort Collins parks.



Table 1. Tree canopy cover and change by park. Possible tree canopy includes grassy and vegetated areas where trees could potentially be planted. Maximum tree canopy is the sum of existing and possible canopy.

PARK	ACRES	TREE CANOPY	CHANGE 2011-2021	POSSIBLE CANOPY	MAXIMUM CANOPY
Alta Vista Park	0.6	41%	2%	15%	56%
Archery Range	54	34%	14%	50%	84%
Avery Park	6	45%	8%	36%	81%
Beattie Park	7	23%	5%	17%	40%
Blevins Park	6	33%	23%	59%	93%
Buckingham Park	5	15%	1%	46%	62%
City Park	76	29%	9%	29%	58%
City Park Nine Golf Course	55	28%	5%	1%	29%
Civic Center Park	2	24%	-6%	44%	69%
Collindale Golf Course	157	16%	12%	1%	16%
Cottonwood Glen Park	12	12%	119%	60%	72%
Creekside Park	3	29%	37%	39%	68%
Crescent Park	7	0.1%	100%	78%	78%
Eastside Park	2	31%	28%	53%	84%
Edora Community Park	42	25%	34%	40%	65%
English Ranch Park	12	26%	143%	38%	63%
Fossil Creek Community Park	96	4%	241%	51%	54%
Freedom Square Park	0.5	25%	-28%	22%	47%
Golden Meadows Park	11	22%	39%	43%	65%
Grandview Cemetery	43	39%	1%	0%	40%
Greenbriar Park	22	17%	75%	49%	67%
Harmony Park	10	11%	>600%	64%	75%
Homestead Park	6	16%	>600%	73%	89%
Indian Hills Park	2	62%	3%	36%	99%
Landings Park	8	22%	30%	36%	59%
Lee Martinez Community Park	90	33%	-2%	47%	80%
Legacy Park	9	16%	-21%	75%	91%
Leisure Park	0.9	54%	14%	27%	80%
Library Park	5	51%	9%	21%	72%
Lilac Park	0.7	18%	51%	59%	77%
Miramont Park	10	12%	269%	66%	78%
Oak St Plaza Park	0.3	55%	-9%	0%	55%
Old Fort Collins Heritage Park	14	22%	38%	38%	60%
Overland Park	16	15%	56%	48%	62%
Poudre River Whitewater Park	11	15%	-43%	47%	63%
Rabbit Brush Park	2	18%	155%	55%	73%
Radiant Park	9	3%	100%	71%	73%
Registry Park	5	2%	363%	78%	80%
Richards Lake Park	6	0%	0%	100%	100%
Ridgeview Park	11	11%	167%	67%	77%
Rogers Park	8	32%	69%	55%	88%
Rolland Moore Community Park	71	22%	27%	36%	58%
Romero Park	0.2	37%	28%	35%	72%
Roselawn Cemetery	28	20%	2%	46%	66%
Rosborough Park	16	26%	45%	69%	95%



PARK	ACRES	TREE CANOPY	CHANGE 2011-2021	POSSIBLE CANOPY	MAXIMUM CANOPY
Soft Gold Park	17	14%	192%	64%	78%
Southridge Golf Course	127	12%	73%	7%	19%
Spencer Park	0.4	45%	-1%	45%	90%
Spring Canyon Community Park	116	14%	77%	64%	77%
Spring Park	16	32%	16%	42%	74%
Stewart Case Park	14	6%	129%	67%	73%
Sugar Beet Park	6	8%	74%	71%	79%
Traverse Park	5	7%	0%	80%	87%
Troutman Park	15	22%	68%	48%	69%
Twin Silo Community Park	54	2%	-15%	51%	53%
Warren Park	25	21%	13%	37%	58%
Washington Park	0.7	56%	15%	42%	98%
Water's Way Park	8	1%	>600%	80%	81%
Westfield Park	15	9%	511%	63%	72%
Woodwest Park	3	36%	1%	60%	96%



Trees Enhance Culture & Recreation

Trees enhance urban parks and green space by providing shade, beauty, and by contributing to the ecological function of green islands within the built environment. Trees along transit corridors build connectivity to parks and green space that eases the passage of both humans and wildlife.

According to Trust For Public Land’s ParkServe mapping tool, **73%** of Fort Collins residents live within a 10-minute walk of a park, which is above average for all U.S. cities and towns (55%) and on par with the 100 most populous U.S. cities (74%). Increasing tree canopy within and around these parks is one way that urban forestry can support the Culture and Recreation. Fort Collins City Council has set a priority for all residents to live within a 15-minute walk to nature and have trees visible where they live, work, and play.

Trees are not compatible with all recreational uses, however. For example, trees are undesirable within ballfields, skate parks, and amphitheaters. Recreation centers and pavilions can limit the area where trees can be planted. Lastly, many of Fort Collins’ natural areas are intended to protect native habitat including grassland and shrubland; in such places, contiguous tree canopy is not desirable.

Sources: Trust For Public Land; Fort Collins’ ReCreate: Parks & Recreation Master Plan, 2021; Nature in the City, 2015; Natural Areas Master Plan, 2014.



Tree Canopy by Land Use

Examining tree canopy cover and change by land use shows how different land uses are affecting citywide tree canopy trends, which can be useful for guiding policy decisions. Land uses that comprise larger areas have the greatest impact on citywide trends.

In Fort Collins, residential land contains 56% of the city’s urban forest (figure 5). Tree cover has grown 15% on residential land since 2011. The largest tree canopy losses by total acreage have taken place on commercial land, which lost 30 acres (10%) of tree cover since 2011.

The largest potential for additional tree canopy occurs within residential and mixed-use zoning types, which together contain 8,083 acres of possible additional tree canopy.

By zoning district, the highest proportions of tree canopy cover occur within the Neighborhood Conservation Districts (19%–36%), the Low-Density Residential District (26%), and Manufactured Housing District (24%; table 2). The highest proportions of tree canopy loss occurred within several commercial zoning districts (-36% to -23%) and the High-Density Mixed-Use Neighborhood District (-34%). Canopy cover within the Residential Foothills District is low (5%) but grew by 248% over the past decade.

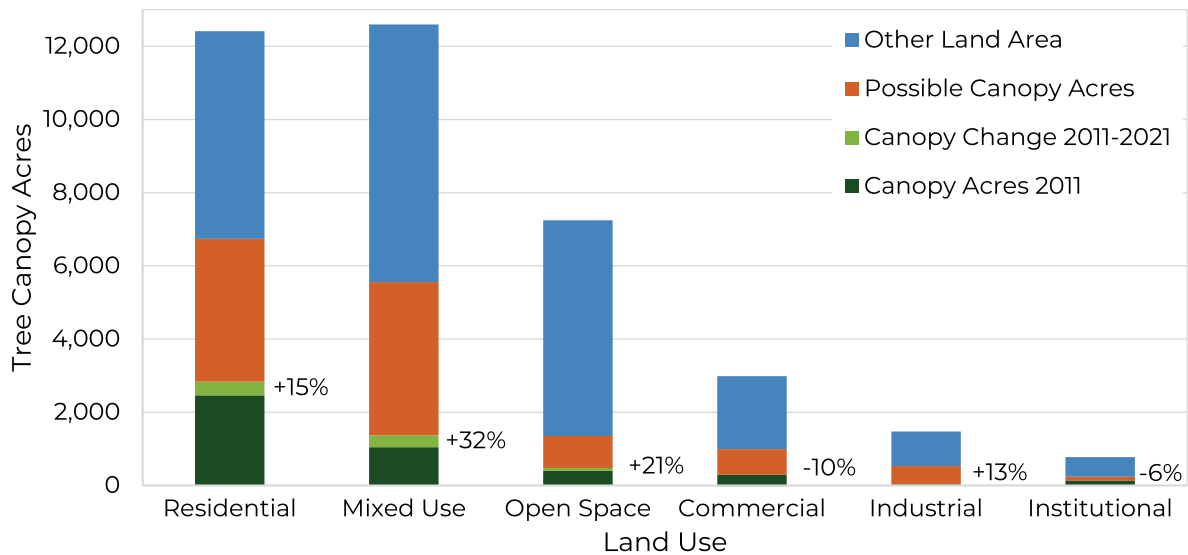


Figure 5. Tree canopy cover in 2011, net change from 2011–2021, and possible additional tree canopy by land use type.



Table 2. Tree canopy cover and change by zoning district.

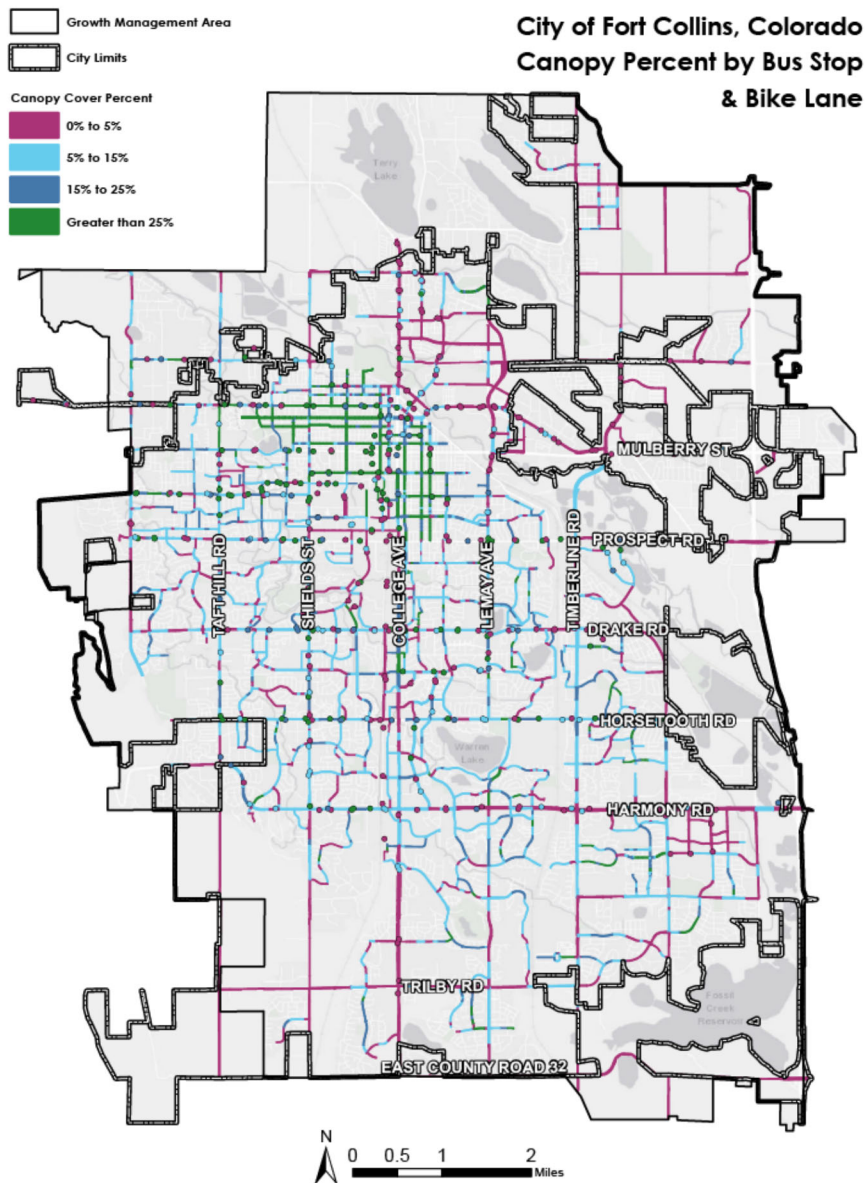
ZONING DISTRICT	ACRES	TREE CANOPY	CHANGE 2011-2021	POSSIBLE CANOPY	MAXIMUM CANOPY
Commercial	2,958	9%	-10%	24%	32%
Community Commercial - North College District	155	4%	7%	27%	31%
Community Commercial - Poudre River District	28	13%	-23%	24%	38%
Community Commercial District	244	5%	-35%	30%	35%
Downtown District	682	13%	-19%	17%	31%
General Commercial District	1,218	7%	-1%	25%	32%
Limited Commercial District	48	8%	-36%	17%	26%
Neighborhood Commercial District	299	14%	34%	22%	36%
Service Commercial District	284	6%	-32%	28%	34%
Industrial	1,478	3%	13%	34%	36%
Industrial District	1,478	3%	13%	34%	36%
Institutional	762	17%	-6%	13%	31%
CSU Jurisdiction	762	17%	-6%	13%	31%
Mixed Use, Low Density	6,434	9%	88%	38%	47%
Low Density Mixed-Use Neighborhood District	6,434	9%	88%	38%	47%
Mixed Use, Medium Density	6,103	13%	10%	28%	42%
Employment District	1,960	6%	16%	32%	38%
Harmony Corridor District	1,499	9%	44%	27%	35%
Medium Density Mixed-Use Neighborhood District	1,940	17%	23%	30%	47%
Neighborhood Conservation - Buffer District	159	29%	-20%	13%	42%
Neighborhood Conservation - Medium Density District	546	34%	-16%	17%	51%
Mixed Use, High Density	56	15%	-34%	16%	30%
High Density Mixed-Use Neighborhood District	56	15%	-34%	16%	30%
Open Space	7,248	7%	21%	12%	19%
Public Open Lands District	6,600	6%	20%	9%	16%
River Conservation District	226	18%	23%	30%	48%
Rural Lands District	288	3%	169%	61%	64%
Transition District	135	4%	10%	14%	18%
Residential	12,416	23%	15%	31%	54%
Low Density Residential District	8,654	26%	14%	26%	52%
Manufactured Housing District	128	24%	0%	20%	44%
Neighborhood Conservation - Low Density District	539	36%	-4%	20%	56%
Residential Foothills District	445	5%	248%	32%	38%
Urban Estate District	2,650	13%	32%	51%	64%



Canopy Cover at Bus Stops

Trees are an important part of the layered strategies to increase the use of public transit that are outlined in the city's transportation master plan. Shaded bus stops make public transit safer for riders, particularly during hot summer months. Growing tree canopy cover at bus stops supports Fort Collins' intent to reduce Vehicle Miles Traveled by encouraging multimodal transportation (*City Plan*, 2019).

The urban tree canopy analysis quantified tree cover within 30-ft buffers of bus stops and bus stations to characterize tree canopy within areas that support the City's goals for encouraging multimodal transportation. Average tree cover is 18.3% at 22 bus stations and 423 bus stops across Fort Collins (map 6). Among 263 bus stops that did not have a built-in shelter, average tree cover is 21.2%, a loss of 2.3% tree cover since 2011. A majority of bus stops have less than 20% tree cover and experienced losses of tree cover since 2011 (figure 6).



Map 6. Tree canopy cover within a 30-ft buffer of bus stops and transit stations and within bike lanes by street segment.



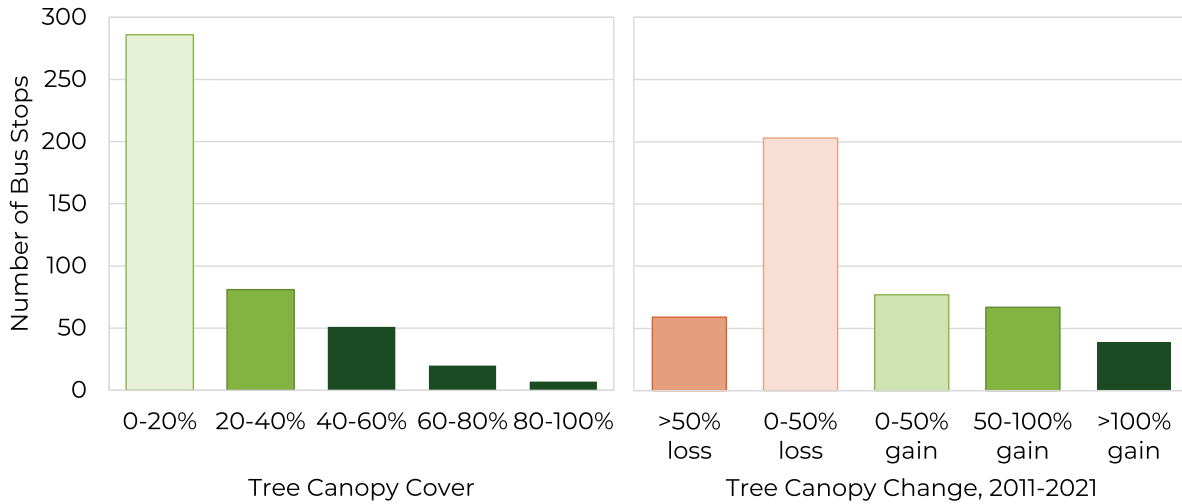


Figure 6. Tree canopy cover and change (2011–2021) at Fort Collins bus stops.



Tree Benefits for Transportation & Mobility

Over the past several years, Fort Collins has experienced substantial growth in transit ridership and bicycling. Encouraging individuals to shift their short vehicle trips to active transportation modes (e.g. biking, walking) is one of the most effective ways to reduce vehicle miles traveled, a goal of both the City’s transportation master plan and its *Our Climate Future* plan (2021).

Trees contribute to Fort Collins’ goals of increasing multimodal transportation use. Trees growing in street rights-of-way help to slow traffic, making streets safer for pedestrians and cyclists. Shade and evapotranspiration cooling provided by street tree canopy allow for more comfortable walking, biking, and use of public transit and increase the appeal of cycling routes. Trees and other vegetative buffers can also reduce the exposure of cyclists and pedestrians to air pollution. For these and other reasons, residents are three times more likely to be physically active when they live in areas with high levels of trees and vegetation.

Sources: Ellaway et al., 2005; Ozdemir, 2019; Eisenman et al., 2021; Ewing & Dumbaugh, 2009.



Canopy Cover within Bike Lanes

Trees along bike lanes contribute to the City’s goals of building low-stress, high-comfort bicycle facilities that promote a physically active and environmentally sustainable community (*City Plan, 2019*). Trees not only shade bike lanes; they also contribute to the safety of cyclists by slowing traffic.

Over 267 miles of bike lanes across Fort Collins, average tree canopy cover is 9.5% (map 6) approximately the same as it was in 2011 (+0.1%). Among street segments with bike lanes, 82% of segments have less than 20% tree cover; tree canopy change within these spaces has been variable in the period from 2011–2021 (figure 7).

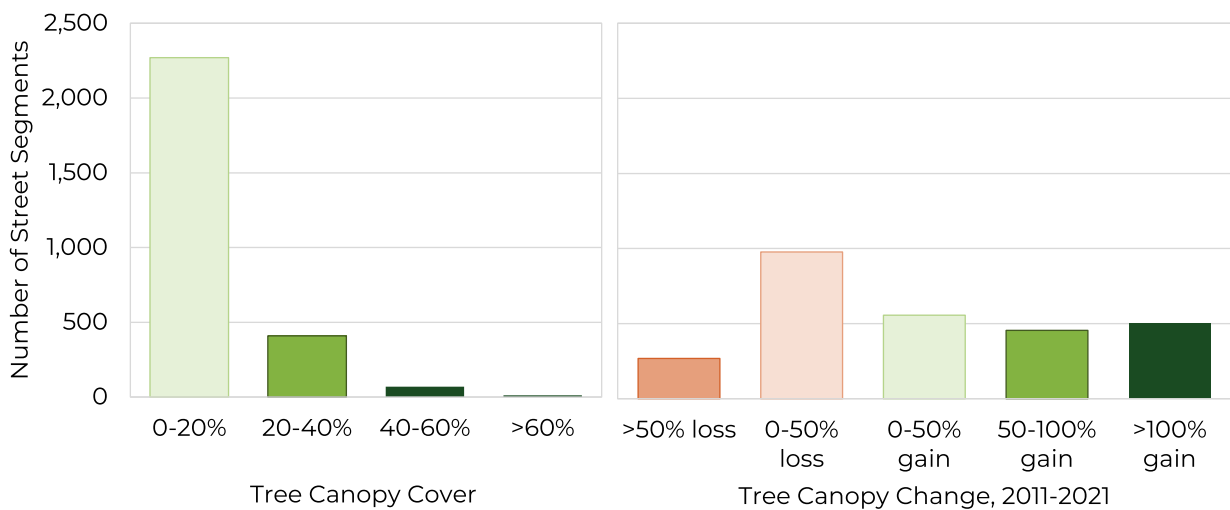


Figure 7. Tree canopy cover and canopy change, 2011–2021, in bike lanes by street segment.

TREE CANOPY STUDY: SUMMARY OF FINDINGS

The results of the urban tree canopy assessment, which was based on an analysis of 2021 aerial imagery and compared to a prior analysis of 2011 imagery, show that tree canopy cover varies widely across Fort Collins and the growth management area, ranging from almost no trees in some parts of the city to over 40% tree cover. In general, tree cover tends to be highest within the oldest parts of the city, where residents have been planting trees since the nineteenth century. Citywide tree cover is 13.7%; including the growth management area, average tree cover is 12.6%.

From 2011–2021, the city and the growth management area experienced an overall increase in tree canopy cover of 17.2%. The largest gains in tree canopy cover took place within low-canopy areas around the periphery of the city, while canopy losses



tended to take place within the more densely developed urban core where tree cover is highest.

Tree canopy cover within parks, bus stops, and bike lanes was analyzed as part of an effort to evaluate tree canopy in relation to multiple city priorities. Publicly owned trees in these areas provide benefits that enhance quality of life and contribute to climate change mitigation. Future investments in the planting and maintenance of trees in parks and along streets rights-of-way is a dual investment in Key Outcome Areas including Neighborhood & Community Vitality, Culture & Recreation, and Transportation & Mobility.



Trees and Economic Health

Economic benefits of trees are derived from both added value and avoided costs.

Cost Savings. Trees save energy by providing shade and blocking wind, which reduce the need for heating and cooling and lower energy costs for homes and businesses. Properly placing three trees around a home can reduce energy costs for the average household by \$100 to \$250 per year. Trees that shade air conditioning units can help them run up to 10% more efficiently.

Trees also help residents save money on health care costs. Trees reduce the incidences of medical complications due to asthma, heart disease, and heat-related illnesses.

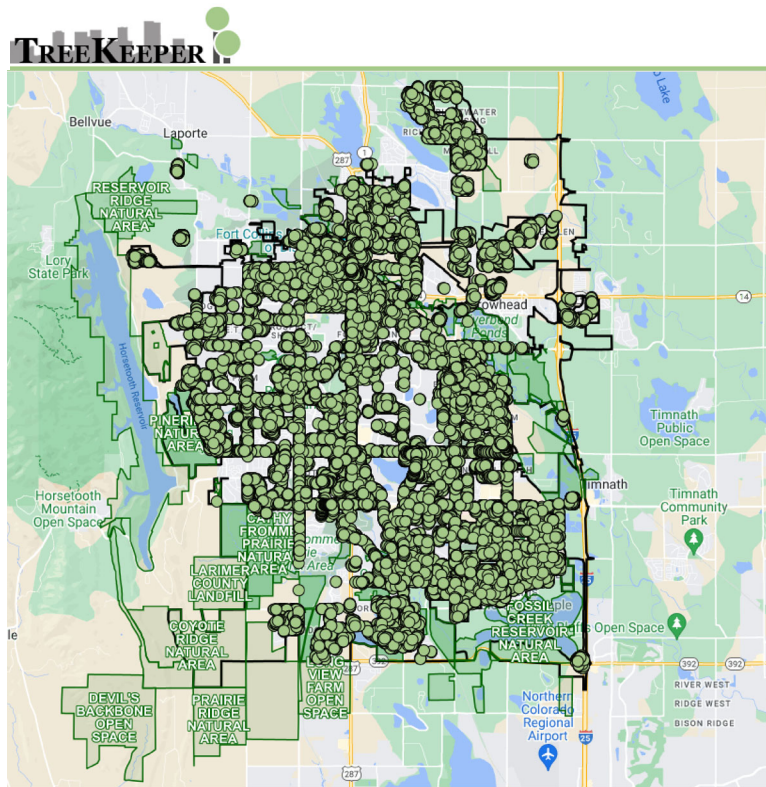
Economic Development. Trees and green spaces have a positive impact on the local economy by increasing property values, attracting tourism, and supporting local businesses. Mature, healthy trees can increase property values for both residential and commercial properties by 3%–7% or more, as well as increase values of neighboring properties. In business districts, trees attract customers. Shoppers spend more time and money in retail areas with mature, healthy tree canopies and are willing to spend 11% more for products, services, and parking at businesses with trees in front of them.

Sources: McPherson et al., 2005; Wolf, 2005; Vargas, 2007; Siriwardena et al., 2016; Hughes, 2013. Vargas et al., 2007; U.S. Department of Energy (n.d.)



PUBLIC TREE INVENTORY

The Forestry Division is responsible for the care of public trees. From 2018–2023, the Forestry Division and trained volunteers from the City’s Urban Forest Ambassador program inventoried 57,991 trees and 3,397 possible tree sites within street rights-of-way, parks, and city property (map 7). Detailed information about public trees is used by the Forestry Division to guide management decisions.



Map 7. Public trees and planting sites as documented in TreeKeeper.



61,388 Inventoried Sites

Nearly two-thirds of all inventoried sites were street trees (figure 8). Together, vacant planting sites and stumps comprise 3,397 potential planting sites where additional trees can be planted over time (figure 9).

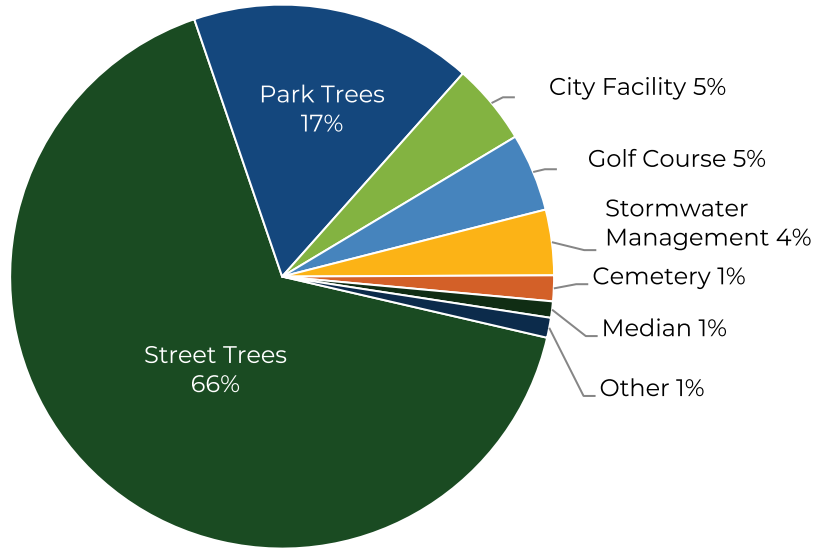


Figure 8. Public trees by location.

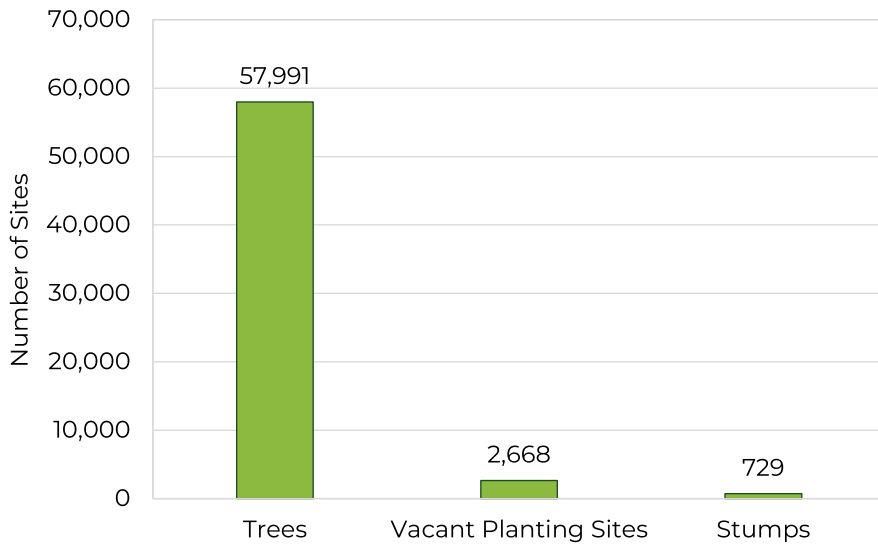


Figure 9. Inventoried sites, 2018-2023.



Tree Diversity

The inventory of public trees cataloged 214 unique species of trees that represent 56 genera and 26 families. Diversity helps to make the tree population resilient to pests and diseases. Urban forestry industry standards for diversity recommend that no single species of tree should exceed 10% of the total inventory; no one genus should exceed 20%; and no one family of tree should exceed 30% of the total tree inventory (the “10-20-30 Rule” for species abundance).

Top 5 Species of Public Trees Relative to the 10% Rule for Species Abundance

Among inventoried trees, green ash (*Fraxinus pennsylvanica*) and honeylocust (*Gleditsia triacanthos* and *G. triacanthos inermis*) exceeded recommended limits for species abundance (11% of public trees each; figure 10, table 3). The abundance of ash is expected to decline over time due to emerald ash borer and implementation of the city’s *Emerald Ash Borer (EAB) Management and Response Plan (2020)*, climate change, and city code. The Forestry Division is reducing the planting of honeylocust on public property and is encouraging developers to shift away from planting honeylocust as part of required street tree plantings that are associated with development.

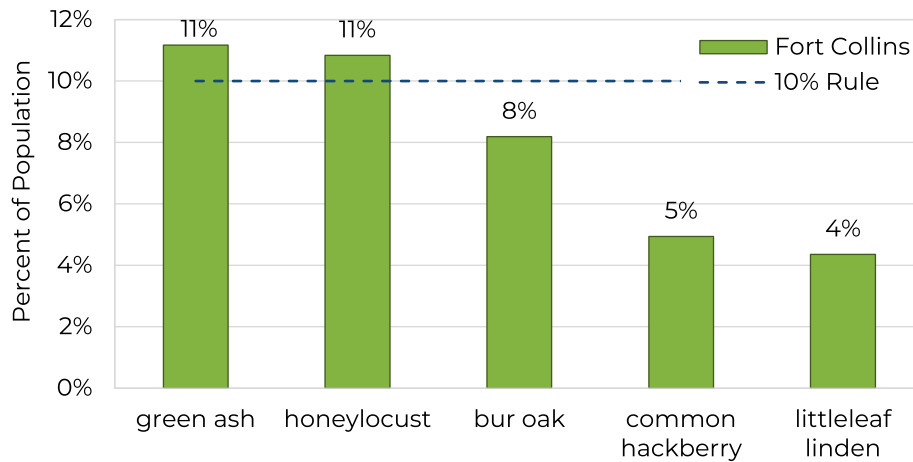


Figure 10. Top five species of public trees relative to a recommended 10% Rule for abundance of any single species.



Table 3. Top five species of public trees.

COMMON NAME	BOTANICAL NAME	NUMBER OF PUBLIC TREES
green ash	<i>Fraxinus pennsylvanica</i>	6,478
honeylocust	<i>Gleditsia triacanthos*</i>	6,286
bur oak	<i>Quercus macrocarpa</i>	4,749
common hackberry	<i>Celtis occidentalis</i>	2,864
littleleaf linden	<i>Tilia cordata</i>	2,527

* includes var. *inermis*

Top 5 Genera of Public Trees Relative to the 20% Rule for Genus Abundance

At the level of genus, which groups similar species of trees, oaks are the most abundant trees in Fort Collins (15% of inventoried trees; figure 9). All genera remain below the recommended threshold of 20% abundance.

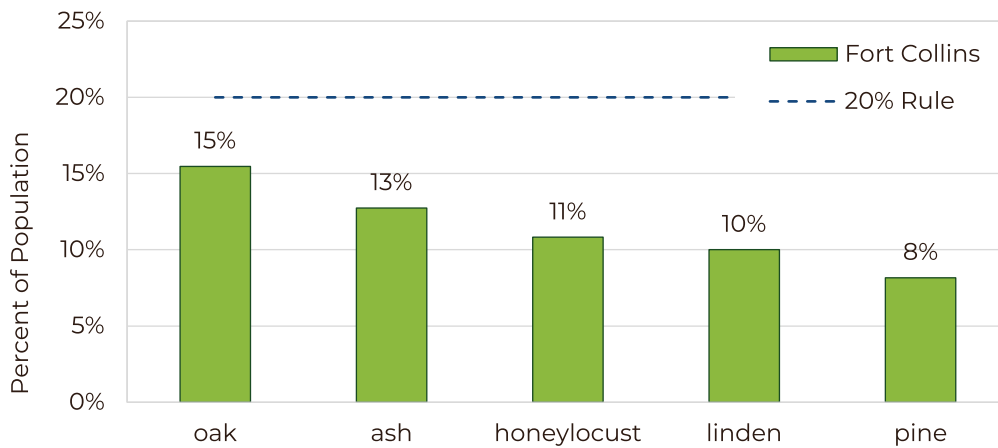


Figure 11. Top five genera of public trees relative to the 20% Rule for genus abundance.



Top 5 Families of Public Trees Relative to the 30% Rule for Family Abundance
 Families are larger groupings of similar trees, containing similar species and genera. All tree families that are represented in Fort Collins' inventory are well below recommended limits of 30% of the total public tree population (figure 10).

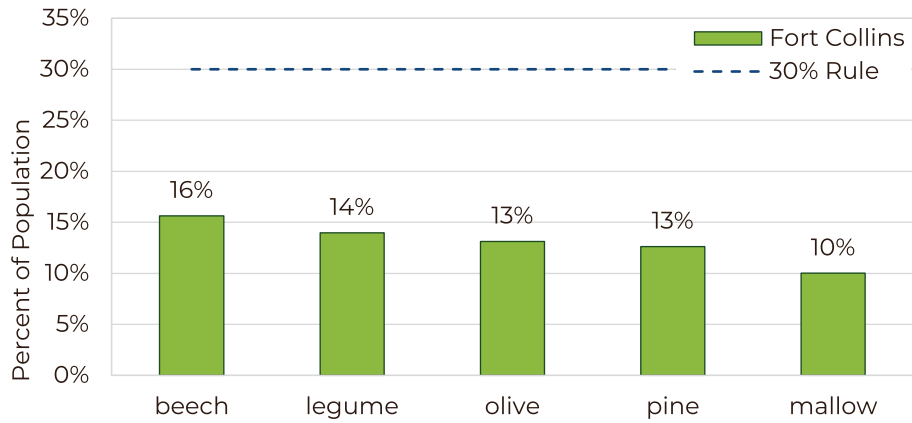


Figure 12. Top five taxonomic families of public trees relative to the 30% Rule for family abundance.





Trees and Environmental Health

Trees provide innumerable ecological benefits that improve urban environments.

Trees Cool Our Cities. High temperatures in urbanized areas contribute to *urban heat island*, in which impervious surfaces such as roads, buildings, and sidewalks trap and hold heat. Urban heat island can raise air temperature in cities up to 7°F higher during the day and 5°F higher at night compared to neighboring rural areas. Urban heat island raises higher energy costs and power plant emissions and increases heat-related illnesses, which cause more deaths in the United States each year than any other natural disaster. Large, healthy trees lower temperatures through both shading and evapotranspiration. Trees reduce peak summer temperatures by 2-9°F and prevent an average of 1,200 heat-related deaths each year in the U.S, making them a critical tool to combat the negative health impacts of high temperatures.

Trees Clean the Air. Trees act as natural air filters, removing pollutants from the air and reducing their negative impacts on humans and the environment. Through the removal of air pollutants, trees save over 850 lives and prevent 670,000 incidents of acute respiratory symptoms in the U.S. each year. Trees are also an important carbon sink for climate change mitigation through the removal of carbon dioxide and greenhouse gasses from the air. One large, healthy oak tree growing in Fort Collins can remove over 30 pounds of pollutants from the air over 20 years.

Trees Intercept and Conserve Water. Trees intercept and retain stormwater, reducing runoff and water pollutants by 20%–60%, thereby reduce flooding, erosion, and the level of sediment and pollutants that enter local waterways. A mature deciduous tree can intercept 700 gallons of stormwater per year, and a mature evergreen tree can intercept 4,000 gallons of water per year. Underground, tree roots and decomposition help to increase the amount of water that soil can hold, allowing for more efficient use of irrigated water. In addition, the cooling effects of trees during summer months helps to reduce the amount of moisture that is lost through evaporation. Through both processes, trees can retain water in the soil and reduce irrigation quantity and frequency.

Trees Provide Food & Habitat for Wildlife. Trees provide habitat and food for a wide variety of wildlife species, supporting biodiversity and maintaining the health of local ecosystems. Oaks can support over 500 species of pollinators and other beneficial insects. In the Colorado Front Range, broadleaf deciduous forests are relatively new to the region. The tree canopy of Fort Collins provides migratory birds with an important stopover point. At the same time, trees can provide refuge for species such as hawks and corvids that hunt or outcompete native grassland birds and mammals. For these reasons, tree canopy in natural areas must be thoughtfully placed. In backyards and along streets, however, tree canopy acts as an important buffer for wildlife within the built environment.

Sources: Michigan Audubon, n.d.; USDA Forest Service, n.d.; US Environmental Protection Agency, n.d.; McPherson et al., 2002; Cappiella et al., 2005; VerCauteren & Gillihan, 2007; Nowak et al. 2014; Johnson et al., 2017; National Weather Service, 2021; McDonald et al., 2020; Shah et al., 2022; Breidt et al. 2022.



Condition of Public Trees

In the tree inventory, more than half of public trees (55%) are rated to be in Good or Fair-Plus condition, meaning that their trunks and crowns are generally healthy and strong, and an additional one-third (34%) are rated to be in Fair condition, indicating that they are healthy and show no major defects (figure 11).

Structural integrity, overall tree health, and form are often improved through proper pruning. Routine pruning, young tree training, and other proactive maintenance can help keep trees within Fair, Fair Plus, and Good categories over time.

Though it is difficult to move a significant number of trees from a lower to a better condition category, structural and routine pruning on a five-year rotation will help maintain a majority of trees within Fair to Good tree condition ratings over time.

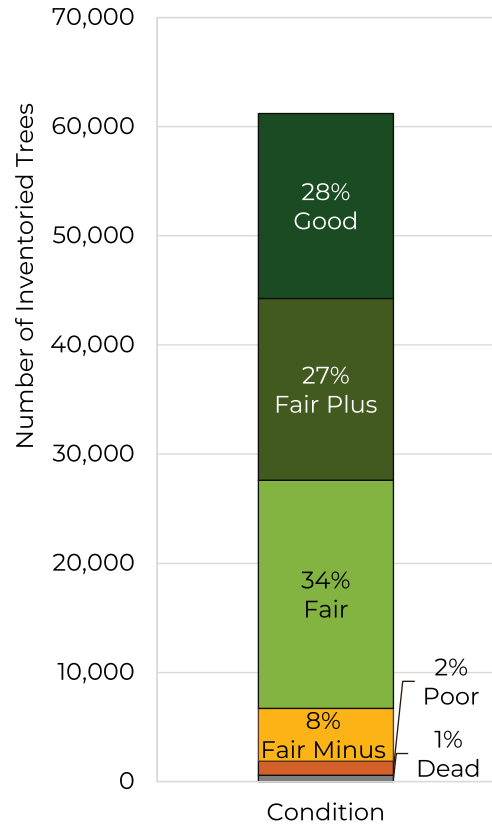


Figure 13. Condition ratings of public trees.

Size-Age Classes of Public Trees

The relative age of trees can be estimated from trunk diameter. In Fort Collins, public trees were classified into four categories based on their trunk diameter at standard height (DSH): young (0–8 inches DSH), established (9–17 in), maturing (18–24 in), and mature (>24 in) trees.

Urban forestry industry standards recommend a mixed-age tree population to balance maintenance needs of the tree population over time and protect against significant canopy loss within a short period. Sixty percent of public trees in Fort Collins are in the young size class, reflecting sustained tree planting efforts within the city, including tree planting that occurs through new development as the city has grown (figure 12). Care of young trees during the establishment period, as well as proactive maintenance of older age classes, will help increase the proportion of older trees to balance age classes over time.



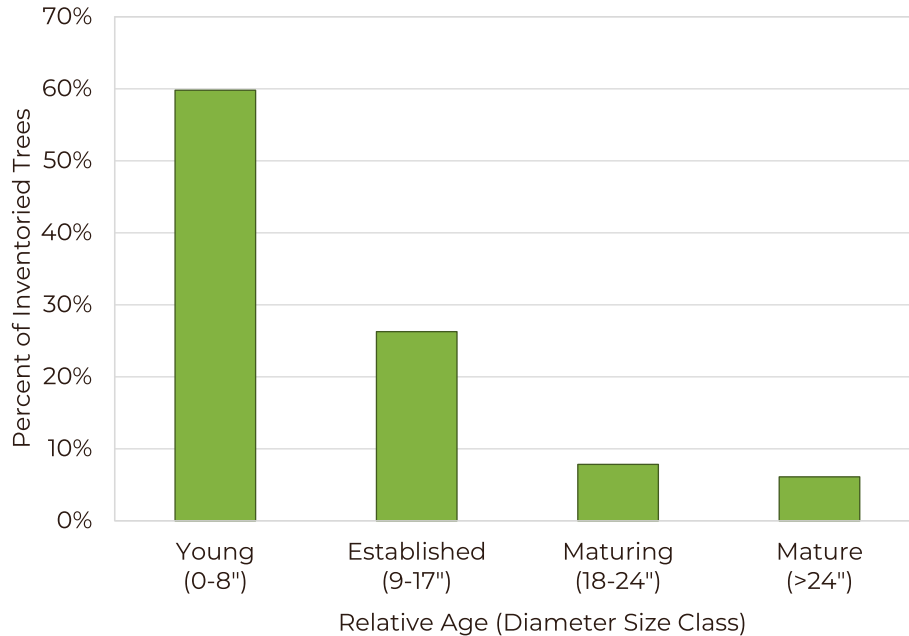


Figure 14. Relative age classes of public trees, estimated from trunk diameter.

PUBLIC TREE INVENTORY: SUMMARY OF FINDINGS

The inventory of 61,388 public trees and planting sites in Fort Collins revealed that the diversity of public trees is approaching a level that will help the urban forest remain resilient to pests and diseases. The importance of such measures is currently reflected in the City's response to emerald ash borer, which threatens 13% of its public tree inventory. Reductions to ash and honeylocust, paired with species-level diversification of future tree plantings, will help increase diversity over time.

The condition of public trees reflects significant investments in routine maintenance as the Forestry Division moves toward its goal of a five-year pruning cycle and away from reactive maintenance, which is comparably more costly. Shifting toward proactive maintenance can reduce per-tree maintenance costs by as much as 50% compared with maintenance that relies heavily on storm and emergency response (AECOM, 2013).

Fort Collins' public trees skew young, reflecting an uptick in more recent tree plantings that are associated with city activities and increased development. Future maintenance needs are expected to increase over time as trees grow into larger size classes, which will require additional budget and capacity for the Forestry Division to keep pace.



GOALS FOR FORT COLLINS' TREE CANOPY AND PUBLIC TREES

The findings of the urban tree canopy assessment and public tree inventory suggest potential goals for Fort Collins' urban forest that can guide Forestry Division activities and priorities over the next 20 years.

- Grow tree canopy in Fort Collins and make it more evenly distributed over time.
- Mitigate tree canopy losses on public and private property.
- Preserve and expand tree canopy cover at bus stops and along bike routes to encourage multi-modal transportation.
- Expand tree canopy within and around parks to support compatible recreational uses, conservation goals, and to build connectivity to green space that is accessible to all residents.
- Protect and enhance tree diversity to increase the resilience of the public tree population.
- Establish young trees, and proactively maintain older trees, to improve and/or maintain the general condition and even the age distribution of public trees over time.
- Expand collection of inventory data to include information such as risk, irrigation status, and EAB treatment priority to inform management decisions.



Strategies for Resilience and Sustainable Growth

Urban tree canopy and public tree inventory data were further analyzed to characterize the benefits that are provided by existing trees; evaluate the potential resilience of the urban forest to future threats from pests, diseases, and climate change; and to identify priority locations for tree canopy growth to address environmental, social, and human health needs.

PUBLIC TREE BENEFITS

Two benefits analyses were conducted to quantify the annual benefits and carbon storage of public trees using i-Tree Eco software from the U.S. Forest Service and partners. i-Tree Eco models (estimates) the benefits that trees provide based on data inputs about the location and quantity of tree canopy cover and the species, size, condition, and location of inventoried public trees. The resulting benefits calculations reflect the benefits that are provided by Fort Collins' total tree canopy, as well as the benefits provided by public trees.

Benefits Provided by Fort Collins' Tree Canopy

Ecosystem benefits including air pollution removal, carbon sequestration and storage, and stormwater runoff reduction were estimated from urban tree canopy assessment data. The resulting model estimates reflect the benefits that are provided by all of Fort Collins' trees, including trees on both public and private tree canopy, across city limits and the growth management area (table 4). In addition, the change in tree canopy benefits was estimated from the prior 2011 urban tree canopy assessment to quantify the change in tree benefits from 2011–2021.

Fort Collins' tree canopy provides ecosystem benefits valued at more than \$2.2 million per year in savings to residents and businesses. Annual savings have increased by \$346,000 since 2011 with growth of tree canopy across the city.



Table 4. Ecosystem benefits provided by Fort Collins' total tree canopy, 2011-2021.

ECOSYSTEM BENEFITS OF TREE CANOPY	2011		2021		2011-2021 CHANGE IN VALUE
	QUANTITY	VALUE	QUANTITY	VALUE	
Annual benefits					
Air quality: pollution removal (lb)	482,600	\$797,881	570,300	\$942,949	\$145,068
CO removal	3,900	\$2,598	4,600	\$3,071	\$473
NO ₂ removal	72,660	\$12,855	85,860	\$15,192	\$2,337
O ₃ removal	256,320	\$210,223	302,920	\$248,445	\$38,222
SO ₂ removal	15,400	\$1,033	18,200	\$1,220	\$187
PM _{2.5} removal	4,360	\$163,864	5,140	\$193,657	\$29,793
PM ₁₀ removal	129,960	\$407,308	153,580	\$481,364	\$74,056
Carbon sequestration (tons)	4,920	\$839,102	5,810	\$991,666	\$152,564
Stormwater: avoided runoff (gal)	29,720,000	\$265,610	35,130,000	\$313,902	\$48,292
Total Annual Benefits		\$1,902,593		\$2,248,517	\$345,924
Structural Value					
Carbon storage (tons)	191,920	\$32,732,674	226,820	\$38,684,069	\$5,951,395

Benefits Provided by Fort Collins' Public Trees

i-Tree Eco modeling software was also used to estimate the benefits of public trees using data from the tree inventory, including the species, size, and condition of public trees (table 5). Public trees account for more than \$69,000 in benefits each year and have an estimated replacement value of more than \$112 million.

Table 5. Ecosystem benefits provided by Fort Collins' public trees.

ECOSYSTEM BENEFITS OF PUBLIC TREES	QUANTITY	VALUE
Annual benefits		
Air quality: pollution removal (lb)	21,320	\$32,038
CO removal	199	\$139
NO ₂ removal	790	\$111
O ₃ removal	15,336	\$9,042
SO ₂ removal	445	\$10
PM ₁₀ removal	4,421	\$14,512
PM _{2.5} removal	122	\$8,225
Carbon sequestration (tons)	276	\$47,013
Stormwater: avoided runoff (gal)	2,318,837	\$20,721
Total Annual Benefits		\$69,374
Structural Value		
Carbon storage (tons)	18,616	\$3,175,046
Total Replacement Value		\$112,489,358



Air Pollution Reduction

Trees improve air quality by intercepting and filtering particulate matter from the air, including dust, ash, pollen, and smoke. Leaves absorb harmful gaseous pollutants such as carbon monoxide, nitrogen dioxide, and sulfur dioxide and reduce ozone formation by shading surfaces and reducing air temperatures. The air cleaning benefits of trees is important for improving human health outcomes.

In total, the tree canopy of Fort Collins removes 285 tons of air pollutants each year, a service valued at \$942,949. Tree canopy growth from 2011–2021 has resulted in an additional 44 tons of pollutants being removed from the air each year. Of total air quality benefits, public trees account for the removal of 11 tons of air pollutants each year, valued at \$32,038.

Stormwater Runoff Reduction

Trees play a significant role in local hydrology and water cycling, helping to reduce the amount of stormwater runoff that is generated during rain events. The value of reduced stormwater runoff is calculated based on avoided water treatment costs; not reflected in this value are also costs related to erosion and flooding.

Public trees in Fort Collins absorb 2.3 million gallons of stormwater each year, valued at \$20,721.

Sequestering and Storing Carbon

Trees are carbon sinks, which means they absorb carbon from the atmosphere. As they grow, trees absorb carbon dioxide from the air through their leaves during photosynthesis and store it in their tissue.

Fort Collins' tree canopy stores an estimated 226,820 tons of carbon in tree trunks, branches, and roots, valued at \$39 million. Each year, all of the city's trees sequester (absorb and store) an additional 5,810 tons of carbon. Of this, public trees store 18,616 tons of carbon and sequester an additional 276 tons each year.

PEST SUSCEPTIBILITY

Tree pests and diseases often have preferred hosts. The susceptibility of an urban forest to a pest or disease can be predicted based on its species and genus diversity. Early identification of tree pests and diseases can reduce the impact of infestations on the urban forest.

Of the pests and diseases of concern in Colorado, emerald ash borer threatens 13% of the public tree inventory—the portion that is composed of the genus *Fraxinus*—with potential tree losses valued at \$22 million (table 6). If Asian longhorned beetle



reaches Fort Collins, it poses the greatest threat to public trees, with predicted economic impacts of up to \$51 million. Replacement values are based on actual tree attributes including size and are calculated using i-Tree Tools.

Other pests and diseases not listed here may affect the tree population in Fort Collins, and many more trees, including those on private property, may be susceptible to these invasive pests.

Table 6. Susceptibility of Fort Collins' public trees to pests and diseases of concern in Colorado.

PEST NAME	NUMBER OF SUSCEPTIBLE TREES	PERCENT OF PUBLIC TREE INVENTORY	TREE REPLACEMENT VALUE (\$)
Asian longhorned beetle	20,687	36%	\$51,310,744
Oak wilt	8,706	15%	\$7,553,465
Spotted lanternfly	8,628	15%	\$13,100,340
Emerald ash borer	7,388	13%	\$22,038,024
Honeylocust spider mite	6,284	11%	\$10,104,137
Thyronectria & <i>Nectria</i> cankers	6,284	11%	\$10,104,137
Red turpentine beetle	4,878	8%	\$10,827,409
Pine wilt nematode	3,830	7%	\$9,957,809
Western spruce budworm	3,689	6%	\$12,940,510
Large aspen tortrix	2,582	4%	\$946,085
Dutch elm disease	2,351	4%	\$14,876,845
Spruce beetle	2,398	4%	\$10,078,587
Mountain pine beetle	2,126	4%	\$3,940,686
Spruce <i>Ips</i> beetle	2,046	4%	\$9,102,307
Drippy blight	1,153	2%	\$922,703
Aspen leaf miner	624	1%	\$1,757,006
Fir engraver	103	<1%	\$205,077
Aspen running canker	82	<1%	\$53,658
Douglas-fir beetle	77	<1%	\$155,075

Emerald Ash Borer Response

Emerald ash borer (EAB) was first confirmed in Fort Collins in May 2020. The City's response is detailed in the *Fort Collins Emerald Ash Borer Management and Response Plan* (2020). There are 7,388 ash trees in the Fort Collins tree inventory—13% of the total inventoried tree population. Citywide, it is estimated that ash trees comprise 33% of total tree canopy.

Forestry staff began to identify ash trees that are good candidates for prophylactic treatment against emerald ash borer in 2016. Treatment of public trees began in 2021; to date, 2,054 trees have been treated. The tree inventory categorizes trees into priority rankings for treatment and removal and identifies trees that have been



treated by the adjacent property owner. Of these, 4,578 ash trees have been categorized; however, a plurality of ash trees (2,649; 37%) have not been categorized into treatment or removal priorities, and their treatment status remains unknown.

Ash trees should be routinely inspected to monitor for EAB infestations and symptom progression due to the rapidity of decline caused by EAB infestation and the safety implications of dead and dying trees in the right of way. A tier of inspection priority is recommended. Priority 1 should be ash trees with an unknown treatment status, so that these 2,649 trees can be assigned to a treatment group or a removal schedule.

The 76 trees being treated by the adjacent property owner should also be inspected regularly. Treatment is required every 2-3 years (depending on intensity and insecticide used) for the remainder of the tree's life; as property ownership changes, trees may fall out of regular treatment schedules. It is important that Fort Collins maintains the treatment record for these trees so that if adjacent property owners are no longer able to manage the insecticide treatment, the City is able to efficiently incorporate trees into their prioritization workflow.

Pest & Disease Resilience Strategies

Trees should be monitored for signs and symptoms of pests and diseases on a regular basis. This can be done as part of the tree inventory process and during other routine maintenance activities such as pruning. When a pest or disease is suspected, act quickly to confirm the identification and begin management. Pay special attention to tree species that are preferred host plants for pests and diseases, and proactively remove specimens of invasive, exotic host species. For example, spotted lanternfly can infest many tree genera but prefers tree of heaven (*Ailanthus altissima*). Tree of heaven is currently rare in the state of Colorado; no specimens are currently noted in Fort Collins' public tree inventory.

Using the City's EAB Management and Response Plan as a model, it is recommended that the City prepare an invasive species management plan to guide the response to future pest or disease infestations. Use preventative pesticide treatments on high-value or historic trees that are susceptible to problematic pests and/or diseases. Lastly, when planting trees, select pest- and disease-resistant species or cultivars whenever possible.



CLIMATE VULNERABILITY

Although trees require water to survive, in irrigated spaces, they help to conserve more water than they use. Trees cool air and surface temperatures through evapotranspiration and shade, which reduces the water requirements of the entire landscape. For example, planting trees over turfgrass can reduce outdoor water use by up to 50% (Shashua-Bar et al., 2009). For these reasons, Fort Collins' tree canopy will become an increasingly valuable resource for mitigating the effects of climate change.

Land Surface Temperature

Land surface temperature was measured and averaged across two summer dates to classify urban heat island effect in Fort Collins (figure 15). The analysis used satellite data that were collected during the late afternoon on August 10, 2022 and July 3, 2023. On both dates, high air temperatures of 93–95 degrees were recorded, which are close to the average high temperature of 89 degrees. Areas with higher tree canopy cover show up on the map as having lower surface temperature.

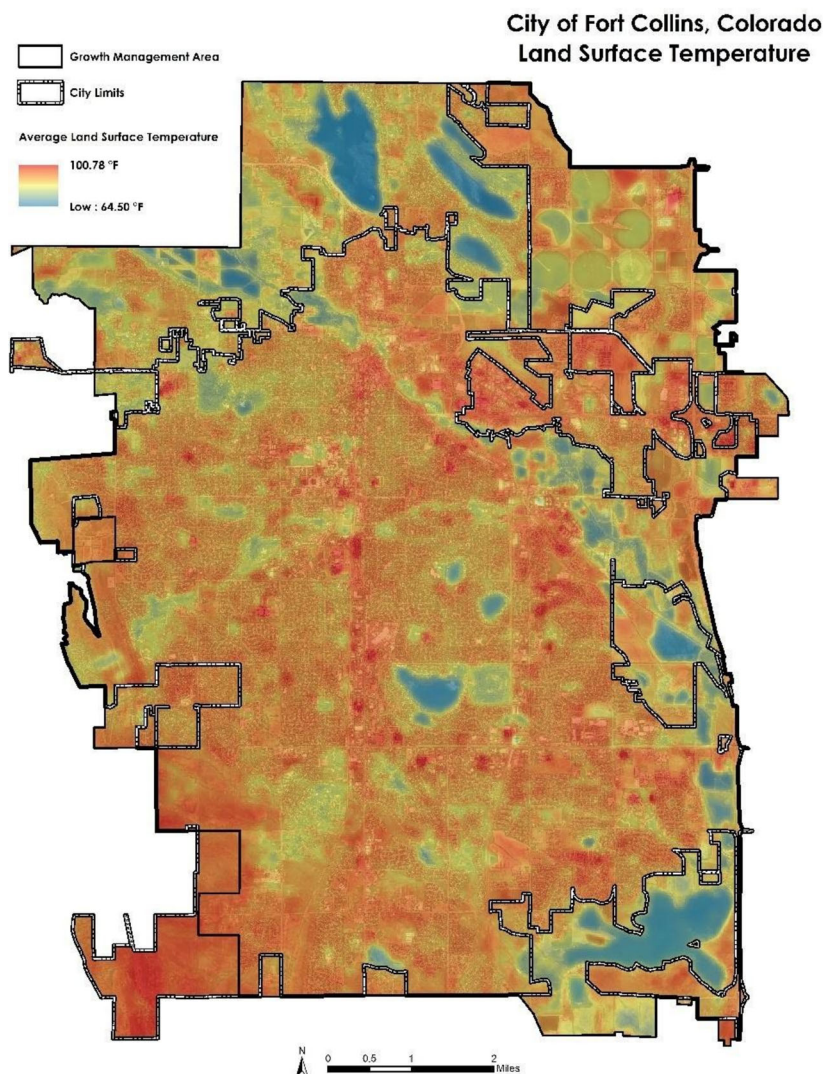


Figure 15. Land surface temperature of Fort Collins, averaged from recorded Landsat 8 satellite data across two summer dates in 2022 and 2023.



Climate Vulnerability and Risk Indices

The U.S. Climate Vulnerability Index is a web tool that quantifies future climate vulnerability based on a combination of social, economic, infrastructure, and climate factors. It compares U.S. census tracts and counties and provides a percentile score that summarizes each location's climate vulnerability relative to other census tracts and counties. In this index, the *national vulnerability percentile* is the number of other census tracts or counties that score better than Fort Collins for a given indicator—a higher score indicates greater levels of vulnerability.

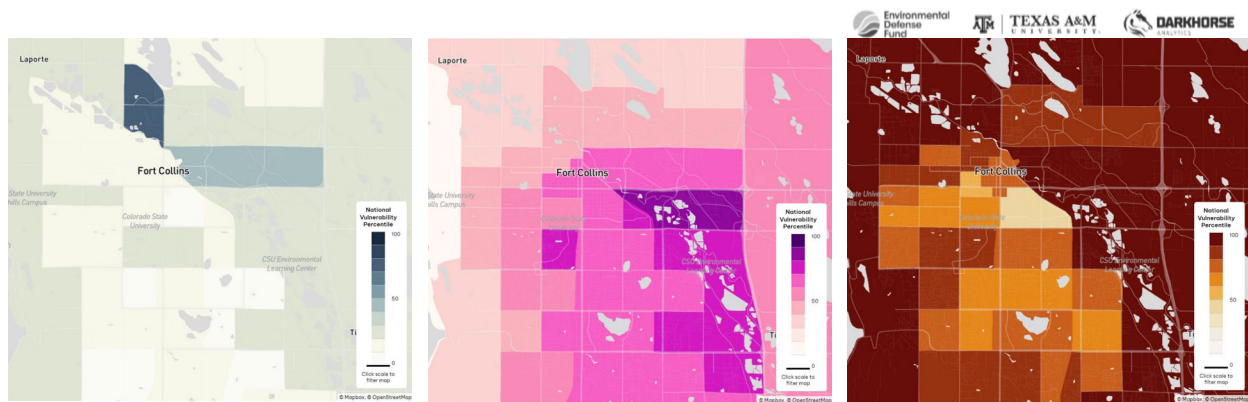


Figure 16. U.S. Climate Vulnerability Index maps for Fort Collins census tracts showing overall climate vulnerability (left), vulnerability that relates to the built environment (middle), and vulnerability related to the likelihood of extreme weather events (right).

Climate vulnerability of Larimer County ranks in the 13th percentile nationally, which means that only 13% of other U.S. counties are more vulnerable to climate change overall. This is **LOW** overall climate vulnerability. However, at the level of census tract, Fort Collins has highly variable overall climate vulnerability, suggesting inequality in the resilience of the city to future climate impacts (figure 16, left). In addition, Fort Collins ranks **HIGH** nationally in climate vulnerability that is related to two sets of factors: climate impacts due to the built environment (figure 16, middle), and the future impacts of extreme weather events (figure 16, right).

Climate vulnerability factors that relate to the built environment in Fort Collins and Larimer County compared to other U.S. areas include high levels of impervious surfaces, toxic air pollutants, vehicle traffic, agricultural pesticides, and a large number of facilities with existing EPA enforcement or violations that serve as pollution sources. Notably, low forested land cover relative to other U.S. counties and census tracts (95th percentile) is included as one factor that raises Fort Collins' environmental vulnerability.

U.S. Climate Mapping and Resilience Assessment provides more detailed information about climate projections for Fort Collins. It projects future climate risks based on two greenhouse gas emissions scenarios. A lower-emissions scenario



projects the climate effects if humans were to eliminate global fossil fuel combustion, resulting in no further greenhouse gas emissions, by 2040. The higher-emissions scenario projects the climate effects if the date of this achievement were not to occur until the year 2100.

Climate Vulnerability Due to Extreme Weather Events

There are several mid-century climate factors that can affect tree growth and survival in Fort Collins. The national vulnerability percentile from the U.S. Climate Vulnerability Index is listed below. For select extreme weather events where there is additional information, the projections from the U.S. Climate Mapping and Resilience Assessment are given for lower and higher emissions scenarios (compared to the reference period from 1975–2005).

- Consecutive dry days: **94th** percentile. The maximum number of consecutive dry days is predicted to be 18 days by mid-century, a change of +0.6 days compared to 1975–2005.
- Daily maximum temperature: **93rd** percentile. The number of days per year with a high of >95°F is predicted to increase by 5-8 days by mid-century.
- Urban heat island extreme heat days: **82nd** percentile. The number of days per year with an air temperature of >90°F is predicted to increase by 16–21 days, which due to urban heat island effect will feel hotter within highly built areas of the city.
- Cold waves: **73rd** percentile. Overall, the number of days that remain below 32°F is predicted be reduced by 11-14 days per year, but the threat posed by cold waves will remain relatively high compared to other parts of the U.S.
- Frost days: **77th** percentile. Temperature extremes are predicted to become more erratic, leading to potentially more early and late frost days that can damage trees.

Drought Tolerance of the Public Tree Inventory

The public tree inventory has begun adding information about the irrigation status of trees; at present, irrigation status is known for 16,665 trees. Of these, 14,754 trees have access to irrigation. The irrigation status of trees is important for evaluating the risk of the tree inventory to drought and planning emergency response including hand watering during periods of extreme drought.

An analysis examined drought tolerance of 151 species of trees in the public tree inventory, which comprise 78% of public trees (45,345 trees), based on species information from a 2006 study by Niinemets and Valladares (table 7).

- 1,765 public trees in Fort Collins have **LOW** drought tolerance



- 28,999 public trees have **MEDIUM** drought tolerance
- 14,581 public trees have **HIGH** drought tolerance

Together with information about projected climate impacts, including growth in the number of extreme heat days and consecutive dry days, the city can increase the resilience of its public tree inventory by planting more drought-tolerant species over time.

Table 7. Drought tolerance of the 35 most abundant species in the public tree inventory.

DROUGHT TOLERANCE		
LOW	MEDIUM	HIGH
<i>Populus angustifolia</i> *	<i>Acer grandidentatum</i>	<i>Catalpa speciosa</i>
<i>Populus sargentii</i> *	<i>Acer negundo</i> *	<i>Elaeagnus angustifolia</i> *
<i>Ulmus davidiana</i>	<i>Acer platanoides</i>	<i>Gleditsia triacanthos</i>
	<i>Acer saccharinum</i>	<i>Juniperus scopulorum</i>
	<i>Acer saccharum</i>	<i>Pinus edulis</i>
	<i>Acer tataricum</i>	<i>Pinus nigra</i>
	<i>Aesculus glabra</i>	<i>Pinus ponderosa</i>
	<i>Celtis occidentalis</i>	<i>Pinus sylvestris</i>
	<i>Fraxinus americana</i> *	<i>Pyrus calleryana</i>
	<i>Fraxinus pennsylvanica</i> *	<i>Quercus gambelii</i>
	<i>Malus domestica</i>	<i>Quercus shumardii</i>
	<i>Picea glauca</i>	
	<i>Picea pungens</i>	
	<i>Pinus strobiformis</i>	
	<i>Quercus macrocarpa</i>	
	<i>Quercus robur</i>	
	<i>Syringa reticulata</i>	
	<i>Tilia americana</i>	
	<i>Tilia cordata</i>	
	<i>Ulmus americana</i>	
	<i>Ulmus pumila</i> *	

* Planting these species is prohibited by city code



PRIORITY PLANTING ANALYSIS

The tree cover analysis of Fort Collins identified 15,418 acres of possible tree planting space within the city and growth management area. This space comprises areas on both public and private land that do not have existing tree canopy. It excludes areas including agricultural fields, recreational fields, and major utility corridors where tree canopy would conflict with existing land uses.

The priority planting analysis ranked possible tree planting area on a five-point scale from Very Low to Very High based on the potential for tree benefits to positively impact environmental, human health, and social factors (table 8).

Priority Planting Factors

- **Environmental:** Priority areas for stormwater management were identified based on proximity to hardscape, proximity to tree canopy, floodplain proximity, soil permeability, slope, and soil erosion factor. Areas of higher potential for runoff and erosion were considered higher priority due to their ability to diminish water quality within urban areas. Priority areas for urban heat island mitigation were based on land surface temperature calculations (see figure 15, above). Higher surface temperatures were considered higher priority due to the adverse effects of elevated microclimates within urban areas.
 - The priority planting analysis identified 1,802 acres of possible planting area that rank High or Very High in the ability to mitigate stormwater runoff (figure 17).
 - The analysis identified 3,167 acres of possible planting area that rank High or Very High for urban heat island mitigation (figure 18).
- **Social Equity:** The priority planting analysis incorporated social equity factors that correlate with vulnerabilities that can be partially mitigated by tree benefits based on scientific research. The analysis used U.S. Census data of income, population density, racial and ethnic minority percent, and home renter percent. Priority areas for social equity are places where additional tree canopy would benefit vulnerable populations.
 - The priority planting analysis identified 2,287 acres of possible planting area that rank High or Very High for proximity to residents that have increased vulnerability to environmental and climate concerns that can be mitigated by trees (figure 19).
- **Human Health:** The priority planting analysis also incorporated three human health concerns that are prevalent in Fort Collins and most impacted by tree benefits: asthma, heart disease, and mental health disorders (see box, “Trees



Contribute to Neighborhood & Community Vitality”). Priority areas for human health are areas where these concerns are most prevalent.

- The priority planting analysis identified 3,342 acres of possible planting area that rank High or Very High for proximity to residents that have health concerns that can be mitigated by trees (figure 20).
- **Composite (All) Priorities:** This analysis overlays each of the factors above to identify priority planting areas where trees can address all issues.
 - The priority planting analysis identified 2,250 acres of possible planting area that rank High or Very High for the combined effects of all the factors listed above (figure 21).

Table 8. Possible tree planting area in Fort Collins, ranked by priority to address environmental, social equity, and/or human health factors.

PRIORITY	PRIORITY PLANTING ACRES				
	STORMWATER	HEAT ISLAND	SOCIAL EQUITY	HEALTH	ALL
Very Low	10,472	2,007	6,165	5,353	8,218
Low	1,989	3,723	3,565	4,418	3,337
Moderate	1,155	6,521	3,401	2,305	1,613
High	936	2,841	1,153	556	1,206
Very High	867	326	1,135	2,787	1,044



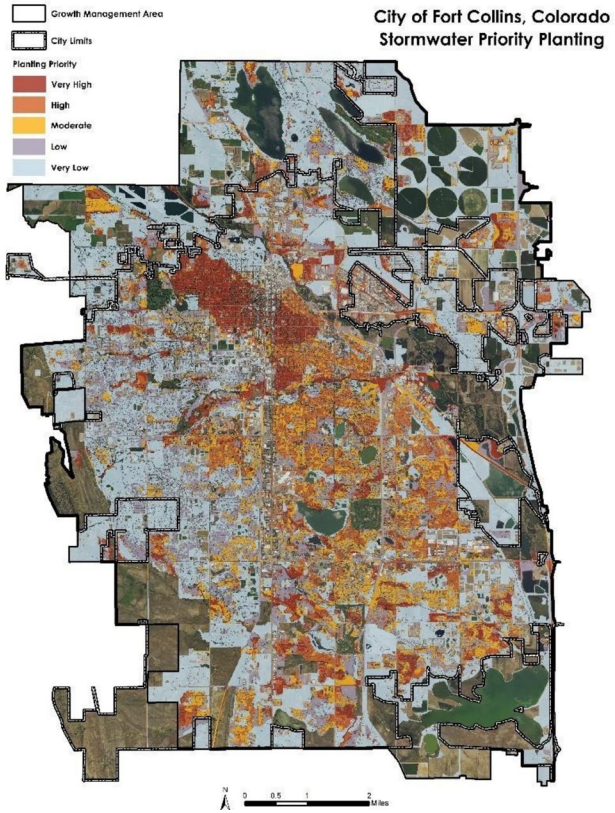


Figure 17. Priority planting areas for stormwater management, based on a combination of environmental factors that contribute to increased stormwater runoff.

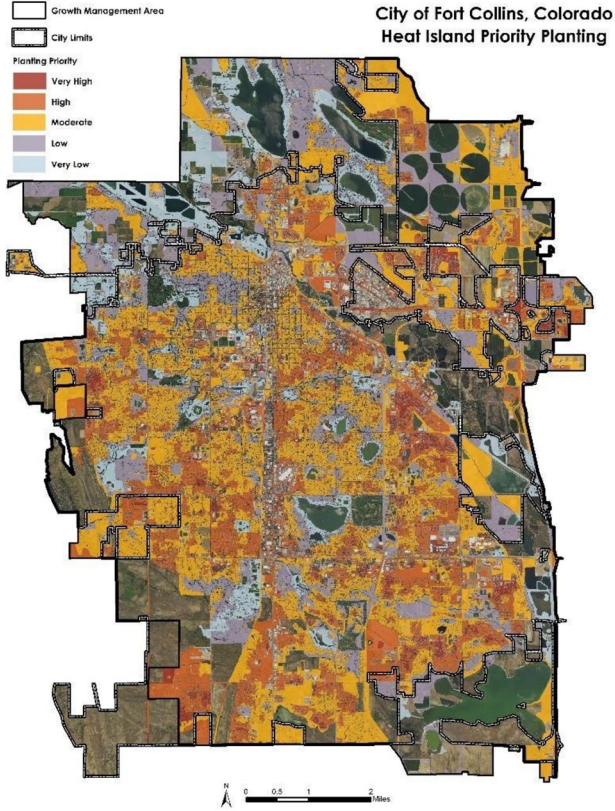


Figure 18. Priority planting areas for urban heat island mitigation based on land surface temperatures.



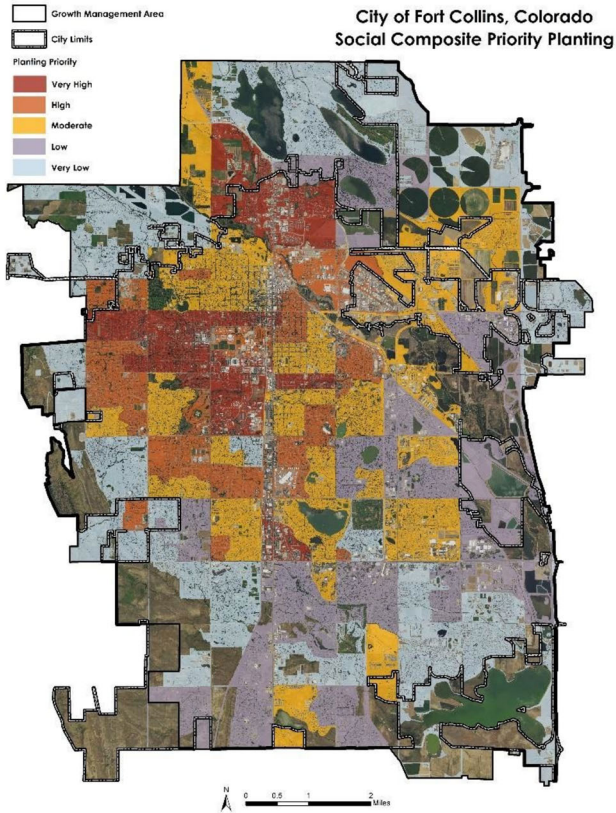


Figure 19. Priority planting areas where tree benefits can be placed in proximity to vulnerable resident populations.

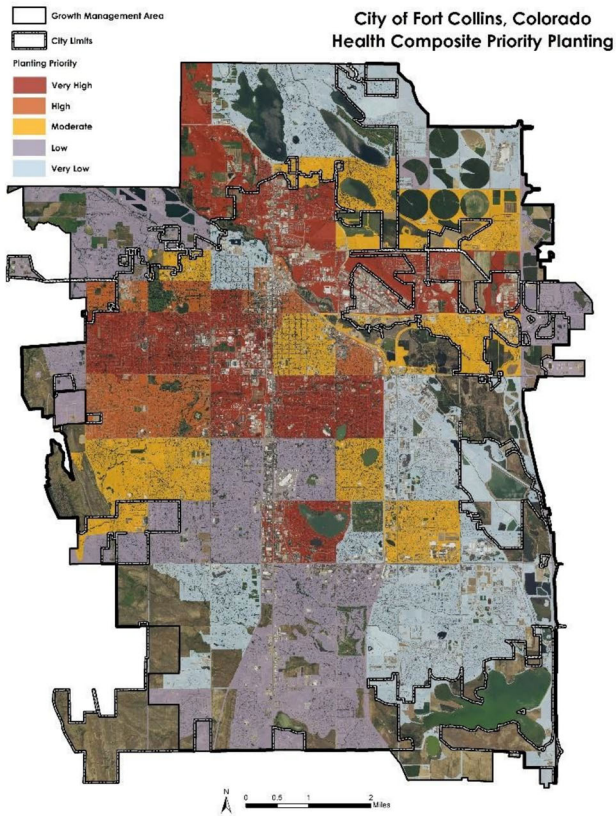


Figure 20. Priority planting areas where tree canopy can help mitigate asthma, heart disease, and mental health disorders.



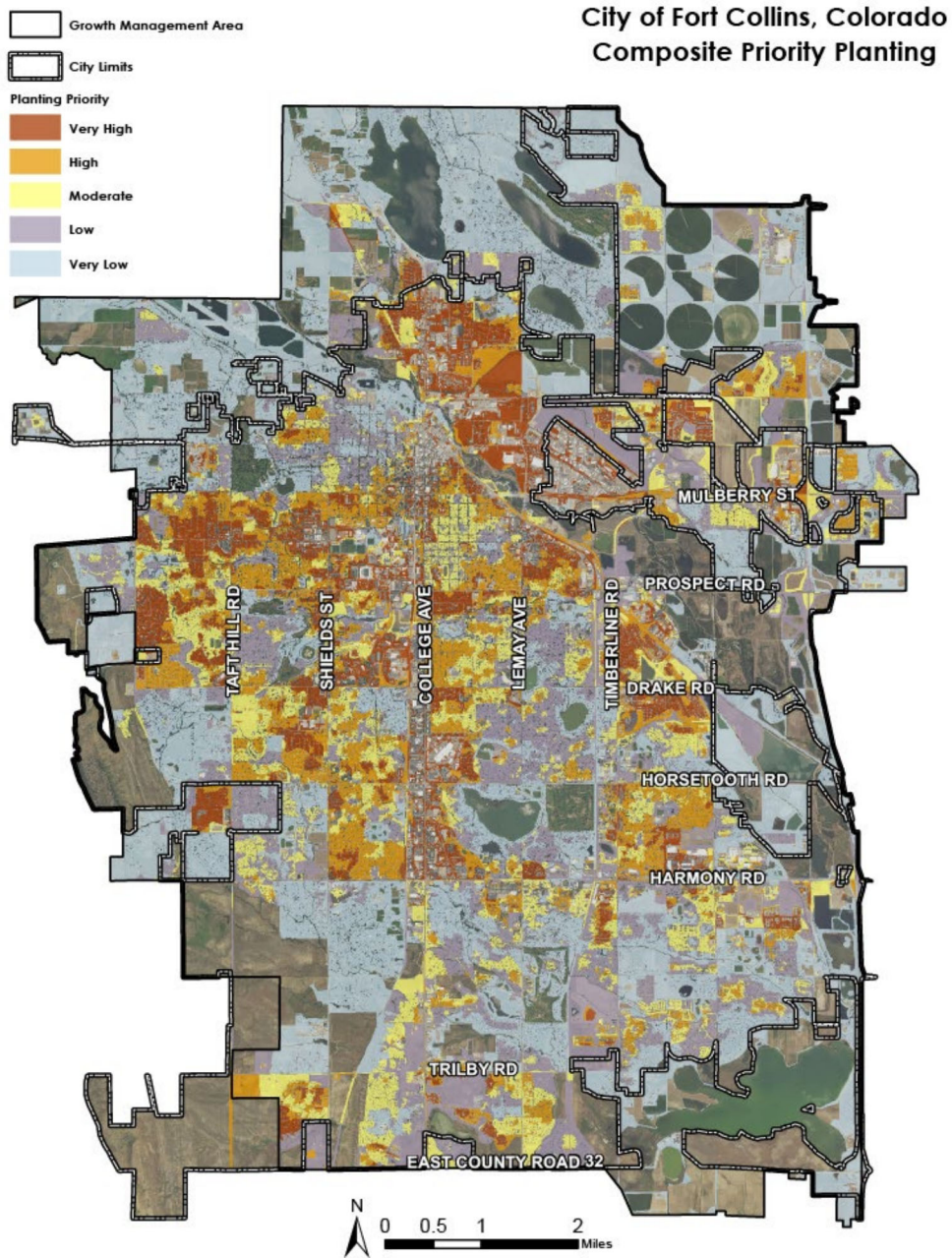


Figure 21. Priority planting areas that maximize the environmental, social, and human health benefits of trees.



Tree Placement

A tree placement analysis identified 465,507 possible tree planting sites across Fort Collins, including on both public and private land (table 9). Sites were classified as being suitable for trees based on small, medium, or large crown size. Large trees were placed first, as they provide the greatest benefit; then, the remaining planting area was populated with small- and medium-statured trees.

The analysis produced a GIS data file with all planting sites and accompanying information about priority planting metrics for environmental, social, and human health factors (figure 22). Data are provided to the City of Fort Collins as a standalone GIS tool.

Table 9. Possible tree planting sites, classified by the size of tree that they can accommodate.

TREE CROWN SIZE	NUMBER OF PLANTING SPACES
Large	207,695
Medium	56,139
Small	201,673
Total Sites	465,507

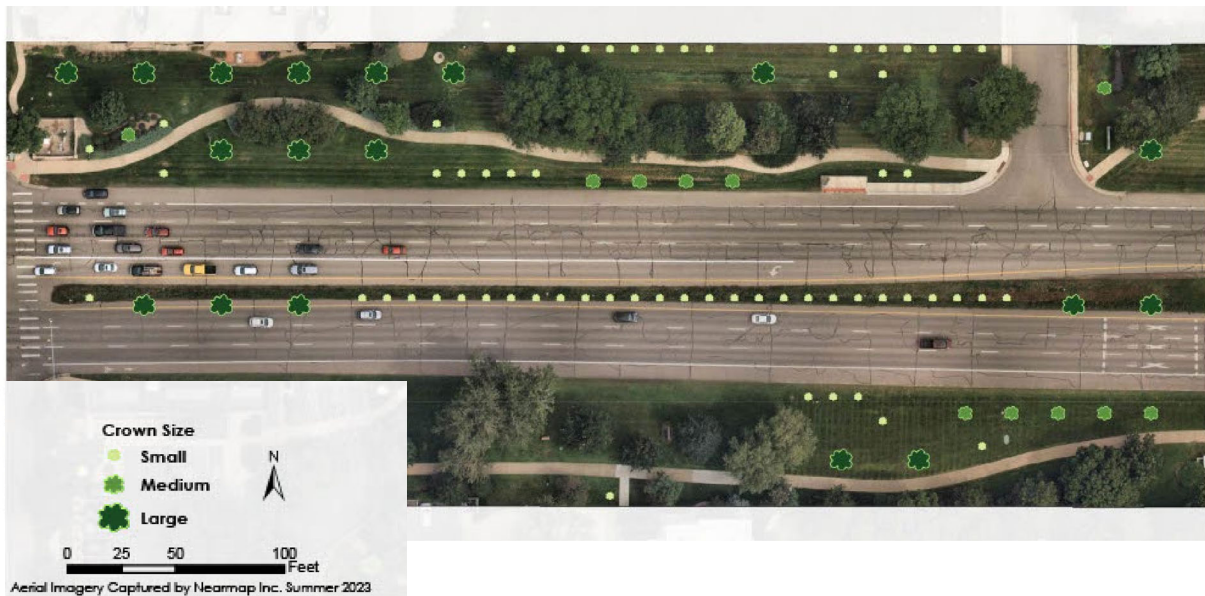


Figure 22. A snapshot taken from the tree placement analysis showing possible planting locations for small-, medium-, and large-stature trees along a street right-of-way.



RESILIENCE & SUSTAINABLE GROWTH: SUMMARY OF FINDINGS

Trees provide innumerable benefits to the people of Fort Collins. Select tree benefits can be assigned a monetary value that is based on avoided costs, including air pollution reduction, stormwater runoff mitigation, and carbon sequestration and storage. Based on these benefits alone, Fort Collins' trees produce at least \$2.2 million in ecosystem services each year. This amount has increased in the past decade with tree canopy growth—today, trees provide an additional \$346,000 in services per year than they did in 2011. These benefits can be used to explain expenditures for tree planting and maintenance activities to taxpayers and city leadership. These benefits also form the basis for efforts to preserve and expand tree canopy as part of climate resilience strategies and to more equitably distribute tree canopy across the city.

It is important to preserve the function and survival of trees in the face of future threats from pests, diseases, and climate change. Ash comprises a large portion of the city's tree canopy, making emerald ash borer a significant threat into the foreseeable future. Oak wilt may present a concern for public trees in the future. The city's EAB response can serve as a model for expanded pest and disease planning and management.

Future climate predictions include increases in periods of extreme heat, drought, and early/late freezes, all of which can be challenging conditions for trees. New species are coming to Fort Collins in the future that present additional options for drought tolerance and urban resilience. Species recommendations, such as the trees and shrubs that are recommended by Plant Select, have few specimens in the existing public tree inventory, demonstrating a potential for expanded planting. Collaborative partnerships with local growers will be needed for the continued management of pests and to secure desired climate-resilient nursery stock.

Comparing maps of canopy change (for example, see map 3) to priority planting maps for social and human health benefits show that many areas of greatest tree canopy loss have occurred where tree canopy is most needed to build social equity. The priority planting and tree placement analyses can be used to guide future planting efforts on both public and private land where trees can have the greatest impact.



Operational Efficiency and Resource Management

INDICATORS OF A SUSTAINABLE URBAN FOREST

To better understand and evaluate the level of urban forest care, management, and engagement in Fort Collins, the city's forestry program was assessed on 30 sustainable urban forest indicators (tables 10, 11, and 12). The Indicators of a Sustainable Urban Forest is a program assessment tool that uses industry standards and best management practices to assess the city's urban forest, its management, and the community and stakeholders that influence it.

Fort Collins' performance level for 30 Indicators of a Sustainable Urban Forest was assessed as:

- **LOW** on 3 indicators (10%)
- **LOW-MODERATE** on 1 indicators (3%)
- **MODERATE** on 15 indicators (50%)
- **MODERATE-HIGH** on 5 indicators (17%)
- **HIGH** on 6 indicators (20%)

Summarized by each of the three categories of indicators, Fort Collins' performance level is:

- The Trees: **MODERATE**
- The Community & Stakeholders: **MODERATE**
- The Management Program: **MODERATE-HIGH**



The Trees: MODERATE

Table 10. Fort Collins' urban forestry performance level for eight indicators of a sustainable urban forest that relate to trees and tree canopy.

INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Urban Tree Canopy	Achieve the desired tree canopy cover according to goals set for the entire city and neighborhoods. Alternatively, achieve 75% of the total canopy possible for the entire city and in each neighborhood.	Canopy is decreasing. - and/or - No canopy goals have been set.	Canopy is not dropping, but not on a trajectory to achieve the established goal.	Canopy goal is achieved, or well on the way to achievement.	No canopy goal has been set, but canopy grew 17.2% in past 10 years.
Equitable Distribution of Canopy	Achieve low variation between tree canopy and equity factors citywide by neighborhood. Ensure that the benefits of tree canopy are available to all, especially for vulnerable populations for whom tree benefits are of particular importance.	Tree planting and public outreach and education is not determined by tree canopy cover or benefits.	Tree planting and public outreach and education is focused on neighborhoods with low tree canopy.	Tree planting and public outreach and education is focused in neighborhoods with low tree canopy and a high need for tree benefits.	A planting plan can help the city plan canopy growth for low-canopy, high-need neighborhoods.
Age of Trees (Size and Age Distribution)	Establish a diverse-aged population of public trees across the entire city and for each neighborhood. Ideal standard: 0-8" DBH: 40% 9-17" DBH: 30% 18-24" DBH: 20% Over 24" DBH: 10%	Age distribution is not proportionately distributed across size classes at the city level.	Age distribution is evenly distributed at city level, though unevenly distributed at the neighborhood level.	Age distribution is generally aligned with the ideal standard diameter classes at the neighborhood level.	Citywide age distribution is 60% young trees.
Condition of Publicly Owned Trees	Possess a detailed understanding of tree condition and potential risk of all intensively-managed, publicly-owned trees. This information is used to direct maintenance actions.	No current information is available on tree condition or risk.	Information from a partial or sample or inventory is used to assess tree condition and risk.	Information from a current, GIS-based, 100% complete public tree inventory is used to indicate tree condition and risk.	Condition information is available, and there is partial information about risk.
Condition of Publicly-Owned Natural Areas	Possess a detailed understanding of the ecological structure and function of all publicly-owned natural areas (such as woodlands, ravines, stream corridors, etc.), as well as usage patterns.	No current information is available on tree condition or risk.	Publicly-owned natural areas are identified in a sample-based "natural areas survey" or similar data.	Information from a current, GIS-based, 100% complete natural areas survey is utilized to document ecological structure and function, as well as usage patterns.	Limited tree inventory within public natural areas.



INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Trees on Private Property	Possess a solid understanding of the extent, location and general condition of trees on private lands.	No data is available on private trees.	Current tree canopy assessment reflects basic information (location) of both public and private canopy combined.	Detailed information available on private trees. Ex. bottom-up sample-based assessment of trees.	Current citywide UTC assessment based on 2021 data.
Diversity	Establish a genetically diverse population of publicly-owned trees across the entire city and for each neighborhood. Tree populations should be comprised of no more than 30% of any family, 20% of any genus, or 10% of any species.	Fewer than five species dominate the entire tree population citywide.	No species represents more than 20% of the entire tree population citywide.	No species represents more than 10% of the entire tree population citywide.	Only <i>Fraxinus pennsylvanica</i> (11%) and <i>Gleditsia triacanthos</i> (11%) exceed 10%, and there are plans in place to reduce their population.
Suitability	Establish a tree population suited to the urban environment and adapted to the overall region. Suitable species are gauged by exposure to imminent threats, considering the "Right Tree for the Right Place" concept and invasive species.	Less than 50% of trees are considered suitable for the site.	50% to 75% of trees are considered suitable for the site.	More than 75% of trees are considered suitable for the site.	Many trees are reliant on irrigation for survival; predictions of future drought, extreme heat, and abrupt cold will pose a challenge to many species.

The Players: MODERATE

Table 11. Fort Collins' urban forestry performance level for nine indicators of a sustainable urban forest that relate to partnerships and the community.

INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Neighborhood Action	Citizens understand, cooperate, and participate in urban forest management at the neighborhood level. Urban forestry is a neighborhood-scale issue.	Little or no citizen involvement or neighborhood action.	Some active groups are engaged in advancing urban forestry activity, but with no unified set of goals or priorities.	The majority of all neighborhoods are organized, connected, and working towards a unified set of goals and priorities.	UFA program; HOA tree planting programs



<p>Large Private & Institutional Landholder Involvement</p>	<p>Large, private, and institutional landholders embrace citywide goals and objectives through targeted resource management plans.</p>	<p>Large private land holders are unaware of issues and potential influence in the urban forest. No large private land management plans are currently in place.</p>	<p>Education materials and advice is available to large private landholders. Few large private landholders or institutions have management plans in place.</p>	<p>Clear and concise goals are established for large private land holders through direct education and assistance programs. Key landholders and institutions have management plans in place.</p>	<p>Several partners noted a good relationship with Forestry. CSU coordinates with Forestry on management of trees along their boundaries. Opportunity to increase cooperation on campuses for Broadcom/ Hewlett-Packard, Poudre School District, Woodward Governor, and Budweiser.</p>
<p>Green Industry Involvement</p>	<p>The green industry works together to advance citywide urban forest goals and objectives. The city and its partners capitalize on local green industry expertise and innovation.</p>	<p>Little or no involvement from green industry leaders to advance local urban forestry goals.</p>	<p>Some partnerships are in place to advance local urban forestry goals, but more often for the short-term.</p>	<p>Long-term committed partnerships are working to advance local urban forestry goals.</p>	<p>Forestry staff are highly involved in regional conversations about EAB, wood waste utilization, and other topics.</p>
<p>City Department and Agency Cooperation</p>	<p>All city departments and agencies cooperate to advance citywide urban forestry goals and objectives.</p>	<p>Conflicting goals and/or actions among city departments and agencies.</p>	<p>Informal teams among departments and agencies are communicating and implementing common goals on a project-specific basis.</p>	<p>Common goals and collaboration occur across all departments and agencies. City policy and actions are implemented by formal interdepartmental and interagency working teams on all city projects.</p>	<p>Veg Team meets to discuss vegetation across city departments. Partners noted that Zoning and Forestry may require closer cooperation.</p>
<p>Funder Engagement</p>	<p>Local funders are engaged and invested in urban forestry initiatives. Funding is adequate to implement citywide urban forest management plan.</p>	<p>Little or no funders are engaged in urban forestry initiatives.</p>	<p>Funders are engaged in urban forestry initiatives at minimal levels for short-term projects.</p>	<p>Multiple funders are fully engaged and active in urban forestry initiatives for short-term projects and long-term goals.</p>	<p>Share Some Shade and Living Tribute Trees programs; private donation of \$50,000 per year in 2022 and 2023.</p>



<p>Utility Engagement</p>	<p>All utilities are aware of and vested in the urban forest and cooperates to advance citywide urban forest goals and objectives.</p>	<p>Utilities and city agencies act independently of urban forestry efforts. No coordination exists.</p>	<p>Utilities and city agencies have engaged in dialogues about urban forestry efforts with respect to capital improvement and infrastructure projects.</p>	<p>Utilities, city agencies, and other stakeholders integrate and collaborate on all urban forestry efforts, including planning, site work, and outreach/education.</p>	<p>There is some coordination between Forestry and utilities. Additional coordination may be needed for education and outreach to private property owners. Utilities and Engineering/CIP have concerns about increased mitigation requirements of draft Land Use Code.</p>
<p>Developer Engagement</p>	<p>The development community is aware of and vested in the urban forest and cooperates to advance citywide urban forest goals and objectives.</p>	<p>Little or no cooperation from developers in (or awareness of) municipality-wide urban forest goals and objectives.</p>	<p>Some cooperation from developers and general awareness and acceptance of municipality-wide goals and objectives.</p>	<p>Specific collaborative arrangements across development community in support of municipality-wide goals and objectives.</p>	<p>Developers exhibit good understanding and acceptance of city rules. New LUC updates demonstrate capacity for city goals & objectives.</p>
<p>Public Awareness</p>	<p>The general public understands the benefits of trees and advocates for the role and importance of the urban forest.</p>	<p>Trees are generally seen as a nuisance, and thus, a drain on city budgets and personal paychecks.</p>	<p>Trees are generally recognized as important and beneficial.</p>	<p>Trees are seen as valuable infrastructure and vital to the community's well-being. The urban forest is recognized for the unique environmental, economic, and social services it provides to the community.</p>	<p>The public is generally supportive of the urban forest on public land. Support for the private urban forest needs further assessment to tease apart public sentiment about specific issues.</p>
<p>Regional Collaboration</p>	<p>Neighboring communities and regional groups are actively cooperating and interacting to advance the region's stake in the city's urban forest.</p>	<p>Little or no interaction between neighboring communities and regional groups.</p>	<p>Neighboring communities and regional groups share similar goals and policy vehicles related to trees and the urban forest.</p>	<p>Regional urban forestry planning, coordination, and management is widespread.</p>	<p>Numerous local communities have indicated an interest in partnering. There's an opportunity to share planning and resources and coordinate more on education/outreach. Additional</p>



				opportunities at county level (Larimer, Weld), CO State Forest Service, CSU/CSU Extension, and Poudre School District.
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The Management: MODERATE-HIGH

Table 12. Fort Collins’ urban forestry performance level for 12 indicators of a sustainable urban forest that relate to Forestry operations.

INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Tree Inventory	Comprehensive, GIS-based, current inventory of all intensively-managed public trees to guide management, with mechanisms in place to keep data current and available for use. Data allows for analysis of age distribution, condition, risk, diversity, and suitability.	No inventory or out-of-date inventory of publicly-owned trees.	Partial or sample-based inventory of publicly-owned trees, inconsistently updated.	Complete, GIS-based inventory of publicly-owned trees, updated on a regular, systematic basis.	Current inventory dates from 2018-2023
Canopy Assessment	Accurate, high-resolution, and recent assessment of existing and potential city-wide tree canopy cover that is regularly updated and available for use across various departments, agencies, and/or disciplines.	No tree canopy assessment.	Sample-based canopy cover assessment, or dated (over 10 years old) high resolution canopy assessment.	High-resolution tree canopy assessment using aerial photographs or satellite imagery.	Current UTC from 2021 data with comparison to 2011.
Management Plan	Existence and buy-in of a comprehensive urban forest management plan to achieve city-wide goals. Re-evaluation is conducted every 5 to 10 years.	No urban forest management plan exists.	A plan for the publicly-owned forest resource exists but is limited in scope, acceptance, and implementation.	A comprehensive plan for the publicly owned forest resource exists and is accepted and implemented.	City demonstrates elements of a management plan, such as a proactive pruning program. There is opportunity to create a planning document that can be circulated for support.



INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Risk Management Program	All publicly-owned trees are managed for maximum public safety by way of maintaining a city-wide inventory, conducting proactive annual inspections, and eliminating hazards within a set timeframe based on risk level. Risk management program is outlined in the management plan.	Request-based, reactive system. The condition of publicly-owned trees is unknown.	There is some degree of risk abatement thanks to knowledge of condition of publicly-owned trees, though generally still managed as a request-based reactive system.	There is a complete tree inventory with risk assesment data and a risk abatement program in effect. Hazards are eliminated within a set time period depending on the level of risk.	Forestry has noted a decrease in risk assessment needs and tree failures with shorter pruning rotation. Forestry is trying to shift away from a request-based reactive system.
Maintenance Program of Publicly-Owned Trees	All intensively-managed, publicly-owned trees are well maintained for optimal health and condition in order to extend longevity and maximize benefits. A reasonable cyclical pruning program is in place, generally targeting 5 to 7 year cycles. The maintenance program is outlined in the management plan.	Request-based, reactive system. No systematic pruning program is in place for publicly-owned trees.	All publicly-owned trees are systematically maintained, but pruning cycle is inadequate.	All publicly-owned trees are proactively and systematically maintained and adequately pruned on a cyclical basis.	There is extensive pruning taking place, currently on a 5–6 year cycle. Young trees are visited more frequently—every 2-3 years to manage clearance.
Maintenance Program of Publicly-Owned Natural Areas	The ecological structure and function of all publicly-owned natural areas are protected and enhanced while accommodating public use where appropriate.	No natural areas management plans are in effect.	Only reactive management efforts to facilitate public use (risk abatement).	Management plans are in place for each publicly-owned natural area focused on managing ecological structure and function and facilitating public use.	Management plans are in place for natural areas by zone, but with minor exceptions, they do not include tree management components; in many places, trees are not desired
Planting Program	Comprehensive and effective tree planting and establishment program is driven by canopy cover goals, equity considerations, and other priorities according to the plan. Tree planting and establishment is outlined in the management plan.	Tree establishment is ad hoc.	Tree establishment is consistently funded and occurs on an annual basis.	Tree establishment is directed by needs derived from a tree inventory and other community plans and is sufficient in meeting canopy cover objectives.	Data from Urban Forest Strategic Plan can be used to create a data-driven planting plan to address priorities.



INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Tree Protection Policy	Comprehensive and regularly updated tree protection ordinance with enforcement ability is based on community goals. The benefits derived from trees on public and private property are ensured by the enforcement of existing policies.	No tree protection policy.	Policies are in place to protect trees, but the policies are not well-enforced or ineffective.	Protections policies ensure the safety of trees on public and private land. The policies are enforced and supported by significant deterrents and shared ownership of city goals.	Policies are in place to protect trees during development, and a permitting process is in place for public trees. Policies are enforced, but there are currently no policies to protect trees on private land outside of development scenarios.
City Staffing and Equipment	Adequate staff and access to the equipment and vehicles to implement the management plan. A high level urban forester or planning professional, strong operations staff, and solid certified arborist technicians.	Insufficient staffing levels, insufficiently-trained staff, and/or inadequate equipment and vehicle availability.	Certified arborists and professional urban foresters on staff have some professional development, but are lacking adequate staff levels or adequate equipment.	Multi-disciplinary team within the urban forestry unit, including an urban forestry professional, operations manager, and arborist technicians. Vehicles and equipment are sufficient to complete required work.	City Forestry is adequately staffed but has identified near-term needs to scale department with growth of canopy. Equipment is in good shape overall, but some equipment needs were noted. City is approaching maximum capacity of existing staff.
Funding	Appropriate funding in place to fully implement both proactive and reactive needs based on a comprehensive urban forest management plan.	Funding comes from the public sector only, and covers only reactive work.	Funding levels (public and private) generally cover mostly reactive work. Low levels of risk management and planting in place.	Dynamic, active funding from engaged private partners and adequate public funding are used to proactively manage and expand the urban forest.	Most funding is from the public sector, but work is more than reactive. Risk management and planting could be increased.



INDICATOR	OVERALL OBJECTIVE OR INDUSTRY STANDARD	PERFORMANCE LEVEL			NOTES
		LOW	MODERATE	HIGH	
Disaster Preparedness & Response	A disaster management plan is in place related to the city's urban forest. The plan includes staff roles, contracts, response priorities, debris management and a crisis communication plan. Staff are regularly trained and/or updated.	No disaster response plan is in place.	A disaster plan is in place, but pieces are missing and/or staff are not regularly trained or updated.	A robust disaster management plan is in place, regularly updated and staff is fully trained on roles and processes.	Storm response plan in place
Communication	Effective avenues of two-way communication exist between the city departments and between city and its citizens. Messaging is consistent and coordinated, when feasible.	No avenues are in place. City departments and public determine on an ad-hoc basis the best messages and avenues to communicate.	Avenues are in place but used sporadically and without coordination or only on a one-way basis.	Avenues are in place for two-way communication, are well-used with targeted, coordinated messages.	Avenues are in place including the City's Access FC system. Additional points of contact include phone and email to various staff. Outside of Access FC system, communication may be one-way and/or harder to track.



Trees Help Build a Safe Community

Trees enhance neighborhoods by providing a sense of community and safety. This is not just perception; a 10% increase in neighborhood tree canopy cover has been associated with a 12%–15% reduction in violent and property crimes. Along streets, trees help to slow traffic, making streets safer for pedestrians and cyclists. Trees also cool streets and sidewalks, creating more comfortable conditions for walking, biking, and public transit.

In communities with high incidences of crime, trees and shrubs can reduce sight lines. In such communities, poorly maintained trees can contribute to a perceived lack of care, which can have negative effects on mental health. An equitable approach to urban forestry cover seeks to increase the benefits that trees provide while mindfully addressing real concerns that residents may have about tree canopy in their neighborhood, such as by ensuring proper maintenance.

Sources: Swift et al., 1997; Kuo, 2003; Ewing & Dumbaugh, 2009; O’Neil-Dunn, 2012; Gilstad-Hayden et al., 2015; USDA Forest Service, 2018.



OPERATIONS REVIEW

An operations review of the Forestry Division was conducted via surveys, staff interviews, and review of written policies and data. Select metrics lend themselves to comparison with findings from a 2014 municipal urban forestry census, which provides benchmarks for forestry programs among U.S. cities by region and population size (Hauer & Peterson, 2016).

Number of Public Trees per Capita

Fort Collins' public tree inventory of 57,991 trees is 0.34 public trees per capita (figure 23). While this is lower than the average for U.S. cities, it is also reflective of Fort Collins' native shrubland and grassland ecosystems.



Figure 23. The number of public trees per capita for 330 U.S. cities who provided data to a 2014 municipal forestry census, compared to figures for cities with populations from 100,000-249,999, cities in the West region of the U.S., and Fort Collins.

Public Tree Activities by Year

The Forestry Division pruned 8,832 trees per year, on average, in the years from 2019–2023 (figure 24). This marks a gradual increase in pruning activities over prior years as part of efforts to achieve a five-year pruning rotation for all public trees (figure 25).

In 2022, the Division pruned 10,877 trees or 22.4% of the public tree inventory, which meets the standard for a five-year pruning cycle. Industry standards recommend a regular pruning cycle of 5–10 years. Only approximately one-half of U.S. cities proactively prune their trees on a regular cycle of any duration (Hauer & Peterson, 2016).



Beginning in 2021, public tree planting exceeded tree removals (figure 26). In this year, the Forestry Division also began prophylactic treatments of public ash trees for emerald ash borer.

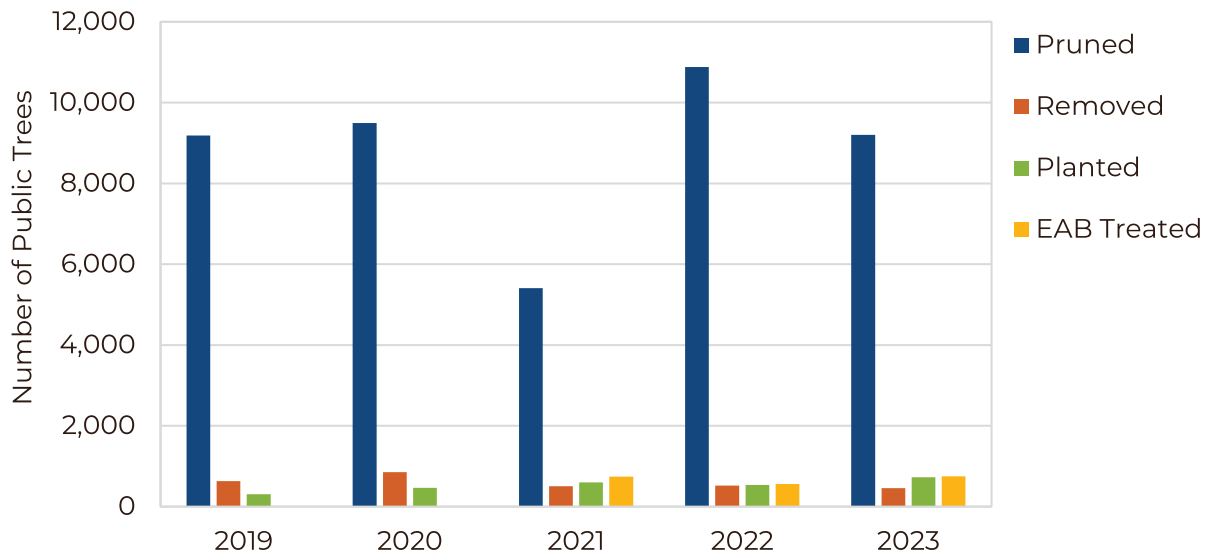


Figure 24. Forestry Division tree activities by year, 2019-2023.

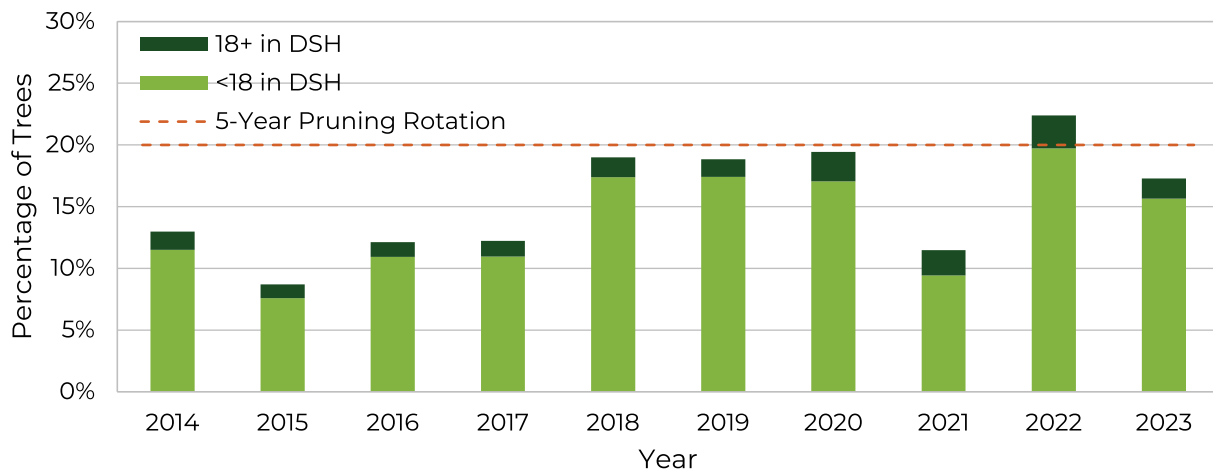


Figure 25. Percentage of public trees pruned by year. Public trees less than 18 inches DSH (light green) and trees 18 inches DSH or larger (dark green) are shown relative to the percentage necessary for a 5-year pruning cycle.



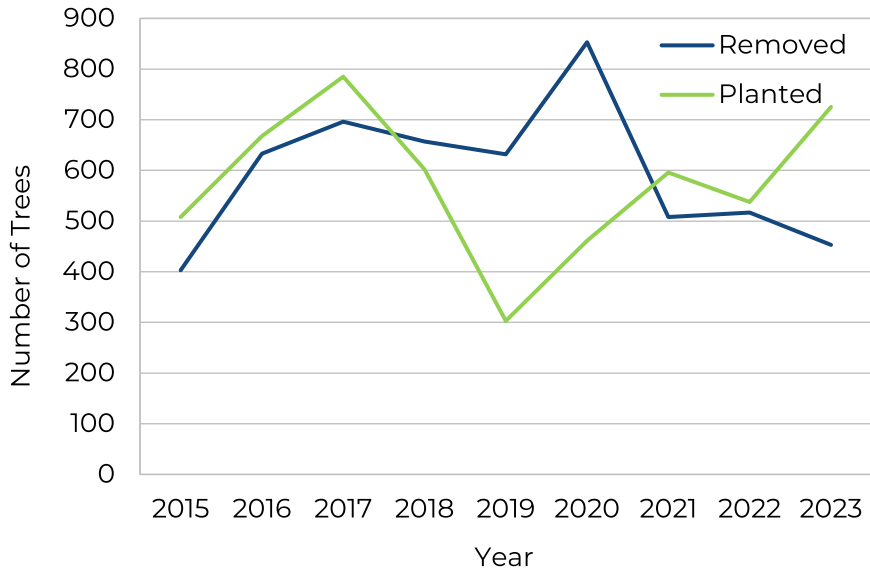


Figure 26. Number of public trees planted and removed by year.

Staffing

The Forestry Division currently employs 17 full-time staff, 5 hourly staff, and receives part-time assistance from one office assistant (table 13, figure 27). One additional full-time staff is housed within the Zoning Department; city council added this position in 2023 to support forestry needs related to development.

Table 13. Forestry Division staffing, 2024.

STAFF TITLE	NUMBER OF STAFF	NUMBER OF VACANCIES
City Forester	1	0
Assistant City Forester	1	0
Senior Specialist, Forestry	3	0
Forestry Zoning Inspector (Zoning Dept.)	1	0
Senior Supervisor, Forestry	1	0
Crew Chief, Forestry	3	0
Technician II, Forestry	6	0
Technician I, Forestry	2	0
Hourly Staff	5	0
Office Assistant	0.25	0



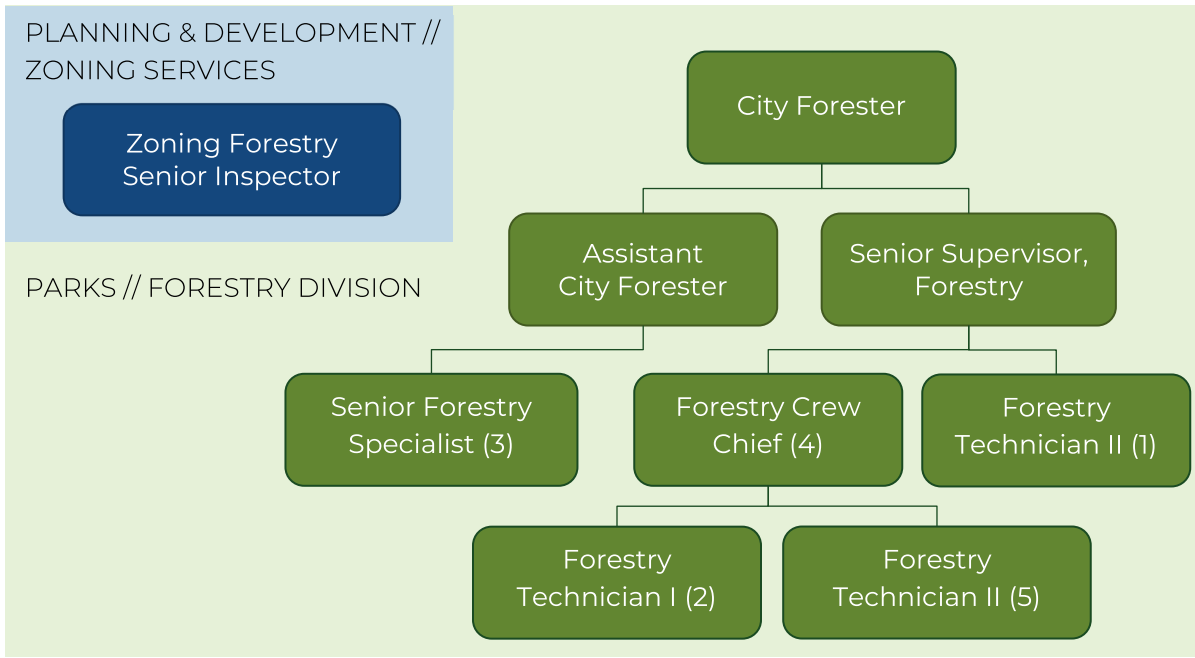


Figure 27. Organizational chart, City forestry staff.

Needed Capacity

Additional capacity needs have been identified for grant writing, development plan review, and for operations including pruning, removal, planting, stump grinding, potholing, infrastructure conflicts, and contract management. Grant writing capacity can assist the Division with securing external funding sources to support expanded planning, policy development, and operations. In plan review, additional capacity would help the Division manage a growing number of requests for tree plan and permit review as staff members are increasingly working with developers to ensure that tree standards are met.

Operations needs can be summarized as one additional crew that will facilitate staff rotations to ease physical demands, reduce injuries, and provide opportunities for cross-training staff in various tree activities.

Credentials and Training

Among 17 existing staff members, fifteen hold Certified Arborist credentials from the International Society of Arboriculture (ISA; figure 28). The Forestry Division was compared to 655 U.S. cities that reported on forestry staff credentials in a national municipal urban forestry census (Hauer & Peterson, 2016). The portion of Forestry Division staff that have advanced training in arboriculture is similar to, or higher than, the average among all U.S. cities for ISA Certified Arborist and Municipal Specialist credentials but slightly lower than the average for cities that are similarly sized to Fort Collins.



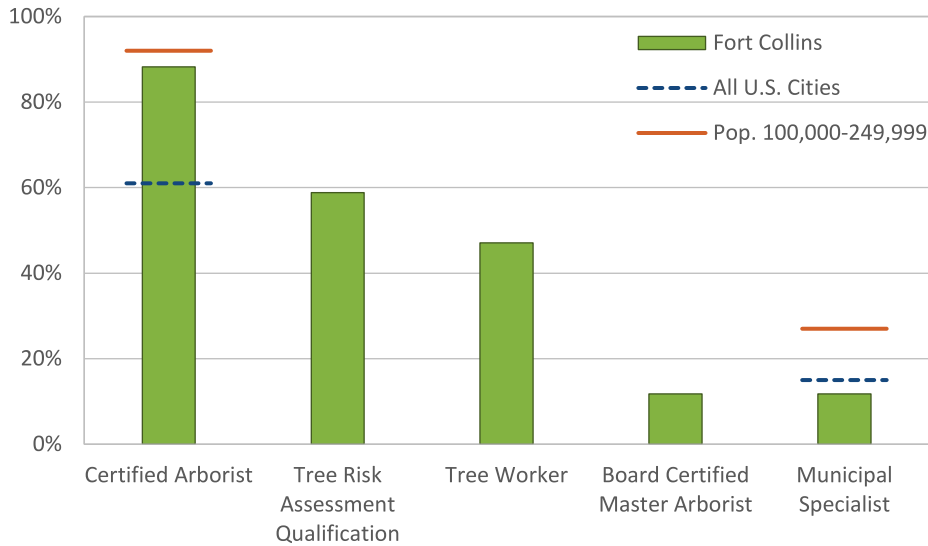


Figure 28. Portion of City forestry staff with ISA credentials compared to forestry staff in 655 U.S. cities of all sizes (blue dashed line) and a subset of cities with a population between 100,000 and 249,999 (red solid line).

Interviews of Forestry Division staff reported that city government is generally supportive of training opportunities as budget allows. The Division is highly participatory in regional working groups and discussions that relate to wood waste diversion and utilization, pest and disease management, and other forestry topics, providing team members with advanced regional learning opportunities. The Division also hosts trainings for external arborists and has Tree Worker Certified Proctors on staff who assist with annual tests.

Interviews supported a need for a more formal, consistent, and organized training process, as well as written policy and processes for training that can be referenced. There is also an opportunity for the Forestry Division to provide wage increases for advanced certification so that compensation rates keep pace with the labor market.

Facilities

The Forestry Division has two office locations. Staff are divided between the two offices. Building, wood yard, and mulch space is approaching maximum capacity.

Equipment

The Forestry Division is adequately equipped for its current workload, but equipment needs require frequent reevaluation (table 14). Staff noted equipment needs including replacements for equipment that is frequently used and currently in Fair condition: a grapple, utility lift, and large aerial lift. Staff also noted needs for additional equipment including a water truck, a small bucket truck, a traffic attenuator, and trucks that are able to haul a skid steer and/or stump grinder. If an



additional operations crew were to be added to the Division, there would be equipment needs related to outfitting that crew.

Table 14. Forestry Division equipment, quantity, and condition.

TYPE OF EQUIPMENT	QUANTITY	CONDITION RATING
Aerial lift	3	2 Fair, 1 Good
Chip truck	3	Fair
Chipper	3	Fair
Grapple truck	2	Good
Stump grinder	2	1 Fair, 1 Good
Dump truck	3	Fair
Pickup trucks	8	2 Good, 6 Fair
Electric vehicle	1	Fair
Traffic attenuator	1	Fair
Front loader	1	Fair
Electronic message & arrow board	1	Good
Utility trailer	5	Good

Budget & Funding

The Forestry Division is supported by the City's General Fund, which is the main operating fund for the City of Fort Collins. The Division also has a revenue account that captures restitution and payment-in-lieu monies from development activities.

From 2019–2023, the Forestry Division annual budget ranged from \$2.34 million–\$3.35 million (figure 29). As a percentage of the total city budget, Fort Collins is on par with the average for 463 cities that provided budgetary information to a 2014 municipal forestry census (figure 30).

A significant snowstorm in March 2021 that brought up to 27 inches of snow resulted in extensive tree damage, which led to an additional allocation of \$273,837 to the Forestry Division for storm response that funded storm cleanup and additional pruning activities in 2021–2022. In addition, the Division received two private donations of \$50,000 each in 2022 and 2023, designated for tree planting.

Of the cities that provided budgetary information, only one-half (53%) reported that their annual budget was adequate to meet their city's forestry needs. Their average budget shortfall was 45%. Among cities that were similarly sized to Fort Collins, the percentage who said their annual budget was adequate to meet their forestry needs dropped to 39%. In these cities, the average budget shortfall was approximately 36%.



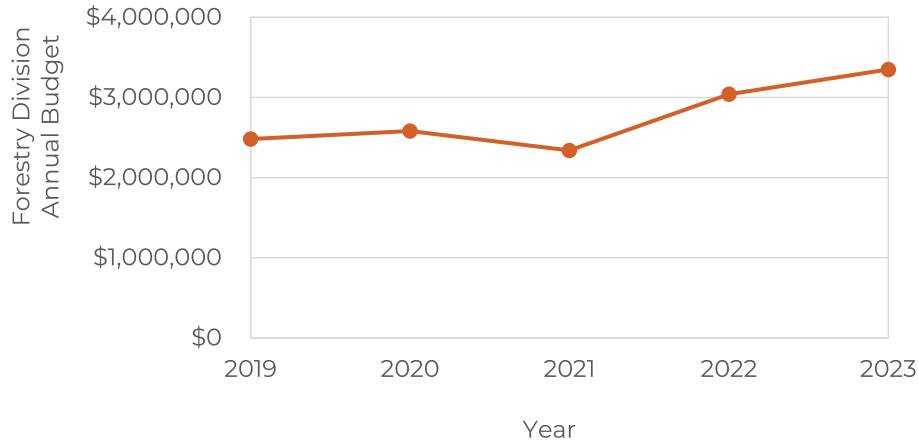


Figure 29. Forestry Division annual budget, 2019–2023.

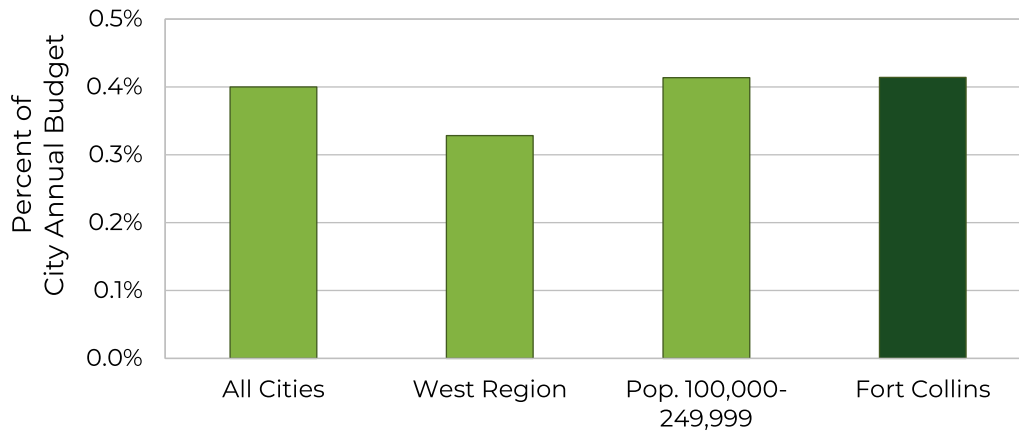


Figure 30. Municipal forestry budgets as a percentage of total municipal budgets for 463 U.S. cities (adjusted for inflation from 2014 values) compared to the Forestry Division's 2023 annual budget.

The Forestry Division’s budget supports tree activities that are completed by both in-house staff and contractors. The largest annual expenditures relate to pruning (figure 31). From 2019–2023, average expenditures for contractual pruning were \$224,000 per year (table 15). In 2023, the Forestry budget allotted \$300,000 for contractual pruning.



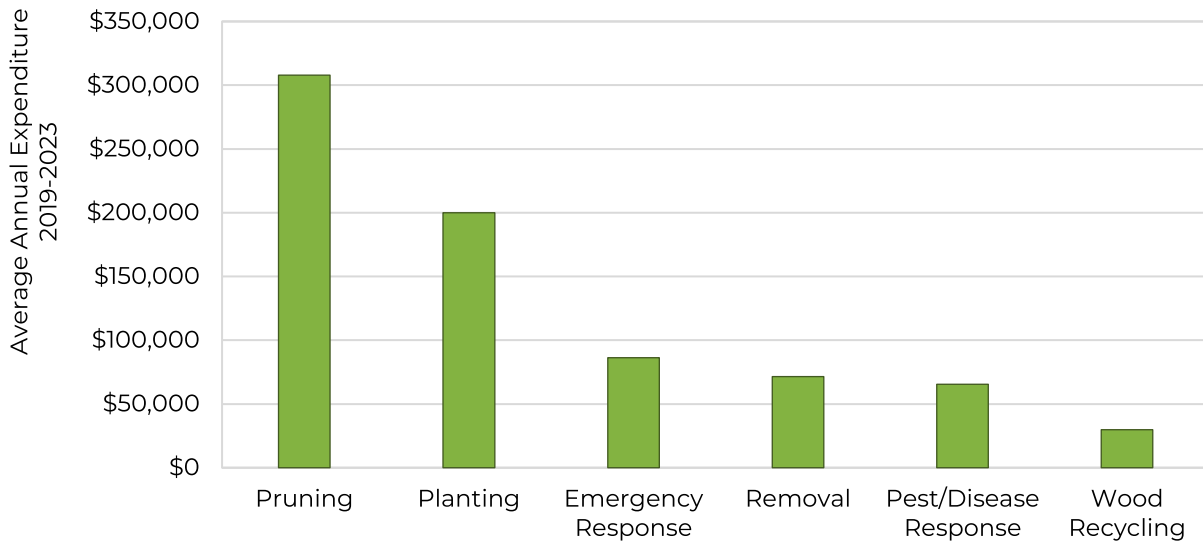


Figure 31. Average annual Forestry Division expenditures by activity, 2019–2023.

Table 15. Contractual pruning expenditures by year, 2019–2023.

YEAR	CONTRACTUAL PRUNING
2019	\$200,000
2020	\$200,000
2021	\$200,000
2022	\$219,384
2023	\$300,000
AVERAGE	\$223,877

Forestry Plans, Policies, and Documents

The following written plans, policies, and documents are maintained by the City or the Forestry Division regarding tree care:

Tree Management Standards and Best Management Practices Manual (2010): Written standards for arborist licensing, pruning, removal, pesticide application, and tree protection. The Forestry Division would like to update this manual.

Emerald Ash Borer Management and Response Plan (2020): Details a three-year treatment plan for the city’s ash trees; procedures for detection, management, and tree replacement; and projected impacts.



Approved Street Trees List: Species guidance for street trees that are planted by property owners, developers, and landscapers in the public right-of-way.

Parks Department Storm Damage to Urban Forest Rating Policy: Describes how storm damage is assessed by city quadrant and prioritized. The Forestry Division would like to update this policy.

Forestry does not yet have the following plans or programs:

- Urban Forest Management Plan
- Risk Management Program
- Public Tree Maintenance Program
- Tree Planting Plan

Forestry Service Requests

The Forestry Division received an average of 131 requests per year from 2019–2023 via Access Fort Collins, the city’s online service request portal (table 16). An additional 1,453 requests per year were sent via the Division’s email address. The Forestry Division also responds to service requests that are sent via phone and email to individual staff members; these requests have not been historically tracked.

Table 16. Forestry service requests from the public, 2019–2023.

YEAR	ACCESS FC INCLUDING COUNCIL SARS	FORESTRY@FCGOV.COM EMAIL
2019	860	
2020	944	
2021	844	
2022	752	1,475
2023	870	1,430

Requests via all channels of contact are routed to specific staff members based on topic. The most common requests relate to tree planting, insect and disease, maintenance, private tree issues, and arborist licensing. Pruning and removal requests are sent to Crew Chiefs, who specialize in specific topics. Emergency requests are typically routed directly to the City Forester, Assistant City Forester, or Senior Forestry Supervisor.

The typical response time for requests is within one year; a small number of larger projects and tree replacement requests are completed within two years. With a move toward a five-year pruning rotation, Forestry has been increasingly responding to pruning requests with education about the city’s pruning rotation, attempting to



defer individual requests until an entire neighborhood can be scheduled and pruned at once.

Challenges of the existing system include multiple avenues of contact, which can create duplicate requests if residents reach out via more than one channel with their request.

Wood Waste Program

The Forestry Division has worked to be zero waste since 2009 by diverting all wood waste material from landfills. The Division works with local wood workers to repurpose quality wood waste from the public tree inventory into value-added products. Other wood waste is provided as mulch to the general public at two locations. Residents can recycle private tree materials at city and county drop-off points and privately managed waste facilities. The City of Fort Collins is a member of the Urban Wood Network, a national network of urban wood professionals and stakeholders.

Future Tree Canopy Growth

Tree canopy cover is projected for Fort Collins to the year 2040 under current tree planting practices, and tree planting is estimated for three possible tree canopy scenarios (table 17). By projecting 2011–2021 tree canopy trends and planting efforts into the future, Fort Collins is on a path to achieve 15.7% tree cover by 2040 (figure 32). Tree planting and preservation would need to significantly scale up to achieve 17%, 18%, or 20% canopy cover by 2040, involving the planting or preservation of 2,623–8,736 additional trees per year across public and private land. This would entail additional Forestry Division support for tree planting as well as strong community involvement to increase tree planting on privately owned land.

Based on Forestry expenditures from 2019–2023 of \$490.55 per tree planted, annual planting budgets for each canopy scenario are estimated to be between \$1.3 million–\$4.3 million per year. Because growing citywide tree canopy involves both public and private tree planting, these costs would be borne by both city government and the private sector. Preservation of existing trees, such as through enhanced tree protection policies for private land, may be a more cost-effective way to achieve a higher canopy goal.



Table 17. Tree canopy cover, canopy acres, and estimated trees to be planted under current levels of public tree planting and three scenarios.

CANOPY COVER 2021: 6,396 ACRES (12.6%)	CANOPY ACRES 2040	CANOPY COVER 2040	TREE CANOPY CHANGE, ACRES (2024–2040)	ESTIMATED TREES TO BE PLANTED/ PRESERVED PER YEAR, WITH MORTALITY*	ESTIMATED ANNUAL PLANTING COSTS, PUBLIC + PRIVATE**
Current Planting	7,988	15.7%	1,592	538	\$263,916
Scenario 1: 17% by 2040	8,643	17.0%	2,246	2,623	\$1,286,701
Scenario 2: 18% by 2040	9,151	18.0%	2,755	4,661	\$2,286,248
Scenario 3: 20% by 2040	10,168	20.0%	3,772	8,736	\$4,285,342

* assumes 66 trees per acre

** based on average Forestry expenditure per tree planted, 2019–2023 (\$490.55/tree)

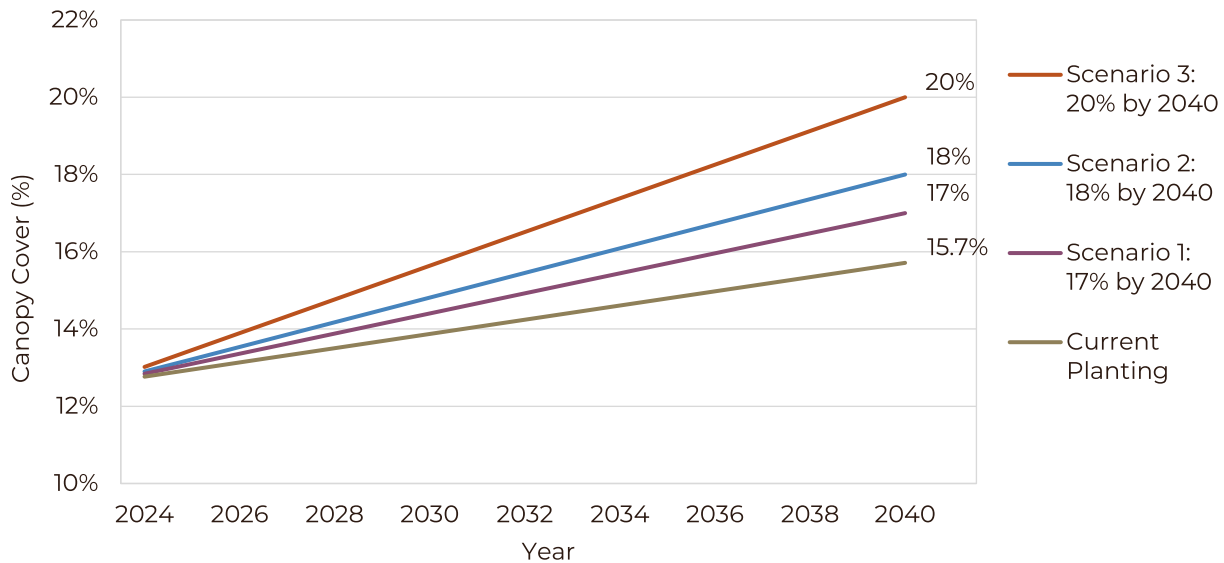


Figure 32. Predicted tree canopy cover under current levels of public tree planting and three scenarios.

OPERATIONAL ANALYSIS: SUMMARY OF FINDINGS

Fort Collins’ Forestry Division provides a high level of service in the management of its public tree inventory. The city recently achieved the first year of a five-year pruning cycle, aided by an additional one-year budget allocation for storm response in 2021–2022 that supported additional pruning activities. This puts Fort Collins within a minority of U.S. cities that proactively manage their public tree inventory per urban forestry industry recommendations of a 5–10 year routine pruning cycle. The Division also recently achieved a level of planting that exceeds removals in 2022, aided by \$100,000 in private donations for tree planting.



As the inventory grows, it will be necessary to scale Forestry Division operations and capacity to keep pace. As noted in the public tree inventory, public trees skew to younger size classes (see figure 14). As these trees grow into larger size classes, per-tree maintenance costs will increase over time.

Additional capacity will be particularly needed if Fort Collins wants to increase its rate of canopy growth over time. The City is on a path to achieve 15.7% tree cover by 2040, if the previous decade's trend continues. To increase canopy cover to 17%–20% would require the additional planting of or preservation of 2,623–8,736 trees per year across public and private lands. The costs of such an endeavor vary but, using Forestry's per-tree expenditure from 2019–2023 as a benchmark, costs are estimated to be \$1.3 million–\$4.3 million per year. Enhanced tree protection and preservation provides an alternative to tree planting to achieve the City's canopy goal.

The Forestry Division is currently fully staffed and has identified needed capacity in grant writing, plan review, and operations. Additional staff capacity in plan and permit review will become especially necessary with any future adoption of an expanded land use code and any additional policy changes for tree preservation and protection. To maintain a five-year pruning cycle as the urban forest grows, it will be necessary to add an additional operations crew and associated equipment. Additional operations capacity will help existing staff develop new skills and remain healthy in physically demanding positions by allowing for crew rotations among different tree activities.

The Forestry Division could benefit from closer tracking of resident requests and budget expenditure by tree activity. Such tracking expands the opportunities for reporting about tree activities relative to the City's Key Outcome Areas. It also provides opportunities to more closely track staff time and expenditures related to resident requests.

Detailed work plans are another method to make efficient use of personnel and budget. Enhanced data collection for the tree inventory to include maintenance needs and risk can help inform planning for the routine pruning cycle and reduce resident requests. Inventory data about vacant planting sites, combined with the priority planting and tree placement analyses, can be used to create annual planting plans to plant trees where they are most needed.





Forestry Division Contributions to a High Performing Government

Fort Collins' Forestry Division, housed within the Parks Department, provides a high level of service in the management of public trees.

Proactive Maintenance. The Division is among a minority of U.S. cities that maintain public trees on a routine pruning cycle. Routine maintenance is a safer and more cost effective alternative than reactive pruning that takes place in response to storm damage, emergencies, and public requests, saving the City up to 50% in pruning costs. The Division currently maintains public trees on a 5–7 year pruning cycle, with the goal of attaining a consistent five-year pruning cycle.

Data-Driven Management. The urban tree canopy assessment, inventory data, and other information that is presented in the *Urban Forest Strategic Plan* will be regularly updated to assist Forestry with informed decision making. The information in the Plan can also be used to inform policy updates for the strategic growth and protection of the urban forest.

Resident Involvement. Urban Forest Ambassadors are trained volunteers that assist the Forestry Division with inventory data collection. This program provides residents with an opportunity to learn more about their urban forest and contribute to its upkeep. Residents are also able to make requests related to public trees through Access Fort Collins. And more than 1,180 residents contributed their ideas to the creation of this Urban Forest Strategic Plan through participation in the planning process.

Integration with City Plans and Priorities. Trees and tree benefits are integrated into many City plans, including the City's strategic plan, and there are future opportunities to increase Forestry involvement in planning efforts. Implementation of this Urban Forest Strategic Plan will enhance the ways that urban forestry can be related to city Outcome Areas.

Sources: AECOM, 2013; Fort Collins 2024 Strategic Plan.



Community Engagement and Policy Integration

COMMUNITY FEEDBACK

Public engagement took place throughout the planning process to gather community input and feedback about Fort Collins' trees. Public engagement included a public survey and three public meetings. Forestry partnering entities were also invited to provide feedback in structured focus group meetings.

Public Survey

The Urban Forest Strategic Plan planning team released a public survey in fall 2023 that was open to public participation from September–December 2023. Nine hundred seventy-one (971) participants completed the survey, which included 14 questions (table 18).

Ninety-nine percent (99%) of respondents agreed or strongly agreed that trees are an important part of Fort Collins (figure 33), while 95% agreed that public trees are well cared for or somewhat well cared for (figure 34). There was mixed agreement about whether Fort Collins has the right number of trees or too few (figure 35).

In general, respondents favor public land for tree planting, including parks, streets, schools, and trails, over private property (figure 36). When asked about their support for various private tree protection mechanisms, including tree removal permits, tree replacement or payment-in-lieu, and increased education about tree protection standards during construction, most respondents (75%) supported increased education (figure 37), while approximately 40% of respondents supported stronger tree protection mechanisms. Twenty percent of respondents did not support stronger private tree protection policies.

Participants ranked the top three tree benefits as shade, urban heat island mitigation, and air quality improvements (figure 38). In an open-ended question about their hopes for the future of Fort Collins' urban forest, the most common response themes included hopes for a healthy urban forest, opinions about species selection, and a desire for more trees (figure 39; table 19).



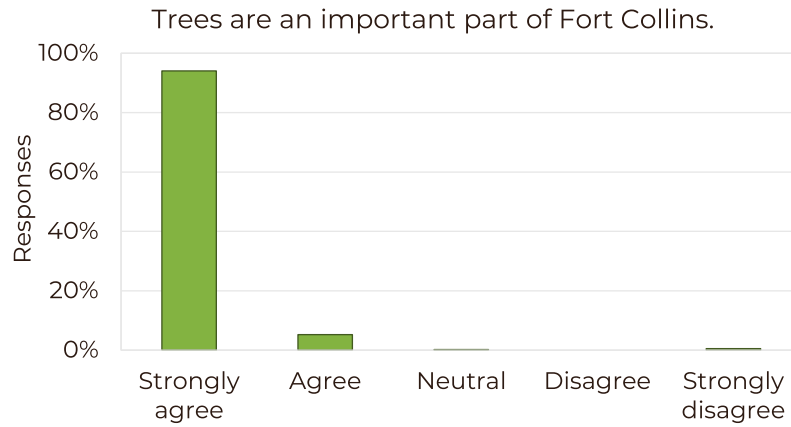


Figure 33. Responses to public survey question that asked participants to rate their agreement with the phrase, “Trees are an important part of Fort Collins” using a five-point Likert scale.

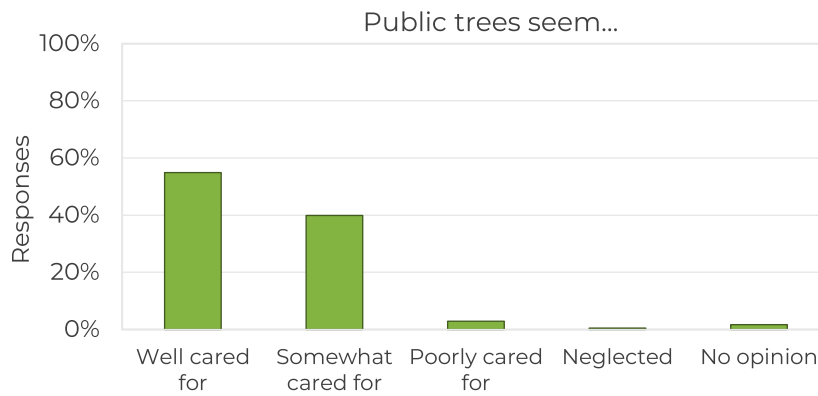


Figure 34. Responses to a public survey question that asked participants to complete the phrase, “Public trees seem...” with one of five response options.

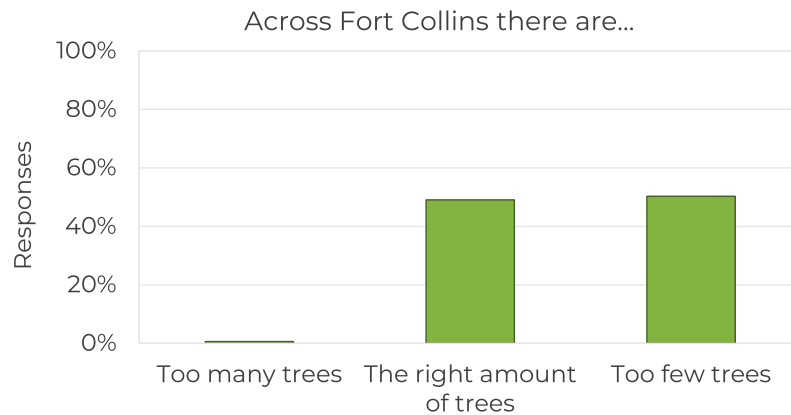


Figure 35. Responses to a public survey question that asked participants to complete the phrase, “Across Fort Collins there are...” with one of three response options.





Figure 36. Responses to a public survey question that asked participants to answer the question, “Where is it most important to plant trees?”, with the option to select multiple choices.

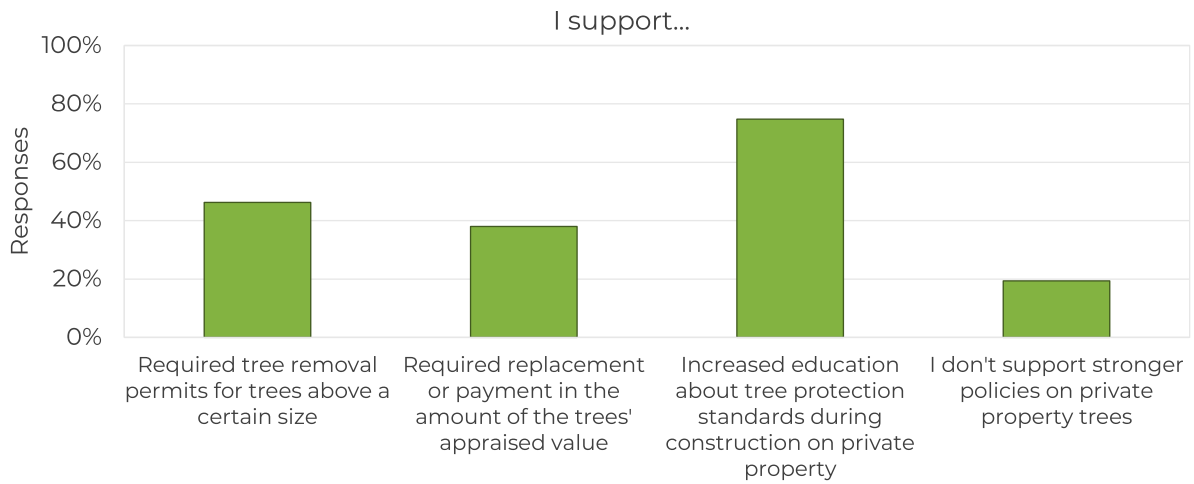


Figure 37. Responses to a public survey question that asked participants to complete the phrase, “I support...” with one of four response options.

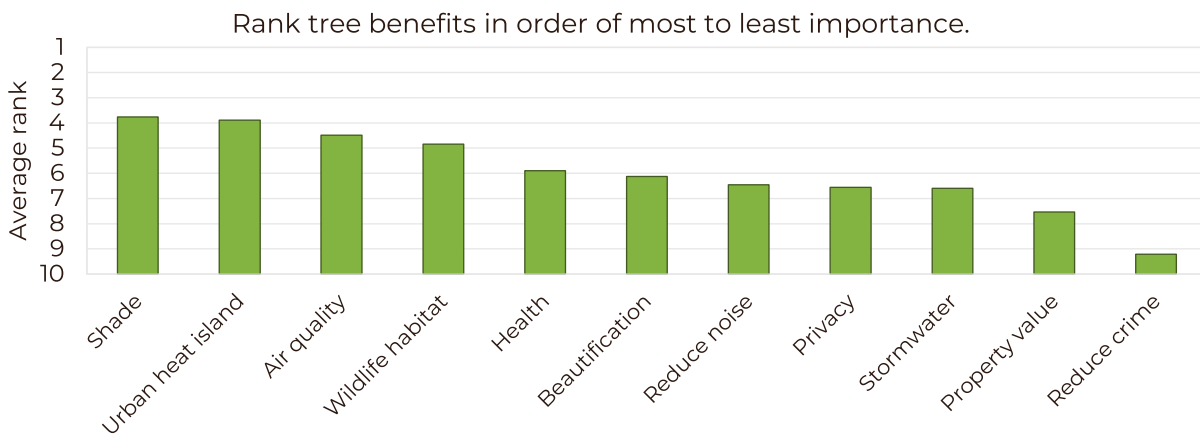


Figure 38. Responses to a public survey question that asked participants to rank tree benefits in order from most (rank 1) to least (rank 10) important.



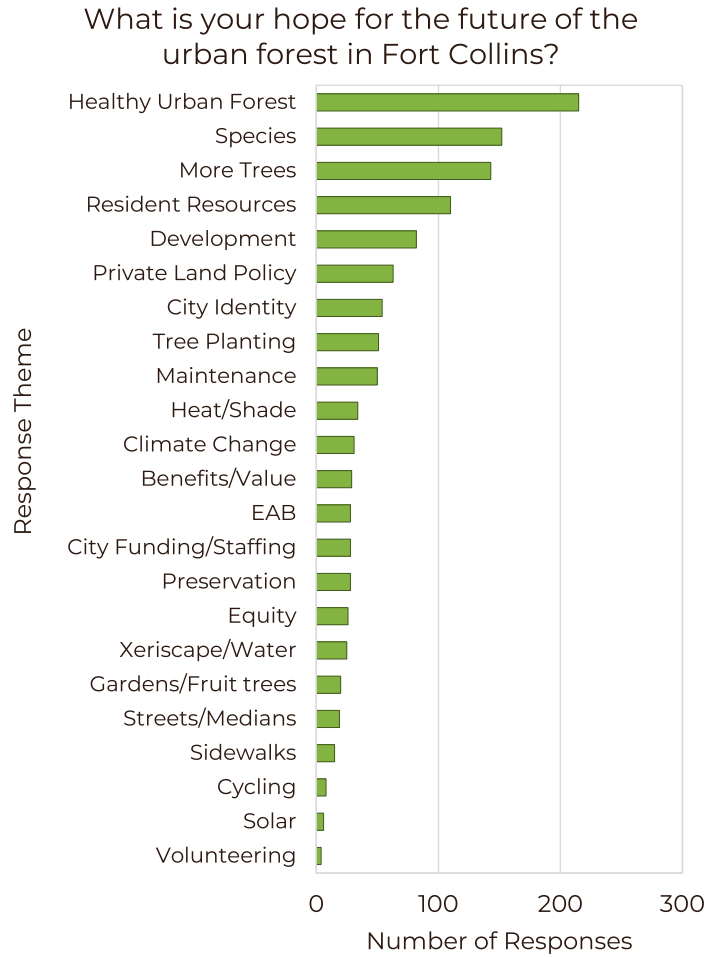


Figure 39. Responses to the open-ended question, “What is your hope for the future of the urban forest in Fort Collins?”, categorized by theme. A response could be positive, negative, or neutral about a theme.

Table 18. Public survey questions and responses (971 participants).

QUESTION	RESPONSES*
Q1- Trees are an important part of Fort Collins.	Strongly agree (94%) Agree (5%) Neutral (0.2%) Disagree (0%) Strongly disagree (0.5%)
Q1- Having trees is worth the financial cost of maintaining them.	Strongly agree (86%) Agree (11%) Neutral (2%) Disagree (0.2%) Strongly disagree (0.5%)
Q1- Public street trees seem well cared for in Fort Collins.	Strongly agree (37%) Agree (48%) Neutral (11%) Disagree (3%)



QUESTION	RESPONSES*
	Strongly disagree (0.7%)
Q2- Across Fort Collins there are...	<p>Too few trees (50%) The right amount of trees (49%) Too many trees (0.6%)</p>
Q2- In my neighborhood there are...	<p>Too few trees (39%) The right amount of trees (60%) Too many trees (2%)</p>
Q3- Trees in the urban environment provide many known benefits to the community, some of which are listed below. To help us understand how to best maximize these benefits to meet community needs, please rank the benefits below from most important to yo...	<p>Average rankings: Help reduce crime (9.2) Increase my property value (7.5) Reduce flooding/run-off (basement/property) (6.6) Screen and provide privacy from my neighbors (6.6) Protect us from noisy roads and highways (6.5) Help landscape and beautify my property (6.1) Improve my mental and physical health (6) Provide habitat for wildlife (4.8) Improve air quality (reduce air pollution) (4.5) Prevent the city from becoming a hotter and drier place (3.9) Shade to help reduce temperatures and keep my house cool (3.8)</p>
Q4- Where is it most important to plant trees in Fort Collins? Please select your top five.	<p>Parks (88%) Private property (52%) Retail/commercial areas (i.e., parking lots) (71%) Schools (78%) Streets (parkways and medians) (79%) Trails (65%) Other (6%)</p>
	<p>Strongly agree (84%) Agree (13%) Neutral (2%) Disagree (0%) Strongly disagree (1%)</p>
Q5- Public trees are those which are grown between the curb and sidewalk, in street medians, in parks, cemeteries, golf courses, and other City facilities, and are maintained by the City. These public trees seem:	<p>Well cared for (55%) Somewhat cared for (40%) Poorly cared for (3%) Neglected (0.5%) No opinion (2%)</p>
Q6- How do you feel about the City of Fort Collins Forestry Division's response to tree-related requests in the community?	<p>Very responsive (21%) Responsive (29%) Neutral (46%) Responsive, but not in a timely manner (3%) Not responsive (1%)</p>
Q7- The City of Fort Collins is exploring a Heritage Tree Program. Heritage Tree Programs are developed to protect and maintain trees on both public and private property in the community that may be of special species, sizes, or have cultural or horticultural significance.	<p>I am in support of a Heritage Tree Program (54%) I am not in support of a Heritage Tree Program (9%) I don't know enough to decide (37%)</p>
Q8- As part of planning for the urban forest, the City of Fort Collins is assessing the need to preserve canopy on private property. Examples of preservation tactics include adding	<p>Required tree removal permits for tree removal over a certain size of diameter (46%) Required mitigation standards to apply - which means requiring replacement or payment in the amount of the trees' appraised value (38%)</p>



QUESTION	RESPONSES*
tree removal guidelines to the building permit process, home expansion,...	<p>Increasing education around tree protection standards during construction on private property (75%) I don't support stronger policies on private property trees (19%)</p>
Q9- What is your hope for the future of the urban forest in Fort Collins?	<p>Open response (see below)</p>
Q10- Do you live, work, or play in Fort Collins? Please select all that apply.	<p>I own a home here (77%) I rent a home/apartment here (16%) I am visiting (2%) I work or go to school here (32%) I own a business here (10%) Other (5%)</p>
Q11- What zip code do you live in?	<p>80526 (29%) 80525 (26%) 80521 (20%) 80524 (17%) 80528 (7%) 80523 (0.3%) 80527 (0.1%) 80522 (0%) 80523 (0%) Decline to specify (0.5%)</p>
Q12- How do you identify your race and/or ethnicity? Please select all that apply.	<p>White (798) Hispanic/Latinx/Spanish Origin (38) Asian/ Asian American (19) American Indian/Alaska Native (13) Middle Eastern/ North African (6) African American/ Black (4) Native Hawaiian/Other Pacific Islander (3) African (0) Decline to specify (113) Prefer to self-identify (10)</p>
Q13- What is your age?	<p>75 and older (5%) 65-74 (21%) 55-64 (19%) 45-54 (14%) 35-44 (18%) 18-34 (17%) 12-17 (0.1%) Under 12 (0%) Prefer not to say (5%)</p>
Q14- How would you prefer to receive information from the City regarding the urban forest? Please select all that apply.	<p>Email (650) City website (372) Social media (@ParksandRecFC) (282) Community events (253) Volunteer opportunities (209) Training or workshops (177) Mail (153)</p>



Table 19. Public survey write-in comment themes and specific examples. Percentages reflect the proportion of comments that related to a theme out of 655 total comments. Comments could be categorized as fitting with more than one theme.

COMMENT THEME	EXAMPLES
Healthy/resilient/diverse/beneficial urban forest; Grow & maintain the urban forest (15.7%)	<p>“Resilient, diverse and thriving trees across Fort Collins.”</p> <p>“We can continue to have a beautiful, well managed, resilient urban forest that will help us cool the city and combat climate change.”</p> <p>“Keep maintaining the trees we have, while still advocating for more cover.”</p>
Species (11.5%)	<p>“More and more trees. Especially ones that have natural defenses against disease and infestation in this particular climate (as well as a good guess on what our climate will be in the future).”</p> <p>“Wider diversity of tree species to guard against loss of canopy trees from pests or disease.”</p>
More trees (10.8%)	<p>“Adding more trees to new construction neighborhoods and city parks.”</p> <p>“Protection of existing trees and encourage and support new tree growth.”</p>
Financial & educational support for residents (8.4%)	<p>“More trees become available to residents at reduced costs, especially to new neighborhoods where there are no trees.”</p> <p>“Informing public of their responsibility to care for trees.”</p> <p>“I hope to educate more people about the value of trees and be sure that when any development happens, trees and animal habitats are given much more consideration than seems to be the case in recent years.”</p>
Maintenance/ Preservation (6.5%)	<p>“In general, I think trees are a good thing and should be maintained, preserved, and that more trees should be planted in areas where they are appropriate. When this becomes an issue of nuisance, private property rights, or detriment to public use, all factors should be considered (including value of the trees) before planting or removing trees. I hope that Fort Collins can continue to beautify our city by maintaining healthy trees, both public and private, and adding more in the right places.”</p> <p>“For Fort Collins to have more trees, all of the trees well taken care of and the city be cleaner and habitants breathing fresher air and the city looking prettier and enchanting. For trees and nature areas to be preserved and taken care of and not destroyed and not for people to keep destroying them for construction. Protect prairie areas of the city too!”</p>
Development (6.1%)	<p>“I would love to see new developers put more thought in their landscaping- they put trees right up next to house and windows for curb appeal but don’t take into consideration the size at maturity- so beautiful trees have to be removed.”</p> <p>“When large trees are removed for redevelopment of a property, the city, the developer and landowner must take responsibility for the adequate care of young replacement trees. I see too many dying young trees in new developments in the city.”</p>
Private land policy (4.7%)	<p>“..I love trees in our community, but dislike too much policy as that can often complicate things and create resentment between citizens and City departments. I’ll support more carrots than sticks for tree issues.”</p> <p>“I am all for increasing the canopy of Fort Collins, as long as the city is able to maintain the trees. I am concerned with our warming climate,</p>



COMMENT THEME	EXAMPLES
	<p>that increased canopy without proper maintenance, could lead to future potential fire hazards. I'm also concerned about private homeowners that don't maintain their trees causing that same issue. I'd like to see the city MORE involved in declaring dead private trees hazardous, and forcing homeowners to deal with the situation. Easier said than done I realize however."</p>
<p>City identity (4.1%)</p>	<p>"I hope that Fort Collins will become known as the leader in urban forestry and sustainability in the US." "The trees in Fort Collins are incredible. I moved here only 2 years ago and they're one of my favorite parts of the city."</p>
<p>Other (3.9%)</p>	<p>"It is not natural for a forest, urban or otherwise to exist on the land Fort Collins covers. At least recently (last 10000 years). That said, trees are great." "The city needs to be aware that due to the policy of suppressing small natural fires along the Poudre trail and not removing fallen trees but piling them up on the side of the trail, has created a potential for a huge fire hazard that would likely burn entire neighborhoods that are near by, such as Pateros Creek."</p>
<p>General positive (3.7%)</p>	<p>"We're new here and think this city is doing an incredibly good job at keeping trees and nature integrated into the city. Thank you." "Thanks for the forward thinking efforts from the city!"</p>
<p>Heat/shade (2.5%)</p>	<p>"More trees/shade along certain trails (like power and Cathy fromme) and sidewalks to encourage walking/biking and reduce car use." "More shady places to walk in summer."</p>
<p>Climate change (2.4%)</p>	<p>"Maintain a diverse urban forest w an eye toward climate change." "Increased tree canopy throughout the city. Focus on trees that are only the best climate-wise for the next 50+ years. This is an investment in our community to avoid big and costly problems due to climate change-induced heatwaves, droughts, floods, etc. We have a great start, but we must continue to prepare."</p>
<p>Emerald Ash Borer (2.1%)</p>	<p>"I'm very worried about the 70K ash trees and their future in light of the emerald ash borer invasion. I'd like to see a concerted effort to have them all inoculated against this destructive bug." "That we can keep up with planting trees to replace those which need to be removed, i.e., emerald ash borer and other pests which need to be proactively addressed."</p>
<p>Benefits/value of trees (2.1%)</p>	<p>"That trees will be valued for all that they contribute towards improved quality of life." "Science supports the following 1) Trees reduce temperatures 2) Trees increase mental health 3) Trees support more wildlife I hope we are able to develop a sustainable urban forest to help with the listed issues."</p>
<p>Funding/staffing (2%)</p>	<p>"That the forestry department continues to lead the way in the municipal arborist field with implementation of the highest quality and knowledgeable tree care providers in the state." "That we continue to support and fund good care for our trees!"</p>
<p>Equity (2%)</p>	<p>"Our underresourced neighbors are gifted more trees!!!" "More trees all around town but especially in lower income areas and areas that are largely developed (lots of concrete i.e. Parking lots, malls, etc.)."</p>



COMMENT THEME	EXAMPLES
Tree planting (1.8%)	<p>"I hope that the city can fill in any gaps that exist, by convincing property owners to plant more trees where there are currently too few. I also hope that the program continues indefinitely, or until there is some other self-sustaining program."</p> <p>"Support for young/growing trees. Continued planting."</p>
Maintenance (1.7%)	<p>"More trees and good maintenance."</p> <p>"Continued strong maintenance of trees especially larger sizes.."</p>
Xeriscape/ water (1.5%)	<p>"A canopy of trees that do well in this area and true xeriscape landscape throughout the city to replace turf and eliminate landscape with high water needs. Education to the general public about how to xeriscape and what trees to plant in this area of Colorado."</p> <p>"Probably the largest threat to our current city trees is the high cost of city water. I've seen many trees doing poorly or that have died because residents choose not to water their trees-likely because of the high cost of water. This will only become a larger problem as climate warms and dries."</p>
Community gardens/ fruit trees (1.5%)	<p>"That a park with numerous trees is added, perhaps fruit for public to harvest. This would be great on Precision and Cinquefoil instead of more apartments."</p> <p>"More urban fruit trees for urban foraging!"</p>
Streets/ medians (1.2%)	<p>"..And some trees between streets and sidewalks need to be pruned."</p> <p>"More trees along larger roads and in public shopping places. More trees between sidewalks and the road (including adding a buffer between sidewalks and roads to make pedestrians feel safer and make sidewalks more inviting)."</p>
Preservation (1.1%)	<p>"I hope that trees are watered more frequently to account for the higher temperatures that have become the norm during seasons when it hasn't been hot in the past, and that there are more efforts to save much older trees that are unhealthy, like the cottonwoods down by the river. I also hope that there will be more effort by developers to save as many trees as possible on lands that are slated to be razed."</p> <p>"For them to maintain the beauty of this town, and it's many trees, esp the older and more mature ones downtown on Oak, mountain, etc. And when clearing land to build new neighborhoods and homes, making it more difficult to remove existing trees too."</p>
Sidewalks (0.9%)	<p>"I think planting trees along the roadways, sidewalks and other paved area big mistake and just leads to unhealthy trees and root issues along cement walkways, path, roadways."</p> <p>"Trees between the sidewalk and street, and trees in medians are high priority because they are enjoyed by all citizens."</p>
Cycling (0.6%)	<p>"Important that trees are planted back from roads so that they have room to grow but don't present obstacles to seeing cars, bicyclers and animals. They should be properly trimmed for these reasons, too."</p> <p>"Plant trees along bike trails."</p>
Solar (0.5%)	<p>"Current and future rooftop solar panel owners should have their solar rights protected from encroaching shade from trees and from new development encouraged by changing city policies."</p> <p>"I would love to see more trees, but the type of trees should match the size of the property they are planted on. Fort Collins is blessed with a sunny climate which is good for home solar projects. Since we do not control the size of trees that people have, many home owners do not</p>



COMMENT THEME	EXAMPLES
	have enough sun to justify any type of solar improvement. Fort Collins is trying to reduce its carbon footprint, poorly placed large trees reduce individuals ability to contribute.”
Volunteering (0.2%)	<p>“I am passionate about trees and would love to volunteer with the city to help with our forest canopy.”</p> <p>“Home owners have the right to have none to many trees on their property. The city should not dictate what home owners do. Educating people on the benefits of having trees which are obvious to most people would help most. Providing saplings to plant or a volunteer group to plant trees on people's property that want them would also be helpful. Educating on the importance of deep watering at least once a month even through winter is crucial. A lot people do not take care of trees during the winter.”</p>
Meta (0.2%)	<p>“Question #3 malfunctioned. Some replies didn't offer all the way up to 11 choices.”</p> <p>“This survey is not only well conceived but so easy to use!!!”</p>

Public Meetings

Public meetings were held on October 25 and 26, 2023, and March 2, 2024, and were attended by more than 150 members of the public. Participants left verbal and written comments and other feedback that expressed a variety of viewpoints about trees in Fort Collins (figure 40). Major themes from public comment are collected below.

Tree Benefits

- Shade, cooling, and wildlife benefits of trees were frequently mentioned.
- Several residents requested additional planting of edible fruit and nut trees.
- There is public interest and concern about water usage, indicating an opportunity for additional education and outreach regarding trees' role in conserving water, drought tolerant species selection, etc.

Species Selection

- Several participants spoke and left comments in support of native tree species.
- Many participants left opinions about the value and drawbacks of specific kinds of trees, e.g., oaks, cottonwoods, and talked about their favorite trees.
- There were a smaller number of comments that were skeptical of native species, for example, comments that questioned the role of native trees within a grassland ecosystem or that stressed adaptability over nativity.



- Several residents voiced support for more diversity in trees and shrubs that are planted in Fort Collins.
- Participants expressed interest in resources that would help them select appropriate tree species for specific sites, drought tolerant species, etc.
- Emerald ash borer has caused some concern about future pest and disease resilience and the plan for replacing ash trees that are removed in the future.

Forestry Division

- There was general support for the Forestry Division.
- Some participants are satisfied with the current level of funding for Forestry, while others wanted to see the Division grow.
- Many residents support expansion of volunteer opportunities, community involvement, and internships in Forestry.
- Several residents expressed concerns that tree establishment activities could be improved, e.g., watering, mulching, and increasing the survival of newly planted trees.

Tree Canopy

- A number of participants commented that commercial properties and streets are in greater need of additional tree planting/green space development.
- Many comments were made in support of building equitable tree canopy by strategically investing in tree cover within disadvantaged neighborhoods and/or in areas with low tree canopy.

Tree Policy

- A large number of comments at public meetings focused on the potential for new policies and ordinances that would strengthen protections for trees on private property. Comments were made both in support of, and in opposition to, such policies.
- There were a number of questions and comments that indicated that participants want to learn more about policy options to create an informed opinion.
- In response to discussion and written comments about private tree policy, there were several requests for separate, added engagement that focuses on this topic.



- While residents are divided about tree protection on private residential land, there was more general support for strengthening tree protection policies that govern large developments and commercial properties.

Resident Resources

- Homeowners would like to learn more about proper tree care.
- Cost is a difficulty many residents face when planting new trees. Tree care and removal costs are a burden to homeowners.
- There is strong support for additional resources for private property owners that support private tree protection, for example, financial resources, mitigation credits, and outreach and education. Support for resources may be in addition to, or in lieu of, mandates.
- There were a few requests about guidelines for preventing trees from blocking solar panels.

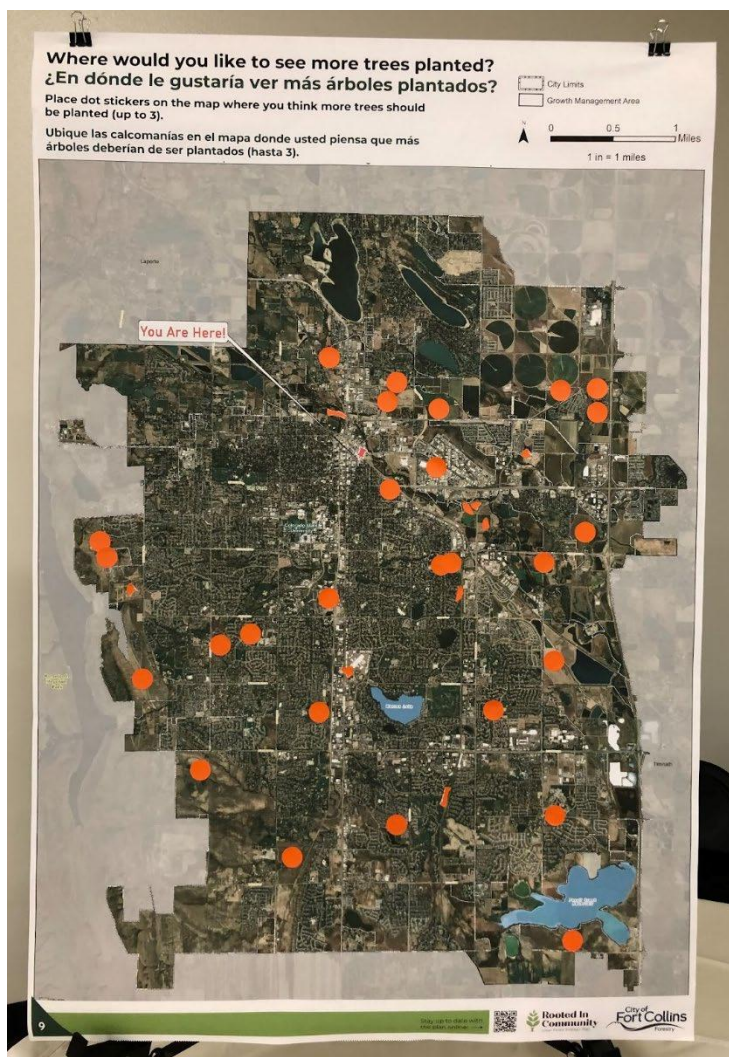


Figure 40. An interactive board from the October 25, 2023, public meeting.



Partner Focus Groups

In October and November, 2023, the City of Fort Collins held a series of partner focus group meetings with city departments/divisions and external partners to inform the development of Fort Collins' Urban Forest Strategic Plan. In total, representatives from more than 49 partner entities and branches of local government participated across ten focus group meetings.

Meeting Participants

City of Fort Collins Departments & Divisions

Cemeteries
 Connexion
 FC Moves
 Forestry
 Fort Collins 911
 Gardens on Spring Creek
 Golf
 Light & Power
 Natural Areas
 Nature in the City
 Neighborhood Services
 Parks
 Planning
 Planning, Development, Transportation
 Park Planning & Development
 Police Services
 Recreation
 Streets
 Utilities

External Partners

Arthur Irrigation Company
 Bartlett Tree Experts
 Bath Landscape Design & Irrigation Co.

BHA Design
 Blue River Forestry & Tree Care
 Broadcom Inc.
 Colorado State University
 CSU Extension
 Davey Tree
 Downtown Development Authority
 Downtown General Improvement District
 Fort Collins Tree Care Inc.
 City of Greeley
 Hartford Homes
 HF2M Inc.
 Housing Catalyst
 Larimer and Weld Irrigation Company
 Larimer County, Natural Resources
 Lumen
 Norris Design
 Pleasant Valley and Lake Canal Company
 Poudre Fire Authority
 Poudre River Public Library District
 Poudre School District
 Ripley Design Inc.
 SavATree
 South Side Ditch Company
 Transfort
 Wisdom Tree Care
 Zak George Landscaping

This section provides a description of major themes that arose from the ten meetings and the needs, issues, challenges, and opportunities that were identified with each theme.



Policies & Procedures

- Create Explanatory Resources About City Policies and Procedures.** Stakeholders requested more plain-language written explanations and illustrations about city code to consolidate and convey information in various formats and to provide consistency in code implementation across staffing changes. Examples include tip sheets, best management practices manuals, and specifications.
- Industry Standards.** City policy should refer to written standards that can be easily updated and that reflect industry best practices. Examples include standards for boring and utility clearance. Standards should be consistent for in-house versus contracted labor.
- Code Enforcement.** Even with good tree policies on the books, both internal and external stakeholders noted that the City often lacks the resources to consistently monitor and enforce those policies. Examples were cited for development—both tree protection policies during construction and replacement of mature trees within developments.
- Irrigation Standards.** Tree roots can be damaged by improper irrigation. There is a need for improved education, outreach, permitting, and Forestry department involvement related to good irrigation practices for trees.
- Tree Metrics and Goals.** Stakeholders expressed uncertainty about what tree metrics and goals they should use for plans and to measure progress. For example, is the number of trees or canopy cover a more important metric?
- Tree Replacement Policy for Subdivisions.** Developers would like to see an adjustment to the time frame for which they are responsible for tree survival after new developments are completed. Tree care becomes the responsibility of homeowners after they move into their houses. In practice, mature trees are often not being replaced by developers per city code unless there are HOA funds to replace them.

City and Stakeholder Coordination

- Good Camaraderie and Culture.** Both internal and external stakeholder groups noted existing camaraderie among different City departments that touch trees and between the City and several external partners. They noted an intentional effort toward development of personal relationships that facilitates communication and collaboration. Communication and partnership with Forestry is established with many organizations and is performing well.
- City Interdepartmental Coordination.** Stakeholders noted several opportunities for improved coordination among city departments; examples included adding more departments to sidewalk repair maps, collaborating on a compost program that is under development, and adding Forestry to planning teams for other City plans.



- Stakeholders in development and construction noted a need for more City interdepartmental coordination and communication on tree species, planting locations, and tree protection requirements, particularly between the departments of Zoning and Forestry.
- An informal Veg Team was established in the past two years with representation from different departments that manage vegetation to discuss shared management objectives and goals. It meets 2-3 times per year. The Veg Team grew from a need for more formal policy, e.g., during plan review.
- **Collaboration With and Among External Partners.** Stakeholders named several examples where the City could facilitate broader conversations about urban forestry with and among external partners. Examples include:
 - Facilitate a regional meeting that brings together tree care companies and foresters to share information and respond to emerging threats.
 - It was noted that the City has a good working relationship with Colorado State University on the maintenance of trees on properties adjacent to CSU campus. The City and CSU coordinate on maintenance and treatment contracts for trees in shared spaces.
 - There is an opportunity to expand the CSU partnership model to other partners who steward large tracts of land or campuses. Potential engagement topics include tree management, planning, and planting on campus and adjacent properties and setting an example for other businesses in Fort Collins.
 - The City, Poudre Schools, and CSU all operate annual Arbor Day celebrations that are good opportunities to reach the public. There is some coordination on annual celebrations to set annual themes. This may be an opportunity for further coordination.
 - The Cities of Greeley and Fort Collins noted opportunities to collaborate more, for example, to share resources and information. Greeley has a City plant database with hydrozone as a filter criterion that could be useful in Fort Collins.
- **Consistent Messaging.** Coordination with partners to provide consistent messaging on topics such as EAB, cutting for solar, and property management.

Public Education & Outreach

- **Strong Public Support for Trees.** Trees are largely viewed as assets by community members, partner organizations, and elected officials. City council recently declared trees to be “living infrastructure”.



- **Trees as Infrastructure.** A potential drawback to strong community support for trees is that they can be viewed as simplified or undervalued assets, which misses the complexity of their management needs as infrastructure. For example, residents may complain when trees are removed due to poor health. This is an opportunity for more education and outreach.
- **CSU Extension.** The Extension service receives a lot of questions/feedback about trees from residents and has started programs to address this, e.g., a Master Gardener program that provides free tree expertise to residents.
- **Xeriscaping.** Stakeholders noted a need for more public education about tree establishment and watering in a xeric environment. It is difficult to grow trees in Fort Collins relative to other places in the U.S.
 - Homeowners, HOAs, and irrigation companies could all be better educated about proper tree watering practices.
- **Public Notice.** The City could improve its communication to the public about its own activities; examples given include planned tree maintenance and removals, if there are alternatives to mitigation planting in suboptimal locations, planting permits, and ROW designation.
- **Homeowner Rights and Responsibilities.** Homeowners may not be adequately educated about their rights and responsibilities for trees in their yards and within the ditch easement, alleys, and street ROW.
 - Home buyers within new developments may need more education about tree benefits and care to promote survivorship of newly planted trees. Involving them earlier in the homebuying process to teach and gather input regarding species and location of trees that will be planted in their yards may promote survivorship.
- **Infrastructure Conflicts.** Ditch easements and alleys are often sites for utility conflicts, which arise from poor management of trees and uncertainty around rights and responsibilities for maintenance. At the same time, utilities may have misconceptions about how trees impact infrastructure. There is an opportunity for better education to the public and within utilities companies.

Right Tree In The Right Place

- **Species Selection.** Tree species diversity can be challenging in Fort Collins due to its high desert climate and a growing emphasis on water conservation. Several needs for support with species selection were noted:
 - Species recommendations for naturalized buffers to boost habitat and capture stormwater. Importance of native/cottonwood forests along rivers for wildlife and enjoyment by people.
 - Ensuring minimum species diversity and adequate Forestry involvement, particularly for new developments.



- Balancing species requirements with design and aesthetic preferences. Tree planting palettes are limited and shift often, which is a source of frustration for developers and landscape designers. They would like to see more consideration for design within new developments.
- Mitigation planting recommendations.
- Limited species in streetscapes, but parks present an opportunity to diversify plantings. Expanded plant palettes for parks.
- Limited space downtown where planting spaces are small.
- **Planting Locations.** On a topic that closely relates to species recommendations, stakeholders are looking for more guidance from the City on proper planting locations.
 - Trees along trails are hard to establish (i.e., solitary/exposed) and maintenance is difficult, which can create conflict within departments.
 - Clarification on responsible parties at different planting locations, for example, along utility ROWs.
 - In sites that cycle through site plans > tree planting > dead tree > required replant—does failure to establish mean that the location isn't appropriate for a tree, or does it require a different kind of tree and/or different management? How is the city handling sites with repeated tree failure?
 - Downtown is very well served by many organizations that include trees in their programming and budgets. Perhaps other parts of Fort Collins are in need of similar investment.
- **Sourcing Trees.** Stakeholders noted that it is becoming increasingly hard to find new species or hardy ones due to development pressure and increased tree planting. Local shortages require ordering from more distant wholesale nurseries. This can affect plant hardiness and species diversity.
- **Costs.** Tree maintenance costs are burdensome to landowners.

Trees and Other Infrastructure

- **Ditch Easements.** The rules and stewardship of the land without ownership along ditch easements were brought up in several stakeholder conversations. Trees that are not adequately maintained pose a risk to both residential structures and ditches. Conflicts arise because maintenance of trees within ditch easements is the responsibility of the homeowner; however, ditch companies are responsible for the delivery of water. The City is limited in their authority to regulate ditch easements.
 - Homeowners may not be adequately educated about their rights and responsibilities for the ditch easement.



- Trees are often not intentionally planted in the easement and are often not well maintained.
- There's conflicting information about how tree roots impact ditch embankments—do they stabilize them or deteriorate them? Opportunity for better education.
- **Alleys.** Alleys have abundant trees that are often not well managed, which creates conflicts with utilities. The rights and responsibilities of homeowners, the City, and utilities with regard to tree care was noted as a point of confusion for all three groups.
- **Traffic Calming.** CSU and the City share a joint interest in trees as traffic-calming measures, which can be linked to their Vision Zero programs to eliminate traffic fatalities. Fort Collins is a leading city in the U.S. in bike use and bike safety. CSU has examples of vegetated medians on their campus that they think should be replicated throughout the city to make better use of center turn lanes, promote bike safety, and reduce maintenance costs.
- **Street Conflicts.** A number of infrastructure conflicts with street trees were brought up in discussion. A recurring question was whether adjacent property owners have adequate information/resources to maintain trees in the street ROW.
- **Solar Infrastructure.** There is conflicting information for homeowners who are installing solar arrays about how much tree clearance is needed and which species are compatible with solar.
- **Bike Infrastructure.** Trees can block bike racks, and low-hanging branches are a concern over bike lanes. At the same time, low-stress bike networks are an effort to make ROW more bikeable and reduce conflict with cars; they could use more shade.

Threats to the Urban Forest

- **Emerald Ash Borer (EAB).** The City has an EAB management plan but does not have funding to remove trees that present a hazard to the ROW, which is the responsibility of adjacent property owners. EAB management in the ROW requires the City to increase enforcement of city codes.
 - There may be an opportunity to collaborate with contractors to offer payment plans to ease financial barriers.
 - There is a need for more EAB education/outreach to homeowners, renters, and HOAs. Also a need for different agencies to coordinate on EAB messaging.
- **Species Selection/Diversity.** Species lists should reflect the latest information about climate change, with adequate consideration for xeriscaping and resistance to pests/diseases.



- **Fire Safety.** Is there a need for public education about the placement of evergreen trees close to homes?
- **Water Use.** As the cost of water increases and the community reduces water use, it is important to provide adequate water to support trees. Some HOAs may be limited in the dues they can collect to support tree watering.

CITY CODE REVIEW

City code provides a regulatory framework for the protection, preservation, planting, and care of public and private trees. Fort Collins' Code of Ordinances (2023) and Land Use Code (2023) were reviewed in January 2024 using a set of criteria from the 2016 Municipal Tree Census (Hauer & Peterson, 2016) and International Society of Arboriculture Ordinance Guidelines (Swiecki & Bernhardt, 2001; table 20). Any changes to City code after January 2024 are not reflected in this code review.

The review identifies several areas where existing code could be strengthened, including the following recommendations:

- Reference the *Tree Management Standards and Best Management Practices* manual within city code. The manual contains procedures and policies related to arborist licensing, pruning, and other tree activities that the city has relied on since 2010 but that are not referenced in city code. Referencing the manual and providing instructions for updating it ensures that its use will persist across staffing and leadership changes.
 - Update the manual to comply with current best management practices.
- Establish an insect/disease control strategy, and/or reference external documents such as the *Emerald Ash Borer Management and Response Plan* that describe authority, procedures, and policies for pest and disease control.
- Expand tree protections:
 - Extend tree protection to prohibit damage to trees that are required to be preserved or protected.
 - Provide credits or incentives for tree preservation.
 - Establish penalties for damage or removal of trees that are to be preserved, protected, or saved.
 - Expand tree protections that currently only apply to development to additional scenarios.
- Encode the existing wood waste program and Tree Fund to preserve existing programs and resources across any future changes in leadership.



Table 20. City code review. Matrix is adapted from *Municipal Tree Care and Management in the United States* (Hauer, 2014).

TOPIC	ADDRESSED	CHAPTER & SECTION	COMMENTS
Credentials			
Requires certified arborist for paid private tree work			
Requires Certified Arborist for public tree work	(X)	CO 27-17	This is included in the Tree Management Standards and BMP document. CO 27-17 allows for the City Manager to implement written rules. A recommended improvement is to mention this document within city code.
Requires licensing of private tree care firms	X	CO 27-34-40	
Defines official authority for public tree management	X	CO 27-17	
Public Tree Management and Protection			
Establishes/Authorizes City Forester to regulate public trees	X	CO 27-17	
Establishes/Authorizes City position (e.g. Mayor, City Administrator, DPW Director) to regulate public trees	X	CO 27-17	
Establishes a community Tree Board or Commission			
Defines public trees			
Requires annual community tree work plans			
Identifies formula for determining monetary tree value	(X)	LUC 3.2.11-7	Applies only to development
Establishes responsibility for public tree maintenance (e.g. City, adjacent property owner)	X	CO 24-42, 27-17, 27-57	Responsibility for public trees is implied but not directly stated
Requires regular public tree maintenance	X	CO 27-57	
Requires particular types of maintenance (e.g., pruning)	X	CO 27-58	
Requires adherence to ANSI A300 standards and best management practices	(X)	CO 27-17	Tree Management Standards and BMPs
Establishes permit system for work on public trees	X	CO 27-33	
Requires payment of fees for the removal of public trees			
Establishes provisions for penalties for non-compliance	X	CO 27-59-62	
Restricts tree removal on public property			Permit required; see next line



TOPIC	ADDRESSED	CHAPTER & SECTION	COMMENTS
Permit or approval required for tree removal, pruning or excavating near public trees	X	CO 27-31-32	
Requires protection of public trees during construction, repairs or utility work	X	LUC 3.2.1 G	
Prohibits damage to public trees (e.g. attaching ropes, signs, wires, chemicals, storing materials, excavation etc.)	X	CO 27-19	
Establishes provisions for trimming for overhead utility line clearance			
Restricts burning of solid wood waste			
Establishes a wood utilization program			Recommended Improvement
Establishes an insect/disease control strategy			Recommended Improvement
Prohibits tree topping	(X)	CO 27-17	Tree Management Standards and BMIPs
Regulates abatement of hazardous or nuisance trees on private property	(X)	CO 27-18(c)	
Regulates removal of dead or diseased trees	X	CO 27-58	
Tree Fund			Recommended Improvement
Tree Planting			
Regulates tree species which may or may not be planted on private property (approved tree list)	X	CO 27-18 LUC 3.2.1 D-4, I-2, I-8	
Requires tree planting around and within parking lots	X	LUC 3.2.1 D, E-4-5	
Requires replacement of removed publicly owned trees	X	LUC 3.2.1 D-2-d	Applies only to development
Permits public tree planting - beyond the right-of-way	X	LUC 3.2.1 D-2-b	
Requires tree plantings around new developments (see also trees in parking lots)	X	LUC 3.2.1 D, D-1-c	
Regulates tree species which may or may not be planted on public property (approved tree list)	X	CO 27-18 LUC 3.2.1 D-1-c, I-8	
Private Tree Protection and Preservation			
Restricts tree removal on private property			
Permit or approval required for tree removal on private property			
Requires preservation of trees during development on private property	X	LUC 3.2.1 F	
Prohibits damage to preserved/protected trees			Recommended Improvement
Prohibits damage or removal of trees on another person's property			



TOPIC	ADDRESSED	CHAPTER & SECTION	COMMENTS
Inventory of trees on site required	X	LUC 3.2.1 F	
Identification of forests/woodlands required			
Specific species and/or size tree regulated (e.g. heritage/significant trees)	(X)	LUC 3.2.1 F	Applies only to development
Location of Critical Root Zone/Dripline required	X	LUC 3.2.1 G-7	
Minimum canopy cover requirement set			
Identification of riparian buffers, natural areas, preservation zones	X	LUC 3.2.1 A, M	
Tree protection/preservation plan required	X	LUC 3.2.1 C	
Identification of prohibited activities in dripline/critical root zone	X	LUC 3.2.1 G-3	
Tree protection fencing required	X	LUC 3.2.1 G-3	
Location/type of other tree protection measures (e.g. root pruning, aeration, vertical mulching, trunk protection, soil protection, irrigation,) on development plans (e.g. site plans, construction plans, etc.)	X	LUC 3.2.1 G, G-7, J-2	
Provide credits/incentives for tree preservation			Recommended Improvement
Landscape plan with proposed landscaping and mitigation trees to be planted	(X)	LUC 3.2.1 C	
Requires Grading plan to include protected/preserved trees			
Utility plan with trees to include protected/preserved trees	X	LUC 3.2.1 K	
Tree planting requirements for removal of regulated trees	X	LUC 3.2.1 F, F-1	
Fee in Lieu of planting mitigation trees	X	LUC 3.2.1 F	
Tree mitigation survival requirements	X	LUC 3.2.1 I-4-6	
Fine for removal of regulated trees			Recommended Improvement
Penalties established for damage and removal of preserved/saved trees			Recommended Improvement
Bonding to ensure required trees are planted	X	LUC 3.2.1 I-4	
Bonding utilized to discourage tree removals			
Other Ordinances of Note			
Defining 'City Forester'	X	CO 27-16	
Alley ROW maintenance	X	CO 27-31	
Right of entry	X	CO 27-56	
Tree spacing	X	LUC 3.2.1 D-1-c	

TOPIC	ADDRESSED	CHAPTER & SECTION	COMMENTS
Visual clearance	X	LUC 3.2.1 L	
Requirement of ROW planting	X	LUC 3.2.1 D-2-a, D-2-c	
ROW tree spacing from infrastructure	X	LUC 3.2.1 D-2-a, D-2-c, K	
Minimum species diversity for development plans	X	LUC 3.2.1 D-3	
Minimum sizes for trees planted	X	LUC 3.2.1 D-4-5	
Buffering requirements	X	LUC 3.2.1 E-1	
Water conservation requirements	X	LUC 3.2.1 E-3	
Required maintenance for development landscape	X	LUC 3.2.1 I-5	



HERITAGE TREE PROTECTION

Heritage Trees, sometimes also called Landmark or Significant Trees, are mature trees that receive special recognition and protection due to their ecological, cultural, and/or historic significance. The designation of heritage tree status acknowledges the outsized benefits that these trees provide to their communities and seeks to protect them from damage, removal, and neglect. Typically, protections are either reinforced through community outreach exercises including education, mapping, and storytelling, or required by policy or ordinance.

Mature trees provide many benefits to communities, including cleaner water, cooler and cleaner air, improved human health outcomes, increased safety, and positive effects on business and commerce. The value of some of these benefits can be quantified based on avoided costs—for example, trees that cool the air help nearby residents save on energy costs. However, most of the demonstrated benefits from trees are not currently quantifiable, and many heritage tree designations are founded on preserving access to a diverse species or the emotional connection to specific trees that serve as a backdrop to community events and key historic moments.

Preservation

The Land Use Code references “significant trees” as being at least 6 inches DSH and requires their preservation “to the extent reasonably feasible”.

Heritage Tree Programs

To develop suggestions for Fort Collins’ Forestry Division as it considers options for increased tree preservation and protection, DRG reviewed the existing programs for heritage or landmark trees of 24 municipalities. Cities were identified based on internet searches for “heritage tree”, “landmark tree”, “remarkable tree”, and “significant tree” terms along with “program” or “ordinance”; they were also identified by other municipal partners and from references contained within resources about heritage tree programs.

In general, existing heritage tree programs can be characterized into two basic structures: voluntary programs, where trees are nominated for heritage status based on ecologic, cultural, and/or historic significance; and mandatory programs, where trees are automatically enrolled into a heritage tree program once they reach a certain size. Several cities combine aspects of voluntary and mandatory programs.



Examined Programs

Austin, TX	Portland, OR
Charlotte, NC	Sacramento, CA
Corvallis, OR	Salem, OR
Fernandina Beach, FL	San Luis Obispo, CA
Fort Worth, TX	San Mateo, CA
Glenview, IL	Santa Cruz, CA
Lakewood, WA	Seattle, WA
Manitou Springs, CO	Sonoma, CA
Menlo Park, CA	Telluride, CO
Nashville, TN	Washington, DC
Palo Alto, CA	Westmont, IL
Pittsburgh, PA	Whitemarsh, PA

Voluntary Heritage Tree Programs

Thirteen cities with voluntary heritage tree programs were reviewed. Voluntary programs are those in which public and/or privately owned trees may be nominated for recognition as heritage trees; trees are not automatically enrolled. All the reviewed programs applied to trees on public land, and all programs allowed for nomination of trees based on local landmark status or cultural/historical significance in addition to, or instead of, size and species constraints.

Seven of 13 cities' heritage tree programs restrict the removal of designated trees. Two cities (Telluride and Seattle) have city codes with detailed restrictions governing heritage trees once designated.

Seven programs map or describe the trees for the public; four cities share heritage tree characteristics via an interactive map such as an ESRI StoryMap.

Summary of 13 Voluntary Programs

- Requires property owner consent (100% of programs examined)
- Nomination criteria includes social factors (cultural or historical significance, local landmark; 100% of programs)
- Mapped locations shared with the public (62%)
- Restricts removal (54%)
- Requires certified arborist assessment before or after designation (38%)
- Heritage tree status maintained across land transfers (46%)
- Shared via an interactive web map (31%)
- Provides public maintenance funds (15%)
- Maintenance requires a permit (15%)



Mandatory Heritage Tree Programs

Thirteen municipal ordinances were reviewed in which trees of a certain size are automatically enrolled in a heritage tree program, thereby protecting the tree from removal or significant damage. Seven of these cities additionally permit designation of a heritage tree based on cultural or historic significance. None of the programs reviewed applied to park lands only.

In one city (Sonoma, CA), the city assumes maintenance and removal responsibility for heritage trees, regardless of location. In the other twelve cities, a permit is required to remove a heritage tree. Most of these cities waive the permit requirement if the tree is hazardous. Eleven cities require mitigation planting and/or a fee-in-lieu for heritage trees that are removed.

Summary of 13 Mandatory Programs

- Prohibits removal and damage (100% of programs reviewed)
- Minimum size requirement (100% of programs). Median = 15 inches DSH (range 8–50 inches DSH)
- Permit required for removal (92%). Permit often waived if tree is hazardous (69%).
- Mitigation required (85%)
 - Planting required: varies in number of stems, by inch, etc (85%). Sometimes there are species requirements (62%).
 - Relocation required (8%)
 - Fee-in-lieu (77%): varies from \$250 flat fee to value calculated from basal area
- Species requirements for heritage tree designation (46%)
- Fee for removal (15%; separate from mitigation requirements)
- Requirements vary by land type (15%): in two cases, small residential properties were exempted, or public/private/developed land had different requirements





Trees Contribute to Neighborhood & Community Vitality

Trees Enhance Streetscapes. Trees beautify streets and encourage residents to spend time outdoors. Trees along streets and sidewalks help to slow traffic and create more comfortable conditions for walking, biking, and public transit use.

Trees Improve Public Health. Trees provide opportunities for outdoor recreation, improve access to nature, and reduce stressors that impact vulnerable populations. People living in neighborhoods with more canopy cover have been shown to have better overall health, including lower rates of obesity, more social cohesion, less stress, and lower blood pressure. Trees significantly decrease the incidence of asthma and heart disease in a community and help residents feel more at ease. The primary mechanism for these effects arise from the ability of tree canopy to reduce air pollution, extreme heat, and stress. Residents are three times more likely to be physically active when they live in areas with high levels of trees and vegetation. A 2018 study showed that residents reporting poor mental health decreased by 63% within 18 months after vacant lots near their homes were planted with grass and trees.

Trees Provide a Sense of Community. Trees in neighborhoods contribute to a sense of community. In Fort Collins, oaks, pines, and cottonwoods have strong cultural significance. Tree canopy is often cited by residents as one of the reasons they love living here.

Sources: Swift et al., 1997; Kuo, 2003; Ellaway et al., 2005; Ewing & Dumbaugh, 2009; O'Neil-Dunn, 2012; Donovan et al., 2013; Roe et al., 2013; Gilstad-Hayden et al., 2015; Ulmer et al., 2016; South et al., 2018.

CITY POLICY AND PLANNING FRAMEWORK

The City of Fort Collins is committed to continuously enhancing, improving, and innovating services for its community. To achieve this, various City and County departments collaborate in developing plans, studies, and strategies. A comprehensive assessment of selected City of Fort Collins plans, studies, and standards was conducted to evaluate the integration of tree preservation, protection, and planting efforts. The purpose of the review is to identify opportunities or gaps in these documents and provide recommendations that will improve Fort Collins's urban forest resource.

- Fort Collins Water Efficiency Plan (2015)
- Water Shortage Action Plan (2020)
- Fort Collins City Plan (2019)
- Fort Collins Emerald Ash Borer (EAB) Management and Response Plan (2020)
- Fort Collins Parks and Recreation Master Plan (2021)



- Fort Collins Our Climate Future Plan (2021)
- Fort Collins Strategic Plan (2024)
- Larimer County Internal Climate Action, Resilience, And Education (ICARE) Report (2023)

Ratings

 trees not incorporated

 trees incorporated but requires revision or implementation

 trees fully incorporated & implemented

Fort Collins Water Efficiency Plan (2015)

Description: Presents the current state of Fort Collins' water supply system, demand, and management, as well as the opportunities and corresponding implementation principles to increase efficiency.

Opportunity/Gaps: Opportunity exists to promote urban trees' role in improving stormwater management, explore the impacts of water restrictions on trees, and include recommendations for ensuring trees receive adequate irrigation.

Recommendation: Publish an updated document to update community members on the city's water supply and current water efficiency efforts and provide efficient tree watering recommendations.

Water Shortage Action Plan (2020)

Description: The Water Shortage Action Plan outlines emergency restrictions to water use to manage Fort Collins's water supply in the event of projected shortages. The Plan includes restrictions to tree irrigation: watering trees is permitted under all levels of water restrictions, but under higher levels, trees must be hand-watered or drip/microspray irrigated to maximize efficiency.

Opportunity/Gaps: Tree watering best practices could promote further water conservation and tree health.

Recommendation: Update plan to include tree watering best practices, or consider a public outreach campaign to raise awareness of tree watering best practices in the event of water shortage. Require irrigation for public trees.

Fort Collins City Plan (2019)

Description: Shapes decision making and funding priorities over the next 10-20 years to implement the vision and goals gathered from community members.



Opportunity/Gaps: Trees offer numerous “co-benefits” not included in the plan that can serve as a crucial tool in achieving the city’s goals, including: sequestering and storing carbon, reducing stormwater runoff, improving air quality, reducing energy usage through strategically planting trees around buildings, increasing pedestrian, cyclist, and driver comfort along streets, sidewalks, and bus stops by providing shade, providing food with the development of maintained food forests/orchards in parks and open spaces, and increasing a community’s connectivity, involvement, safety, and attractiveness.

Recommendation: Creating and maintaining a safe, healthy and resilient urban forest is recognized as a guiding principle in meeting one of the Plan’s core values of Environmental Health. Implementation of the Urban Forestry Strategic Plan will assist in meeting the goals of the City Plan.

Fort Collins Emerald Ash Borer (EAB) Management and Response Plan (2020)

Description: Reviews current EAB situation, the city’s plan, and the challenges at a time when EAB had just been detected in the city.

Opportunity/Gaps: The implementation of the Urban Forest Strategic Plan’s recommendations may relieve the deferred maintenance impacts and their negative consequences anticipated in the EAB Management and Response Plan.

Recommendation: Publish an updated document to inform the community on the current EAB distribution, the treatment’s progress, and the future management plan.

Fort Collins Parks and Recreation Master Plan (2021)

Description: Envisions the future of parks and recreation, addressing needs and providing a strategic roadmap for the City to shape the system over the next 20 years.

Opportunity/Gaps: The Plan identifies the promotion of planting, preservation, and maintenance of canopy trees and native vegetation on public and private land as a key action in implementing the city’s parks and recreation goals.

Recommendation: Coordinate the implementation of the Urban Forest Strategic Plan to assist in meeting the goals of the Parks and Recreation Master Plan.

Fort Collins Our Climate Future Plan (2021)

Description: Defines the city’s goals for climate, waste, energy, community equity and resilience, along with their respective implementation strategies.



Opportunity/Gaps: One of the “next moves” action items identified in the Plan is the development of an Urban Forest Strategic Plan, and a progress metric of healthy natural spaces to be the city’s tree replacement rate and percent canopy coverage. Trees could also be included in the goals relating to building an equitable and resilient community, reducing energy use, becoming carbon neutral, and increasing healthy local food sources.

Recommendation: Implementation of the Urban Forestry Strategic Plan will assist in meeting the goals of the Our Climate Future Plan.

Fort Collins Strategic Plan (2024)

Description: As a companion to the City Plan, the Strategic Plan outlines short- and mid-term objectives, influences the City’s budgeting process, and guides the implementation of the City’s services.

Opportunity/Gaps: Trees are identified as an integral piece of the High Performing Government strategic outcome area, which precisely calls out the components needed for a healthy urban forest. Although trees’ role in this category has broad implications, there is an opportunity to further incorporate urban forestry into other strategic initiatives.

Recommendation: Implementation of the Urban Forestry Strategic Plan will assist in meeting the goals of the Our Climate Future Plan.

Larimer County Internal Climate Action, Resilience, And Education (ICARE) Report (2023)

Description: Captures progress of County’s climate goals since the adoption of the initial ICARE document in 2022, with intent to guide the forthcoming County Climate and Sustainability Plan. This plan, the completion of which is anticipated in 2024, aims to address climate change and lessen impacts on community members with innovative mitigation and adaptation strategies.

Opportunity/Gaps: There is opportunity to include the planting, maintenance, and preservation of trees into the County’s goals.

Recommendation: Collaborate with the Larimer County Climate and Sustainability Plan process to ensure integration and mutual reinforcement between the Urban Forest Strategic Plan’s priorities, recommendations, and actions, contributing to the sustainable development and progress of Larimer County.



COMMUNITY ENGAGEMENT & POLICY INTEGRATION: SUMMARY OF FINDINGS

Findings from the community engagement process demonstrate that the people of Fort Collins value trees and understand the myriad ways that trees enhance quality of life in the city. Feedback that was gathered from the public survey and three public meetings indicate that residents are invested in the ongoing management of Fort Collins's trees and the ways that the City will help ensure tree canopy preservation and growth into the future.

Residents are particularly interested in resources that will help them be effective stewards of tree canopy. Examples of resources that were requested include opportunities to volunteer and intern with Forestry; education and information about species selection, including drought tolerant, climate adapted, and native species; opportunities to provide input into citywide forestry management, such as shaping the diversity and species composition of the urban forest; helping to recognize and manage pests and diseases; becoming educated about proper tree care; and having access to financial resources to help defray costs associated with tree maintenance.

Feedback from Forestry Division partners, both internal and external to City government, underscored the collaborative nature of Forestry staff and the high level of expertise and service that they provide. Suggestions from these meetings focused on building efficiency in partnerships and increasing the number of resources that can assist partners with their own tree management. Suggested resources include plain-language explanations of city code and policy, improved consistency of code enforcement, tree species recommendations, information about tree best management practices including care and irrigation, clarification about responsibilities, and resources that can be shared with clients and the general public. Several suggestions also centered on better integrating urban forestry and the Forestry Division into existing and future planning efforts that relate to climate resilience and city priorities.

A review of existing code, policies, and plans highlighted possible areas where the City can enhance tree protection and preservation. Protection and preservation are important strategies for canopy growth over time, both because a majority of tree canopy is contained on land that is not city-owned, and preservation is more effective (and cost effective) than relying on tree planting alone. Private property protections are a topic of particular interest to the general public, with strong opinions on multiple sides. In general, there seems to be stronger existing support for tree protections that affect development, large tracts of land, and large redevelopment projects than for ordinances that would affect private residential property. Many residents expressed a need for more information before taking a



position. Further engagement would be needed to accurately gauge public support for any enhanced protection measures. It is recommended that the City conduct additional, focused engagement on the topic of tree protection ordinances, particularly those that apply to private residential property.

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MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Land Conservation & Stewardship Board

Regular Meeting | 1745 Hoffman Mill Road

May 8, 2024

Members:

Ross Cunniff, Chair

Scott Mason, Vice Chair

Denise Culver, Member

Andrea Elson, Member

Jennifer Gooden, Member

Holger Kley, Member

Elena Lopez, Member

River Mizell, Member

Mark Sears, Member

1. CALL TO ORDER: Meeting was called to order at 5:32 p.m.

2. ROLL CALL:

LCSB: Scott Mason, Jennifer Gooden, Andrea Elson, Elena Lopez, Denise Culver, Holger Kley, Mark Sears, Ross Cunniff

Excused: River Mizell

NAD Staff: Katie Donahue, Aaron Reed, Julia Feder, Emily Shingler, Mary Boyts, Matt Parker

City Staff: Kendra Boot, City Forester

Guests: Sandra Albro, Davey Resource Group

3. AGENDA REVIEW: There were no changes to the agenda.

4. COMMUNITY PARTICIPATION: None

5. APPROVAL OF MINUTES: There were no changes to the April 2024 meeting minutes.

Member Gooden made a motion to approve the March 2024 LCSB meeting minutes.

Member Sears seconded the motion. The motion was unanimously approved 8-0.

6. ACTION ITEMS

Election of Board officers

Chair Cunniff stated he would be willing to continue serving as Chair if board members desired it. He asked if any other members were interested in serving as Chair.

Member Kley made a motion to reappoint Ross Cunniff as Chair of the LCSB for 2024.

Member Elson seconded the motion. The motion was unanimously approved 8-0.

Vice Chair Mason stated he would be willing to continue serving as Vice Chair. Chair Cunniff asked if there was interest from other board members.

Member Culver made a motion for Scott Mason to continue serving as Vice Chair of the LCSB for 2024. Member Sears seconded the motion. The motion was unanimously approved 8-0

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CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Land Conservation & Stewardship Board Regular Meeting

7. DISCUSSION ITEMS

Urban Forest Strategic Plan

Kendra Boot, City Forester began her presentation by explaining that the urban forest consists of trees that grow in the built environment: public trees along streets and in parks, private trees in yards and neighborhood, etc. The strategic planning effort is looking at all the trees with the Fort Collins Growth Management Area (GMA).

Kendra led the LCSB through a high-level overview of the strategic plan starting with data of existing canopy cover and the current tree inventory. Kendra reported that Forestry maintains approximately 60,000 trees within the city limits. She shared a summary of the Strategic Plan community engagement to date, noting the importance of trees to the community and the community's desire for more education around tree planting and maintenance. Kendra recounted the plan's vision and future challenges, including an equitable distribution of canopy, changing climate and development/redevelopment, as well as the eight strategies designed to achieve the vision. She closed her presentation with a review of the project timeline and invited feedback from the LCSB.

DISCUSSION

Member Culver asked about the percentage of mature ash trees that might die due to infestation of Emerald Ash Borer. Kendra Boot reported there are 7,200 ash trees in the public inventory and that Forestry is preserving about 2,100 of those trees with chemical treatment. She also noted the emerald ash borer management response plan is available on the [Forestry website](#).

Member Lopez asked for more information on development/redevelopment. Kendra stated that the City has good policies around tree protection and that Forestry staff is working on updates to the Land Use Code to enhance tree protection throughout the City. Staff are also exploring other ways to incentivize applicants to keep more trees on a property.

Member Kley stated that within the development review process there is an educational opportunity to help guide homeowners who want to keep trees as well as for developers that are unaware of best horticulture practices. Kendra explained staff are expecting to be more involved in the building permit process, i.e., creating a checkpoint that would trigger the sharing of a tree protection plan with developers.

Member Gooden asked about tree survival and maintenance in the urban environment and mentioned that Cuyahoga County, OH is experimenting with inoculating street tree plantings with local mycorrhizal fungi. Kendra Booth stated Forestry adheres to best horticultural practices and uses local soil for planting. She reported that soil compaction and overwatering are two issues implicated in newly planted tree mortality on private property.

Member Gooden asked for clarification of the Natural Areas tree quality assessment. Matt Parker explained trees in natural areas are managed differently resulting in a variety of tree conditions including mortality. An assessment of natural areas trees completed by NAD staff showed limited age differentiation, low tree recruitment and low prevalence of fruit bearing trees. This information has guided restoration efforts over the past 15 years. Natural Areas does not

MINUTES

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Land Conservation & Stewardship Board Regular Meeting

remove dead trees unless they pose hazard. Kendra reported the data on natural areas trees is limited and urban assessment criteria might not accurately capture natural area conditions. Kendra stated Forestry differently manages urban trees along the Poudre River corridor including public safety and wildlife habitat criteria.

Chair Cunniff stated it could be helpful for the community to know which species are less likely to contribute to wildfire.

Jennifer Gooden asked if Kendra Boot was familiar with urban canopy carbon credits. Kendra stated Forestry staff recently began exploring carbon credits to support additional tree planting in the community.

Several board members joined Chair Cunniff in applauding the work of the Forestry Division and voicing their support of the Strategic Plan.

10. ADJOURNMENT

The meeting was adjourned at 6:33 p.m.

DocuSigned by:
Ross Cunniff
4458490E35344DD...

6/13/2024

Ross Cunniff, Chair

Date

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Natural Resources Advisory Board REGULAR MEETING

Wednesday, May 15, 2024 – 6:15 PM

300 Laporte and Via Zoom

1. CALL TO ORDER: 6:20 PM

2. ROLL CALL

- a. Board Members Present –
 - Kelly Stewart (Vice Chair)
 - Teagan Loew
 - Todd Simmons
 - Matt Zoccali
 - Sara LoTempio
- b. Board Members Absent –
 - Dawson Metcalf (Chair)
 - Lisa Andrews
 - Kelen Dowdy
 - Barry Noon
- c. Staff Members Present –
 - Honoré Depew, Staff Liaison
 - Cortney Geary
 - Dashiell Bubar-Hall
 - Kendra Boot
 - Christine Holtz
 - Renee Colton
- d. Guest(s) –
 - Xavier Pereira

3. AGENDA REVIEW

Vice Chair Stewart reviewed the agenda.

4. CITIZEN PARTICIPATION

Pereira (guest) asked about the energy intensity unit measurement mentioned at the March meeting about Building Performance Standards. Depew replied he would provide contact information for the appropriate staff member.

increased access to EVs. He outlined the strategies and recommendations which fall into short-, medium-, and long-term categories, and include things such as clarifying the City policy regarding EV charging, revising the Building Code to require EV infrastructure, and upgrading the electricity distribution infrastructure, respectively. He further detailed the City's vehicle fleet noting there is a plan for Transfort to become a fully electric bus fleet over the next 15 to 20 years.

Bubar-Hall discussed the workplan for the EVRR update and stated the draft plan will be available in August or September and will include the focus areas of mobility, equity, environmental, utility/infrastructure, housing, and policy. Depew asked if the EVRR will be adopted by Council and if part of the workplan engages City leadership. Bubar-Hall replied it is not a Council adopted plan; therefore, formal recommendations are not required. However, staff is planning to visit with Boards and Commissions as more analysis and recommendations come forward. He noted there is a possibility Council will look at the plan given Council priorities.

Zoccali asked if the plan addresses the wave of vehicles that come into the city each morning in terms of offering charging infrastructure for people coming in from outside the community. Bubar-Hall replied providing charging along some of the regional commuting corridors will be examined and noted the County is also considering those types of investments. Additionally, Bubar-Hall commented on mobility hubs that will facilitate transit and potentially include charging infrastructure.

*(**Secretary's Note: The Board opted to postpone the travel demand management discussion to a later date.)*

b. Urban Forestry Strategic Plan (UFSP)

*Kendra Boot, City Forester, will provide an overview of a draft UFSP – Rooted in Community – to seek Board feedback and support for Plan adoption.
(Action)*

Kendra Boot, City Forester, defined the urban forest as all trees within the built environment and stated the Urban Forestry Strategic Plan (UFSP) looks at all trees within the Fort Collins Growth Management Area. Boot stated the UFSP will create a 20-year vision for trees in Fort Collins and she outlined the canopy percent by block data and noted about 85% of trees in the community are on private property. She noted the Forestry Department maintains about 60,000 trees on public property in the built environment throughout the community.

Boot outlined the community engagement process for the Plan which included an online survey, three public meetings, and focus groups. She noted there is mixed public opinion around regulation of trees on private property.

Boot discussed the vision for more equitable distribution of the tree canopy

and acknowledged the challenges related to insects and disease, climate change, the relatively young public urban forest, and development and redevelopment. Boot outlined the eight recommended strategies that fall into two categories: foundational initiatives and transformational initiatives.

Vice Chair Stewart asked if there is a goal of tree canopy coverage that is being sought. Boot replied staff has not set a specific goal; however, the belief is that the canopy will increase with the Plan recommendations and existing policies.

Loew asked if there is a focus on native species. Boot replied the context is important when considering what species of tree to plant and there is a goal for the urban canopy to be as diverse as possible. She noted the City no longer plants ash trees and discussed the ash borer treatment plan for the existing ash trees.

Vice Chair Stewart asked if the City is or has partnered with CSU to help provide resources. Boot replied in the affirmative stating the City works with many CSU extension employees.

Vice Chair Stewart offered general support for the Plan and stated it dovetails nicely with the Active Modes Plan as there is research that shows pedestrian safety and traffic calming. Boot provided slides depicting the tree canopy at bus stops and along bike lanes throughout the city.

Vice Chair Stewart echoed support for equity as a key consideration. Boot discussed the priority planting map which includes social variables and health and environmental considerations.

Depew noted the Board has the option to take a formal action for a recommendation on the Plan.

Boot further discussed the diversity of the urban canopy and the use of high drought-tolerant species.

Depew pointed out the climate vulnerability section of the Plan.

Vice Chair Stewart shared general support and that the Board would work to figure out how best to support staff working towards plan adoption either via approval of meeting minutes or via a memo.

Boot outlined the timeframe for consideration of the Plan.

Zoccali expressed support for the general direction of the Plan but wanted the time to do additional review of the plan and follow up in June meeting to get consensus from the board.

Depew outlined the proper protocol for the Board to consider drafting a memo

or conducting a vote regarding the Plan.

7. OTHER BUSINESS

- Board Member Reports
 - Simmons expressed disappointment that Larimer County approved the Thornton pipeline project.
- 2024 Super Issues Meetings of Fort Collins Boards and Commissions will be held at the Lincoln Center. The dates are as follows:
 - Monday, June 10 (Founder's Room) – Topics: Tax Program, Strategic Trails Plan, and Natural Areas Strategic Framework
 - Monday, September 9 (Founder's Room)
- Six Month Calendar Review <https://www.fcgov.com/cityclerk/planning-calendar.php>
 - Legislative review
 - Traffic safety
 - Housing and urban development
 - Land Use Code, phase 2
 - Building Performance Standards
 - Hughes Property
 - Budgeting for Outcomes
 - Halligan
 - Platte River Power Authority community report
 - Transit initiatives
- Revisit action items from previous meetings & preview of next meeting
 - Thornton pipeline/1041 regulations
 - Poudre River Health Assessment
 - Board elections
 - Water Efficiency Plan
 - Council priorities
 - Move June meeting back a week
 - July – joint meeting with Air Quality Advisory Board
 - Budgeting for Outcomes
 - 2050 tax revenue
 - Natural Areas Strategic Plan

City Websites with Updates:

- Natural Resources Advisory Board webpage: <https://www.fcgov.com/cityclerk/natural-resources.php>
- Our Climate Future: <https://ourcity.fcgov.com/ourclimatefuture>

8. ADJOURNMENT

a. 8:15 pm

Minutes approved by a vote of the Board on 06/26/2024.

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Item 15.

Air Quality Advisory Board REGULAR MEETING

Monday, May 20, 2024 – 5:30 PM

222 Laporte Avenue, Colorado River Room

1. CALL TO ORDER: 5:30 PM

2. ROLL CALL

- Board Members Present –
 - Mark Houdashelt (Chair)
 - Dan Welsh (Vice Chair)
 - Maria Moore
 - Michael Cheesman
 - Kaori Keyser
 - Adam Schmidt
 - Jeremiah Gorske

- Board Members Absent –
 - Michael Johnson
 - Matt Ayres

- Staff Members Present –
 - Selina Lujan de Albers, Staff Liaison
 - Carolina Mendez Torres, Program Assistant
 - Kendra Boot, City Forester

- Guest(s) –
 - Dr. Margit Hentschel

3. AGENDA REVIEW

There were no changes to the published agenda.

4. PUBLIC PARTICIPATION

Dr. Margit Hentschel discussed her work with the City on wood smoke emissions standard and recommendation for a ban on outdoor recreational wood burning. Hentschel discussed the cancer and other health risks associated with wood smoke and noted Fort Collins does not have any after hours smoke complaint responders.

5. APPROVAL OF MINUTES

Lujan de Albers outlined the minutes clarifications that were requested for the March minutes.

Welsh made a motion, seconded by Keyser, to approve the minutes of the March meeting as amended. The motion was adopted unanimously.

Chair Houdashelt outlined clarifications to the April meeting minutes. Welsh also provided some clarifications regarding the Air Quality Monitoring Advisory Committee (AQMAC) meeting that was mentioned in the minutes.

Welsh made a motion, seconded by Schmidt, to approve the minutes of the April meeting as amended. The motion was adopted unanimously.

6. PREVIOUS BUSINESS

Chair Houdashelt noted the Board previously sent a recommendation to Council regarding a number of state air quality bills, some of which passed and some of which failed by the conclusion of the session. Additionally, some of the bills were killed in exchange for the passage of two other bills and an agreement that specific environmental groups would not support or sponsor any legislation or ballot initiatives related to oil and gas until 2028, and the oil and gas industry would also not push any legislation or ballot initiatives until 2028.

Chair Houdashelt noted one bill that came out of this agreement increases the enforcement mechanisms for ozone pollutants. The other bill requires the oil and gas industry to pay production fees based upon the number of barrels produced with the money going to fund clean transit and wildlife/land remediation. Chair Houdashelt stated changes will make the state heavily dependent on further revenue from oil and gas, making oil and gas regulations more difficult moving forward as decreased production would result in less revenue for the state.

Chair Houdashelt stated Council will be considering the second reading of the 2050 tax climate initiatives funding at its meeting tomorrow.

Chair Houdashelt stated he, Welsh, and Lujan de Albers had a meeting with the NRAB Chair Metcalf, Vice Chair Stewart, and Honore Depew, the NRAB staff liaison, to discuss the upcoming joint meeting. He noted the budget will likely be a main topic; however, the budget offers have yet to be released, which may make having the meeting in July difficult.

Lujan de Albers noted the new accessibility law prohibits the posting of materials in PDF form; therefore, the City is working to develop a new avenue to release the budget information with a goal of early June, but it could be as late as the beginning of July.

Chair Houdashelt noted the best day of the week for the joint meeting was also discussed and requested members consider what days may work prior to the agenda planning section of this meeting. He also noted Council recently had a session aimed at detailing its priorities.

Additionally, Chair Houdashelt noted the Chair and Vice Chair elections will be held at the next meeting.

7. NEW BUSINESS

a. Urban Forestry Strategic Plan (UFSP)

Kendra Boot, City Forester, will provide an overview of a draft Urban Forestry Strategic Plan (UFSP) – called Rooted in Community – to seek Board feedback and support for its adoption. The Forestry Division has been working with Davey Resource Group on the first UFSP for Fort Collins, and City Council will consider its adoption on August 20th. (Action)

Kendra Boot, City Forester, noted the urban forest consists of the trees that grow within the built environment, and it includes public trees along streets and in public spaces, as

well as private trees. Boot noted the UFSP addresses all trees within the Fort Collins growth management area and looks at providing a 20-year vision for those trees.

Boot outlined the existing canopy coverage in Fort Collins and stated there is a 14% canopy cover city-wide and a 12.5% canopy cover when including the growth management area. She noted the Forestry team maintains about 60,000 trees within the city limits and stated those public trees tend on the younger side.

Boot discussed the public engagement efforts that were part of the UFSP formation, including an online survey, three public meetings, and focus groups. The results of the public engagement showed that people like public trees, would like additional resources around caring for private trees, and are somewhat concerned about development and trees.

Boot discussed work with consultant Davey Resource Group to develop a vision focused on equitably distributing the tree canopy across the community, ensuring everyone has access to trees on their properties, dealing with more insect and disease issues resulting from climate change, and dealing with drought events. Boot outlined the eight recommended strategies that were developed as part of the Plan and noted each includes foundational initiatives and transformational initiatives.

Boot discussed the City's tree inventory tool and partnership with CSU extension. She noted there are other opportunities for engagement with the community on tree maintenance and planting and opportunities for additional partnerships.

Boot outlined the next steps for the Plan, including Council consideration on August 20th.

BOARD QUESTIONS

Welsh asked if there are concerns about the extent or health of the urban canopy as it currently exists, particularly given the Emerald Ash Borer issues. Boot noted there is a section of the Plan that addresses future insect and disease challenges. She stated ash trees make up 33% of the canopy cover and staff has been working to plant diverse, drought-tolerant species on public property and on influencing the same for development projects. She also noted no ash trees have been planted on public property in Fort Collins since 2003, and the trees cannot be sold to be planted.

Dan asked if the Forestry Department is involved with fire resiliency and fuel management. Boot replied in the negative and stated reliance is placed on the Community Wildfire Protection Plan which is managed by Poudre Fire Authority. She noted public engagement around updating that plan will be forthcoming.

Michael C. asked if the Forestry Department also works on planting native scrub brush in addition to trees. Boot replied there are only about 23 native tree species in Colorado, and only about five are deciduous. She noted the large maturing shade trees are desirable for street trees as they provide the most benefit over time, which makes utilizing only native trees difficult.

Adam asked about the priority moving forward as part of the document seems to reference an equitable distribution of trees and part of the document seems to reference replacing trees. Boot replied both are priorities since this plan looks at both public and private trees. She stated the formation of a tree planting program was one of the recommendations and that may come in the form of a private tree planting program and a public tree planting program with prioritization areas.

Adam suggested moving some of the transformational initiatives relating to air quality and public perception to foundational initiatives, specifically 'link tree activities to health, social, and environmental data, and to civic data (transit ridership, cycling/pedestrian statistics, City outcome areas) as available,' and 'annually or biannually report to the public on tree activities.'

Michael Cheesman asked if air quality impact projections of the envisioned canopy versus the existing canopy were considered to be measured. Boot replied that could be considered and noted there are benefit projections in terms of greenhouse gas emissions, sequestration, and other emissions as part of the tree inventory. Michael suggested that analysis could likely be done quickly with the help of a consulting firm.

Welsh noted having studies and public support could help the program with getting funding through things such as the new 2050 climate tax. Boot noted the Forestry Department did submit a budget offer to Environmental Health that was related to the climate tax to help with getting more trees planted on public property.

Chair Houdashelt commented on a previous City plan related to the climate benefits of urban forestry and stated that while there is a climate benefit, it is not part of the current greenhouse gas (GHG) inventory, so it does not help the City reach its GHG emission reduction goals, and one cannot make a valid argument for doing it as offsets. He stated that he thinks the UFSP is great, but it would be controversial to include it in the GHG inventory, as it is complementary to, but not part of, Our Climate Future.

Chair Houdashelt stated the densification efforts that were part of at least the original Land Use Code changes would have reduced requirements for trees. Boot replied it is unlikely requirements would be reduced, though it is difficult with zero lot lines or higher density buildings to include trees. She stated staff is working on some different policies around incentivizing tree preservation first then looking at different ways to mitigate, and those items will come as part of phase two of the Land Use Code updates. She noted the tree policy sits primarily in commercial corridor sections of the Land Use Code and there are no tree policies around single-family residential homes. She also noted Council will be discussing the phase two updates at a June 11th work session.

Moore asked if there are initiatives for the private sector. Boot replied the only current program is the Community Canopy Program which offers 1,000 trees for sale each year at a cost of \$25 each.

Moore stated tree maintenance information is lacking in the community and suggested there is more that can be done to maintain the private tree canopy. Boot noted there is some federal grant funding that will be offered over the next six years around urban and community forestry and staff is looking at applying for some of that funding, though that will likely require some partnership with other surrounding small communities as much of the funding is focused on disadvantaged neighborhoods.

Jeremiah noted the guidance on what constitutes an environmental justice community may be changing at the federal level.

Michael Cheesman commented on the possibility of partnering with larger organizations for funding assistance. Boot replied the Department has lacked the capacity to do research on partnership opportunities, though it could be considered in the future.

Boot outlined the options for the Board to weigh in on the Plan as part of Council's packet prior to the August 20th meeting.

Chair Houdashelt stated it could be helpful for Council to know if there is a prioritization of the recommendations, though that could be done after adoption of the Plan. Boot replied some of those details will be considered later; however, she would like to include a prioritization list or a timeline as part of the final draft.

Chair Houdashelt expressed overall support for the Plan and stated the Board could take up a formal recommendation at an upcoming meeting.

b. Board Member AQ Interests

AQAB Board members will discuss their air quality interests to facilitate future AQAB agenda setting and help staff prepare their June presentation about Fort Collins' Air Quality Plan and programs. (Discussion)

Chair Houdashelt stated his primary interests lie in the funding and implementation of things to help the City reach its climate goals and in transportation, including electric vehicles and active modes.

Gorske expressed interest in the urban canopy in terms of air quality measurements as well as wildfire smoke, particularly as it impacts the most vulnerable populations.

Schmidt expressed interest in improving wildfire smoke preparedness, urban forestry, and growing public outreach regarding air quality.

Welsh expressed interest in ozone, including ozone precursors stemming from industry, transportation, and lawn and garden equipment, and wildfire smoke community impacts and preparedness.

Moore stated her interest lies in public outreach regarding indoor air quality, specifically targeting gas stoves and wood fireplaces and pits. She noted the Healthy Homes program does some of that outreach but could be more robust in those areas.

Keyser expressed interest in ozone, particularly given we are in a non-attainment area, and public outreach regarding things like electrification.

Cheeseman expressed interest in wildfire impacts on air quality and better decision-making around that and climate change mitigation. He stated one of the reasons he joined the Board was to get involved in local and state level policy making. He also commented on being part of a program called Voices for Science through the American Geophysical Union which provides micro-grants for events that are science policy or outreach focused.

Lujan de Albers noted the Board would need to amend its bylaws in order to include public outreach in its purview.

Welsh noted part of the grant funding for the AQMAC is specifically for community outreach and communication with emphasis on disproportionately impacted communities.

Chair Houdashelt summarized the members' interests.

c. Agenda Planning

AQAB Members will develop an outline for future meeting agendas based upon the 2024 AQAB work plan, Board member interests, and the City Council 6-month planning

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Park and Recreation Board Meeting

May 22nd, 2024

Twin Silo Park – 5552 Ziegler Rd. Fort Collins, CO

1. CALL TO ORDER

Nick Armstrong called the meeting to order at 5:44pm

2. ROLL CALL

- List of Board Members Present
 - Nick Armstrong
 - Meghan Willis
 - Josh Durand
 - Paul Baker
 - Mike Novell
 - John Mola
 - Lorena Falcon

- List of Board Members Absent
 - Ken Christensen
 - Marcia Richards

- List of Staff Members Present
 - Mike Calhoon – Director, Parks
 - LeAnn Williams – Director, Recreation
 - Jill Wuertz – Sr Manager, Park Planning & Development
 - Kendra Boot – Sr Manager, Forestry
 - Ernie Wintergerst – Sr Supervisor, Forestry
 - Kevin Williams – Sr Supervisor, Parks
 - Rachel Eich – Business Support III

3. AGENDA REVIEW

- Introduction of new board members (John Mola and Lorena Falcon)

4. CITIZEN PARTICIPATION

- No citizen participation

5. APPROVAL OF MINUTES

- Meghan Willis moved to approve the April 2024 minutes as written at 5:47pm, Josh Durand seconded, all in favor

Parks and Recreation Board

TYPE OF MEETING – Hybrid Meeting

6. UNFINISHED BUSINESS

- Urban Forest Strategic Plan Update
 - Kendra Boot and Ernie Wintergerst began presentation on the high level status of the Urban Forestry Strategic Plan update.
 - Urban Forest is defined to include the trees that grow within the built environment, parks, golf courses, cemeteries, etc; also includes private trees
 - The UFSP is looking at all trees in the growth management area to steer the direction for the department moving forward.
 - Why plan?
 - For strategic planning and adaptive management, we have to understand what we have and do not have
 - Helps to answer the question for how we are doing
 - What do we have?
 - City wide canopy cover is at 13.7%, with 12.6% if the GMA is added.
 - 80% of canopy cover is on private property
 - Public Tree Inventory
 - The City Forestry team manages roughly 60,000 trees
 - 60% are less than 8 inches in diameter
 - Managing trees at different age classes takes different resources
 - Community Engagement
 - 3 public meetings (October 2023 & March 2024)
 - 8 different community events
 - 1 community survey (971 responses)
 - Themes:
 - Trees are an integral part of Fort Collins, infrastructure
 - People love trees on public property
 - People would like more resources for how to manage trees on their private property
 - Concerns around development and trees
 - The draft plan includes 8 recommended strategies
 - Continue to invest and grow the urban canopy
 - Create a planting plan (for both public and private property)
 - Complete the shift to proactive management of Fort Collins' trees
 - Strengthen City policies to protect trees
 - Collect data to track changes over time
 - Sustainably grow the division to keep pace with need

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Parks and Recreation Board

TYPE OF MEETING – Hybrid Meeting

- Deepen the engagement with the community around tree stewardship
 - Expand the network of the Forestry Division’s partnerships
- Requesting feedback from the board by May 31st
- Questions from the Board
 - From the survey, people are concerned around development, is that because people think trees are removed in development?
 - Staff heard that people would like to see more regulation around tree protection and development (50%), others would prefer to just have education and outreach (50%)
 - Is there a plan to hiring more staff?
 - Hiring will be part of the plan for sustainable growth
 - Hiring is challenging because of the BFO (Budgeting for Outcomes) conversation
 - Are there limits on staff training?
 - There is a need for a feeder into workforce development
 - Urban Forestry Planner would help with the bigger policy and bigger picture ideas
 - How specific is the tree planting plan?
 - Priority planting area is focused on canopy coverage in block groups
 - Looks at social, health, and environmental variables
 - Knowing that most of the canopy is residential or private, how much opportunity does the City have to proactively influence and help people plant the best trees?
 - A lot of opportunity through development, but have not always been able to keep up with it due to staffing capacity
 - Is the idea to point private property/residential owners to the existing resources (i.e., Front Range Tree List)?
 - Private property owners will be pointed to that list, as well as specific resources on the City website (Street Tree List)

7. NEW BUSINESS

- Twin Silo Park
 - Sr Supervisor, Kevin Williams, presented on the maintenance and unique features of Twin Silo Park
 - Park is staffed by two technicians, one crew chief, and one worker 1
 - Team also manages Radiant Park
 - Features include:
 - Interactive play feature in the creek

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



TRANSPORTATION BOARD

TYPE OF MEETING – REGULAR

June 12, 2024, 6:00 p.m.

Online Via Zoom or In-Person at 281 North College Avenue

FOR REFERENCE:

Chair:	Ed Peyronnin
Vice Chair:	Alexa Nickoloff
Council Liaison:	Susan Gutowsky
Staff Liaison:	Melina Dempsey

1. CALL TO ORDER

Chair Peyronnin called the meeting to order at 6:00 PM.

2. ROLL CALL

BOARD MEMBERS PRESENT:

Ed Peyronnin, Chair
 Jerry Gavaldon
 James Burtis
 David Baker
 Lourdes Alvarez
 Amanda Finch

CITY STAFF PRESENT:

Melina Dempsey, FC Moves
 Kendra Boot, Forestry
 Cyril Vidergar, City Attorney’s Office

PUBLIC PRESENT:

Steve Hedrick

BOARD MEMBERS ABSENT:

Alexa Nickoloff, Vice Chair
 Indy Hart
 Emily Felton

3. AGENDA REVIEW

Chair Peyronnin stated there were no changes to the published agenda.

4. CITIZEN PARTICIPATION

Steve Hedrick from Vuba introduced himself and information about the company he works for. Vuba envisions an Automated Transit Network (ATN) which are elevated personal transport. He’s interested in presenting to the TBoard in the future.

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



TRANSPORTATION BOARD

TYPE OF MEETING – REGULAR

Gavaldon asked if there is a process related to hearing full presentations from members of the public. Chair Peyronnin replied Board members could always request a more formal presentation.

Cyril Vidergar introduced himself as an Assistant City Attorney who will be the primary advisor for the Board. He outlined the process by which the Board could place new topics on an agenda.

5. APPROVAL OF MINUTES – MAY 2024

Lourdes Alvarez made a motion, seconded by Amanda Finch, to approve the May 2024 minutes as amended. Yeas: Peyronnin, Burtis, Baker, Alvarez, and Finch. Nays: none. Abstain: Gavaldon.

THE MOTION CARRIED.

6. UNFINISHED BUSINESS

None.

7. NEW BUSINESS

a. Forestry Plan Presentation and Input – Kendra Boot, City Forester

Kendra Boot, City Forester, stated the Urban Forest Strategic Plan has been in the works for about a year with the assistance of Davey Resource Group. Boot noted the urban forest is defined as the trees that grow within the built environment, including public and private trees, and the Plan creates a 20-year vision for the trees in the Fort Collins growth management area. Boot noted the Plan is slated to go before Council in October.

Boot outlined the current tree resources noting there is a 14% canopy cover within the city limits and a 13% canopy cover in the growth management area. Boot stated there are about 60,000 public trees within the city limits, about 60% of which are less than eight inches in diameter currently; therefore, when those trees age, different maintenance resources will be required.

Boot outlined the public engagement process for the Plan which included public meetings, community events, and an online community survey. General input included that trees are an integral part of Fort Collins, tree maintenance resources are desired for private property, and there are concerns around development and trees in the future.

Chair Peyronnin asked if there is a model related to trees dying off. Boot replied there are a number of variables that can impact the health and longevity of trees, including climate, site characteristics, and early and late freezes. She noted new development adds about 1,500-2,000 new street trees per year and some policy work

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



TRANSPORTATION BOARD

TYPE OF MEETING – REGULAR

will help with inheriting more healthy trees through the development process.

Chair Peyronnin asked how much influence the City has over the types of trees planted by developments. Boot replied Forestry has a very heavy hand in the development review process and the focus is on preserving and protecting existing trees while also looking at diversifying the types of trees that are planted.

Gavaldon asked if staff has contacted existing HOAs to get information regarding private trees and noted his HOA did an inventory of all trees and uses it for tree replacement. Boot replied staff has not contacted HOAs as part of this effort.

Gavaldon asked if the Rigden Farm HOA that halted watering its greenbelt ever reimbursed the City for the costs it incurred in stepping in to save the greenbelt trees. Boot replied the HOA did replace some of the trees.

Boot noted the tree inventory trends young and commented on the importance of planning for sustainable growth to keep pace with an urban forest that is growing in age and number. Additionally, Boot commented on the importance of equitable distribution of the tree canopy throughout the community. She noted climate change will lead to more insects and disease; therefore, creating a resilient and diverse urban forest is important.

Boot outlined the eight recommendations and their associated initiatives which are broken into foundational, or easier, shorter-term items, and transformational, or more impactful, initiatives. The recommendations included creating a tree planting plan for both public and private property, completing the shift to proactive management, and strengthening City policies to protect trees.

Boot noted the City has a public tree inventory available.

Chair Peyronnin asked if there are citizens who provide input regarding the tree inventory or if staff handles it. Boot replied there is a set of volunteers called Urban Forest Ambassadors which helps to update the inventory and prune small trees.

Boot noted public input showed a desire for more resources around private tree stewardship.

Amanda Finch discussed research on urban forests and transportation and noted having trees on both sides of a roadway can create an illusion to drivers that the road is narrower than it actually is and can therefore lead to drivers going slower. Additionally, she commented on Washington placing reflective tape around trees that can only be seen at night and noted trees can provide shade for transit stops and reduce traffic noise.

Boot noted the canopy survey did look at transit stops and bike lanes and it was found that canopy at transit stops has been lost over the past ten years.

Alvarez commented on different neighborhoods having different levels of opportunity

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



TRANSPORTATION BOARD

TYPE OF MEETING – REGULAR

for public trees depending on how sidewalks are located. Boot replied the Code supports planting trees behind the walk in new developments that may have narrow street cross sections.

Alvarez asked who manages park and natural areas trees. Boot replied Forestry maintains street trees, park trees, cemetery trees, golf courses, and other trees that are on City property; however, the Natural Areas department maintains the trees on natural areas and those are not included in the built environment tree inventory, though they are part of the canopy study.

Burtis asked if there is a plan to work with private landowners to incentivize or encourage replacement as trees die off. Boot replied that is part of the first two recommendations of the Plan, but there is currently a Community Canopy Program that sells about 1,000 \$25 trees each year for planting on private property. She noted staff is looking at opportunities to expand the program.

Burtis asked how many tree species have been successful in Fort Collins. Boot replied it depends on the part of town and soil, but there are a number of tree species that can grow in Fort Collins, though they are limited in the public right-of-way to large shade trees. She noted there are over 200 different species of trees in City Park. She stated the approved tree list is available on the City's website.

Boot commented on the importance of partners such as nurseries and landscape contractors in helping private property owners select the right trees for the right places.

Gavaldon asked where other public entities such as CSU, Larimer County, and Poudre School District fall and suggested some gaps need to be narrowed, including those related to metro districts and HOAs. Boot replied that falls under recommendation number eight related to expanding the network in the community and regionally. She stated good relationships already exist with CSU and PSD and noted the County no longer has a forester position, though there are contacts in the County planning department. She stated there is more opportunity for expanding relationships.

Gavaldon discussed the HOA list resources available. He complimented Boot and the work of the Forestry Department.

Boot outlined the options for input from the Board and noted it would be needed by October 1st.

Gavaldon made a motion, seconded by Finch, that the Transportation Board recommended to Council approval of the Urban Forest Strategic Plan as presented with the suggestions and recommendations of individual Board members.

Alvarez suggested it may be more valuable for the Board to write a letter as a more

TRANSPORTATION BOARD

TYPE OF MEETING – REGULAR

impactful and thoughtful way of supporting the work.

Gavaldon accepted the suggestion as a friendly amendment to follow up at a date certain with a letter. The seconder also accepted the amendment as friendly.

The vote on the motion was as follows: Yeas: Burtis, Gavaldon, Alvarez, Peyronnin, Baker, and Finch. Nays: None.

THE MOTION CARRIED.

b. Transit Discussion to Establish a Vision for Future Transportation Board Meetings – All

Dempsey provided the summary of the role of the Transportation Board from the Boards and Commissions website.

Gavaldon stated there is a great deal of overlap between this Board and the Active Modes Advisory Board (AMAB) and stated the AMAB will need to determine its role in concert with the Transportation Board as a peer entity.

Finch suggested Transportation Board members read the minutes of each AMAB meeting and determine whether there are items that need to be discussed.

Gavaldon concurred and suggested the AMAB should do the same with Transportation Board until such time as the roles of the Boards can be better clarified. He also commented on the importance of the role of staff.

Baker suggested having a liaison between the two Boards.

Alvarez concurred with the previous comments and stated having two Boards can create a stronger voice for helping to preserve aspects that make Fort Collins special.

Baker questioned the differences between the two Boards. Gavaldon replied the Master Street Plan falls under the purview of the Transportation Board and it will be important for the AMAB to provide input on that as well.

Alvarez commented on the social component of the AMAB in terms of changing hearts and minds through education and promotion.

Chair Peyronnin commented on the 'Shift Your Ride' goals of the Active Modes Plan.

Burtis commented on the Transportation Board being more focused on infrastructure.

Chair Peyronnin asked about the Transfort bus system. Dempsey replied the Active Modes Plan defines active modes as bicycling and walking; therefore, transit does not fall under the purview of the AMAB.

Chair Peyronnin stated transit and Transfort were large discussion points for the Transportation Board over the past year. He commented on the importance of



Transportation Board

Item 15.

Edgar Peyronnin, Chair
Alexa Nickoloff, Vice Chair

DATE: August 21, 2024
TO: Mayor Arndt and City Councilmembers
FROM: Edgar Peyronnin, Transportation Board Chair, on behalf of the Transportation Board
CC: Kelly DiMartino, City Manager
RE: Endorsement of Urban Forest Strategic Plan: Rooted in Community

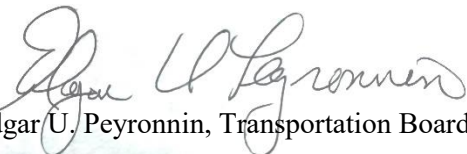
Dear Mayor and City Council Members,

The Transportation Board has voted unanimously in support of the Urban Forest Strategic Plan as presented by Kendra Boot at our meeting in June. The plan aligns with the City’s mission, vision, and values for a vibrant, desirable community. Through partnerships it prioritizes equity in service delivery, ensuring that the most vulnerable and underserved communities benefit from a healthy tree canopy strengthening the community. Additionally, a diverse, well-planned urban forest will support stewardship of the City’s environment and support its green initiatives.

The plan supports Transportation Board goals in providing a safe and inviting environment for all modes of transportation along the network of streets and roads throughout the community. Research shows that tree-lined streets were perceived to be safer in both urban and suburban conditions. Individual driving speeds were significantly reduced in the suburban settings with trees. The trees provide shade and cover at Transfort stops, both improving the experience for a rider and protecting the shelters themselves from the harsh sun and elements. They help encourage ridership and reduce the cost to maintain this part of the city’s infrastructure. They can support traffic engineering solutions for the community into the future.

The Transportation Board requests that City Council support and approve Rooted in Community: The Urban Forest Strategic Plan.

Respectfully submitted,


Edgar U. Peyronnin, Transportation Board Chair



MEMORANDUM

DATE: September 16, 2024
TO: Mayor and City Councilmembers
FROM: Dan Welsh, Chair of the Air Quality Advisory Board
Dawson Metcalf, Chair of the Natural Resources Advisory Board
RE: Urban Forest Strategic Plan

Dear Mayor and Councilmembers,

On August 19, 2024, and September 16, 2024, the Air Quality Advisory Board (AQAB) and the Natural Resources Advisory Board (NRAB) came together in two joint meetings to review City considerations that relate to the missions of both Boards. The purpose of this joint statement is to offer AQAB and NRAB's support of and address additional suggestions regarding the Urban Forest Strategic Plan: Rooted in Community.

AQAB and NRAB were engaged by the City's Forestry Division through presentations to each Board. AQAB and NRAB both support the overall direction of the Urban Forest Strategic Plan (UFSP) and think that successful implementation aligns with The City's Climate Goals, as well as Council Priorities; specifically Priority 6: Reduce climate pollution and air pollution through best practices, emphasizing electrification.

Along with general support for the UFSP, NRAB and AQAB wish to convey the following recommendations, to be considered as this plan is implemented:

- Use of electric vehicles and equipment when possible, minimizing use of internal combustion engines.
- Assessment/modeling of overall climate and air quality impacts of urban forest management; considering benefits and drawbacks of UFSP implementation.
- Emphasis of native species within the urban forest, with priority placed on species indigenous to Colorado/U.S./North America.

NRAB and AQAB thank you for your consideration and the opportunity to engage on this matter.

Respectfully,

Dan Welsh, Air Quality Advisory Board Chair

Dawson Metcalf, Natural Resources Advisory Board Chair



MEMORANDUM

DATE: September 25, 2024

TO: Mayor and City Councilmembers

FROM: Nick Armstrong, Chair for the Parks and Recreation Advisory Board

RE: Adopting the Rooted in Community Urban Forest Strategic Plan

CC: Boards and Commissions via email
boardsandcommissions@fcgov.com

Dear City Leaders + City Council,

The Parks and Recreation Advisory Board is deeply supportive and appreciative of the work of the Forestry Department on the Urban Forest Strategic Plan (UFSP).

From the beginning, the work of the Forestry Department, Davey Tree, and the steering committee has been directly aligned with the goals of Our Climate Future, as well as the economic, environmental, neighborhood and community vitality of our City.

We feel the UFSP fully addresses the stated goals of the plan recommendations:

- Communicate the social, economic, and environmental value of the urban forest
- Prioritize equity in service delivery, ensuring that the most vulnerable and underserved communities benefit from a healthy tree canopy
- Plan for proactive tree planting and care of the urban forest
- Identify funding goals and strategies for the Fort Collins urban forest
- Identify and propose improved and enforceable public policy for the protection of community trees
- Build a culture of trust and partnership between Fort Collins residents and the institutions that serve or interact with the urban forest
- Address rising temperatures in the built environment and adaptation needs for a changing climate

The Parks and Recreation Advisory Board formally recommends the adoption of the Urban Forest Strategic Plan with our gratitude to the Forestry Department, City Staff and especially Kendra Boot, the Steering Committee, Davey Tree, and City Council for their support of such a forward-thinking resource.

With our thanks,

The Parks and Recreation Advisory Board



Forestry Division
413 S. Bryan Avenue
PO Box 580, Fort Collins, CO 80522

Item 15.

WORK SESSION MEMORANDUM

Date: December 16, 2024

To: Mayor and City Councilmembers

Through: Kelly DiMartino, City Manager *kd*
 Tyler Marr, Deputy City Manager *TM*
 Dean Klingner, Community Services Director *DK*

From: Kendra Boot, City Forester *KB*

Subject: December 10, 2024 Work Session Summary: Rooted in Community, Urban Forest Strategic Plan

BOTTOM LINE

The purpose of this memo is to document the summary of discussions during the December 10 Work Session. All Councilmembers were present. After gaining feedback from Council and making some minor adjustments, staff will plan to move the Urban Forest Strategic Plan forward for adoption in Q1 2025.

DISCUSSION SUMMARY

Staff provided a quick overview of the benefits that trees provide to the community, the state of the urban canopy, and shared the recommended growth strategies within the draft Urban Forest Strategic Plan. General feedback and support for the plan was provided by Council. The Urban Forest Strategic Plan shares a vision, dataset, community perspective and strategic best-practice policy recommendations for supporting the urban forest over the next two decades. Changes to the Land Use Code and other tree policies will be brought to Council as separate work streams. Tree policies within the Land Use Code are currently scheduled to have decisions in front of Council before the end of this council term.

Other feedback included:

- Adjustments requested to Transformational Initiative in Growth Strategy 3:
 - Currently states, “Develop additional policy for newly acquired homeownership who make changes to their landscapes. Educate and engage with the public about policy scenarios to gauge public support.”
 - Adjust to, “Create educational support, incentives and potential policy improvements to support homeowners and other private property owners achieve long-term success in preserving and planting trees.”

NEXT STEPS

CC: Mike Calhoon and Sylvia Tatman-Burruss

Staff will make a few updates to the plan capturing Council's feedback and bring forward for adoption, currently scheduled for February 4, 2025.

FOLLOW-UP ITEMS

Peer cities utilized for benchmarking:

- The Davey Resource Group (consultant) benchmarked the City of Fort Collins Forestry Division with the [*Municipal Tree Care and Management in the United States*](#) (Hauer and Peterson, 2016).
- The Hauer report provides benchmarks for forestry programs among U.S. cities by region and population size and had 667 communities respond to their survey.
- While no specific communities are called out in the report, Davey Resource Group focused on population size as well as the West Region.
- The use of the Hauer report was primarily used for comparing municipal urban forestry staffing and operations, budgets, and ordinance/code comparisons.

Zoning and Forestry have been working with the Lemay and Stuart Business Park in bringing their approved landscape plan back into compliance after the large cottonwood trees were removed. Trees will be replaced on site during the most appropriate planting season.



Urban Forest Strategic Plan

Dean Klingner

Community Services Director

Kendra Boot

City Forester

Timeline





Previous Council Priorities 2021-2023

- Tree planting subsidy (GS1, GS6)
- Improve tree policies (GS3, GS5)

Current Council Priorities 2024-2026

- Improve human and social health for vulnerable populations (GS1, GS2, GS6, GS7)
- Advance a 15-minute City igniting neighborhood centers and accelerating shift to Active Modes (GS1, GS4, GS6)
- Reduce climate pollution and air pollution through best practices (GS1, GS2, GS3, GS6, GS7)

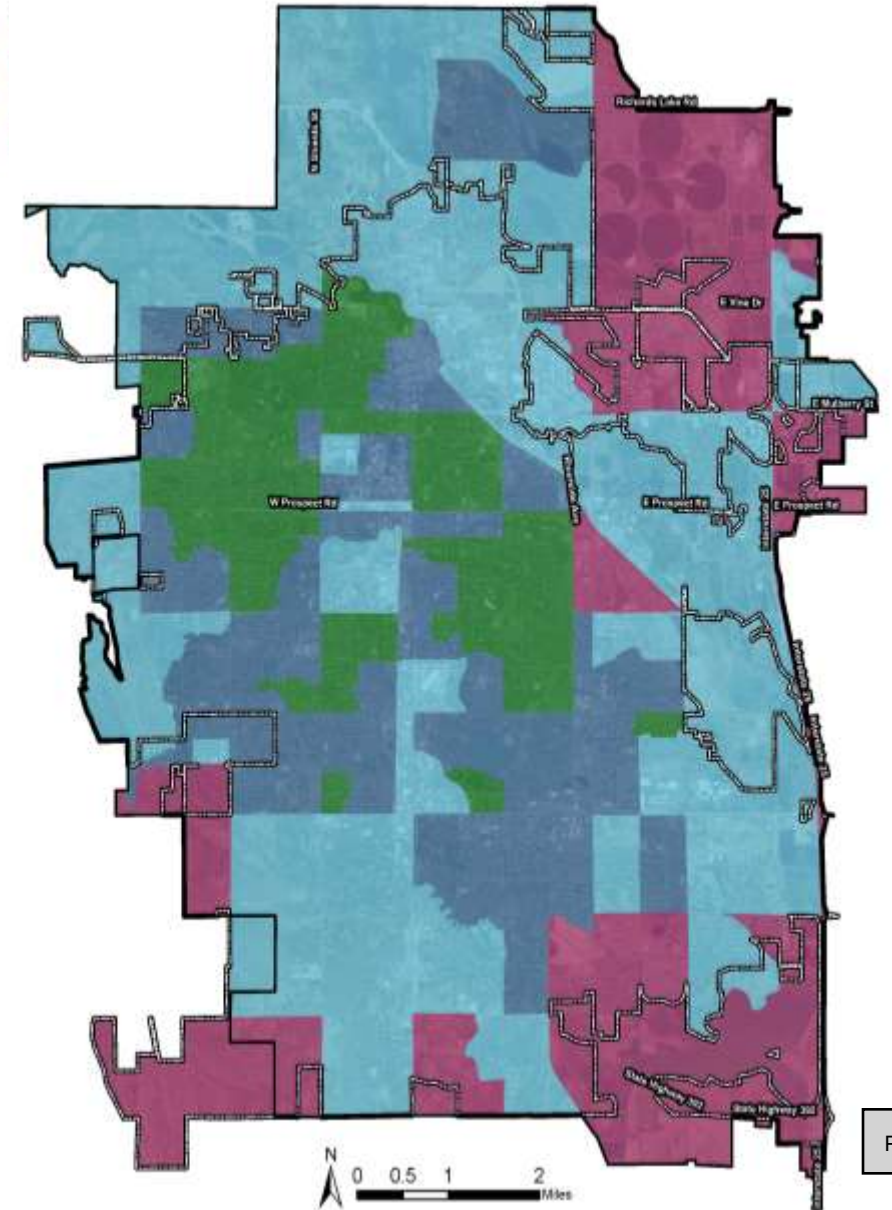
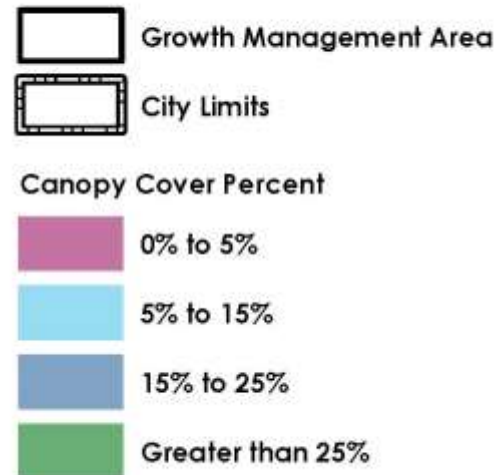
Other Council Priority Alignment

- Zero waste (GS3, GS6)
- Protect community water systems in an integrated way to ensure resilient water resources and healthy watersheds (GS1)
- Modernize and update City Charter (GS3, GS6)

Note: GS = Growth Strategy from Urban Forest Strategic Plan draft

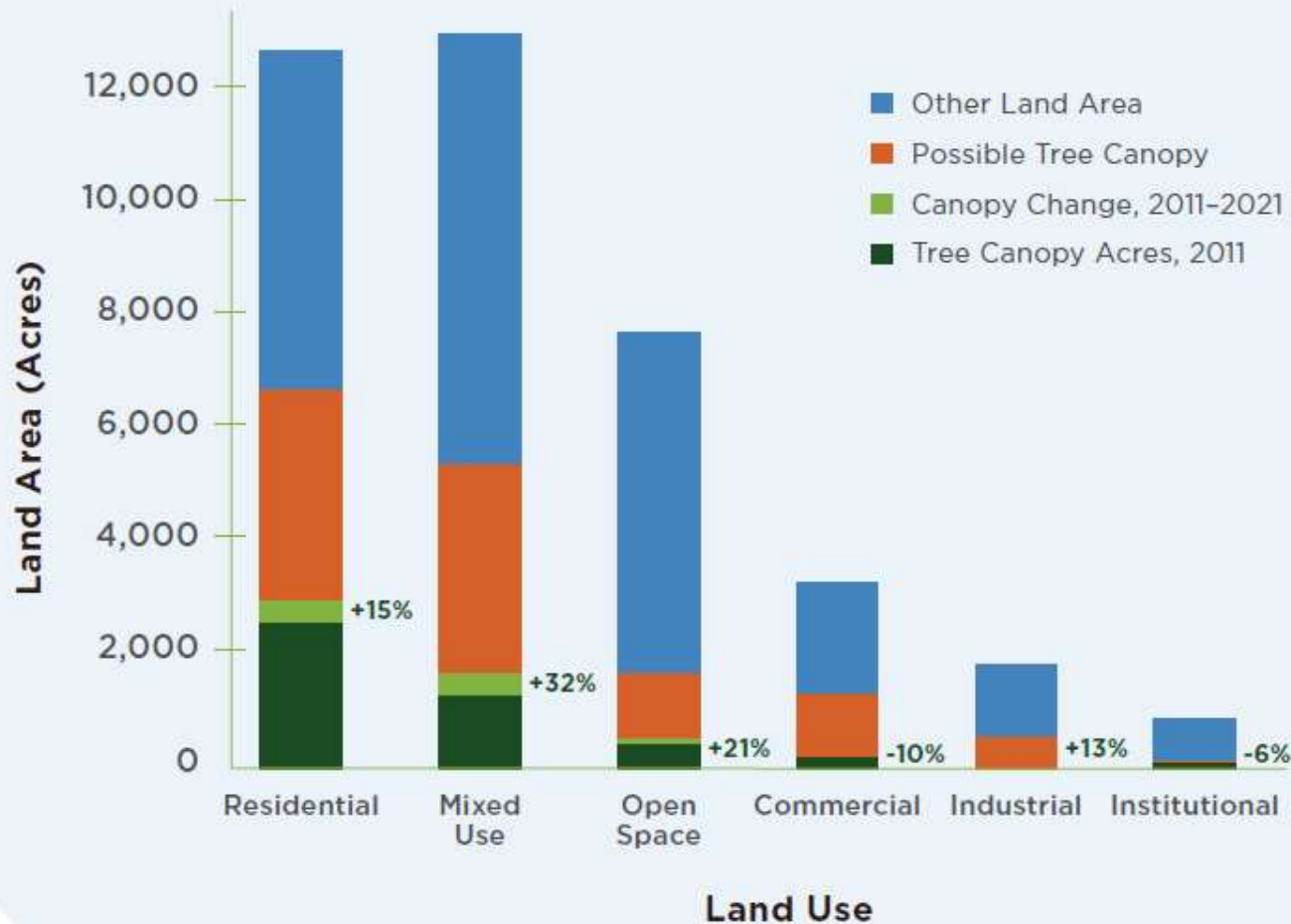
CANOPY PERCENT BY BLOCK GROUP

- Citywide: 13.7%
- City + GMA: 12.6%



ACROSS FORT COLLINS

TREE CANOPY COVER BY LAND USE TYPE, 2011-2021



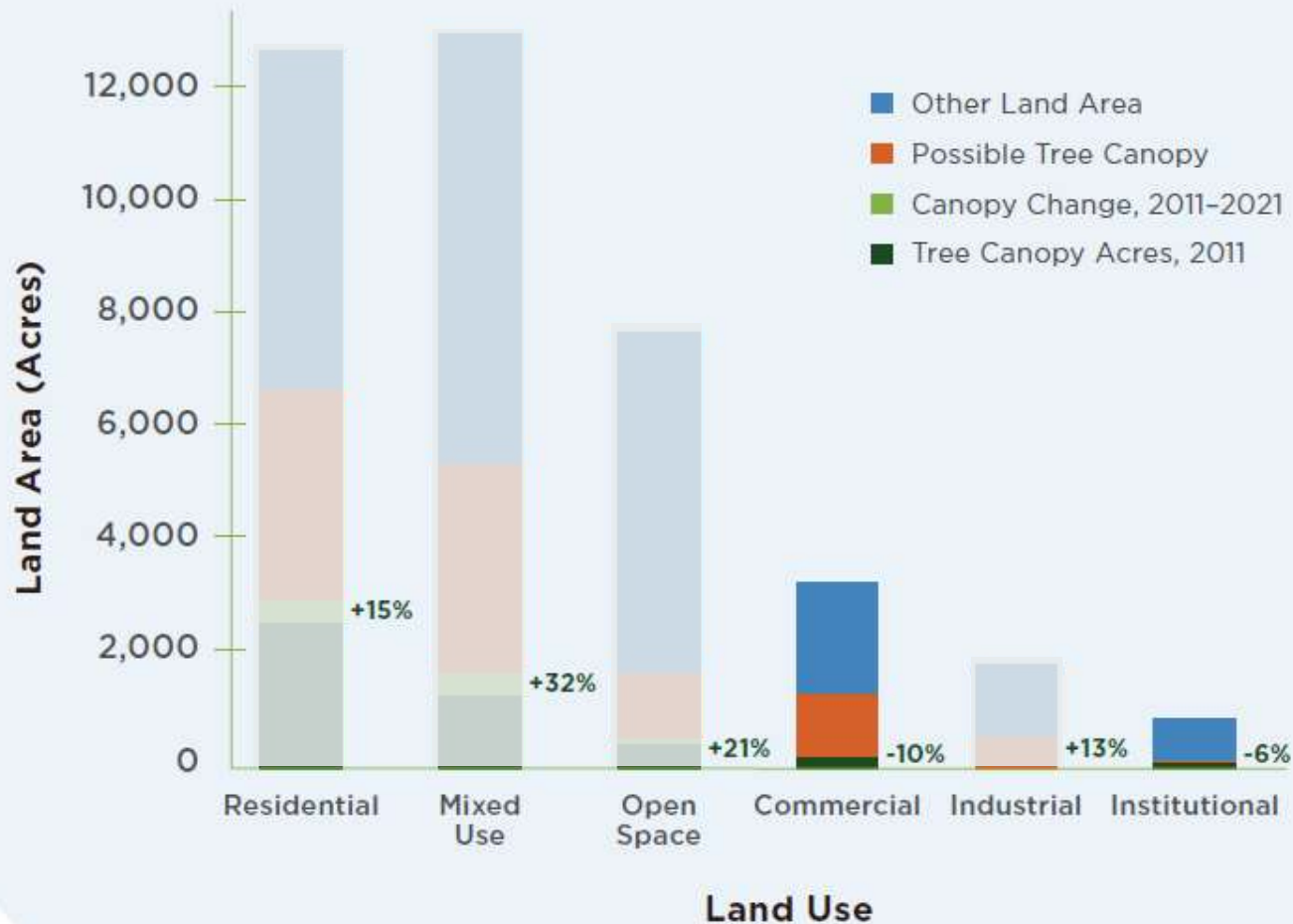
- Canopy has grown in most Land Use Types
- Residential and Mixed-use greatest opportunity
 - 8,083 acres of potential tree canopy
- Commercial and Institutional have lost canopy

ACROSS FORT COLLINS

Possible drivers for canopy loss:

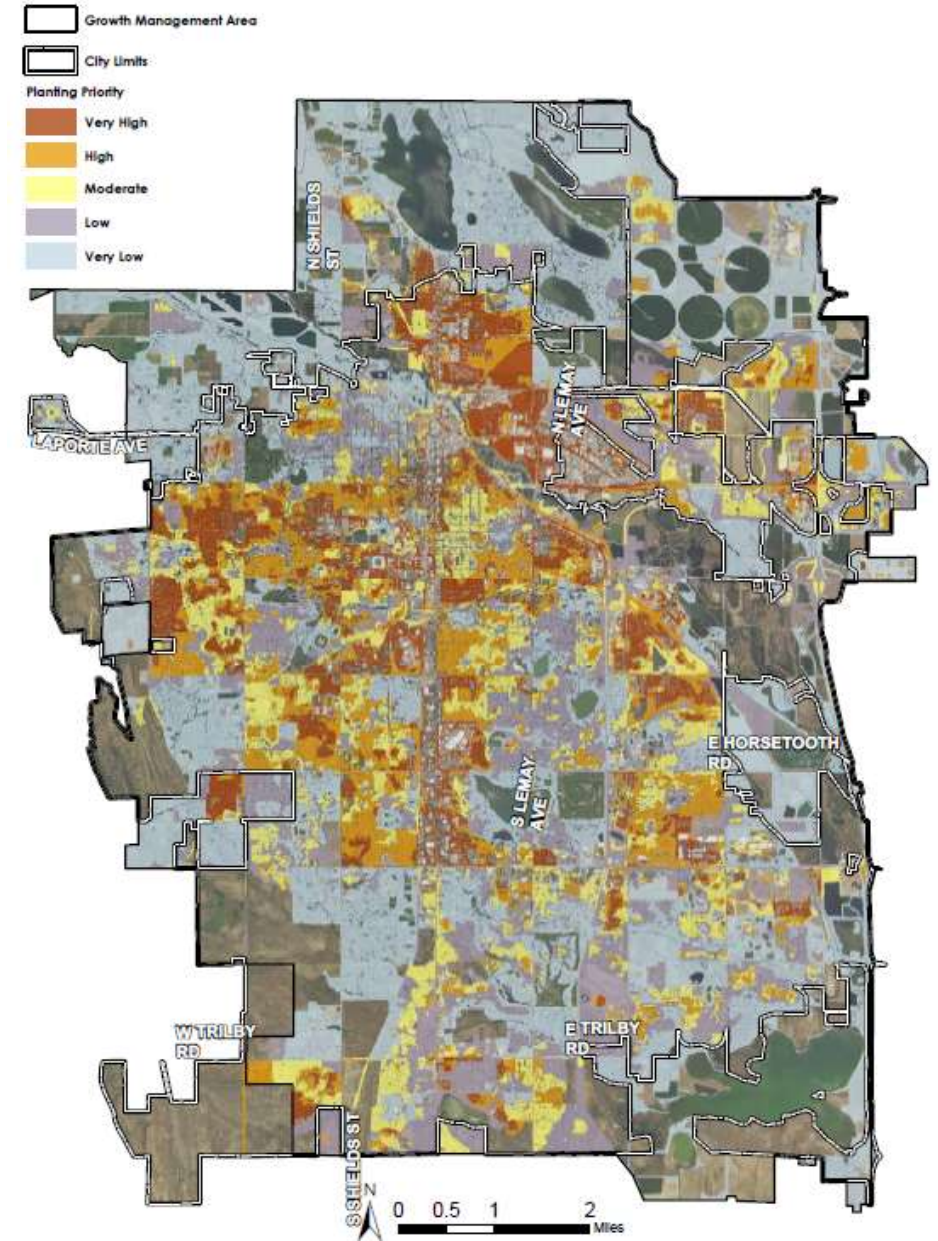
- Trees aging out
- Urban environmental stressors
- Development (both new and infill)

TREE CANOPY COVER BY LAND USE TYPE, 2011-2021



15,418 POTENTIAL NEW CANOPY ACRES

- Classified from Very Low to Very High priority
 - **Social:** income, population density, BIPOC, renters
 - **Health:** asthma, heart disease, mental health
 - **Environmental:** urban heat and stormwater
- 2,251 acres of High or Very High priority
- Can help City plant trees for outcomes



7 Proposed Growth Strategies

1. Strategically invest in growing tree canopy where it will promote resilience and quality of life in Fort Collins.

2. Complete the shift to proactive management of Fort Collins' public trees.

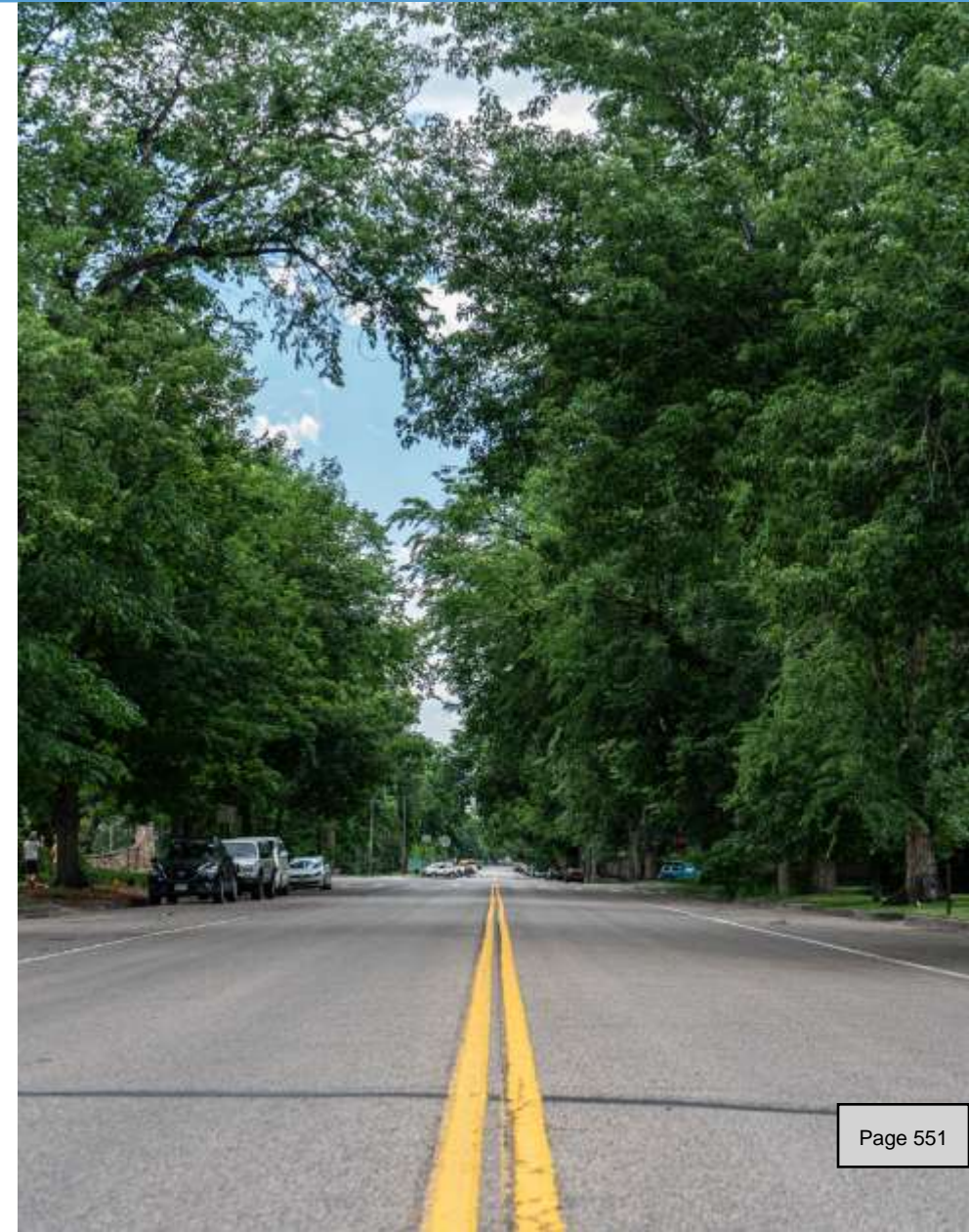
3. Strengthen city policies to protect trees.

4. Collect data to track changes to tree canopy over time and to inform forestry activities.

5. Sustainably resource the Forestry Division to keep pace with growth of the urban forest.

6. Deepen engagement with the community about tree stewardship.

7. Expand the network of Forestry Division partners.



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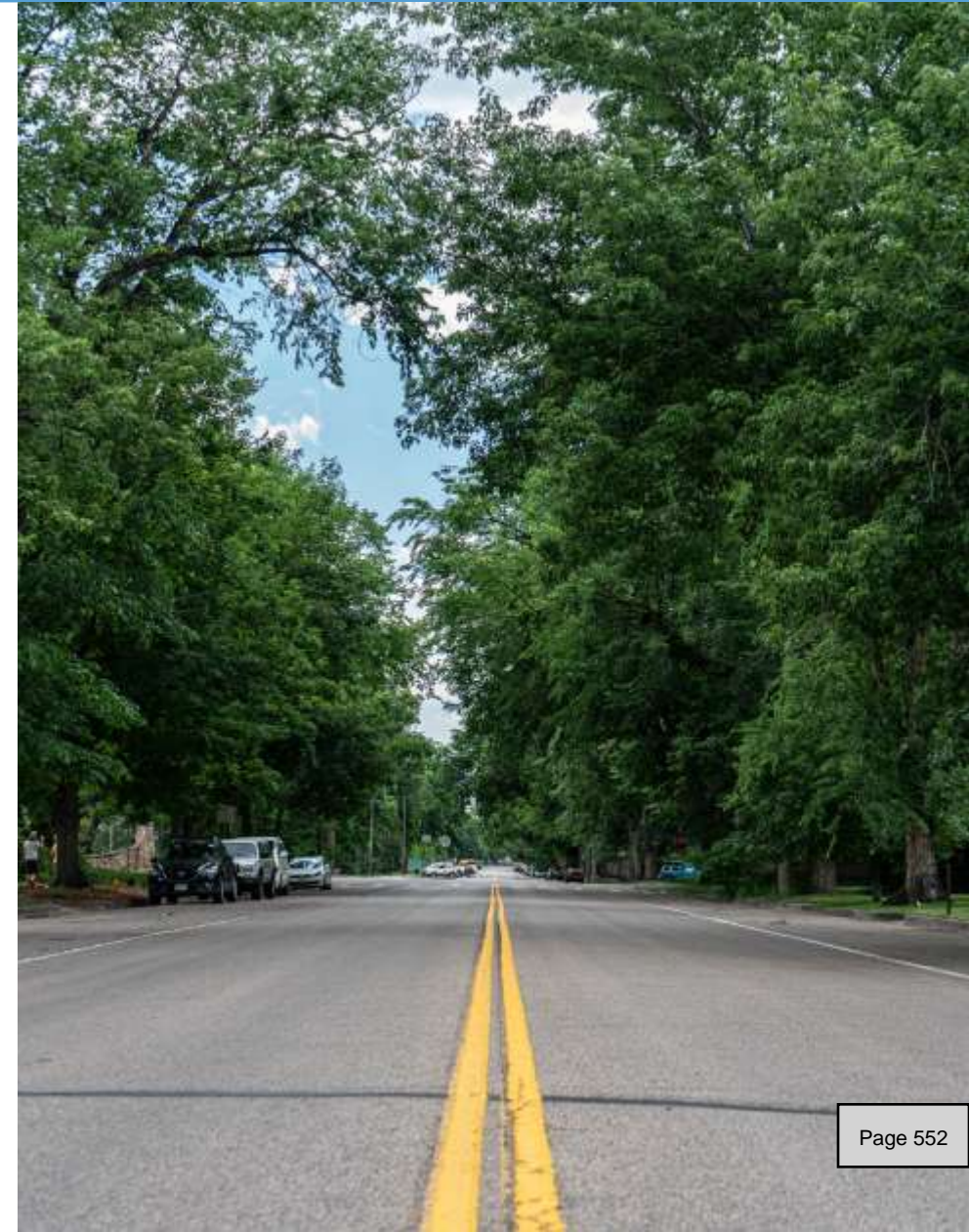
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STRENGTHEN CITY POLICIES TO PROTECT TREES

Foundational Initiative Examples

- Engage and adopt policies balancing other priorities.
- Draft a heritage tree program with elective enrollment.
- Reference existing good practices in city code.

Transformational Initiative Examples

- Clarify the responsibility for trees.
- Demonstrate role of trees in water smart landscapes.
- Explore and expand tree protection policies into Municipal Code.

STRENGTHEN CITY POLICIES TO PROTECT TREES

December 2024 Council Feedback: Adjusted Transformational Initiative to say...

“Create educational support, incentives and potential policy improvements to support homeowners and other private property owners achieve long-term success in preserving and planting trees.”

More exploration around tree policy...

How this might be achieved:

- Utilize case studies of past projects for analysis
- Identify potential policy options for infill, greenfield, and other development types
- Analysis will include feasibility study including proforma analysis for various policy scenarios
- Engage with frequent code users to understand pain points for development related to tree policy and test updated policy options
- Present code user supported options at a Council Work Session in 2025



- Seek Council consideration for plan adoption as a Component of City Plan
 - February 4 – 1st Reading
 - March 4 – 2nd Reading

- Seek recommendation from Planning & Zoning Commission
 - February 20



Thank you!



Additional slides

Following slides are in Council's read before packet

971 Community Survey responses

3 Community Meetings

8 Community Events

20 City Departments Engaged

29 External Partners Engaged

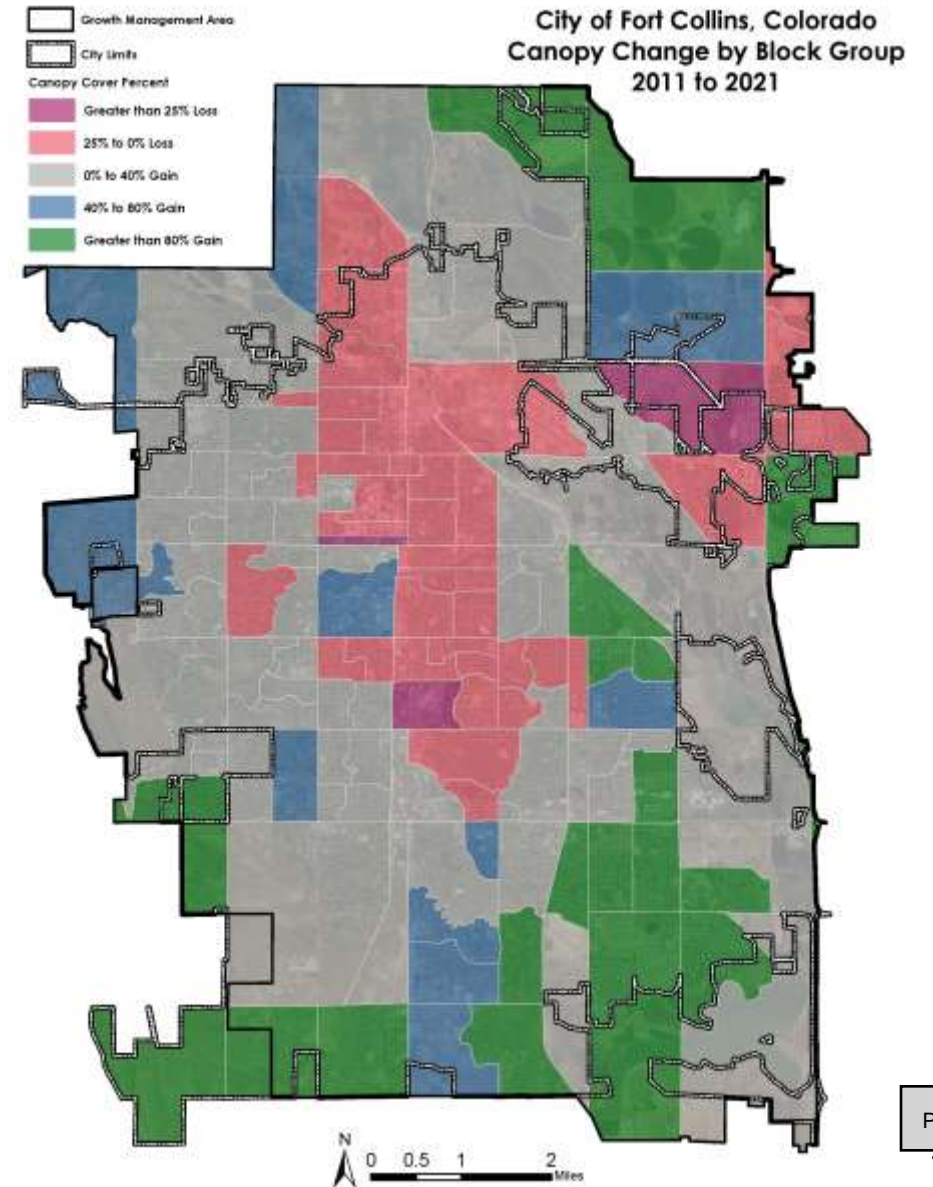
5 Different Boards

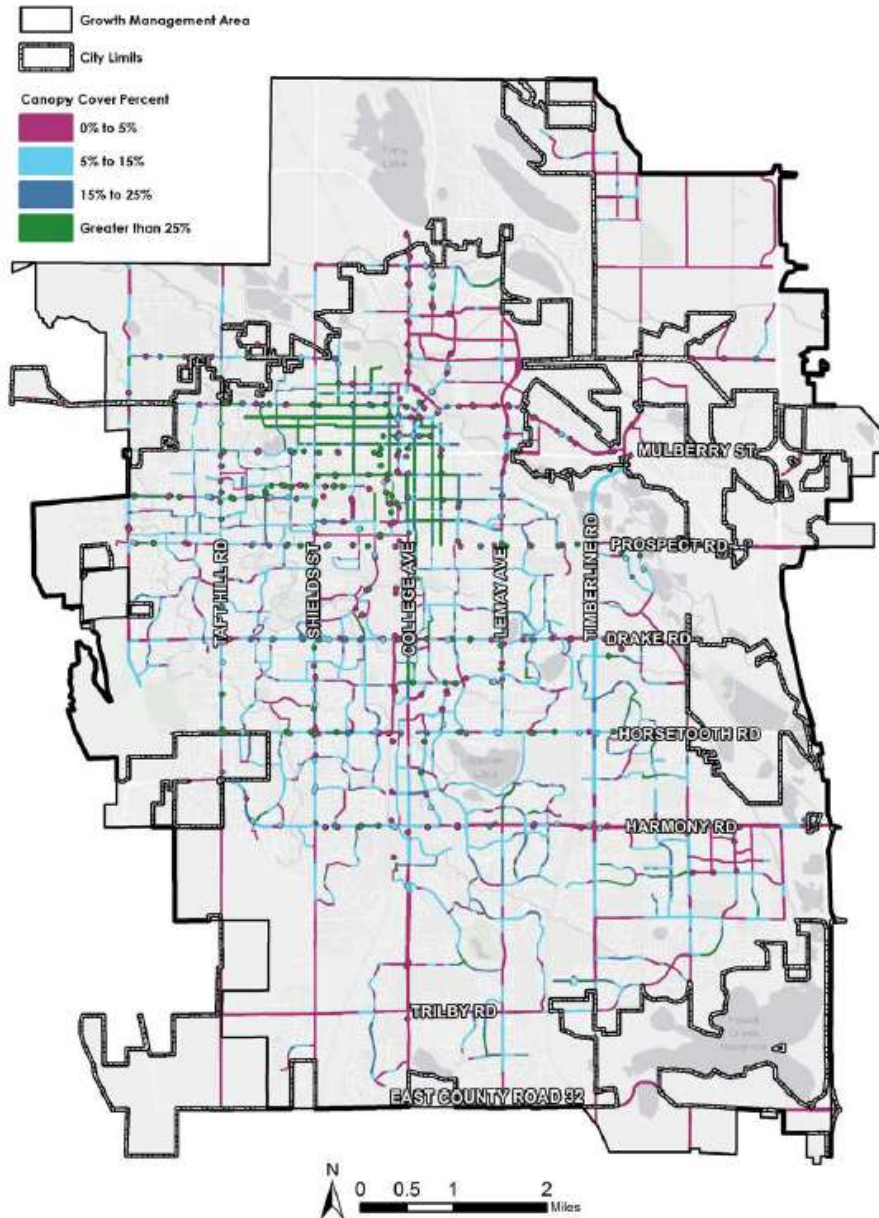
2 Public Draft Previews



TREE CANOPY CHANGE 2011–2021

- City Limits: +753 acres (+17.3%)
- City + GMA: +936 acres (+17.2%)





TREES SUPPORT THE SHIFT TO ACTIVE TRANSPORTATION

- Bike lanes
 - 9.5% average tree cover
 - Consistent with 2011
- Bus stops
 - 18.3% average tree cover
 - Have lost 3.7% since 2011

CLIMATE RESILIENCE

- Focus on young tree establishment
- Dedicated irrigation to trees
- Drought response plans
- Drought-tolerant, urban-adapted tree species

Fun Fact:

Close to **70%** of public trees are **drought tolerant!**

Fun Fact:

Mature tree canopy can **reduce outdoor water consumption** by up to **50%**.



- More emphasis on broad benefits of trees, including bird and wildlife habitat
 - p. 36 and p. 39
- More connection of how the urban forest supports the 7 City Strategic Outcome Areas (e.g. Economic Health)
 - Throughout the plan, p. 18, p. 60
- Clarify trees and water
 - Drought/climate adaptation section and alignment with Water Efficiency Plan (WEP)
- Clarify and educate on private tree/property owner responsibilities
 - Several plan initiatives, GS3, GS6
- LUC and tradeoffs/tensions between community/organization priorities
 - GS3 and Tree Protection Policies work session in Q1/Q2 2025

Forestry Budget Offers

	2019	2023-24	2025	2026	Notes
Urban Forest Management	\$2,080,000	\$2,196,000	\$3,112,000	\$3,202,000	Ongoing Budget
Tree Infrastructure Replacements	(\$75,000)	\$197,000	\$222,000	\$228,000	Ongoing Budget 640 trees planted each year
Increased Contractual Pruning	\$200,000	-	-	-	Moved to Ongoing in 2025-2026 at \$300K
Emerald Ash Borer	\$50,000	\$273,000	-	-	Moved to Ongoing in 2025-2026
Forestry Continuing Enhancements	-	\$500,000	-	-	Moved to Ongoing in 2025-2026
Urban Forest Strategic Plan (One-time)	-	\$230,000	-	-	Seeking Council Adoption on October 15
1.0 FTE Urban Forestry Planner, .5 Hourly, and Tree Infrastructure Replacement	-	-	\$569,000*	\$314,000	Climate 2050 tax Additional 360 trees planted each year *Equipment purchase
3.0 FTE and Equipment (Unfunded)	-	-	\$629,085	\$723,234	Unfunded
Total	\$2,255,000	\$3,166,000*	\$3,902,000	\$3,744,000	ALL funded or proposed to be funded offers (* Includes one-time funding for strategic plan)