



# City Council Regular Meeting Agenda

**February 3, 2026 at 6:00 PM**

Emily Francis, Mayor  
Julie Pignataro, District 2, Mayor Pro Tem  
Chris Conway, District 1  
Josh Fudge, District 3  
Melanie Potyondy, District 4  
Amy Hoeven, District 5  
Anne Nelsen, District 6

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

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol: [Rules of Procedure](#)

## ATTENDANCE OPTIONS

- Meetings are open to the public and can be attended by anyone in person, through the Zoom platform (<https://zoom.us/j/98241416497>) or by phone.
- Meetings are televised live on Channels 14 & 881 on cable television and livestreamed on the City's website, [fortcollins.gov/Government/Get-Involved/FCTV](http://fortcollins.gov/Government/Get-Involved/FCTV)
- All speakers are required to sign up to speak prior to 5:30 pm using the online sign-up system available at [fortcollins.gov/Government/City-Council/Council-Meetings](http://fortcollins.gov/Government/City-Council/Council-Meetings). The sign-up portal is available once the upcoming Council agenda is posted Thursday at 5pm.

Full instructions for online participation are available at [fortcollins.gov/Government/City-Council/Council-Meetings](http://fortcollins.gov/Government/City-Council/Council-Meetings).

## 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@fortcollins.gov](mailto:cityleaders@fortcollins.gov)
- 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.

**PROCLAMATIONS & PRESENTATIONS**  
**5:00 PM**

**A) PROCLAMATIONS AND PRESENTATIONS**

PP 1.    **Declaring the Week of January 25 - February 1, 2026 as National Catholic Schools Week.**

**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:

<https://www.fortcollins.gov/Government/City-Council/Council-Meetings>

- 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.fortcollins.gov/Business/Building-and-Development/Development-Review>, 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 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.**

The purpose of this item is to approve the minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.

#### **2. Second Reading of Ordinance No. 002, 2026, Appropriating Prior Years Reserves of Unanticipated Revenue Received Through City Give.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates \$110,476.42 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

#### **3. Items Relating to the Fort Collins Police Services Unit.**

A. Second Reading of Ordinance No. 003, 2026, Making a Supplemental Appropriation of Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Grant Funds Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 004, 2026, Making a Supplemental Appropriation of Colorado Division of Criminal Justice Grant Funds Under the Federal Victim of Crime Act (VOCA) Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on January 20, 2026, contribute to funding the Victim Services Unit of Fort Collins Police Services for victim advocacy services which are required under the Colorado Victim Rights Amendment for victims of crime and their family members.

The Victim Services Unit has been awarded a \$70,000 VALE grant for the period from January 1, 2026, to December 31, 2026. The VALE grant is awarded through the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by the Victim Services team. This grant will fund 75% of the salary for a full-time contractual 40-hour per week victim advocate, mileage reimbursement for volunteer advocates, and a small training budget.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$22,024 for the period from January 1, 2026, to December 31, 2026, by the Colorado Division of Criminal Justice under the Federal Victim of Crime Act (VOCA). This grant will help fund services provided by the Victim Services Unit. These funds will be used to pay 26% of the salary and benefits for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

**4. Second Reading of Ordinance No. 005, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Oak Street Stormwater Project and related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates additional funding in the amount of \$1,340,000 in the Stormwater Utility Fund to supplement the existing appropriated budget of approximately \$44,400,000 for the Oak Street Stormwater Improvement Project. The additional appropriation requested adds approximately 3% of the total project budget and will fund remaining project support services, pending change order items, and a minor contingency for any unanticipated costs to complete the project.

This item also requests \$2,948 from existing 2026 appropriations be transferred to the Cultural Services Fund to support the Art in Public Places program. These funds are to be used for operations and maintenance per Code. An additional \$10,452 will remain in the Stormwater Utility Fund for Art in Public Places artwork. This supports a total \$13,400 contribution to the Art in Public Places program.

**5. Second Reading of Ordinance No. 006, 2026, Adopting Nonsubstantive Relettering of the Landscape and Tree Protection Section of the Land Use Code.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, reorganizes the subsections of the Landscape and Tree Protection section (5.10.1) of the Land Use Code (LUC) to further clarify and create better flow of the Code section. This item is the final step in improving the Landscape and Tree Protection section of the LUC following the recently adopted tree policies in October and December 2025.

**6. Second Reading of Ordinance No. 007, 2026, Amending Section 26-721 of the Code of the City of Fort Collins to Adjust Timelines to Correct Billing Errors.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, provides a more equitable and efficient process for correcting utility billing errors. The adjusted timelines, which align with those of the Colorado Public Utilities Commission (the "PUC") improve administrative efficiency and reduce customer impact.



**7. Second Reading of Ordinance No. 008, 2026, Making Supplemental Appropriations of Grants and Authorizing Transfers of Appropriations for the Irish Elementary School Safe Routes to School Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, enables the City to receive and expend federal, Colorado Department of Transportation (CDOT), and local funds for the Irish Elementary School Safe Routes to School (SRTS) project (Project). The funds will be used to design and construct improvements along West Vine Drive and along Irish Drive to benefit Irish Elementary School students. These improvements will create safer conditions for pedestrians, cyclists, and motorists traveling near the school and appropriate: 1) \$835,000 of CDOT Safe Routes to School (SRTS) grant funds for the Project; 2) \$28,333 of Highway Safety Improvement Program (HSIP) grant funds for the Project; 3) \$75,000 of Poudre School District grant funds to the Project; 4) \$25,000 of Larimer County grant funds to the Project; 5) transfer matching funds from the Community Capital Improvement Program – Pedestrian Sidewalk (CCIP-PS); 6) transfer matching funds from the Community Capital Improvement Program – Bicycle Infrastructure Improvements (CCIP-BII); and 7) transfer \$1,000 (1% of the Poudre School District and Larimer County contributions) in capital project funds to the Art in Public Places (APP) program.

Resolutions authorizing intergovernmental agreements with Colorado Department of Transportation, Poudre School District and Larimer County were adopted on January 20, 2026.

**8. Second Reading of Ordinance No. 009, 2026, Making Supplemental Appropriations of Revenue from the Quarter Cent Capital Tax and Authorizing Transfers of Appropriations.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates the first year of 2026-2035 quarter cent capital sales tax revenues for the ongoing program items and additional planning dollars. This appropriation will allow for the continuation of ongoing transportation capital programs and includes initial funding for the Affordable Housing Capital Fund and Community Bike Park.

**9. First Reading of Ordinance No. 010, 2026, Authorizing the City Manager to Transfer Ownership of up to 61 Shares of the Buckhorn Highline Ditch Company.**

The purpose of this item is to seek approval to transfer ownership of up to 61 shares of the Natural Areas Department's shares of the Buckhorn Highline Ditch Company that the City does not need and will not use. The City's continued ownership of these 61 shares would impose significant costs on the Natural Areas Department due to required infrastructure improvements for the ditch and diversion structure, with little to no benefit to the City or natural areas. The Natural Areas Department will retain 33 shares of the Ditch Company for potential irrigation of a restoration project on the Bobcat Ridge Natural Area. The water right associated with the Buckhorn Highline Ditch, being a junior right, is not suitable for in-stream flows nor conversion to municipal use. The shares would be transferred by sale, or by returning the shares to the Ditch Company.

**10. Items Relating to the Allocation of Community Capital Improvement Program Funds for Affordable Housing Development.**

A. Resolution 2026-017 Authorizing the Execution of a Funding Agreement with Housing Catalyst for a Loan of 2016-2025 and 2026-2035 Community Capital Improvement Program Funds for the Village on Eastbrook.

B. Resolution 2026-018 Authorizing the Execution of a Funding Agreement with Community Affordable Residences Enterprise, Inc. for a Loan of 2026-2035 Community Capital Improvement Program Funds for Windtrail Park Rehabilitation Project.

The purpose of this item is to authorize the City to enter into funding agreements with Housing Catalyst and with CARE Communities, using funding from the Quarter Cent Capital Tax, Affordable Housing Capital Fund to support the Village on Eastbrook (developed by Housing Catalyst) and the Windtrail Park rehabilitation project (developed by CARE Communities).

## **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.

### **11. Resolution 2026-019 Making Board and Commission Liaison and Council Committee Assignments and Making Appointments to Various External Boards and Authorities.**

The purpose of this item is to make Councilmember liaison assignments to City boards and commissions and Council committees as well as make appointments to external boards and authorities on behalf of the City.

### **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.)

## **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.

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.

A solicitud, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 970.221.6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione aviso previo cuando sea posible. Las solicitudes de interpretación en una reunión deben realizarse antes del mediodía del día anterior.

**File Attachments for Item:**

**PP 1. Declaring the Week of January 25 - February 1, 2026 as National Catholic Schools Week.**



## PROCLAMATION

**WHEREAS**, since 1974, National Catholic Schools Week is the annual celebration of Catholic education in the United States; and

**WHEREAS**, it starts the last Sunday in January and runs all week, which in 2026 is January 25 through February 1; and

**WHEREAS**, the theme for National Catholic Schools Week 2026 is “Catholic Schools: United in Faith and Community;” and

**WHEREAS**, Catholic schools typically observe the annual celebration week with Masses, open houses and other activities for students, families, parishioners and community members; and

**WHEREAS**, through these events, schools focus on the value Catholic education provides to young people and its contributions to our church, our communities, and our nation; and

**WHEREAS**, each day a different entity is celebrated: Sunday, our school parish; Monday, community; Tuesday, vocations; Wednesday, nation; Thursday, students; Friday, faculty, staff and volunteers; and Saturday, families; and

**WHEREAS**, St. Joseph Catholic School is celebrating its 100<sup>th</sup> year of providing Catholic education in the City of Fort Collins.

**NOW, THEREFORE**, I, Emily Francis, Mayor of the City of Fort Collins, do hereby proclaim January 25 - February 1, 2026, as

## NATIONAL CATHOLIC SCHOOLS WEEK

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the City of Fort Collins this 3<sup>rd</sup> day of February, 2026.

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Mayor

ATTEST:

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City Clerk

**File Attachments for Item:**

**1. Consideration and Approval of the Minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.**

The purpose of this item is to approve the minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.



February 3, 2026



## AGENDA ITEM SUMMARY

City Council

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### STAFF

Delynn Coldiron, City Clerk

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### SUBJECT

**Consideration and Approval of the Minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.**

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### EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the January 13, 2026 Special Meeting, January 14, 2026 Special Meeting and January 20, 2026 Regular meeting.

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### STAFF RECOMMENDATION

Staff recommends approval of the minutes.

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### ATTACHMENTS

1. Draft Minutes, January 13, 2026
2. Draft Minutes, January 14, 2026
3. Draft Minutes, January 20, 2026

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Special Meeting – 6:00 PM**

**SPECIAL MEETING**

**6:00 PM**

**Called by City Council on December 2, 2025**

**A) CALL MEETING TO ORDER**

Mayor Jeni Arndt called the special 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.

**B) PLEDGE OF ALLEGIANCE**

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

**C) ROLL CALL**

**PRESENT**

Jeni Arndt, Mayor  
Emily Francis, District 6, Mayor Pro Tem/Mayor-Elect  
Chris Conway, Councilmember-elect District 1  
Julie Pignataro, District 2  
Tricia Canonico, District 3  
Josh Fudge, Councilmember-elect District 3  
Melanie Potyondy, District 4  
Kelly Ohlson, District 5  
Amy Hoeven, Councilmember-elect District 5

**ABSENT**

Councilmember Susan Gutowsky

**STAFF PRESENT**

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

**D) Reading of the City of Fort Collins Land Acknowledgment**

The Land Acknowledgement was guided by the Native Nations Community Advisory Panelist team to recognize Indigenous peoples and their connection to the land on which Fort Collins resides. City Manager Kelly DiMartino read the City of Fort Collins Land Acknowledgment.

**E) OATHS OF OFFICE****1. Newly Elected Mayor and Councilmembers are sworn in by the City Clerk.**

District 1 Chris Conway  
 District 3 Josh Fudge  
 District 5 Amy Hoeven  
 Mayor Emily Francis

**Newly Elected Mayor and Councilmembers are seated.**

**F) RECEPTION****2. Reception to Welcome Incoming Members of Council and Bid Farewell to Outgoing Members.**

*Following the swearing-in of Mayor and Council, Council took a break from the meeting to hold a reception in the CIC Room for 30-45 minutes. Council will reconvene after the reception at approximately 7:00 pm to review the applications for the District 6 vacancy and take action to determine the finalists to be interviewed.*

**G) DISCUSSION ITEMS****3. Council Consideration of Motion to Elect a Mayor Pro Tem.**

*The purpose of this item is to consider a motion to elect a Mayor Pro Tem.*

**PUBLIC COMMENT**

Colin Garfield expressed support for Councilmember Pignataro for Mayor Pro Tem. He commented on her strong leadership, preparedness, and ability to understand complex information and stated her leadership would help accelerate the new Council.

Jenny Bramhall expressed support for Councilmember Pignataro for Mayor Pro Tem. She commented on her longevity and the way she has seen and experienced growth in the community. She also noted her experience with the major issues facing the city, including affordable housing, environmental stewardship, and transportation.

Angie Dixon expressed support for Councilmember Pignataro for Mayor Pro Tem. She commented on her responsiveness, engagement, and awareness of issues. She stated Councilmember Pignataro has demonstrated deep commitment to the community and her constituents and she would be dedicated to ensuring the city continues to thrive.

Matthew Behunin expressed support for Councilmember Pignataro for Mayor Pro Tem. He commented on her volunteer experience with the League of Women Voters ensuring appropriate notices and open meetings. He noted her calm demeanor, fairness, and alignment of her values with the city. He stated she is savvy and would make a great Mayor Pro Tem.

**COUNCIL QUESTIONS/DISCUSSION**

Councilmember Pignataro thanked those who came out to speak and expressed interest in the Mayor Pro Tem role.

**Councilmember Hoeven moved, seconded by Councilmember Potyondy, to elect Councilmember Pignataro as Mayor Pro Tem.**

Councilmember Potyondy offered her support and stated Councilmember Pignataro has great experience, keeps a cool head, is very analytical and will do a great job.

Councilmember Conway echoed the sentiments heard during public comment. He noted he has seen Councilmember Pignataro listen to constituents and different viewpoints and make hard decisions. He expressed support for the motion.

Councilmember Fudge stated he is happy to support Councilmember Pignataro for the role.

Councilmember Hoeven echoed all that has been said. She stated Councilmember Pignataro has been a valuable mentor for her.

Mayor Francis noted her support as well.

***The motion passed 6-0.***

**4. Resolution 2026-007 Determining the Finalists to be Interviewed for the District 6 Councilmember Vacancy.**

*The purpose of this item is to consider the applications for the District 6 vacancy and take action to select finalists to be interviewed at the January 14 work session.*

**PUBLIC COMMENT**

Jill Baron spoke in support of LeAnna Warren.

Caleb Carlson spoke on behalf of him and his wife in support of LeAnna Warren.

Tory Pappas spoke in support of Anne Nelsen.

Tate Williams spoke in support of LeAnna Warren.

Sandra Hetzel spoke in support of Van Dougherty.

Sean Dougherty spoke in support of Van Dougherty.

Sere Williams spoke in support of herself.

John Gaffney spoke in support of Jenn Fieldhack.

Amy Burnett spoke in support of Jenn Fieldhack.

Sue McShane spoke in support of Jenn Fieldhack.

Tom Livingston spoke in support of Ted Shepard.

**COUNCIL QUESTIONS/DISCUSSION**

Mayor Francis thanked all who applied for the vacancy and acknowledged the difficulty of this decision.

Mayor Pro Tem Pignataro echoed the appreciation for all who applied and noted thirteen applications were received and reviewed. She noted Councilmember Potyondy was initially appointed to Council in this manner and stated her first step regarding the applicants is to consider those who took the step to reach out to Councilmembers for meetings. She put forth those four names for consideration: Emily Galichotte, Anne Nelsen, Kat Steele and LeAnna Warren.

Councilmember Potyondy also thanked everyone for applying and noted her appreciation for those who reached out. She confirmed her support for the four members that were mentioned and added her support for Ted Shepard.

Councilmember Fudge agreed with the other Councilmembers who have spoken and concurred a great deal of experience is represented by the applicants. He supported the four names initially put forward and added his support for Van Dougherty.

Councilmember Conway stated Fort Collins is filled with a depth of experience, intelligence and commitment to the city and added that he was impressed with all the applications, noting the diversity of experience that was represented. He expressed support for the four names that were mentioned and stated he had met with those individuals. He also supported Ted Shepard stating his experience should not be ignored.

Councilmember Hoeven echoed the comments and expressed appreciation to the four applicants who reached out to her. She stated she reached out to a few more of the applicants with additional questions. She agreed with the four initially named to move forward and also agreed with moving Ted Shepard forward due to his experience.

Mayor Francis noted it has been helpful to hear Council comments and stated she is very proud of everyone in District 6 who applied. She concurred with the four members initially mentioned and stated they are well matched with the needs of the District. She also supported Ted Shepard.

***Mayor Pro Tem Pignataro moved, seconded by Councilmember Potyondy, to adopt Resolution 2026-007 adding Emily Galichotte, Anne Nelsen, Kat Steele, LeAnna Warren and Ted Shepard as the applicants who would move forward to interviews.***

Councilmember Potyondy noted her support for the motion and thanked all who applied. She encouraged those who are not moving forward to continue with their interest in the community.

Mayor Pro Tem Pignataro provided a reminder that this is a two-year appointment.

Mayor Francis noted opportunities for serving on City Boards and Commissions.

***The motion passed 6-0.***

**R) ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 7:46 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFT



**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Special Meeting – 6:00 PM**

**SPECIAL MEETING**

**6:00 PM**

**Called by City Council on December 2, 2025**

**A) CALL MEETING TO ORDER**

Mayor Emily Francis called the special meeting to order at 8:19 p.m. in the City Council Chambers at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

**B) PLEDGE OF ALLEGIANCE**

Mayor Emily Francis led the Pledge of Allegiance to the American Flag.

**C) ROLL CALL**

**PRESENT**

Emily Francis, Mayor  
Julie Pignataro, District 2, Mayor Pro Tem  
Chris Conway, District 1  
Josh Fudge, District 3  
Melanie Potyondy, District 4  
Amy Hoeven, District 5

**STAFF PRESENT**

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

**D) CONSIDERATION OF ITEMS IDENTIFIED IN THE CALL OF SPECIAL MEETING**

- 1. Resolution 2026-008 Making an Appointment to Fill a Vacancy for Councilmember for District 6 on the Fort Collins Council.**

*The purpose of this item is to make an appointment to fill the vacant District 6 Council seat. Mayor Pro Tem Emily Francis was elected Mayor on November 4, 2025, leaving the District 6 Council seat vacant effective January 13, 2026.*

**PUBLIC COMMENT**

Nicole Socia spoke in support of Anne Nelsen.

Claudia Boot spoke in support of Anne Nelsen.

Gregory Franckowiak spoke in support of LeAnna Warren.

Michelle Foster spoke in support of Kat Steele.

Sydney St. Rose-Finear spoke in support of LeAnna Warren.

Charles Shobe spoke in support of Emily Gallichotte.

#### COUNCIL COMMENT

Councilmember Potyondy thanked all who came tonight, particularly the applicants. She stated each interviewee made it clear that local government is about making the community better, not about politics. She stated it was an honor to have interviewed them all and stated making the decision will be difficult.

Mayor Pro Tem Pignataro shared some thoughts about why she moved forward to support the applicants who reached out for meetings. She added that all thirteen applicants had a lot of strengths; however curiosity and courage are needed to make a good Councilmember, and that was demonstrated by those who reached out.

Mayor Pro Tem Pignataro shared some highlights from the interviews, including hoping Mayor Francis would weigh in regarding District 6 needs, all interviews included the topic of housing, and all interviewees were kind and have a true passion for diversity in the community. She cited valuable characteristics of each of the interviewees.

Mayor Francis commented on the awkwardness of this decision given she knows all five candidates. She stated the interviewees are amazing people, dedicated public servants, and passionate about the City and District 6, and she encouraged them all to stay engaged. She noted she was watching the way the candidates spoke about District 6, particularly as related to housing, affordability, active modes given the fact that the infrastructure is built out, and the fact that the District does not get capital improvement funds because it is built out. She stated Anne Nelsen, Kat Steele, and Ted Shepard were the stand-out candidates for her in terms of their understanding of District 6, with Anne and Kat particularly understanding the diversity and needs of the District. She noted Ted Shepard had excellent housing ideas, as did Kat Steele. She stated Anne Nelsen has had experience with going through the development review process which would be extremely valuable.

Councilmember Conway stated there is no doubt that whoever is chosen will be able to do the job extremely well and will represent District 6 admirably. He stated all candidates had varied experience, knowledge, and expertise and concurred that Mayor Francis has the best idea of the needs of District 6.

Councilmember Potyondy concurred that Mayor Francis knows District 6 the best and added support for Emily Gallichotte given her public engagement experience.

Councilmember Fudge stated all candidates are accomplished, educated people who could all hit the ground running. He concurred that he wanted to respect the knowledge that Mayor Francis brings to District 6.

Councilmember Hoeven concurred this is not an easy decision and commended the quality of the applicants and their experience. She stated she respects Mayor Francis' opinion and knowledge regarding the District. She stated she believes Ted Shepard's experience stands out to her regarding housing.

**Mayor Pro Tem Pignataro moved, seconded by Councilmember Fudge, to approve Resolution 2026-008 making an appointment to fill the Council vacancy in District 6, inserting the name of Anne Nelsen.**

Mayor Francis thanked the interviewees and encouraged them to stay involved.

**The motion carried 5-1.**

**Ayes: Mayor Francis, Mayor Pro Tem Pignataro, Councilmembers Fudge, Potyondy, and Conway.**

**Nays: Councilmember Hoeven.**

**R) ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 8:40 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

**COUNCIL OF THE CITY OF FORT COLLINS, COLORADO**

**Council-Manager Form of Government**

**Regular Meeting – 6:00 PM**

**PROCLAMATIONS AND PRESENTATIONS – None scheduled**

**A) DISTRICT 6 OATH OF OFFICE - 5:00 p.m.**

**REGULAR MEETING  
6:00 PM**

**B) CALL MEETING TO ORDER**

Mayor Emily Francis 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 Emily Francis led the Pledge of Allegiance to the American Flag.

**D) ROLL CALL**

**PRESENT**

Mayor Emily Francis  
Councilmember Chris Conway  
Councilmember Josh Fudge  
Councilmember Melanie Potyondy  
Councilmember Amy Hoeven  
Councilmember Anne Nelsen

**ABSENT**

Mayor Pro Tem Julie Pignataro

**STAFF PRESENT**

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

**E) CITY MANAGER'S AGENDA REVIEW**

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

- No changes to the published agenda.
- Items 1-10 on the Consent Calendar are recommended for adoption.
- One Discussion Agenda item.
- Work Session immediately following adjournment.

**F) COMMUNITY REPORTS – None.****G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS**

Nicholas Guest expressed concern about policing efforts in the city and stated the taxpayer funded Police Services should offer its residents safe, human-forward policing, particularly as related to traffic safety, unsafe drivers, and policing rules that prevent chases. He commented on dangerous motorcycle drivers, speeding, illegal turns, and disregard for public safety and traffic rules. He requested changes be made.

Jonah Salehi, chair of the Fort Collins Democratic Socialists of America Elections Committee, spoke about affordability stating Fort Collins needs a minimum wage increase, particularly for tipped workers. He encouraged Council to allow collective bargaining for City employees.

Ryan Burns noted he is an AI professional and provided safety concerns about the Flock Safety cameras. He commented on the difficulties of using technology to track down criminals and related potential injustice. He stated Flock Safety has not agreed to audits and similar safety measures and expressed concern about machines that learn from false positives.

Sam Leuschen spoke about location restrictions related to marijuana businesses that are the result of current zoning and separation requirements, which have not been updated since 2012. He suggested marijuana dispensary regulation be the same as liquor establishment regulation.

Nicholas Sahwin congratulated the newly elected members of Council and noted he is an employee of the City who works for Connexion. He stated he has organized a union for the Connexion tech support team under PROPWA; however, the City Manager has yet to recognize and bargain with the union. He stated he has come before Council in good faith to request collective bargaining for all City employees be considered, most likely by referring the question to voters. Additionally, he encouraged an increase to the city's minimum wage for tipped and untipped workers.

Blake Simpson spoke in support of respectable wages and allowing employees to benefit from unions. He encouraged Council to raise the minimum wage to enable people to live and work in Fort Collins. He also requested Council refer an item to the ballot that would enable a union and collective bargaining for City employees.

Michael May advocated for a raise in the minimum wage and discussed how that change would positively impact the student population. He urged Council to help make the community livable for students.

Kaori Keyser congratulated the newly elected members of Council and stated that if trends continue, things will become increasingly unsustainable for the workforce in Fort Collins. She urged Council to support Fort Collins workers by increasing the minimum wage which would allow them to live where they work. She also supported a framework that would enable City workers to collectively bargain.

Kevin Caffrey, Northern Colorado Labor Council, urged Council to keep in mind that many of the recently elected members ran on addressing affordability and encouraged Council to look at raising the minimum wage. He shared information about the high cost of living and supported a framework that would enable City workers to collectively bargain.

Gabrielle Friesen urged Council to pass a resolution opposing unlawful and overreaching federal immigration enforcement actions and affirming due process protections, similar to the resolution recently adopted in Aurora. She stated she has neighbors who are increasingly fearful regardless of their immigration status based on recent events occurring across the nation. She requested that the escalation of violence that occurs with ICE be addressed by Council action.

Hillary Ping urged Council to establish a framework for municipal collective bargaining and to raise the minimum wage in Fort Collins. She provided information about the City employees who have organized under PROPWA and remain unrecognized by the City, and requested Council refer an item to the voters related to establishing a municipal collective bargaining framework. She also provided information about low-wage and tip-based employees who are being priced out of the city.

Laura Kohler requested Council increase the minimum wage and provided information about how the cost of living in Fort Collins has impacted her and others she knows. She also commented on the difficulty students have in affording housing.

Van Dougherty recognized the new Councilmembers and new appointee and stated he is excited about the new representation. He also urged Council to increase the minimum wage.

Adam Hirschhorn spoke on Building Performance Standards. He provided information about larger buildings and noted concerns about health and safety for occupants. He requested Council reconsider this item stating it would be an act of omission should it not.

Amber Wright stated ICE is a pertinent danger to communities across the United States and urged Council to pass a resolution opposing unlawful and overreaching federal immigration enforcement actions and affirming due process protections, similar to the resolution recently adopted in Aurora, and suggested further strengthening it by banning ICE agents from wearing masks as Denver is considering.

Alex Carlson spoke about Flock cameras and their vehicle tracking capabilities. He stated Flock is a data broker, not a public safety company and requested Council review associated policies and garner community input regarding whether the security trade-off is worth the privacy infringement.

Beth G congratulated the new members of Council and spoke in support of raising the minimum wage. Additionally, she requested Council refer an item to the ballot related to providing a framework for municipal collective bargaining.

Jonesy Winchell urged Council to pass a resolution opposing unlawful and overreaching federal immigration enforcement actions and affirming due process protections, similar to the resolution recently adopted in Aurora.

Shirley Peel congratulated the newly elected Council members. She provided a short list of issues that she heard while on the campaign trail, including undergrounding electric lines in District 4, properly managing Natural Areas particularly as related to grazing, making economic health a priority and ensuring the Economic Health Office has the resources it needs to be successful, looking at outdated technologies and processes, having a more holistic approach to passing ordinances and resolutions, particularly those that raise costs for residents, continuing work on cell service, and cleaning up the city's neglected green utility boxes.

Tyler Davidson spoke about the Flock cameras and stated they are a direct violation of the right to privacy written in the U.S. Constitution. He stated he believes the data collected is held indefinitely and commented on a case in Colorado where someone was falsely charged based solely on Flock data. He expressed concern about community members not being asked about the installation of the cameras and about how the camera information can be misused.

Greg Zoda congratulated the newly elected members of Council and stated each of them ran on the issues of affordability and the cost-of-living crisis. He stated there are high expectations for Council to deliver on those promises. He urged Council to support a higher minimum wage and a framework for municipal collective bargaining.



**H) PUBLIC COMMENT FOLLOW-UP**

Councilmember Potyondy thanked the speakers and expressed appreciation for feedback regarding where values lie and what types of Council priorities should be considered. She asked if there is an upcoming work session regarding the Flock cameras. City Manager DiMartino replied it will be February 24 and noted staff is keeping track of community questions.

**I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION**

None.

**J) CONSENT CALENDAR****1. Consideration and Approval of the Minutes of the January 6, 2026 Regular meeting.**

*The purpose of this item is to approve the minutes of the January 6, 2026, Regular meeting.*

***Approved.***

**2. Second Reading of Ordinance No. 001, 2026, Staying the Operation of Ordinances Related to the International Building Codes.**

*This Ordinance, unanimously adopted on First Reading on January 6, 2026 stays the operation of Ordinance No. 201, 2025, Ordinance No. 211, 2025 (Building Code), Ordinance No. 212, 2025 (Energy Conservation Code), Ordinance No. 213, 2025 (Residential Code), Ordinance No. 214, 2025 (Existing Building Code), Ordinance No. 215, 2025 (Swimming Pool & Spa Code), Ordinance No. 216, 2025 (Property Maintenance Code), Ordinance No. 217, 2025 (Mechanical Code), Ordinance No. 218, 2025 (Fuel Gas Code), Ordinance No. 219, 2025 (Plumbing Code), and Ordinance No. 221, 2025 (National Electrical Code), until April 1, 2026 to clarify Council's intent that the previously adopted building codes remain in effect until that time.*

***Adopted on Second Reading.***

**3. First Reading of Ordinance No. 002, 2026, Appropriating Prior Years Reserves of Unanticipated Revenue Received Through City Give.**

*The purpose of this item is to request an appropriation of \$110,476.42 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.*

*In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.*

***Adopted on First Reading.***

**4. Items Relating to the Fort Collins Police Services Unit.**

*A. First Reading of Ordinance No. 003, 2026, Making a Supplemental Appropriation of Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Grant Funds Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.*

*B. First Reading of Ordinance No. 004, 2026, Making a Supplemental Appropriation of Colorado Division of Criminal Justice Grant Funds Under the Federal Victim of Crime Act (VOCA) Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.*

*The purpose of these items is to help fund the Victim Services Unit of Fort Collins Police Services for victim advocacy services which are required under the Colorado Victim Rights Amendment for victims of crime and their family members.*

*The Victim Services Unit has been awarded a \$70,000 VALE grant for the period from January 1, 2026, to December 31, 2026. The VALE grant is awarded through the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by the Victim Services team. This grant will fund 75% of the salary for a full-time contractual 40-hour per week victim advocate, mileage reimbursement for volunteer advocates, and a small training budget.*

*The Victim Services Unit has also been awarded a 12-month grant in the amount of \$22,024 for the period from January 1, 2026, to December 31, 2026, by the Colorado Division of Criminal Justice under the Federal Victim of Crime Act (VOCA). This grant will help fund services provided by the Victim Services Unit. These funds will be used to pay 26% of the salary and benefits for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.*

***Both Ordinances Adopted on First Reading.***

**5. First Reading of Ordinance No. 005, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Oak Street Stormwater Project and Related Art in Public Places.**

*The purpose of this item is to request additional appropriation of \$1,340,000 in the Stormwater Utility Fund to supplement the existing appropriated budget of approximately \$44,400,000 for the Oak Street Stormwater Improvement Project. The additional appropriation requested adds approximately 3% of the total project budget and will fund remaining project support services, pending change order items, and a minor contingency for any unanticipated costs to complete the project.*

*This item also requests \$2,948 from existing 2026 appropriations be transferred to the Cultural Services Fund to support the Art in Public Places program. These funds are to be used for operations and maintenance per Code. An additional \$10,452 will remain in the Stormwater Utility Fund for Art in Public Places artwork. This supports a total \$13,400 contribution to the Art in Public Places program.*

***Adopted on First Reading.***

**6. First Reading of Ordinance No. 006, 2026, Adopting Nonsubstantive Relettering of the Landscape and Tree Protection Section of the Land Use Code.**

*The purpose of this item is to reorganize the subsections of the Landscape and Tree Protection section (5.10.1) of the Land Use Code (LUC) to further clarify and create better flow of the Code section. This item is the final step in improving the Landscape and Tree Protection section of the LUC following the recently adopted tree policies in October and December 2025.*

***Adopted on First Reading.***

**7. First Reading of Ordinance No. 007, 2026, Amending Section 26-721 of the Code of the City of Fort Collins to Adjust Timelines to Correct Billing Errors.**

*The purpose of this item is to provide a more equitable and efficient process for correcting utility billing errors. The adjusted timelines, which align with those of the Colorado Public Utilities Commission (the "PUC") improve administrative efficiency and reduce customer impact.*

**Adopted on First Reading.**

**8. Items Relating to the Irish Elementary School Safe Routes to School Project.**

*A. Resolution 2026-009 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Colorado Department of Transportation for the Irish Elementary School Roadway Improvements.*

*B. Resolution 2026-010 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and the Poudre School District for the Irish Elementary School Safe Routes to School Project.*

*C. Resolution 2026-011 Authorizing the Execution of an Intergovernmental Agreement Between the City of Fort Collins and Larimer County for the Irish Elementary School Safe Routes to School Project.*

*D. First Reading of Ordinance No. 008, 2026, Making Supplemental Appropriations of Grants and Authorizing Transfers of Appropriations for the Irish Elementary School Safe Routes to School Project and Related Art in Public Places.*

*The purpose of this item is to enable the City to receive and expend federal, Colorado Department of Transportation (CDOT), and local funds for the Irish Elementary School Safe Routes to School (SRTS) project (Project). The funds will be used to design and construct improvements along West Vine Drive and along Irish Drive to benefit Irish Elementary School students. These improvements will create safer conditions for pedestrians, cyclists, and motorists traveling near the school. If approved, the item will: 1) authorize the City Manager to execute an Intergovernmental Agreement (IGA) for the Project with CDOT; 2) authorize the City Manager to execute an IGA for the Project with the Poudre School District; 3) authorize the City Manager to execute an IGA for the Project with Larimer County; 4) appropriate \$835,000 of CDOT Safe Routes to School (SRTS) grant funds for the Project; 5) appropriate \$28,333 of Highway Safety Improvement Program (HSIP) grant funds for the Project; 6) appropriate \$75,000 of Poudre School District grant funds to the Project; 7) appropriate \$25,000 of Larimer County grant funds to the Project; 8) transfer matching funds from the Community Capital Improvement Program – Pedestrian Sidewalk (CCIP-PS); 9) transfer matching funds from the Community Capital Improvement Program – Bicycle Infrastructure Improvements (CCIP-BII); and 10) transfer \$1,000 (1% of the Poudre School District and Larimer County contributions) in capital project funds to the Art in Public Places (APP) program.*

**All Resolutions Adopted and Ordinance Adopted on First Reading.**

**9. Resolution 2026-012 Authorizing the Initiation of Exclusion Proceedings of Annexed Properties Within the Territory of the Poudre Valley Fire Protection District and Authorizing an Intergovernmental Agreement with Said District.**

*The purpose of this item is to authorize the City Attorney to file a petition in Larimer County District Court to exclude the property annexed into the City in 2025 from the Poudre Valley Fire Protection District (the "District") in accordance with state law. The property affected by this Resolution is the Heritage Annexation and the Moor Annexation. Colorado Revised Statutes Section 32-1-502 requires an order of exclusion from the District Court to remove the annexed property from special*

district territories. The property has been receiving fire protection services from the Poudre Fire Authority and will continue to do so. The City Attorney's Office files the petition in Larimer County District Court each year seeking exclusion for all properties annexed in the previous year that should be removed from the District to avoid double taxation.

**Adopted.**

**10. Items Relating to FLEX Route Regional Transit Services Intergovernmental Agreements.**

- A. Resolution 2026-013 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.
- B. Resolution 2026-014 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.
- C. Resolution 2026-015 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.
- D. Resolution 2026-016 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 this item is to authorize the City Manager to sign separate Intergovernmental Agreements ("IGAs") with the Town of Berthoud, the County of Boulder, the City of Boulder, and the City of Longmont (collectively with the City of Fort Collins, the "FLEX Partners") by which the FLEX Partners will contribute funds toward the operating cost of the FLEX Route Regional Transit Service bus route in 2026 to further the goals of regional connectivity through transit.

**All Resolutions Adopted.**

**END OF CONSENT CALENDAR**

**Councilmember Potyondy moved, seconded by Councilmember Nelsen, to approve the recommended actions on items 1-10 on the Consent Calendar.**

Councilmember Fudge noted Item No. 8, *Items Relating to the Irish Elementary School Safe Routes to School Project*, mentions an IGA for the purpose of accepting grant funds from Larimer County; however, he does not believe he has a conflict given he has no authority over the County's expenditure in this manner.

**The motion carried 6-0.**

**K) CONSENT CALENDAR FOLLOW-UP**

None.

**L) STAFF REPORTS**

None.

**M) COUNCILMEMBER REPORTS**

Councilmember Melanie Potyondy

- Commended the organizations and individuals involved with the Martin Luther King, Jr. event at CSU

Councilmember Amy Hoeven

- Attended the Prospect Lane half stoplight neighborhood meeting and commended the in-depth discussion

Councilmember Josh Fudge

- Attended the Martin Luther King, Jr. event and discussed the recent events in Minneapolis related to federal officers dragging people off the streets based on their skin color. He commended the residents of the city for standing up for one another.

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

None.

**O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION****11. First Reading of Ordinance No. 009, 2026, Making Supplemental Appropriations of Revenue from the Quarter Cent Capital Tax and Authorizing Transfers of Appropriations.**

*The purpose of this item is to appropriate the first year of 2026-2035 quarter cent capital sales tax revenues for the ongoing program items and additional planning dollars. This appropriation will allow for the continuation of ongoing transportation capital programs and includes initial funding for the Affordable Housing Capital Fund and Community Bike Park.*

**STAFF PRESENTATION**

Ginny Sawyer, Senior Policy and Project Manager, stated the quarter cent capital tax is a key funding mechanism within the city and provides a renewable source of funds for various capital programs. She stated this item relates to an initial appropriation for the funds that operate on a standard basis, particularly in the transportation area.

Joe Wimmer, Utilities Finance Manager, outlined the recommended appropriation from the first year of the sales tax which involves projects that are currently ready, including ongoing capital programs that were established in previous iterations of the ten-year sales tax, the Affordable Housing Capital Fund, and preliminary site planning for the Community Bike Park at the Hughes site. Wimmer further detailed the Affordable Housing Capital Fund and noted there are excess dollars in the current tax package that will be included.

Councilmember Potyondy asked what falls under the scope of the \$30,000 appropriation for the bike park. Sawyer replied the project team is just being formed and noted other funding from Natural Areas and Park Planning will be used for the overall multi-use project. She stated the first step will be some initial site planning to identify habitat and features.

Councilmember Fudge asked if the funding amounts for the projects in the ballot language can change, and if so, what that process entails. Sawyer replied the projects are set as a result of the ballot language. City Manager DiMartino clarified that once the ballot initiatives have been delivered, excess funding can be appropriated at the discretion of Council, first to projects within the ballot measure and then to other uses. City Attorney Daggett noted there is specific language in the ballot measure about evaluating feasibility and there is room for Council to determine that a project is no longer financially feasible or feasible for other reasons.

Mayor Francis asked if the sidewalks for the pedestrian sidewalk program are already identified, and whether any of them are outside the priority list. City Engineer Brad Buckman replied all identified sidewalks are within the prioritization model and provided additional detail on how that model works. He discussed some of the projects that are ready for 2026, including some along East Stuart, JFK Parkway, and Taft Hill.

Mayor Francis asked if there was a competitive process for the Affordable Housing Capital Fund dollars that went to CARE and Housing Catalyst. Vanessa Finley, Senior Housing Manager, stated applications for the quarter cent sales tax projects have been accepted on a rolling basis and they are evaluated by staff and brought before Council. She stated the goal is to respond to needs as they arise. She added that staff has been aware that people want more transparency regarding the process and have been working to ensure that occurs.

Mayor Francis requested additional information related to the Housing Funding Plan that is to be developed. Sawyer replied there is a work session scheduled for March 10<sup>th</sup> on that topic.

Councilmember Conway asked about the prioritization for the arterial intersection improvement and streetscape program. Dana Hornkohl, Civil Engineering Director, explained that the Transportation Capital Improvement Program priority list governs the projects and noted that for this appropriation, projects were included that needed matching local funds for grant funding as well as additional design work for the Timberline and Carpenter and College and Drake intersections.

Councilmember Conway asked about the prioritization criteria. Hornkohl replied the methodology includes a focus on safety with other criteria being the furtherance of other City plans, using health equity index data, and synergizing with utility projects.

***Councilmember Potyondy moved, seconded by Councilmember Fudge, to adopt Ordinance No. 009, 2026, Making Supplemental Appropriations of Revenue from the Quarter Cent Capital Tax and Authorizing Transfers of Appropriations, on First Reading.***

Mayor Francis thanked staff for bringing forth projects so quickly.

***The motion carried 6-0.***

## **Q) OTHER BUSINESS**

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



**R) ADJOURNMENT**

There being no further business before the Council, the meeting was adjourned at 7:11 p.m.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

DRAFT

**File Attachments for Item:**

**2. Second Reading of Ordinance No. 002, 2026, Appropriating Prior Years Reserves of Unanticipated Revenue Received Through City Give.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates \$110,476.42 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Emily Land, Director of Philanthropy & Strategic Partnerships

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## SUBJECT

**Second Reading of Ordinance No. 002, 2026, Appropriating Prior Years Reserves of Unanticipated Revenue Received Through City Give.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates \$110,476.42 in philanthropic revenue received through City Give. These miscellaneous gifts to various City departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

The City has long been the beneficiary of local generosity and has a valuable role in our community's philanthropic landscape. Generosity is demonstrated in both large and modest gifts, each appreciated for its investment in the mission and the range of services the City strives to deliver.

The City received several individual philanthropic donations in 2025 totaling \$110,476.42 to support various departments, and these funds are currently unappropriated. Both Section 2.2 of the City's Financial Management Policy 2 – Revenue, as approved by City Council, and the Administrative Philanthropic Governance Policy 6.04, adopted by the City Manager, (together the "City Give Policies"), provide the bases and processes for the responsible and efficient management of charitable donations to the City.

Gifts totaling \$110,476.42 have been received for various programs. These gifts include: \$10,000.00 from Verizon to support the Police Leaders Summit hosted by Fort Collins Police Services (FCPS); \$5,000.00 from Kentwood Real Estate to support the Lincoln Center Showstopper Series; \$861.00 from various donors to benefit the Arts and Culture Fund; \$4,744.89 from the Estate of John Ardary to benefit the Gardens on Spring Creek; \$50,000.00 from Woodward Charitable Trust to benefit the FCPS Mental Health Response and Hope Teams; \$20,680.53 from various individual donors to benefit the Utilities Payment Assistance Fund; \$2,000.00 from Curious Minds Early Learning Center to support the Treatsylvania event hosted by Recreation; \$5,000.00 from Elevations to benefit the Treatsylvania event hosted by Recreation;

\$5,000.00 from the Bodenhamer Foundation to benefit Foresty; \$1,000.00 from an individual donor to benefit the Parks Department; \$2,500.00 from Move United Foundation to benefit the Adaptive Recreation Opportunities (ARO) Program; \$2,500.00 from an individual donor to benefit the ARO Program; \$40.00 from Benevity to benefit The Next Gen Serve Youth Volunteer Program; \$150.00 from various individual donors to benefit the Youth Golf Scholarship Fund; and \$1,000.00 from Smile Doctors to support the Kids in the Park Event.

## **CITY FINANCIAL IMPACTS**

Upon adoption, this Ordinance will appropriate in the current fiscal year into the Funds as detailed in the table below in new philanthropic revenue received by City Give in the amount of \$110,476.42 and authorize expenditures against those revenues for the purposes and in the amounts as directed by donors to support various City departments to support a range of programs and services.

<b>FUND</b>	<b>RECIPIENT PROGRAM &amp; CAMPAIGN</b>	<b>AMOUNT</b>	<b>Lapsing/ Non- Lapsing</b>
Cultural Services and Facilities Fund	Lincoln Center Showstopper Series	\$5,000.00	
Cultural Services and Facilities Fund	Arts & Culture Fund	\$861.00	
Cultural Services and Facilities Fund	Gardens on Spring Creek	\$4,744.89	Non-Lapsing
General Fund	Tribute Bench	\$1,000.00	
General Fund	Share Some Shade	\$5,000.00	
General Fund	Police Leaders Summit	\$10,000.00	
General Fund	Police Services Capital Project	\$50,000.00	Non-Lapsing
Recreation Fund	Treatsylvania	\$2,000.00	
Recreation Fund	Treatsylvania	\$5,000.00	
Recreation Fund	ARO	\$2,500.00	
Recreation Fund	ARO	\$2,500.00	
Recreation Fund	Kids in the Park Event	\$1,000.00	
Golf Fund	Youth Golf Scholarship Fund	\$150.00	Non-Lapsing
Light and Power Fund	Utilities Payment Assistance Fund	\$200.00	Non-Lapsing
Light and Power Fund	Utilities Payment Assistance Fund	\$100.00	Non-Lapsing
Light and Power Fund	Utilities Payment Assistance Fund	\$25.00	Non-Lapsing
Light and Power Fund	Utilities Payment Assistance Fund	\$100.00	Non-Lapsing
Light and Power Fund	Utilities Payment Assistance Fund	\$25.00	Non-Lapsing
Light and Power Fund	Utilities Payment Assistance Fund	\$600.00	Non-Lapsing

Light and Power Fund	Utilities Payment Assistance Fund	\$19,630.53	Non-Lapsing
General Fund	Next Gen. Serve	\$40.00	

The donations will be spent from the designated fund solely for the donors' intended purpose. The City received and accepted the funds according to City Give Policies.

The City Manager has also determined that these appropriations are available and previously unappropriated from their designated City Fund and will not cause the total amount appropriated in those Funds to exceed the current estimate of actual and anticipated revenues.

#### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

#### **PUBLIC OUTREACH**

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None.

#### **ATTACHMENTS**

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First Reading attachments available in January 20, 2026 agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 002, 2026

ORDINANCE NO. 002, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES OF  
UNANTICIPATED REVENUE RECEIVED THROUGH CITY GIVE

A. The City has received generous donations in 2025 through its City Give program, both large and modest, as philanthropic gifts to the public and the City programs and activities to serve the community.

B. This appropriation of prior year reserves of philanthropic gifts will benefit the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of supporting programs or capital expenses throughout the City, including, but not limited to, public safety, cultural services and programming, public health, parks and recreation, open space, and youth programming.

C. 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.

D. The City Manager has recommended the appropriations described in Section 1 of this Ordinance and determined that the amount of each of these appropriations are available and previously unappropriated from the respective funds named in Section 1 will not cause the total amount appropriated in each such fund to exceed the current estimate of actual and anticipated revenues to be received in those funds during this fiscal year.

E. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds, 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 donation or the City's expenditure of all funds received from such donation.

F. The City Council wishes to designate the appropriation in the Light and Power Fund, which is for the Payment Assistance Fund, the appropriation in the Golf Fund, which is for the Youth Golf Scholarship Fund, the appropriation in the General Fund, which is for the Police Services Capital Projects, and the appropriation in the Cultural Services and Facilities Fund, as appropriations that shall not lapse until the earlier of the expiration of the donation or the City's expenditure of all funds received from such donation.

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 the following funds these amounts of philanthropic revenue held in prior year reserves to be expended as designated by the donors in support of the various City programs and services as described in the Agenda Item Summary.

Cultural Services and Facilities Fund	\$ 10,605.89
General Fund	\$ 66,040.00
Recreation Fund	\$ 13,000.00
Golf Fund	\$ 150.00
Light and Power Fund	\$ 20,680.53

Section 2. The appropriations in Section 1 in the Light and Power Fund, which is for the Payment Assistance Fund, and the Golf Fund, which is for the Youth Golf Scholarship Fund, and the General Fund which is for Police Services Capital Project, and the Cultural Services and Facilities Fund which is for the Gardens on Spring Creek 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 until the earlier of the expiration of the donation or the City's expenditure of all funds received from such donation.

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Effective Date: February 13, 2026  
Approving Attorney: Dianne Criswell

Exhibit: None

**File Attachments for Item:**

**3. Items Relating to the Fort Collins Police Services Unit.**

A. Second Reading of Ordinance No. 003, 2026, Making a Supplemental Appropriation of Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Grant Funds Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 004, 2026, Making a Supplemental Appropriation of Colorado Division of Criminal Justice Grant Funds Under the Federal Victim of Crime Act (VOCA) Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on January 20, 2026, contribute to funding the Victim Services Unit of Fort Collins Police Services for victim advocacy services which are required under the Colorado Victim Rights Amendment for victims of crime and their family members.

The Victim Services Unit has been awarded a \$70,000 VALE grant for the period from January 1, 2026, to December 31, 2026. The VALE grant is awarded through the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by the Victim Services team. This grant will fund 75% of the salary for a full-time contractual 40-hour per week victim advocate, mileage reimbursement for volunteer advocates, and a small training budget.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$22,024 for the period from January 1, 2026, to December 31, 2026, by the Colorado Division of Criminal Justice under the Federal Victim of Crime Act (VOCA). This grant will help fund services provided by the Victim Services Unit. These funds will be used to pay 26% of the salary and benefits for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.



February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Britta Davis, Senior Supervisor, Outreach, Police Services  
Joanne Cech, Fiscal Recovery Manager

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## SUBJECT

**Items Relating to the Fort Collins Police Services Unit.**

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## EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 003, 2026, Making a Supplemental Appropriation of Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Grant Funds Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

B. Second Reading of Ordinance No. 004, 2026, Making a Supplemental Appropriation of Colorado Division of Criminal Justice Grant Funds Under the Federal Victim of Crime Act (VOCA) Received in the General Fund, for the Fort Collins Police Services Victim Services Unit.

These Ordinances, unanimously adopted on First Reading on January 20, 2026, contribute to funding the Victim Services Unit of Fort Collins Police Services for victim advocacy services which are required under the Colorado Victim Rights Amendment for victims of crime and their family members.

The Victim Services Unit has been awarded a \$70,000 VALE grant for the period from January 1, 2026, to December 31, 2026. The VALE grant is awarded through the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund services provided by the Victim Services team. This grant will fund 75% of the salary for a full-time contractual 40-hour per week victim advocate, mileage reimbursement for volunteer advocates, and a small training budget.

The Victim Services Unit has also been awarded a 12-month grant in the amount of \$22,024 for the period from January 1, 2026, to December 31, 2026, by the Colorado Division of Criminal Justice under the Federal Victim of Crime Act (VOCA). This grant will help fund services provided by the Victim Services Unit. These funds will be used to pay 26% of the salary and benefits for the victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinances on Second Reading.

## FIRST READING BACKGROUND / DISCUSSION

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The Victim Services Unit has received funding from the VALE grant since the inception of the program in 1996. Colorado state statutes mandate law enforcement agencies follow the Victim Rights Amendment to the Colorado Constitution. Many of the stages in the mandated statutes are fulfilled by the Victim Services Unit. Services have been provided to thousands of victims and their family members who have become victims of violent crime in the community. Council has approved appropriations of the VALE grant revenue every year. Services to the community would be drastically cut without this grant award.

Funds from the VALE grant will be used for 30 hours a week toward the salary for the full-time contractual victim advocate who provides crisis intervention services during weekday hours and is housed in the Victim Services office. Funds will also pay for a portion of the operational expenses needed to provide 24-hour, 7-days/week services to victims of crime in the community.

The VOCA grant will be used to fund 10 hours a week toward the salary of the full-time contractual victim advocate who provides crisis intervention services for sexual assault victims between the school ages of kindergarten through 12th grade.

Victim Services has received VOCA grant funding since 2020. VOCA funds will help fulfill the legal mandates under the Colorado Constitution as well by ensuring Fort Collins Police Services provides services to victims under the Colorado Victim Rights Amendment.

## CITY FINANCIAL IMPACTS

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The City has received a grant in the amount of \$70,000 from the Eighth Judicial District Victim Assistance and Law Enforcement (VALE) Board to help fund victim services activities.

The City has also been awarded a grant in the amount of \$22,024 from the Federal Victim of Crime Act (VOCA).

Neither grant requires a cash or in-kind match from Fort Collins Police Services or the City of Fort Collins. Both grants will be appropriated into the General Fund.

## BOARD / COMMISSION / COMMITTEE RECOMMENDATION

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None.

## PUBLIC OUTREACH

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None.

## ATTACHMENTS

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First Reading attachments available in January 20, 2026 agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 003, 2026
2. Ordinance No. 004, 2026

ORDINANCE NO. 003, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING A SUPPLEMENTAL APPROPRIATION OF EIGHTH  
JUDICIAL DISTRICT VICTIM ASSISTANCE AND LAW  
ENFORCEMENT (VALE) GRANT FUNDS RECEIVED IN THE  
GENERAL FUND, FOR THE FORT COLLINS POLICE SERVICES  
VICTIM SERVICES UNIT

A. Fort Collins Police Services has been awarded a grant in the amount of \$70,000 (the "Grant") for the period from January 1, 2026, to December 31, 2026, by the Eighth Judicial District Victim Assistance and Law Enforcement ("VALE") Board to support the Fort Collins Police Services Victim Services Unit ("Victim Services").

B. Victim Services provides crisis intervention, resources, and referral services to victims of violent crime and other traumatic situations.

C. The Grant will be used to fund a part of the salary for the victim advocate who provides crisis intervention services, a part-time victim advocate, and to partially pay for operational expenses needed to provide 24-hour a day, 7-day a week services to victims of crime in the community.

D. Appropriation of the Grant serves a public purpose by assisting crime victims in the Fort Collins community

E. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make 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 the funds to be appropriated are available and previously unappropriated from the General Fund and that this appropriation 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, 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 or donation

H. The City Council wishes to designate the appropriation herein from VALE Board 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 grant funds received in the General Fund the sum of SEVENTY THOUSAND DOLLARS (\$70,000) to be expended in the General Fund for the Fort Collins Police Services Victim Services Unit

Section 2. The appropriation herein of funds received from the Eighth Judicial District Victim Assistance and Law Enforcement Board 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 January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026  
 Approving Attorney: Andrew Trevino

Exhibit: None

ORDINANCE NO. 004, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING A SUPPLEMENTAL APPROPRIATION OF COLORADO  
DIVISION OF CRIMINAL JUSTICE GRANT FUNDS UNDER THE  
FEDERAL VICTIM OF CRIME ACT (VOCA) RECEIVED IN THE  
GENERAL FUND, FOR THE FORT COLLINS POLICE SERVICES  
VICTIM SERVICES UNIT

A. Fort Collins Police Services has been awarded a grant by the Colorado Division of Criminal Justice in the amount of \$22,024 (the "Grant") under the Federal Victim of Crime Act ("VOCA") to support the Fort Collins Police Services Victim Services Unit ("Victim Services") for the period from January 1, 2026, to December 31, 2026.

B. Victim Services provides crisis intervention, resources, and referral services to victims of violent crime and other traumatic situations.

C. The Grant will be used to fund a part of the salary for the victim advocate who provides crisis intervention services for sexual assault victims between school ages of kindergarten through 12th grade.

D. Appropriation of the Grant serves a public purpose by assisting crime victims in the Fort Collins community.

E. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make 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 the funds to be appropriated are available and previously unappropriated from the General Fund and that this appropriation 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, 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 or donation.

H. The City Council wishes to designate the appropriation herein from the Colorado Division of Criminal Justice under VOCA 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 grant funds received in the General Fund the sum of TWENTY-TWO THOUSAND TWENTY-FOUR DOLLARS (\$22,024) to be expended in the General Fund for the Fort Collins Police Services Victim Services Unit.

Section 2. The appropriation herein of funds received from the Colorado Division of Criminal Justice under the Federal Victim of Crime Act is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026

Approving Attorney: Andrew Trevino

Exhibit: None

**File Attachments for Item:**

**4. Second Reading of Ordinance No. 005, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Oak Street Stormwater Project and related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates additional funding in the amount of \$1,340,000 in the Stormwater Utility Fund to supplement the existing appropriated budget of approximately \$44,400,000 for the Oak Street Stormwater Improvement Project. The additional appropriation requested adds approximately 3% of the total project budget and will fund remaining project support services, pending change order items, and a minor contingency for any unanticipated costs to complete the project.

This item also requests \$2,948 from existing 2026 appropriations be transferred to the Cultural Services Fund to support the Art in Public Places program. These funds are to be used for operations and maintenance per Code. An additional \$10,452 will remain in the Stormwater Utility Fund for Art in Public Places artwork. This supports a total \$13,400 contribution to the Art in Public Places program.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Matt Fater, Sr. Director of Water Engineering  
Heather McDowell, Director of Civil Engineering  
Joe Wimmer, Utilities Finance

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## SUBJECT

**Second Reading of Ordinance No. 005, 2026, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Oak Street Stormwater Project and related Art in Public Places.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates additional funding in the amount of \$1,340,000 in the Stormwater Utility Fund to supplement the existing appropriated budget of approximately \$44,400,000 for the Oak Street Stormwater Improvement Project. The additional appropriation requested adds approximately 3% of the total project budget and will fund remaining project support services, pending change order items, and a minor contingency for any unanticipated costs to complete the project.

This item also requests \$2,948 from existing 2026 appropriations be transferred to the Cultural Services Fund to support the Art in Public Places program. These funds are to be used for operations and maintenance per Code. An additional \$10,452 will remain in the Stormwater Utility Fund for Art in Public Places artwork. This supports a total \$13,400 contribution to the Art in Public Places program.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## BACKGROUND / DISCUSSION

The Oak Street Stormwater Improvement Project is a priority stormwater project for the City because it will contribute to resolving urban flooding and stormwater quality issues in downtown Fort Collins. The project will provide stormwater infrastructure including a combination of grey and green infrastructure to reduce flooding impacts along the Oak Street corridor and adjacent blocks. Large diameter storm pipes ranging in size from 48" to 78" will extend from the previously constructed Oak Street Outfall, starting at Mason Street and extending to Jackson Street near City Park. There will be approximately 8,500 linear feet (LF) of new stormwater mains along Oak Street and cross streets that extend north to Mountain Avenue and/or south to Olive Street. Green infrastructure includes water quality ponds, or "rain gardens" in three locations along the Oak Street corridor to filter street runoff. Additional information on the project and associated public outreach can be found here: <https://www.fcgov.com/utilities/oak-street-stormwater-improvements-project>



The project started construction in July of 2024 with an anticipated completion of August 2026. To date, approximately 70% of the stormwater work is completed which includes 772 LF of tunnelling, 5,400 LF of mainline storm sewer, the downtown rain garden, and 9 of 15 blocks have been completed with pavement, concrete work and landscaping.

The total appropriated budget, to date, for this project is \$44,382,815. Details are provided in Figure 1 below. The total project budget includes: engineering, project and construction management, permitting, and construction services with construction contract accounting for the most significant portion. The off-cycle appropriation was for the municipal bond proceeds issued by the Stormwater Utility enterprise in the Fall of 2023.

**Figure 1 – Appropriations Summary To-Date**

BFO Year	BFO #	BFO Name	Amount
2017/2018	8.19	Downtown Stormwater Improvements Program (Conceptual Design)	\$1,500,000.00
2021	14.12	Oak Street Stormwater Improvements Project (Preliminary Design)	\$500,000.00
2022	4.4	Oak Street Stormwater Improvements Project (Final Design)	\$920,000.00
2023	Debt Issuance	Ordinance No. 006, 2024 Off-Cycle Appropriation, Feb 6, 2024	\$39,962,815.00
2025	Appropriation	Ordinance No. 073, 2025 Appropriation, May 6, 2025	\$1,500,000.00
<b>Total Project Appropriations To-Date</b>			<b>\$44,382,815.00</b>

The construction contract portion of the project has been progressing well, with approximately \$569k (~1.6% of the original contract) in change orders issued thus far. However, the project expenses primarily related to unforeseen conditions, utility constraints or relocations, and increased costs related to concrete and asphalt replacement have exceeded original estimates. This supplemental appropriation will cover known future expenses such as a pending change order for phase 2 design changes, Larimer County Code requirements at the project storage site on Vine Drive, ongoing professional support contracts, maintenance needs during the warranty period, and includes a minor contingency to cover any further unknowns. Figure 1 summarizes the existing appropriations. Staff believes this appropriation will be sufficient to complete the project based on the progress to date and a risk assessment of the remaining work.

Staff requests a \$1,340,000 supplemental appropriation from Stormwater Fund reserves based on the budget analysis summarized in Figure 2.

**Figure 2 – Budget Summary**

	Appropriations	Encumbered & Expended	Balance
Current Appropriations	\$ 44,382,815	\$ 43,651,615	\$ 731,200
Future Expenses (Known)		\$ 1,048,141	\$ (316,940)
Pending Issues (Potential)		\$ 384,047	\$ (700,988)
Appropriation Request	\$1,340,000		\$ 639,012
<b>Total Project Appropriation</b>	<b>\$ 45,722,815</b>		

## **CITY FINANCIAL IMPACTS**

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The ordinance includes the following actions:

- Appropriates \$1,340,000 for Stormwater Utility Fund non-lapsing expenses, and
- Transfers \$2,948 from existing 2026 appropriations in the Stormwater Utility Fund to the Cultural Services Fund.

Stormwater Utility Fund reserves are available for this appropriation.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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Utilities staff presented this supplemental appropriation request to the Water Commission at its January 15, 2026, regular meeting. Meeting

## **PUBLIC OUTREACH**

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The public outreach for the project has been extensive including a bi-weekly newsletter and website updates.

## **ATTACHMENTS / LINKS**

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First Reading attachments available in January 20, 2026 agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 005, 2026

ORDINANCE NO. 005, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING  
TRANSFERS OF APPROPRIATIONS FOR THE OAK STREET STORMWATER  
PROJECT AND RELATED ART IN PUBLIC PLACES

A. The City owns and operates a Stormwater Utility for the purposes set forth in City Code Section 26-492, including for the economic, social, and environmental benefits identified in that section.

B. The Stormwater Utility is constructing the Oak Street Stormwater Improvement Project to contribute to the resolution of urban flooding and stormwater quality issues in downtown Fort Collins. The project started construction in July 2024 with an anticipated completion of August 2026.

C. The total appropriated budget for this project, to date, is \$44,382,815. A requested additional appropriation of \$1,340,000 from the Stormwater Utility Fund will fund remaining project support services, pending change order items, and a minor contingency for any unanticipated costs to complete the project.

D. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of contributing to the resolution of urban flooding and stormwater quality issues in downtown Fort Collins.

E. 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.

F. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Stormwater Fund and that this appropriation will not cause the total amount appropriated in the Stormwater 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. This Project involves construction estimated to cost more than \$250,000 and, as such, 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").

H. The total project cost of \$1,340,000 has been used to calculate the contribution to the APP program.

I. Contributions to the APP Program by each City Utility for art projects is kept and spent in such Utility's own fund, the Utility contributes its share of the APP Program's costs for maintenance, administration, repair, and display to the Cultural Services and Facilities Fund as provided in City Code Section 23-303(c).

J. In accordance with Article V, Section 10 of the City Charter, the appropriation for the Project from the Stormwater Fund and the transfer of a portion of those unexpended and unencumbered appropriated funds to the APP Program as provided in City Code Section 23-304(c) will be used for Stormwater purposes and improvements in connection with the Project that provide a betterment to the Utility or provide a specific Utility purpose that is beneficial to the Utility's ratepayers.

K. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the completion of the capital project.

L. The City Council wishes to designate the appropriation herein for the Oak Street Stormwater Improvement Project as an appropriation that shall not lapse until the completion of the project.

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 prior year reserves in the Stormwater Fund the sum of ONE MILLION THREE HUNDRED FORTY THOUSAND DOLLARS (\$1,340,000) to be expended in the Stormwater Fund for the Oak Street Stormwater Improvement Project.

Section 2. The unexpended and unencumbered appropriated amount of TWO THOUSAND SIX HUNDRED EIGHTY DOLLARS (\$2,680) in the Stormwater Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein for the operation costs of the APP Program.

Section 3. The unexpended and unencumbered appropriated amount of TWO HUNDRED SIXTY-EIGHT DOLLARS (\$268) in the Stormwater Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein for the maintenance costs of the APP Program.

Section 4. The appropriation herein for the Oak Street Stormwater Improvement Project 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 completion of the project.

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026  
Approving Attorney: Eric Potyondy

Exhibit: None.

**File Attachments for Item:**

**5. Second Reading of Ordinance No. 006, 2026, Adopting Nonsubstantive Relettering of the Landscape and Tree Protection Section of the Land Use Code.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, reorganizes the subsections of the Landscape and Tree Protection section (5.10.1) of the Land Use Code (LUC) to further clarify and create better flow of the Code section. This item is the final step in improving the Landscape and Tree Protection section of the LUC following the recently adopted tree policies in October and December 2025.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Kendra Boot, City Forester

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## SUBJECT

**Second Reading of Ordinance No. 006, 2026, Adopting Nonsubstantive Relettering of the Landscape and Tree Protection Section of the Land Use Code.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 20, 2026, reorganizes the subsections of the Landscape and Tree Protection section (5.10.1) of the Land Use Code (LUC) to further clarify and create better flow of the Code section. This item is the final step in improving the Landscape and Tree Protection section of the LUC following the recently adopted tree policies in October and December 2025.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

Council adopted seven tree policy ordinances in October and December 2025. At the time, it was too confusing to reletter and update referencing at the same time as the tree policy changes. Staff decided to wait on these minor updates until 2026 to reduce confusion of the changes. The relettering of 5.10.1 Landscape and Tree Protection is as follows:

- (D) would become (F)
- (E) would become (G)
- (F) would become (D)
- (G) would become (E)

The goal behind this change is to create clarity and better flow of this section of the code in practice. All cross-references to Section 5.10.1 will be updated throughout the Land Use Code.

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## CITY FINANCIAL IMPACTS

None.

**BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

**PUBLIC OUTREACH**

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None.

**ATTACHMENTS**

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First Reading attachments available in January 20, 2026 agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 006, 2026



ORDINANCE NO. 006, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ADOPTING NONSUBSTANTIVE RELETTERING OF THE  
LANDSCAPE AND TREE PROTECTION SECTION OF THE LAND  
USE CODE

A. Council adopted seven tree policy ordinances in October and December of 2025.

B. Because of all of those changes, reorganizing the subsections of Land Use Code Section 5.10.1 is necessary in order to clarify and create a better flow of this Code Section.

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 5.10.1 of the Code of the City of Fort Collins is hereby amended to read as follows:

**5.10.1 LANDSCAPING AND TREE PROTECTION**

...

(D) **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 below. Such trees shall be considered "protected" trees within the meaning of this Section, subject to the exceptions contained in Subsection (D)(4) 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.

...

(1) **Mitigation Trees.** A significant tree that is removed shall be replaced to mitigate the loss of contribution and value of the removed significant tree(s). The following mitigation values by size class are as follows:

Existing Tree Diameter Range	Mitigation Value Equivalent
6" - 14"	1 tree
15" - 19"	2 trees
20"-24"	3 trees
25" – 29"	5 trees
30" – 39"	10 trees
40" and greater	20 trees

Mitigation trees shall meet the minimum size requirements defined in Subsection (F)(1)(d)(I).

- (2) **Street Trees.** All existing street trees that are located on City rights-of-way abutting the development, and not approved for removal, 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 (E).

...

- (E) **Tree Protection During Construction.** The following tree protection specifications shall be followed for all projects with protected existing trees. Any development activity that may cause injury to the existing trees set be preserved shall be enforced as provided under Section 2.14.1.

...

- (10) **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 (E)(5) 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 protected.

- (11) **Soil Disturbances.** Soil disturbances in proximity to trees must comply with the distances in Table 5.10.1-(1) 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). CRZ is defined as the area of soil around a tree where the roots necessary for the tree's health and survival are located, extending one (1) foot for every inch of the tree's

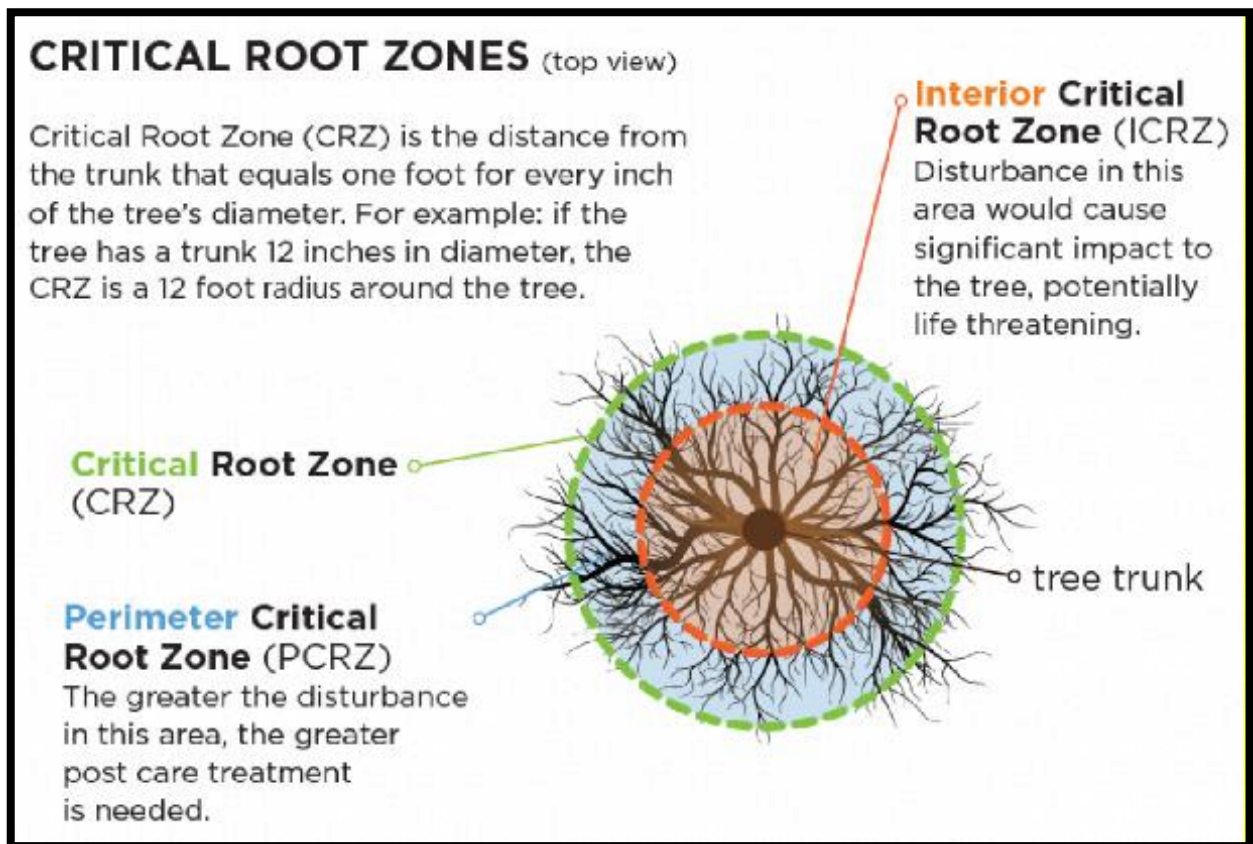
diameter measured at the Diameter at Standard Height (DSH), typically four and one-half (4½) feet about ground. Soil loosening and amending shall be pursuant to City Code Section 12-132.

- (12) **Underground Facilities Installations.** 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. Low pressure hydro excavation, air spading or hand digging are required to 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-(1), 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-(1) – 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-(1) - Critical Root Zone Diagram.



...

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

(1) **Tree Planting.**

...

- (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:

...

- (II) Street tree planting in accordance with the *Larimer County Urban Area Street Standards* and the street tree planting as defined in Subsection (F)(1)(e) below;

...

- (V) Full tree stocking under this Subsection (F)(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-(2) – Spacing

<b>Tree Type</b>	<b>Minimum/Maximum Spacing</b>
Canopy shade trees	20'—30' spacing
Coniferous evergreens	20'—30' spacing
Ornamental trees	Maximum 30' 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 (F)(1)(b) and the minimum species diversity requirement under Subsection (F)(1)(c) are met; and
- (VII) Canopy shade trees must constitute at least fifty percent (50%) of all tree plantings required in Subsections (F)(1)(b)(I) or (II) above.
- (c) **Minimum Tree Species Diversity.** 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-(3) – Species Diversity Table

<b>Number of trees on site</b>	<b>Maximum percentage of any one species</b>
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 (F)(1)(d)(II) below):

Table 5.10.1-(4) – *Minimum Size Table*

<b>Type</b>	<b>Minimum Size</b>
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-(5) – *Affordable Housing Minimum Tree Size Table*

<b>Type</b>	<b>Minimum Size</b>
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

- (e) **Street Trees.** Planting of street trees shall occur in the adjoining street right-of-way. Except as described in Subsection (F)(1)(e)b. below, the street tree plantings in connection with the development shall occur as described in Subsections (F)(1)(e)a. through e. below:

- (I) **Placement:**

...

- b. **Behind attached sidewalk.** 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 (F)(1)(e)(I)a. above.

...

(II) **Planting:**

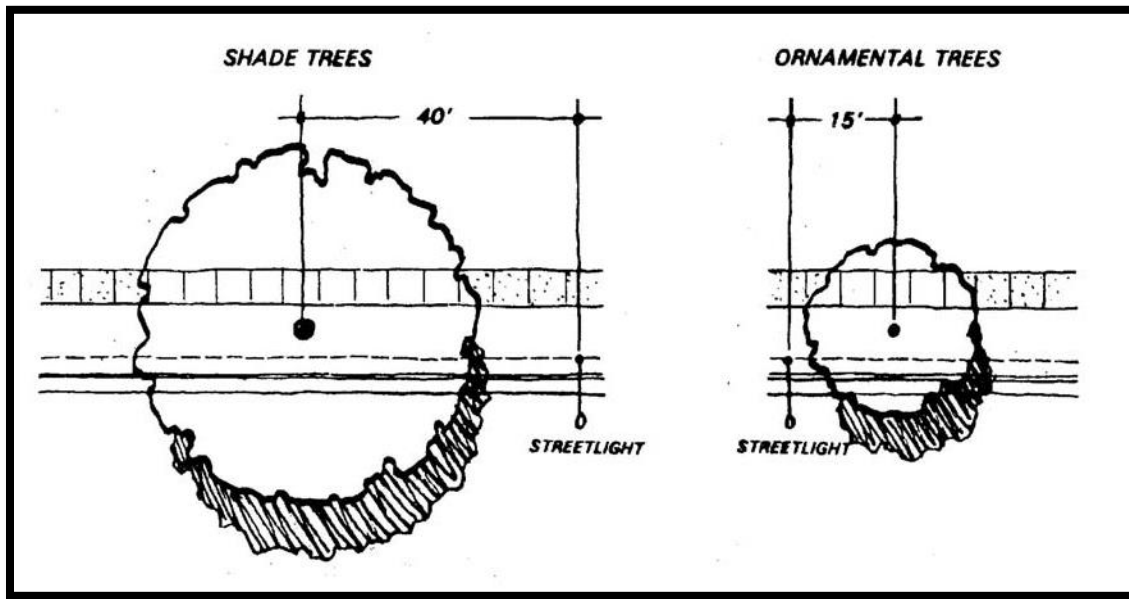
...

- d. **Three-year establishment period.** The establishment period of three full growing seasons (March through November) begins once all street trees in a phased planting as specified in (F)(1)(e)(II)(b) have been permitted and planting has been approved by City of Fort Collins Forestry Division and Zoning Department, and the following applies:

...

- (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:
  - (I) Forty (40) feet between shade trees and streetlights. Fifteen (15) feet between ornamental trees and streetlights. (See Figure 5.10.1-(2).)

Figure 5.10.1-(2) – Tree/Streetlight Separations



...

- (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.

...

- (b) **Grouping and Placement.** A landscape plan must group landscape materials based upon hydrozone and irrigated accordingly (as described under Subsection(F)(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.
- (l) 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-(6)) at Subsection (F)(3) of this Section for descriptions of hydrozones.

...

- (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-(6) at Subsection (F)(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 (F)(2)(c)(I) of this Section.

...

- (k) **Visual Clearance or Sight Distance Triangle.** Except as provided in Subsections (F)(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*.

...

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

...

- (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-(6) – 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

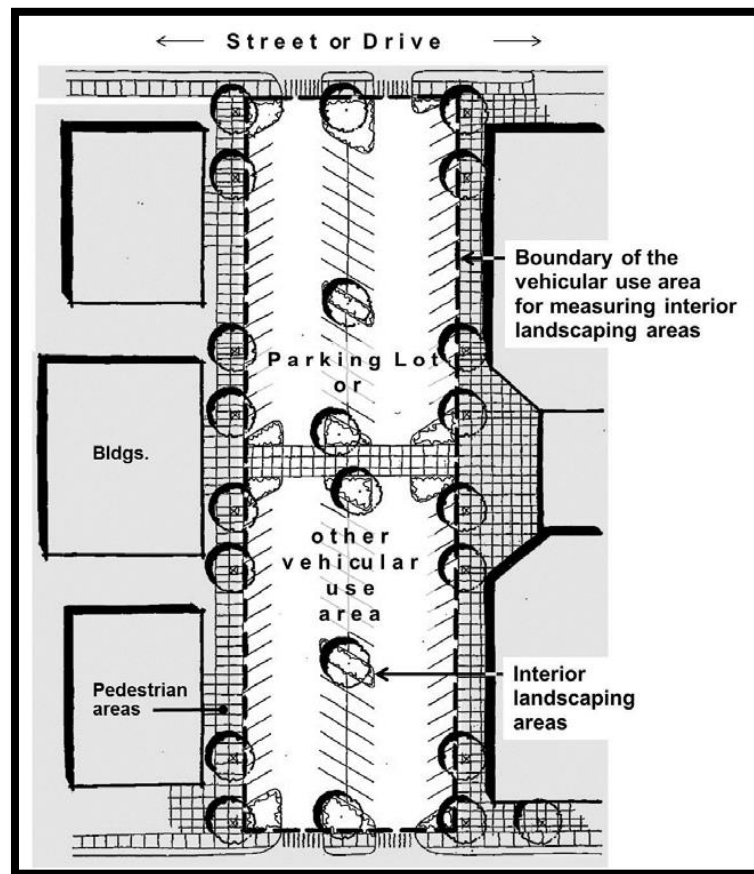
...

- (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-(3)). 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 (F)(2)(k)(II) of this Section.

...

- (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-(3) – Interior Landscaping for Vehicular Use Areas:



...

- (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(G).

(G) **Landscape Materials, Maintenance and Replacement.**

...

- (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:

...

- (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 damaging the bark, excavating or trenching in the CRZ, storing heavy equipment on the CRZ, and over pruning.

- (l) 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 (E) 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 (D) to mitigate the loss of value of existing canopy.

- (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(D) (Tree Preservation and Mitigation).

...

- (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.

...

- (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(F)(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.

...

Section 2. City Council hereby directs the codifier of the Land Use Code to update accordingly all cross-references to Section 5.10.1 contained in the Land Use Code.

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026  
 Approving Attorney: Stefanie Boster

Exhibit: None

**File Attachments for Item:**

**6. Second Reading of Ordinance No. 007, 2026, Amending Section 26-721 of the Code of the City of Fort Collins to Adjust Timelines to Correct Billing Errors.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, provides a more equitable and efficient process for correcting utility billing errors. The adjusted timelines, which align with those of the Colorado Public Utilities Commission (the “PUC”) improve administrative efficiency and reduce customer impact.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Phillip Ladd, Senior Manager, Financial Operations

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## SUBJECT

**Second Reading of Ordinance No. 007, 2026, Amending Section 26-721 of the Code of the City of Fort Collins to Adjust Timelines to Correct Billing Errors.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 20, 2026, provides a more equitable and efficient process for correcting utility billing errors. The adjusted timelines, which align with those of the Colorado Public Utilities Commission (the "PUC") improve administrative efficiency and reduce customer impact.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

Under current City Code Section 26-721, the City refunds overbilled amounts for up to six (6) years and charges customers for underbilled usage for up to six (6) years.

Staff benchmarked these timelines to determine industry standards. While timeframes are not consistent among Colorado's municipal utilities, six years was considerably longer than most other defined timelines.

The proposed Ordinance No. 007, 2026, is based on the following timelines adopted in the PUC administrative rules: two years for overbilling and six months for underbilling errors for both electrical and water utilities, 4 CCR 723-3402, 4 CCR 723-5402 (Adjustments for Meter and Billing Errors).

Staff believe that the proposed timelines in Ordinance No. 007, 2026, would reduce the financial impact for utility customers for underbilled amounts because additional charges must be discovered within six (6) months rather than six (6) years; however, the look-back period for underbilling will remain six (6) years when a utility customer takes actions to mislead the utility. In situations where overbilling is discovered, it can be difficult to identify the root cause of the error and calculate the financial implications due to rate and other changes over multiple years. Therefore, staff recommends that the City's obligation to provide refunds or credits be for a period of two (2) years following the charge, taking effect for bills issued after March 1, 2026.

## **CITY FINANCIAL IMPACTS**

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Financial impacts would be a net reduction of utility fee revenue due to the shortening of the timelines proposed; however, the impact would be immaterial to all utility enterprise revenues, and because no additional work will be necessary to implement this change, no additional expenses will be incurred.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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None.

## **PUBLIC OUTREACH**

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None.

## **ATTACHMENTS**

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First Reading attachments available in January 20, 2026 agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 007, 2026



ORDINANCE NO. 007, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING SECTION 26-721 OF THE CODE OF THE CITY OF  
FORT COLLINS TO ADJUST TIMELINES TO CORRECT BILLING  
ERRORS

A. The City Council is empowered and directed by Article XII, Section 6, of the City Charter to fix, establish, maintain, and provide for the collection of such rates, fees, or charges for utility services furnished by the City to produce revenues sufficient to pay the costs, expenses, and other obligations of the electric utility.

B. The regulation and governance of the provision of municipal utilities, pursuant to City Charter, are codified in Chapter 26 of the City Code.

C. Chapter 26 of the City Code sets forth the procedures and conditions for billing and collection of fees and charges for utility services, including resolution of delinquent balances and service disconnection, and terms for assessing and collecting fees and charges due for delivery of specified utility services.

D. From time to time, City staff review these Code provisions and recommend amendments to update the Code's language to respond to issues identified by staff, customers, and public assistance agencies, and changes in technology for delivering utility services.

E. After review, staff has identified that provisions in Chapter 26 of the City Code, which establish that the City will refund or bill utilities customers for over or underbilled amounts for six years following the billed service, do not align with the current practices of other utilities.

F. Amending City Code Section 26-721 to adopt a two-year timeframe in which discovered overbilling errors may be addressed follows those implemented in rule by the Colorado Public Utilities Commission.

G. Adopting an updated utilities billing error timeframe will improve administrative efficiency and reduce customer impacts, including reducing the financial burden on utilities customers for underbilled amounts from a six-year to a six-month period.

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 Section 26-721 of the Code of the City of Fort Collins is hereby amended to read as follows:

## Sec. 26-721. – Billing errors.

(a) When an error has been made in an account, the following shall apply:

(1) *Overbilling.* When the utility determines a customer has been overbilled for utility service and the overbilling is discovered within two (2) years after the date of a bill issued on or after March 1, 2026 for the overbilled utility service charge, the utility will issue to the customer a credit or a refund for that period, without interest, as reimbursement for the overbilling if each of the following conditions is met:

- a. Documentation evidencing the overbilling is available in utility records or has been provided to the utility by the customer; and
- b. The utility confirms the accuracy and sufficiency of the documentation based on utility records.

...

(3) *Underbilling.* When the utility determines a current customer has been underbilled for utility service, and the underbilled total is more than the minimal amount per account or aggregate billing system threshold established by the administrative rules and regulations adopted by the Financial Officer pursuant to § 26-720, the customer will be billed for the underbilled amount without interest as follows:

- a. When the underbilling is discovered within six (6) months after the date of the bill of the underbilled utility service charge, the utility will bill the customer for that period; or
- b. When the utility determines that a utility customer has been underbilled for utility service and that customer took an action or permitted false information to mislead the utility, per Code § 26-721(b), with or without being charged under § 1-15 of the Code, the utility will bill the customer for the underbilled amount for the six (6) years after the date of the bill of the underbilled utility service charge.

...

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026  
Approving Attorney: Dianne Criswell

Exhibit: None

**File Attachments for Item:**

**7. Second Reading of Ordinance No. 008, 2026, Making Supplemental Appropriations of Grants and Authorizing Transfers of Appropriations for the Irish Elementary School Safe Routes to School Project and Related Art in Public Places.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, enables the City to receive and expend federal, Colorado Department of Transportation (CDOT), and local funds for the Irish Elementary School Safe Routes to School (SRTS) project (Project). The funds will be used to design and construct improvements along West Vine Drive and along Irish Drive to benefit Irish Elementary School students. These improvements will create safer conditions for pedestrians, cyclists, and motorists traveling near the school and appropriate: 1) \$835,000 of CDOT Safe Routes to School (SRTS) grant funds for the Project; 2) \$28,333 of Highway Safety Improvement Program (HSIP) grant funds for the Project; 3) \$75,000 of Poudre School District grant funds to the Project; 4) \$25,000 of Larimer County grant funds to the Project; 5) transfer matching funds from the Community Capital Improvement Program – Pedestrian Sidewalk (CCIP-PS); 6) transfer matching funds from the Community Capital Improvement Program – Bicycle Infrastructure Improvements (CCIP-BII); and 7) transfer \$1,000 (1% of the Poudre School District and Larimer County contributions) in capital project funds to the Art in Public Places (APP) program.

Resolutions authorizing intergovernmental agreements with Colorado Department of Transportation, Poudre School District and Larimer County were adopted on January 20, 2026.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

John Gerwel, Project Manager  
Nancy Nichols, Safe Routes to School Program Manager  
Dana Hornkohl, Capital Projects Manager

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## SUBJECT

**Second Reading of Ordinance No. 008, 2026, Making Supplemental Appropriations of Grants and Authorizing Transfers of Appropriations for the Irish Elementary School Safe Routes to School Project and Related Art in Public Places.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 20, 2026, enables the City to receive and expend federal, Colorado Department of Transportation (CDOT), and local funds for the Irish Elementary School Safe Routes to School (SRTS) project (Project). The funds will be used to design and construct improvements along West Vine Drive and along Irish Drive to benefit Irish Elementary School students. These improvements will create safer conditions for pedestrians, cyclists, and motorists traveling near the school and appropriate: 1) \$835,000 of CDOT Safe Routes to School (SRTS) grant funds for the Project; 2) \$28,333 of Highway Safety Improvement Program (HSIP) grant funds for the Project; 3) \$75,000 of Poudre School District grant funds to the Project; 4) \$25,000 of Larimer County grant funds to the Project; 5) transfer matching funds from the Community Capital Improvement Program – Pedestrian Sidewalk (CCIP-PS); 6) transfer matching funds from the Community Capital Improvement Program – Bicycle Infrastructure Improvements (CCIP-BII); and 7) transfer \$1,000 (1% of the Poudre School District and Larimer County contributions) in capital project funds to the Art in Public Places (APP) program.

Resolutions authorizing intergovernmental agreements with Colorado Department of Transportation, Poudre School District and Larimer County were adopted on January 20, 2026.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

Irish Elementary School is located on the west side of Irish Drive, a local residential street in northwest Fort Collins. Irish Elementary students who live north of West Vine Drive must walk or ride their bikes along the shoulder of West Vine Drive, a two-lane arterial street, then cross this road to get to school. Many of the streets and roads in this area either lack sidewalks altogether, or have substandard sidewalks, and there is a lack of multi-use trail connectivity in this area of the City. Irish Elementary has high numbers of students who bike, walk, or roll to school. Those students who live south of the school experience safer routes to school via low-traffic, low-volume residential streets with sidewalks. Other students who live north of the

school must cross West Vine to get to school, making their journey much more challenging and riskier due to the existing suboptimal crossing at the West Vine Drive and Irish Drive intersection.

The improvements proposed as part of the Project will create space and infrastructure intended to minimize the time students, parents, and school staff spend on the street when commuting to this location. The improvements along West Vine Drive will include a separated multimodal sidewalk (sidepath) for pedestrians and cyclists. The improvements at the intersection of Vine and Irish will include a new Rectangular Rapid Flashing Beacon (RRFB) and median refuge island. The improvements along Irish Drive will enlarge the existing sidewalk into a sidepath between the RRFB and the school.

In 2025 a CDOT SRTS grant was awarded to the City to support the design and construction of the Project. The SRTS funding became available to the City in the State fiscal year 2026 (July 2025). SRTS funding involves a 80%/20% (Federal/Local) cost sharing. Also in 2025, a CDOT HSIP grant was awarded to the City for the design and construction of the RRFB included in the Project. HSIP funding involves an 88.9%/11.1% (Federal/Local) cost sharing.

Per Chapter 23 of the City Code, Article XII (addressing Art in Public Places), Section 23-304, all appropriations for construction projects estimated to a total cost of over \$250,000 shall include an amount equal to 1% of eligible funds for works of art. The proposed action includes a transfer of \$1,000 to the APP program, which is 1% of the Poudre School District and Larimer County contributions. The SRTS and HSIP grant funds are not eligible for an APP contribution. CCIP funds have already contributed 1% towards the APP program.

## CITY FINANCIAL IMPACTS

The following is a summary of the funding anticipated for design and construction for the Irish Elementary School Safe Routes to School project. The total fund amount for the Project is \$1,419,617 composed of funds appropriated or transferred with this action.

<b>Funds to be Appropriated or Transferred</b>	
Safe Routes to School Grant (SRTS)	\$ 835,000
Highway Safety Improvement Program (HSIP)	\$ 28,333
Poudre School District (PSD)	\$ 75,000
Larimer County (LC)	\$ 25,000
Community Capital Improvement Program - Pedestrian Sidewalk (CCIP-PS)	\$ 119,437
Community Capital Improvement Program - Bicycle Infrastructure Improvements (CCIP-BII)	\$ 337,847
<b>Net Total Project Funds to be Appropriated or Transferred</b>	<b>\$ 1,420,617</b>

<b>Proposed Transfer to Art in Public Places (APP) Program</b>	<b>\$ 1,000</b>
--	-----------------

<b>Total Capital Project Funds</b>	<b>\$ 1,419,617</b>
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## BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The primary elements of the Project were identified as part of the Active Modes Plan adopted by City Council in December 2022. Staff will present the project to the Transportation Board in 2026.

## **PUBLIC OUTREACH**

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City staff presented the Project at the North College Corridor Open House held at the Northside Aztlan Community Center on October 9, 2025. Students in the North College corridor go to Irish Elementary School. The Project will also be presented at the 2027 Transportation Projects Fair. Staff will continue to work with the Communications and Public Involvement Office to meet the City's external communications goals.

## **ATTACHMENTS**

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First Reading attachments available in January 20, 2026 agenda materials at the following link: <https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 008, 2026

ORDINANCE NO. 008, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING SUPPLEMENTAL APPROPRIATIONS OF GRANTS AND  
AUTHORIZING TRANSFERS OF APPROPRIATIONS FOR THE  
IRISH ELEMENTARY SCHOOL SAFE ROUTES TO SCHOOL  
PROJECT AND RELATED ART IN PUBLIC PLACES

A. The purpose of this Ordinance is to appropriate grant monies and local cost-sharing funds to expend for the Irish Elementary School Safe Routes to School (“SRTS”) project (the “Project”). The funds will be used to design and construct improvements on West Vine Drive and Irish Drive for the benefit of Irish Elementary School students and other traveling public.

B. Irish Elementary School is located on the west side of Irish Drive, a local residential street in northwest Fort Collins. Irish Elementary students living north of West Vine Drive (a two-lane arterial street) must walk or bike along the shoulder of the two-lane arterial and cross West Vine Drive to get to school.

C. Many of the streets and roads in this area lack adequate sidewalks and have limited multi-use trail connectivity.

D. Many Irish Elementary School students walk, bike, or roll to school. Students living south of the school have safer routes to school on low-traffic residential streets with sidewalks. Students north of the school must cross West Vine Drive at a suboptimal intersection, making their trip more challenging and riskier.

E. The Project addresses these safety concerns by improving multimodal transportation infrastructure and reducing the time students, parents, and school staff spend on the street when commuting to and from this location.

F. The improvements proposed along West Vine Drive include a separated multimodal sidewalk (sidepath) for pedestrians and cyclists. The improvements proposed at the intersection of Vine and Irish include a new rectangular rapid flashing beacon (“RRFB”) and median refuge island. The proposed improvements along Irish Drive will enlarge the existing sidewalk into a sidepath between the RRFB and the school.

G. In 2025, a Colorado Department of Transportation (“CDOT”) SRTS grant was awarded to the City to support the design and construction of the Project. The SRTS funding became available to the City in the State fiscal year 2026 (July 2025). SRTS funding involves an 80%/20% (Federal/Local) cost sharing.

H. Also in 2025, a CDOT Highway Safety Improvement Program (“HSIP”) grant was awarded to the City for the design and construction of the RRFB included in the Project. HSIP funding involves an 88.9%/11.1% (Federal/Local) cost sharing.



I. The SRTS and HSIP grant funds are administered by CDOT with Project delivery oversight pursuant to an intergovernmental agreement (“IGA”) between CDOT and the City approved via Resolution 2026-009.

J. The completion of this Project will result in mutual benefits to the City and the Poudre School District R-1 (“PSD”). PSD has agreed to contribute \$75,000 to the Project. The PSD contribution is set forth in an IGA between PSD and the City approved via Resolution 2026-010.

K. Larimer County assisted Fort Collins in receiving the SRTS and HSIP funding to improve the intersection of Vine Drive and Irish Drive, recognizing the Project improvements are mutually beneficial, and agreed to contribute \$25,000 to help Fort Collins fund the local match portion for the SRTS and HSIP grants. The Larimer County contribution is set forth in an IGA between Larimer County and the City approved via Resolution 2026-011.

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, does not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

M. The City Manager has recommended the appropriations described in Sections 1 through 4 herein below and determined that the funds to be appropriated are available and previously unappropriated from the Capital Projects fund and that this appropriation 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.

N. 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.

O. The City Manager has recommended the transfer of \$119,437 from the Community Capital Improvement Program – Pedestrian Sidewalk budget in the Capital Projects fund to the Irish Elementary School Safe Routes to School Project budget in the Capital Projects fund and \$337,847 from the Community Capital Improvement Program – Bicycle Infrastructure Improvements budget in the Capital Projects fund to the Irish Elementary School Safe Routes to School Project budget in the Capital Projects fund and

determined that the purpose for which the transferred funds are to be expended remains unchanged.

P. This Project involves construction estimated to cost more than \$250,000 and, as such, 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 ("APP") program.

Q. 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 Colorado Department of Transportation SRTS and HSIP grants, the source of these funds. Community Capital Improvement Program ("CCIP") funds have already contributed 1% towards the APP program.

R. The project cost of \$100,000 from the PSD and Larimer County contributions has been used to calculate the contribution to the APP program.

S. The amount to be contributed in this Ordinance will be \$1,000, which is 1% of the PSD and Larimer County contributions.

T. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made but continue until the completion of the capital project.

U. The City Council wishes to designate the appropriations herein for the Project as appropriations that shall not lapse until the completion of the Project.

V. The appropriations in this Ordinance benefit public health, safety and welfare of the residents of Fort Collins and serve the public purpose of improving multimodal transportation infrastructure and safety 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 EIGHT HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$835,000) to be expended in the Capital Projects fund for the Irish Elementary School Safe Routes to School Project.

Section 2. There is hereby appropriated from new revenue or other funds in the Capital Projects fund the sum of TWENTY-EIGHT THOUSAND THREE HUNDRED THIRTY-THREE DOLLARS (\$28,333) to be expended in the Capital Projects fund for the Irish Elementary School Safe Routes to School Project.

Section 3. There is hereby appropriated from new revenue or other funds in the Capital Projects fund the sum of SEVENTY-FIVE THOUSAND DOLLARS (\$75,000) to be expended in the Capital Projects fund for the Irish Elementary School Safe Routes to School Project.

Section 4. There is hereby appropriated from new revenue or other funds in the Capital Projects fund the sum of TWENTY-FIVE THOUSAND (\$25,000) to be expended in the Capital Projects fund for the Irish Elementary School Safe Routes to School Project.

Section 5. The unexpended and unencumbered appropriated amount of ONE HUNDRED NINETEEN THOUSAND FOUR HUNDRED THIRTY-SEVEN DOLLARS (\$119,437) is authorized for transfer from the Community Capital Improvement Program – Pedestrian Sidewalk capital project accounts in the Capital Projects fund to the Irish Elementary School Safe Routes to School Project capital project accounts in the Capital Projects fund and appropriated therein to be expended for the Irish Elementary School Safe Routes to School Project.

Section 6. The unexpended and unencumbered appropriated amount of THREE HUNDRED THIRTY-SEVEN THOUSAND EIGHT HUNDRED FORTY-SEVEN DOLLARS (\$337,847) is authorized for transfer from the Community Capital Improvement Program – Bicycle Infrastructure Improvements capital project accounts in the Capital Projects fund to the Irish Elementary School Safe Routes to School Project capital project accounts in the Capital Projects fund and appropriated therein to be expended for the Irish Elementary School Safe Routes to School Project.

Section 7. The unexpended and unencumbered appropriated amount of SEVEN HUNDRED EIGHTY DOLLARS (\$780) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated to be expended therein to fund art projects under the APP program.

Section 8. The unexpended and unencumbered appropriated amount of TWO HUNDRED DOLLARS (\$200) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated to be expended therein for the operation costs of the APP program.

Section 9. The unexpended and unencumbered appropriated amount of TWENTY DOLLARS (\$20) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated to be expended therein for the maintenance costs of the APP program.

Section 10. The appropriations herein for the Irish Elementary School Safe Routes to School Project 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 completion of the Project.

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026

Approving Attorney: Heather N. Jarvis

Exhibit: None

**File Attachments for Item:**

**8. Second Reading of Ordinance No. 009, 2026, Making Supplemental Appropriations of Revenue from the Quarter Cent Capital Tax and Authorizing Transfers of Appropriations.**

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates the first year of 2026-2035 quarter cent capital sales tax revenues for the ongoing program items and additional planning dollars. This appropriation will allow for the continuation of ongoing transportation capital programs and includes initial funding for the Affordable Housing Capital Fund and Community Bike Park.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Caleb Weitz, Chief Financial Officer  
Ginny Sawyer, Policy & Project Manager  
Joe Wimmer, Director Utilities Finance

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## SUBJECT

**Second Reading of Ordinance No. 009, 2026, Making Supplemental Appropriations of Revenue from the Quarter Cent Capital Tax and Authorizing Transfers of Appropriations.**

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## EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on January 20, 2026, appropriates the first year of 2026-2035 quarter cent capital sales tax revenues for the ongoing program items and additional planning dollars. This appropriation will allow for the continuation of ongoing transportation capital programs and includes initial funding for the Affordable Housing Capital Fund and Community Bike Park.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

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## FIRST READING BACKGROUND / DISCUSSION

On November 4, 2025, voters approved Ballot Issue 2A, which extended for ten years a ¼ cent sales and use tax (the "Quarter Cent Capital Tax") to generate revenue to fund identified major capital projects and programs. This Quarter Cent Capital Tax, collected from January 1, 2026 to December 31, 2035, is projected to generate approximately \$11.0 million of annual revenue and will support the 18 projects and capital programs identified in the ballot language. Project schedules and appropriations are anticipated to be planned during the City's regular biennial budget cycles. Program funding planned for the first year of the temporary sales and use tax are off-cycle appropriations, as the 2026 fiscal year budget was already adopted.

In addition to this Ordinance No. 009, 2026, other appropriations for additional, stand-alone projects may come to Council for consideration at a future meeting in 2026, allowing sufficient time for planning and City Council input. (See **AIS Attachment No. 1**, "Ten-Year Project Package and Project Sheets (2026-2035)".)

Further, items relating to the \$2.5 million of funds appropriated for affordable housing by this Ordinance No. 009, 2026 will be brought to Council for its consideration at a future meeting. These resolutions, if approved, would authorize the execution of funding agreements between the City and Housing Catalyst and CARE Communities. (See **AIS Attachment No. 2**, "Affordable Housing Appropriation Detail - \$2.5 million Capital Tax 2026".)

## **2026 Programs/Projects Appropriation**

### **Arterial Intersection Improvement & Streetscapes Program (\$643,000)**

- This existing program provides an annual fund for improvements to arterial intersections and streetscape improvements as prioritized by safety improvements, multi-modal infrastructure needs, alignment with existing plans, and partnership opportunities

### **Bicycle Infrastructure & Overpass/Underpass Program (\$1,178,000)**

- This program provides annual funding for construction of grade-separated bicycle and pedestrian crossings across roadways and for the implementation of projects identified in the Active Modes Plan, Vision zero plan, and that help achieve 15-minute city goals.

### **Pedestrian Sidewalk Program (\$1,500,000)**

- This program provides annual funding to continue to support the decades-long compliance program to eliminate gaps in the City's pedestrian network and improve ADA compliance.

### **Transfort Bus Replacement & Stop Enhancements Program (\$315,000)**

- This program provides annual funding to make ADA improvements and upgrades at bus stops throughout the City and will support the local match needed to replace Transfort buses over the next 10 years.

### **Affordable Housing Capital Fund (\$2,500,000)**

- Staff recommends an initial appropriation of \$2.5 million to address known housing projects and funding gaps while a more comprehensive spending plan is developed.
- Additional detail regarding the \$2.5 million appropriation can be found in **AIS Attachment No 2**.
- Council-adopted Resolution 2025-104, providing direction on the priorities for the remainder of unallocated 2016-2025 capital tax funds and to be used within towards the Affordable Housing Capital Fund, an amount forecasted at \$5.0 million. This remaining balance on unexpended tax revenues from the previous, temporary sales tax is anticipated to be available to expend by mid-2026.

### **Community Bike Park (\$30,000)**

- Given the outcome of the November 2025 ballot, staff is requesting initial funding to start planning and site feasibility in conjunction with Natural Areas, Parks, and Indigenous groups.

## **CITY FINANCIAL IMPACTS**

These appropriations are supported by revenues from the dedicated Quarter Cent Capital Tax, which is forecasted to generate approximately \$11.0 million of annual revenue. These appropriations in Ordinance No. 009, 2026 also include necessary transfers to the respective City Funds where capital project expenses are recorded. Further, these appropriations include the one percent contributions to the Art in Public Places Program for capital projects meeting APP requirements.

The City Manager has determined that these appropriations are available and previously unappropriated from their designated City Fund and will not cause the total amount appropriated in those Funds to exceed the current estimate of actual and anticipated revenues.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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During development of the Ballot Issue 2A and the Quarter Cent Capital Tax project package associated therewith, staff engaged the following Boards/Commissions: Affordable Housing Board, Youth Advisory Board, Natural Resources Advisory Board, Land Conservation & Stewardship Board, Parks & Recreation Board, Transportation Board, Disability Advisory Board, Economic Advisory Board, Senior Advisory Board, Downtown Development Authority, and Human Relations Commission.

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## **PUBLIC OUTREACH**

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Resident groups engaged during the Quarter Cent Capital Tax project package creation include the following: State of the City, Rotary Clubs, Leadership Fort Collins, Fort Collins Chamber groups, Friends of the Gardens, and CityWorks 101.

## **ATTACHMENTS**

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First Reading attachments available in January 20, 2026 agenda materials at the following link:  
<https://fortcollins-co.municodemeetings.com/>

1. Ordinance No. 009, 2026



ORDINANCE NO. 009, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING SUPPLEMENTAL APPROPRIATIONS OF REVENUE FROM THE QUARTER  
CENT CAPITAL TAX AND AUTHORIZING TRANSFERS OF APPROPRIATIONS

A. On August 19, 2025, the City Council adopted Resolution 2025-077, which referred the extension of the temporary Community Capital Improvement Program (the “CCIP”) sales and use tax expiring on December 31, 2025, to voters for their consideration. The language in Ballot Issue 2A included a list identifying projects to be funded by the extension additional revenues for the planning, design, real property acquisition, construction, and operation and maintenance for certain capital projects.

B. At a regular City election on November 4, 2025, the voters of the City of Fort Collins approved the extension of the CCIP (the “Quarter Cent Capital Tax”), commencing January 1, 2026 and ending December 31, 2035, for the purpose of obtaining revenues for the planning, design, real property acquisition, and construction of the capital projects specified in the ballot language (“Ballot Issue 2A”) and for the operation and maintenance of some of them.

C. This appropriation of Quarter Cent Capital Tax revenues for projects and operations specified in Ballot Issue 2A benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purposes of improving the transportation infrastructure within the City, promoting safer travel across multiple modalities, providing necessary updates to the City pedestrian network, supporting transit improvements and upgrades, funding affordable housing projects, and fostering arts and culture through the Art in Public Places program

D. 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.

E. 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.

F. The City Manager has recommended the appropriations and transfers described herein and determined that the funds to be appropriated are available and previously unappropriated from the Community Capital Improvement Fund and that this

appropriation will not cause the total amount appropriated in the Community Capital Improvement 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. This Project involves construction estimated to cost more than \$250,000 and, as such, 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"). The total applicable costs that have been used to calculate the contribution to the APP Program of the various projects is \$3,321,000 and the amount required to be contributed, based on those costs, is \$33,210.

H. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the completion of the capital project.

I. The City Council wishes to designate all appropriations herein for various capital tax projects and operations in the Community Capital Improvement Project Fund, and transferred to various City Funds as outlined in Sections 1 through 4 and Sections 6 through 9 of this Ordinance, as appropriations that shall not lapse until the completion of the various capital projects.

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 Community Capital Improvement Project Fund the sum of SIX HUNDRED FORTY-THREE THOUSAND DOLLARS (\$643,000) to be expended in the Community Capital Improvement Project Fund for transfer to the Capital Projects Fund and expended therein for the Arterial Intersection Improvement & Streetscapes Program.

Section 2. There is hereby appropriated from new revenue or other funds in the Community Capital Improvement Project Fund the sum of ONE MILLION ONE HUNDRED SEVENTY-EIGHT THOUSAND DOLLARS (\$1,178,000) to be expended in the Community Capital Improvement Project Fund for transfer to the Capital Projects Fund and expended therein for the Bicycle Infrastructure & Overpass/Underpass Program.

Section 3. There is hereby appropriated from new revenue or other funds in the Community Capital Improvement Project Fund the sum of ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) to be expended in the Community Capital Improvement Project Fund for transfer to the Capital Projects Fund and expended therein for the Pedestrian Sidewalk Program.

Section 4. There is hereby appropriated from new revenue or other funds in the Community Capital Improvement Project Fund the sum of THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$315,000) to be expended in the Community Capital Improvement Project Fund for transfer to the Transit Services Fund and expended therein for the Transfort Bus Replacement & Stop Enhancements Program.

Section 5. There is hereby appropriated from new revenue or other funds in the Community Capital Improvement Project Fund the sum of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) to be expended in the Community Capital Improvement Project Fund for Affordable Housing Capital Fund.

Section 6. There is hereby appropriated from new revenue or other funds in the Community Capital Improvement Project Fund the sum of THIRTY THOUSAND DOLLARS (\$30,000) to be expended in the Community Capital Improvement Project Fund for transfer to the Capital Projects Fund and expended therein for the Community Bike Park Project.

Section 7. The unexpended and unencumbered appropriated amount of TWENTY-FIVE THOUSAND NINE HUNDRED FOUR DOLLARS(\$25,904) in the Capital Projects Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein to fund art projects under the APP Program.

Section 8. The unexpended and unencumbered appropriated amount of SIX-THOUSAND SIX HUNDRED FORTY-TWO DOLLARS (\$6,642) in the Capital Projects Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein for the operation costs of the APP Program.

Section 9. The unexpended and unencumbered appropriated amount of SIX HUNDRED SIXTY-FOUR DOLLARS (\$664) in the Capital Projects Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein for the maintenance costs of the APP Program.

Section 10. The appropriations herein 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 completion of the projects.

Section 11. This Ordinance shall not be construed as constituting City Council approval, support for approval, or waiver of any City regulatory requirement, including any development application process whether in administrative or quasi-judicial review, for any project or purpose referenced herein.

Introduced, considered favorably on first reading on January 20, 2026, and approved on second reading for final passage on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 13, 2026  
Approving Attorney: Dianne Criswell

Exhibit: None

**File Attachments for Item:**

**9. First Reading of Ordinance No. 010, 2026, Authorizing the City Manager to Transfer Ownership of up to 61 Shares of the Buckhorn Highline Ditch Company.**

The purpose of this item is to seek approval to transfer ownership of up to 61 shares of the Natural Areas Department's shares of the Buckhorn Highline Ditch Company that the City does not need and will not use. The City's continued ownership of these 61 shares would impose significant costs on the Natural Areas Department due to required infrastructure improvements for the ditch and diversion structure, with little to no benefit to the City or natural areas. The Natural Areas Department will retain 33 shares of the Ditch Company for potential irrigation of a restoration project on the Bobcat Ridge Natural Area. The water right associated with the Buckhorn Highline Ditch, being a junior right, is not suitable for in-stream flows nor conversion to municipal use. The shares would be transferred by sale, or by returning the shares to the Ditch Company.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Matt Parker, Natural Areas Ecological Stewardship Manager  
Miles Daly, Water Engineer II

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## SUBJECT

**First Reading of Ordinance No. 010, 2026, Authorizing the City Manager to Transfer Ownership of up to 61 Shares of the Buckhorn Highline Ditch Company.**

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## EXECUTIVE SUMMARY

The purpose of this item is to seek approval to transfer ownership of up to 61 shares of the Natural Areas Department's shares of the Buckhorn Highline Ditch Company that the City does not need and will not use. The City's continued ownership of these 61 shares would impose significant costs on the Natural Areas Department due to required infrastructure improvements for the ditch and diversion structure, with little to no benefit to the City or natural areas. The Natural Areas Department will retain 33 shares of the Ditch Company for potential irrigation of a restoration project on the Bobcat Ridge Natural Area. The water right associated with the Buckhorn Highline Ditch, being a junior right, is not suitable for in-stream flows nor conversion to municipal use. The shares would be transferred by sale, or by returning the shares to the Ditch Company.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

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## BACKGROUND / DISCUSSION

The Natural Areas Department ("Department") is seeking to divest up to 61 of its 94 shares of the Buckhorn Highline Ditch Company ("Ditch Company") to: 1) right-size the City's ownership relative to potential City use; 2) balance the Department's desire to support agriculture in the Buckhorn Creek Valley while responsibly managing the Department's fiscal resources; and 3) accommodate the beneficial use of irrigation water at other user sites. The Buckhorn Highline Ditch ("Ditch") is currently inoperable due to a blowout of the diversion structure in 2013 and will require reconstruction at an estimated cost of \$600,000 - \$720,000.

### How the Ditch is Used:

The Ditch diverts water from Buckhorn Creek, a tributary of the Big Thompson River. The Ditch is relatively small, with an estimated capacity of less than 10 cubic feet per second. For comparison, that is much smaller than most of the irrigation ditches in Fort Collins. The Ditch is used by eight properties in Buckhorn Creek Valley to irrigate hayfields. A subset of users also possess contract rights associated with the Colorado - Big Thompson Water Project ("CBT"). The CBT water is supplemental water and cannot be

acquired or used unless an underlying water right exists. Thus, for some valley residents, the water right represented by shares in the Ditch Company secure additional access to irrigation water through the CBT project. The City does own CBT water and has used it very infrequently at Bobcat Ridge Natural Area. However, the formerly irrigated hay fields have been converted to native grass, reducing the need for and the value of these water shares to the Department.

### **Ditch Share Ownership and Water Right Details:**

The Ditch Company consists of 180 shares owned by ten shareholders. The Department acquired 29 shares with the purchase of Bobcat Ridge Natural Area in 2002. In 2022 the Department purchased Eagle Canyon Ranch and Soaring Eagle Estates, which is adjacent to, and an expansion of the Bobcat Ridge Natural Area. In that transaction, an additional 65 shares of the Ditch Company came into City ownership. In the purchase and sale agreement, the previous owner transferred \$68,000 to the Ditch Company to assist with costs related to reconstructing the diversion, a necessary step before water could be utilized.

The Ditch has a 1916 water right, decreed for immediate use (no storage) in direct irrigation for agricultural purposes.

### **Suitability of Municipal Use:**

After consultation with water supply staff, this Ditch's water right is not considered a good candidate for municipal use due to its junior water right status, its small and inconsistent yield, and its distant location relative to municipal treatment locations.

### **Feasibility for In-Stream Flows:**

The Ditch typically yields water in the early irrigation season, being out of priority as a junior water right for much of the summer. Thus, this water right does not substantially sustain Buckhorn Creek or contribute to the Big Thompson River in a meaningful way during drier times. This water right would thus not provide a supply for in-stream flows when water is needed.

### **Estimated Value of Buckhorn Highline Shares:**

A recent appraisal of the Chase Ditch water right, a similarly junior water right on the North Fork of the Cache la Poudre River ("North Fork"), placed the value per acre foot of yield of the Chase Ditch at \$1,500. Given the average yield of 1.6 acre-foot per share of the Buckhorn Highline Ditch Company, a per share value of \$2,400 appears to be the top of the range. It may be appropriate to reduce the per share value for two reasons: 1) although it's difficult to compare two water rights on different sources, the Buckhorn Highline Ditch is a more junior water right on the Big Thompson than the Chase Ditch is on the North Fork, and 2) with the reconstruction needs, there are significant per share construction costs ahead for shareholders of the Buckhorn Highline Ditch Company. Staff place a value at somewhere between \$1,500 and \$2,000 per share. As noted below, for this discussion, a value of \$1,700 per share is assumed.

### **Benefit to City Transfer of Ownership:**

Repair of the Ditch diversion will require significant shareholder expense, currently estimated at \$3,333 - \$4,000 per share. The area of Bobcat Ridge Natural Area, formerly irrigated by the 61 shares has been restored back to native grass and irrigation water is no longer applied. Thus, if these shares are not transferred to new owners, the City (through the Department) as a shareholder will contribute an additional \$203,000 - \$244,000 for ditch repairs without material gain to the City.

### **Cost/Impact to City Transfer of Ownership:**

Transferring ownership of these shares will reduce construction costs for the Department. However, transferring ownership of these shares will also reposition the City from a majority shareholder (94 of 180 shares) to a minority shareholder (33 of 180 shares). Most other shareholders hold 2 to 10 shares with one family currently owning 53 shares.

Net gain for City transfer of shares is equal to the minimal income value of the shares (61 shares times \$1,700 per share, or \$103,700) plus avoidance of the anticipated future diversion repair cost (61 shares times \$4,000, or \$244,000) for a total of \$347,700. Considered another way, the cost of retaining these 61 shares that the City cannot use (\$347,700) far exceeds their fair market value (\$103,700). As described in the chart below, there is also benefit to the City even if all 61 shares are returned to the Ditch Company without compensation, as the City's portion of construction costs decreases from \$376,000 to \$199,664.

The Department will retain 33 shares associated with the purchase of Eagle Canyon Ranch and Soaring Eagle Estates and subsequently incur approximately \$110,000 to \$132,000 of the total estimated repair costs of \$720,000 for the Ditch diversion.

### **Reason for Retaining Remaining Shares:**

The Department intends to retain the remaining 33 shares of the Ditch Company for three reasons: 1) irrigation water may be used to promote the future restoration of the low-lying land within the addition to Bobcat Ridge Natural Area, i.e., the recent acquisitions of Eagle Canyon Ranch and Soaring Eagle Estates, 2) the Department wants to honor the intent of the purchase transaction wherein the previous landowner and the Department acknowledges the important role of these shares in the future construction project, and 3) the Department recognizes the important role irrigation water plays in maintaining the feasibility of agricultural lands and their associated wildlife value.

### **Shares Could be Returned to the Ditch Company or Sold to Another Shareholder:**

If Council approves the transfer of ownership of these shares, the shares could either be returned to the Ditch Company treasury without compensation or, preferably, sold to a neighbor. If the shares are returned to the treasury, the future construction cost will be divided amongst the current shareholders based on the number of outstanding shares (those owned by shareholders and not held by the Ditch Company), and therefore, per share costs for the construction will increase.

With Council's approval of transferring ownership of up to 61 shares, staff can determine what means of transfer are most beneficial to the City. Due to the limitations on the use of the shares as discussed above, the market of potential buyers of the shares is small, generally being other shareholders in the Ditch Company and the owners of other properties along the Ditch, which staff will reach out to separately or through the Ditch Company. Staff anticipate that a neighboring shareholder purchases some number of shares, however it may not be all 61. Therefore, likely scenarios follow some variation of three paths: 1) the City sells all 61 shares, 2) the City sells less than 61 shares and returns some number of shares to the Ditch Company, and 3) the City returns all 61 shares to the Ditch Company.

The table below outlines three potential alternative scenarios that would be enabled by the Ordinance. In the current scenario, the City owns 94 shares and the City's portion of reconstruction cost is \$376,000. In the first alternative scenario, all 61 shares are sold, the number of outstanding shares remains at 180 shares, and the City's portion of reconstruction cost is \$132,000. In the second alternative scenario, 30 shares are sold, 31 shares are returned to the Ditch Company which reduces the number of outstanding shares to 149 shares, and the City's portion of reconstruction cost is \$159,463. In the third alternative scenario, 0 shares are sold, all 61 shares are returned to the Ditch Company which reduces the number of outstanding shares to 119 shares, and the City's portion of reconstruction cost is \$199,664. In all of these alternative scenarios that would be enabled by the Ordinance, the City's portion of reconstruction costs would be significantly reduced from the current scenario. Also, in all of the alternative scenarios, there



would be additional financial benefit to the City from the sale of any shares, which values are not shown in the table.

Scenario	Shares		Percent of Company Owned by City	Reconstruction Costs (high estimate)	
	Outstanding Company	Owned by City		Total Cost	City Portion
Current	180	94	52%	\$720,000	\$376,000
61 Shares are Sold	180	33	18%	\$720,000	\$132,000
30 Shares are Sold and 31 Shares are Returned to the Company	149	33	22%	\$720,000	\$159,463
0 Shares are Sold and 61 Shares are Returned to the Company	119	33	28%	\$720,000	\$199,664

### **CITY FINANCIAL IMPACTS**

Reducing the number of shares owned by the City through the Department will reduce the associated future project costs to the City. However, the difference in savings, depending upon if the shares are sold outright, or returned to the Ditch Company, will greatly impact the extent of savings.

### **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

At the November 12, 2025, Land Conservation and Stewardship Board (LCSB) meeting, the board voted unanimously (8-0) to recommend that Council approve the transfer of ownership (a.k.a. disposition) of up to 61 Buckhorn Highline Ditch Company shares. Please see Attachment #2 for board meeting minutes.

### **PUBLIC OUTREACH**

None.

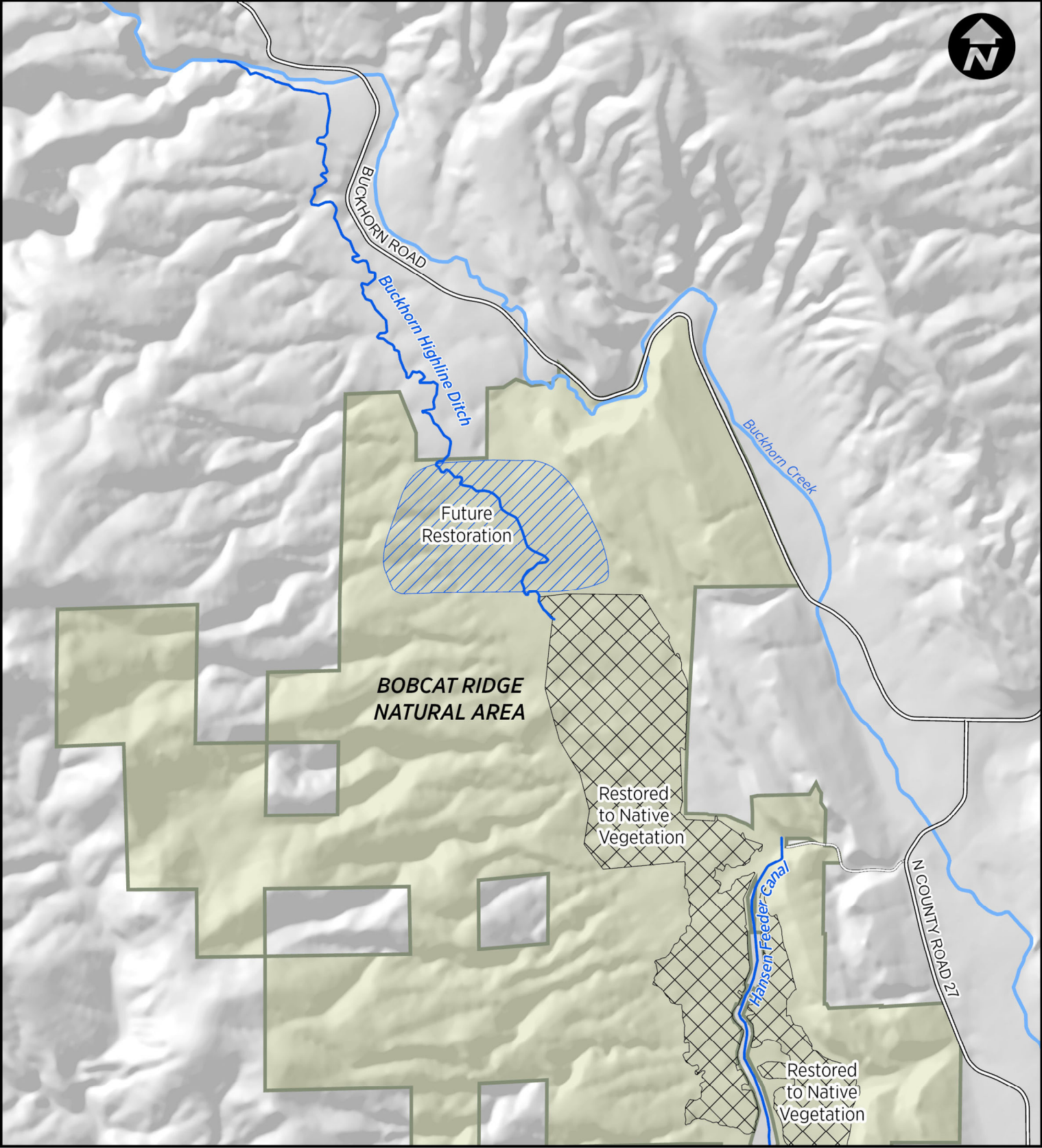
### **ATTACHMENTS**

1. Buckhorn Highline Ditch Location Map
2. Land Conservation and Stewardship Board Meeting Minutes, November 12, 2025 (excerpt)
3. Ordinance No. 010, 2026

# Buckhorn Highline Ditch

## Bobcat Ridge Natural Area

Item 9.



# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Item 9.

## Land Conservation & Stewardship Board

November 12, 2025

### Regular Meeting – Excerpt

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#### Members:

Ross Cunniff, Chair  
Scott Mason, Vice Chair  
Denise Culver, Member  
Jennifer Gooden, Member  
Steve Joyce, Member

Holger Kley, Member  
Elena Lopez, Member  
Mark Sears, Member  
Tom Shoemaker, Member

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**1. CALL TO ORDER:** Meeting was called to order at 5:30 pm.

#### **2. ROLL CALL:**

**LCSB:** Denise Culver, Scott Mason, Tom Shoemaker, Mark Sears, Steve Joyce, Jennifer Gooden, Holger Kley, Elena Lopez, Ross Cunniff

**NAD Staff:** Julia Feder, Tawnya Ernst, Matt Parker, Nick Van Lanen, Elaine Calaba, Katie Donahue, Emily Shingler, Mary Boyts

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***Excerpt related to this Council Meeting Agenda Item: Disposition of up to 61 Buckhorn Highline Ditch Company shares.***

#### **6. ACTION ITEMS**

##### ***Disposition of up to 61 Buckhorn Highline Ditch Company shares.***

**Matt Parker, Ecological Stewardship Manager** stated he was seeking the LCSB's recommendation that City Council approve disposition of up to 61 of the Natural Areas Department's shares of the Buckhorn Highline Ditch Company ("Ditch Company") that the City does not need and will not use.

The Natural Areas Department acquired a total of 94 shares of the Buckhorn Highline Ditch in purchases that occurred in 2002 and 2022. The Buckhorn Highline Ditch is currently inoperable due to a blowout of the diversion structure in 2013 and will require reconstruction at an estimated cost of \$600,000 - \$720,000, divided amongst all shareholders. Currently, the Natural Areas Department would be responsible for an outsized portion of the reconstruction costs, relative to actual management needs for the water shares.

#### **Discussion**

**LCSB Question:** Can Natural Areas vote "no" on the reconstruction effectively stopping the project?

**Staff:** Yes, but it might not be in our interest in long term conservation in the valley.

**LCSB:** Who would buy the shares?

## Land Conservation & Stewardship Board

### Regular Meeting

**Staff:** Because the shares have to be used in that area, there are ten properties that could physically make use of the water.

**LCSB question:** Is there a risk that a large development could come in and buy those shares regardless of the cost?

**Staff:** In talking with the City's water attorney, likelihood of converting this very junior and low producing water right to municipal use is extremely low.

**LCSB Question:** Do the interested parties have land that would be valuable for conservation? Would it be possible to swap shares for a conservation easement?

**Staff:** There is potentially a path there. But first it is necessary to get City Council's approval to dispose of the shares.

**LCSB:** If the diversion structure is not rebuilt, at some point does the ability to rent Colorado-Big Thompson (CBT) water just go away?

**Staff:** Whole water rights will land on the state abandonment list if there is no action taken to utilize that water after ten years. Because the ditch company has taken recent action, the rights are not considered abandoned.

**LCSB:** How big is the next biggest shareholder?

**Staff:** 58 or so shares. If that party purchased 40 shares, they would become the new majority shareholder.

**LCSB Question:** Are there any neighboring properties that would be potential acquisitions that would not come with water, but would need restoration in the future?

**Staff:** There is one the property that could potentially come with the same water, but restoration in that area is not really water dependent. NAD has been focused on a higher diversity of restoration seed mix that needs no irrigation whatsoever. The water shares are very location dependent; we can't necessarily move irrigation water to a distant location.

**LCSB Question:** Is it fair to say that if we haven't had any use of the water since 2013, that we're fine without it?

**Staff:** We could ask to dispose of all the NAD shares, but that would take away any option in the future on the north side of Bobcat Ridge Natural Area (BCR) for utilizing that irrigation water. Because ditch companies have a great deal of autonomy, retaining shares gives NAD a role in the construction process and managing access through BCR.

**LCSB Question:** What happens if you have no buyers or no buyers at the price you're asking?

# MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Item 9.

## Land Conservation & Stewardship Board

### Regular Meeting

**Staff:** NAD has the option to return the shares to the ditch company treasury or retain them. If we return them to the ditch company treasury it would reduce our construction liability but not as significantly as an outright selling of the shares would.

**LCSB Question:** If you return the shares to the ditch company treasury are they redistributed?

**Staff:** The shares are not redistributed, however the construction cost would be redistributed. If there are no buyers and NAD returns the shares to the treasury, NAD would be responsible for approximately one-third of construction cost. If the shares are returned to the ditch company treasury, and other members purchase shares from the treasury, those shareholders would then be responsible for construction costs relative to their share ownership.

**LCSB:** Assuming we do succeed in selling them, is the money that comes into the NAD subject to the 80/20 Green-Blue division?

**Staff:** The money would go back into the green money fund balance.

**LCSB:** Have we ever, in the past, rented CBT water?

**Staff:** Yes. The department has root water ownership in various places so will always be able to rent CBT water.

**Chair Cunniff made a motion that the Land Conservation and Stewardship Board recommend that City Council approve the disposition of up to 61 Buckhorn Highline Ditch Company shares. Member Culver seconded the motion. The motion unanimously passed, 9-0.**



ORDINANCE NO. 010, 2026  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE CITY MANAGER TO TRANSFER  
OWNERSHIP OF UP TO 61 SHARES OF THE BUCKHORN  
HIGHLINE DITCH COMPANY

A. The City currently owns 94 of the 180 shares of stock ("Shares") of the Buckhorn Highline Ditch Company ("Ditch Company"). Shares in the Ditch Company represent a pro-rata interest in the water right decreed to the Buckhorn Highline Ditch ("Ditch"). Shares in the Ditch Company also represent a pro-rata ownership of and responsibility for the Ditch and associated infrastructure, such as the diversion structure that diverts water from the stream into the Ditch.

B. The City's Natural Areas Department ("Natural Areas") is responsible for managing the City's ownership of the City's 94 Shares. The 94 Shares have historically been associated with the lands now comprising the Bobcat Ridge Natural Area, including the lands enlarging that natural area through the recent acquisition of Eagle Canyon Ranch and Soaring Eagle Estates. The 94 Shares are not associated with the City's Water Utility or domestic water supply for Fort Collins residents.

C. Water derived from the 94 Shares has historically been used to irrigate lands that are now portions of the Bobcat Ridge Natural Area. However, in recent years, Natural Areas' need for the use of water from 94 Shares has diminished significantly as formerly-irrigated portions of the Bobcat Ridge Natural Area have been converted from irrigated land to native, unirrigated landscapes. Natural Areas believes that its ownership of 33 Shares would be more appropriate for its current and future uses at Bobcat Ridge Natural Area.

D. The Ditch's diversion structure on Buckhorn Creek was significantly damaged during the September 2013 floods. The Ditch and diversion structure have thus been generally inoperable since. Repairs to restore basic functions to the Ditch and diversion structure are currently estimated to cost between \$600,000 and \$720,000, which equates to \$3,333 to \$4,000 per Share.

E. Natural Areas' investigations into the fair market value of the 61 Shares indicate that their fair market value is likely in the \$1,500 to \$2,000 per share range. That is, the liabilities of the 61 Shares are greater than their fair market value.

F. Natural Areas has also investigated other potential uses of the 61 Shares. However, due to the location, junior priority, and low flow rate of the water right decreed to the Ditch, there is little probability of the 61 Shares being useful for municipal, instream flow, or other uses. Meanwhile, other shareholders in the Ditch Company may have a use for this water, which would benefit residents of the Buckhorn Creek Valley and support regional agriculture. Natural Areas thus desires to transfer ownership of up to 61 Shares, either by sale or by returning the shares to the Ditch Company without compensation.

G. In the unique circumstances the 61 Shares present, the transfer of ownership of the 61 Shares, either by sale or by returning the shares to the Ditch Company without compensation, is in the best interests of the City.

H. If Natural Areas staff is unable to find a buyer for the 61 Shares and they were returned to the Ditch Company, and thus no compensation were paid to the City, the City would benefit by reducing the significant liability per Share, as discussed above. Moreover, this would serve a bona fide public purpose because:

- (1) The use to which the 61 Shares will be put promotes health, safety or general welfare and benefits a significant segment of the citizens of Fort Collins by reducing liabilities to Natural Areas;
- (2) The use to which the 61 Shares will be put supports one or more of the City Council's goals, adopted policies, projects, or plans through better and more economical management of Bobcat Ridge Natural Areas and its associated resources;
- (3) The financial support provided by the City through the below-market transfer of ownership of the 61 Shares will be leveraged with other funding or assistance in the management of Bobcat Ridge Natural Area;
- (4) The transfer of ownership of the 61 Shares 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 substantially relative to the public purpose being served because the shares could be sold in a transaction or returned to the Ditch Company and held for all shareholders, including the City, and subsequently resold for the benefit of all shareholders; and
- (5) Transfer of ownership of the 61 Shares will not interfere with current City projects or work programs, hinder workload schedules or divert resources needed for primary City functions or responsibilities.

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. City Council finds, pursuant to Section 23-111(a) of the City Code, that the transfer of ownership of up to 61 Shares of the Buckhorn Highline Ditch Company is in the best interests of the City.

Section 2. City Council finds, pursuant to Section 23-114, that the transfer of ownership of up to 61 Shares of the Buckhorn Highline Ditch Company may be for an amount less than market value, but that it would serve a bona fide public purpose for the reasons set forth above.

Section 3. The City Manager, through the Natural Areas Director, is hereby authorized to transfer ownership of up to 61 Shares of the Buckhorn Highline Ditch

Company, either by sale or by returning the shares to the Ditch Company without compensation, pursuant to appropriate transfer documents, in consultation with the City Attorney, which are determined to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading on February 3, 2026, and approved on second reading for final passage on February 17, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 27, 2026  
Approving Attorney: Eric Potyondy

Exhibit: None



**File Attachments for Item:**

**10. Items Relating to the Allocation of Community Capital Improvement Program Funds for Affordable Housing Development.**

A. Resolution 2026-017 Authorizing the Execution of a Funding Agreement with Housing Catalyst for a Loan of 2016-2025 and 2026-2035 Community Capital Improvement Program Funds for the Village on Eastbrook.

B. Resolution 2026-018 Authorizing the Execution of a Funding Agreement with Community Affordable Residences Enterprise, Inc. for a Loan of 2026-2035 Community Capital Improvement Program Funds for Windtrail Park Rehabilitation Project.

The purpose of this item is to authorize the City to enter into funding agreements with Housing Catalyst and with CARE Communities, using funding from the Quarter Cent Capital Tax, Affordable Housing Capital Fund to support the Village on Eastbrook (developed by Housing Catalyst) and the Windtrail Park rehabilitation project (developed by CARE Communities).

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Vanessa Fenley, Sr. Housing Manager

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## SUBJECT

**Items Relating to the Allocation of Community Capital Improvement Program Funds for Affordable Housing Development.**

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## EXECUTIVE SUMMARY

A. Resolution 2026-017 Authorizing the Execution of a Funding Agreement with Housing Catalyst for a Loan of 2016-2025 and 2026-2035 Community Capital Improvement Program Funds for the Village on Eastbrook.

B. Resolution 2026-018 Authorizing the Execution of a Funding Agreement with Community Affordable Residences Enterprise, Inc. for a Loan of 2026-2035 Community Capital Improvement Program Funds for Windtrail Park Rehabilitation Project.

The purpose of this item is to authorize the City to enter into funding agreements with Housing Catalyst and with CARE Communities, using funding from the Quarter Cent Capital Tax, Affordable Housing Capital Fund to support the Village on Eastbrook (developed by Housing Catalyst) and the Windtrail Park rehabilitation project (developed by CARE Communities).

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## STAFF RECOMMENDATION

Staff recommends adoption of the Resolutions.

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## BACKGROUND / DISCUSSION

### **Background on Quarter Cent Capital Tax, Affordable Housing Capital Fund**

The City's Affordable Housing Capital Fund (AHCF) has been funded through the 2015 and 2025 Quarter Cent Capital Tax (Community Capital Improvement Programs [CCIP]).

The City's 2015 Quarter Cent Capital Tax package included \$4 million for the AHCF, over 10 years. From this pool of funding \$400,000 remains for fee credits for eligible units and \$200,359 remains for gap funding or fee credits. In addition, through Resolution 2025-104, City Council directed an estimated \$5.0 million of additional Quarter Cent Sales Tax revenue collected from 2016-25 into the AHCF. Those additional funds are not yet available for use.

The 2025 Quarter Cent Capital Tax package includes \$10 million, over 10 years. Of that amount, \$2.5 million will be available to support project requests, upon approval of Ordinance No. 009, 2026.

Specific project requests for AHCF funding have historically been approved by Council through resolutions or ordinances. Applications for gap funding from the AHCF are accepted on a rolling basis to best respond to developers' requests in the timeframe needed, rather than requiring projects to wait for the next City competitive process and potentially delay the project. Requests are made through a written request submitted to the Housing Manager in the Housing and Community Vitality Department. Staff review requests, including re-reviewing applications for projects that also sought funding through the competitive process and requesting additional or updated information from applicants as needed.

Staff are in process of developing a proposed funding strategy for forthcoming appropriations to the AHCF, including the additional \$5.0 million of Quarter Cent Capital Tax revenue collected from 2016-25. This may include expanded options for AHCF uses as well as proposed process improvements for receiving and processing project requests.

### **Housing Catalyst Village on Eastbrook Request**

Housing Catalyst is requesting \$1.2 million from the AHCF to support the development of the Village on Eastbrook. The project will include 73 affordable rental units and serve households at 30% - 80% AMI. The total estimated project cost is \$34.9 million.

Housing Catalyst was previously awarded \$1.5 million from the City's 2024 competitive process, including \$1.2 million in federal CDBG/HOME funds and \$300,000 in Affordable Housing Funds (general funds). The \$1.2 million in federal funds have triggered Build America Buy America (BABA) requirements which will result in an estimated 2% - 5% increase in costs (approximately \$700,000 - \$1.7 million). Housing Catalyst estimates the federal funds would be used largely to comply with federal funding requirements, which may open up a new gap in the project's funding stack, and will introduce an additional layer of uncertainty in the project, which may lead to additional costs or project delays.

If awarded AHCF funding, Housing Catalyst will return the \$1.2 million in federal CDBG/HOME funds previously awarded by the City to Housing Catalyst. Therefore, federal funds will be swapped with local funds; the City's total financial contribution to the project will remain the same. City staff will redeploy the returned federal funds during the 2026 competitive process, making them available for other development projects in need of funding.

Housing Catalyst has taken several measures to contain project costs given increasing development costs:

- Reduced building size and footprint
- Removed balconies on units
- Removed or changed decorative trim and materials for more cost-effective options
- Removed natural gas infrastructure, creating an all-electric building
- Reduced grass and included more rock and native landscaping

There is \$200,359 of funds remaining in the AHCF from a previous appropriation of 2016-25 Quarter Cent Capital Tax revenues, which may be used to support this request. Staff recommends directing the remaining \$200,359 in 2016-25 funds, along with \$999,641 in anticipated revenue from the 2026-35 funds, pending appropriation through Ordinance No. 009, 2026, for the use of this development project.

Additional information on this request is attached.

### **CARE Communities Windtrail Park Rehabilitation and Preservation Project**

CARE Communities is requesting \$950,000 of AHCF to support the rehabilitation of Windtrail Park Apartments. The project includes 50 units, serving households at 30% - 60% AMI. Ten units are designated for seniors (age 55 and over). The total estimated project cost is \$18,573,766. The project received \$1.0 million in funding from the City through the 2025 competitive process to support this rehabilitation. The City

also supported the original development of Windtrail Park through a \$901,000 award in 1999. This rehabilitation will reset the affordability terms of Windtrail Park, preserving these units as affordable housing.

Windtrail Park Apartments were constructed in 2001 and has not been renovated since it was built. Key features of the renovation will include energy efficient appliances, lighting, and water fixtures, along with the addition of central air conditioning and washers/dryers. The renovation will also include patching of concrete and asphalt for better accessibility and some landscaping to replace dead plants.

CARE Communities is requesting funds to mitigate increases in development costs due to BABA requirements and federal tariffs as well as to offset the impacts of losing other anticipated funding.

CARE Communities has implemented several cost-savings measures for the Windtrail Park rehabilitation:

- Reduced scope of community gardens and eliminated a proposed community gathering area
- Scaled back landscaping
- Patching asphalt rather than full replacement, minimal concrete repairs, and reduced design of trash enclosures
- Reused existing equipment when possible
- Selected lower cost amenities and appliances, ensuring all products still meet energy efficiency requirements
- Substituted certain materials for lower cost options

CARE Communities is working toward a late February closing date for this project. Given the need to finalize funding prior to closing, they are not able to wait and submit another request through the City's competitive process. Funding from the AHCF can ensure the project will not encounter delays due to funding challenges.

Staff recommends directing \$950,000 in anticipated revenue from the Quarter Cent Capital Tax 2026-35 funds, pending appropriation through Ordinance No. 009, 2026, to support the rehabilitation and preservation of affordable housing units at Windtrail Park.

Additional information on this request is attached.

### **Staff Review and Analysis**

Both projects were awarded funds through previous funding rounds of the City's competitive process. As part of the competitive process, staff reviewed each application and summarized key details from the project application as part of the Human Services and Housing Fund Board's (HSHF) funding packet. The HSHF Board and the Affordable Housing Board reviewed and ranked each project application, which includes information on anticipated use of funds, alignment with the City's Housing Strategic Plan, status of project (such as whether the developer has site control and status of other financing/funding requested from other sources), and project budget documents. Ultimately the HSHF Board forwards a funding recommendation to City Council for consideration. During their respective funding competitions, both projects were recommended for funding by the HSHF Board and were approved by City Council.

Upon receiving the AHCF requests, staff reviewed each project's information submitted during the competitive process along with updated project information shared by each organization. Additional information and clarifications were requested from each organization. Responses to those follow-up questions have been incorporated into this AIS and were considered when developing the staff recommendations for this item. Staff also presented these requests to the Affordable Housing Board at their January regular meeting. Attached is the Affordable Housing Board's memo to Council in support of these requests.

## **CITY FINANCIAL IMPACTS**

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Approval of these Resolutions will allocate \$200,359 in 2016-2025 Quarter Cent Capital Tax funds and \$1,949,641 in 2026-2035 Quarter Cent Capital Tax funds. Fulfilling these requests requires approval of Ordinance No. 009, 2026, which would appropriate \$2.5 million in 2026-2035 Quarter Cent Capital Tax funds. If Ordinance No. 009, 2026 is approved and both resolutions are approved, \$550,359 will remain to support additional AHCF requests submitted and \$400,000 will remain to support fee credits for eligible affordable housing units.

## **BOARD / COMMISSION / COMMITTEE RECOMMENDATION**

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The Affordable Housing Board reviewed these requests for funding. Their memo of support for both requests is included as an attachment.

## **PUBLIC OUTREACH**

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Public outreach was conducted as part of the 2015 and 2025 Quarter Cent Capital Tax processes. No additional public outreach was conducted for these specific requests.

## **ATTACHMENTS / LINKS**

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1. Housing Catalyst Request for Support
2. CARE Communities Request for Support
3. Affordable Housing Board Memo, January 13, 2026
4. Resolution 2026-017
5. Resolution 2026-018

December 22, 2025

Vanessa Fenley  
Senior Housing Manager, Housing and Community Vitality Department  
City of Fort Collins  
222 Laporte Ave  
Fort Collins, CO 80521

### **Village on Eastbrook: Request for CCIP Affordable Housing Capital Fund Support**

Thank you for considering Housing Catalyst’s request for \$1.2 million of CCIP Affordable Housing Capital Funds (AHCF) to support the Village on Eastbrook project. The Village on Eastbrook will create an intergenerational affordable housing community in Fort Collins where individuals, families, seniors, and people with disabilities can live with excellent access to opportunities and tailored resident services. This project is ready to proceed. It was awarded Proposition 123 funding in 2024 and Federal/State Low Income Housing Tax Credits (LIHTC) in 2025. Housing Catalyst has submitted for building permits, and the project is scheduled to close on its financing and begin construction in April 2026.

This funding request does not increase the total subsidy awarded to the Village on Eastbrook. Housing Catalyst is requesting this funding to replace a \$1.2 million City-administered CDBG/HOME award received in 2024. Replacing federal funds with local funds is critical for the Village on Eastbrook to avoid \$700,000-\$1.7 million in cost increases and project delays caused by compliance with Build America, Buy America (BABA) requirements.

A commitment of \$1.2 million in CCIP AHCF will ensure that this project remains on budget and on schedule to deliver 73 new affordable homes to the community.

### **Project Overview**

The Village on Eastbrook is composed of 73 units in a 3-story, all-electric, dual-elevator-served building with 333kW of solar. Units are a mix of 44 one-bedroom and 29 two-bedroom apartments. The Project utilizes income averaging with an overall average income of 57.5%. To the right is the detailed area median income (AMI) breakdown and unit mix:

<b>AMI</b>	<b># of Units</b>
30% AMI	7
40% AMI	5
50% AMI	21
60% AMI	18
70% AMI	10
80% AMI	12





The Village on Eastbrook is specifically designed to meet the needs of the community with a Lifelong Homes certification and careful attention to resident demographics. Based on known demographics in Fort Collins and Housing Catalyst's portfolio, we anticipate serving a large percentage of people over 62 years old and many residents with disabilities. To best support these households, one hundred percent of the apartments will be certified under the Institute for the Built Environment's (IBE) Lifelong Homes Pilot Certification, which utilizes evidence-based best practices to create healthy, active, sustainable, and accessible living environments for residents of all ages and abilities. All units in the building will be accessible/visitable, and the building's accessibility features exceed ADA requirements.

The all-electric project also meets Enterprise Green Communities criteria and ENERGY STAR Multifamily New Construction certifications. Its 333 kW rooftop and carport solar array will offset 70% of the building's energy consumption and will contribute to the City meeting its renewable energy and reduction of greenhouse gas emissions goals. The building includes high efficiency building systems and appliances, and a building envelope that exceeds code requirements. The project exceeds EV requirements with 8 EV ready parking spaces.

## Funding Sources

The Total Development Cost for the Village on Eastbrook is \$34.9 million, or \$478,500 per unit.

Source	Amount	Status
Federal - LIHTC	\$10.3 million	Confirmed
State - LIHTC Equity	\$7.8 million	Confirmed
HC - First Mortgage (bonds)	\$7.6 million	Confirmed
HC - Equity	\$2.1 million	Confirmed
State - DOH Grant	\$1.5 million	Pending
State - Prop 123 Land Banking	\$1.3 million	Confirmed
HC - Deferred Developer Fee	\$1.3 million	Confirmed
City – AHCF (current request)	\$1.2 million	Pending
HC - Seller Carry	\$0.8 million	Confirmed
Federal - Section 48 (solar) Credits	\$0.6 million	Confirmed
City - AHF	\$0.3 million	Confirmed
City - Fee Credits	\$0.1 million	Confirmed
<b>Total</b>	<b>\$34.9 million</b>	

## Why Now? Build America, Buy America (BABA) Implementation Challenges

Housing Catalyst is requesting to replace federal CDBG/HOME funds with local CCIP Affordable Housing Capital Funds to minimize cost increases and potential schedule delays due to compliance with Build America, Buy America (BABA) requirements.

As of 2024, Federal funding administered through the City’s competitive process is subject to Build America Buy America (BABA) requirements. BABA is a procurement law enacted as part of the Infrastructure Investment and Jobs Act (IIJA). BABA creates a “Buy America Preference” for infrastructure projects financed by federal financial assistance, with the goal of maximizing use of American-made materials and products. Products subject to BABA requirements include iron, steel, construction materials, and manufactured products.

Projects like the Village on Eastbrook are in a unique position relative to the implementation of BABA requirements. Affordable housing developments take several years to design, entitle, and construct. This makes compliance with new regulations like BABA challenging, especially if project design and entitlement is substantially complete. In addition, communication from the federal government about BABA requirements has been inconsistent and contradictory. BABA compliance can cause project delays, increases costs, requires an additional consultant to help



navigate the federal process (\$75,000), and creates significant administrative burden for both the construction team and the City to monitor compliance.

**We estimate that complying with BABA will result in a 2-5% escalation in construction cost, which will add \$700,000-\$1.7 million to the cost of the Village on Eastbrook.** The cost of complying with BABA substantially erodes the impact of the City's \$1.2 million CDBG/HOME funding award, creating new gaps and uncertainty in a project that is ready to proceed. We are confident that there are more effective and efficient uses for the City's federal funding allocation that will ensure the City's federal funds are utilized for building affordable housing rather than covering the cost to comply with BABA. Housing policy experts and advocates anticipate that BABA requirements will be reduced or streamlined over time. Approving this funding request now allows the Village on Eastbrook to move forward, while positioning future projects to benefit from a more refined and efficient BABA framework for federal funding awards.

### **City of Fort Collins Contribution to Village on Eastbrook**

This \$1.2 million AHCF request does not change the total \$1.5 million of City-administered funding awarded to the Village on Eastbrook. Rather, this request would replace \$1.2 million of awarded CDBG/HOME funds with \$1.2 million CCIP Affordable Housing Capital Funds. The total City-administered subsidy for the Village on Eastbrook would remain \$20,500 per unit, which is significantly less than the typical City subsidy of \$40,000 per unit (Affordable Housing Strategic Plan, 2021).

We recognize that the timing of BABA compliance has created this unique circumstance and that it is not typical procedure to replace federal funds with local funds. Upon relinquishing federal funds, the \$1.2 million CDBG/HOME funds awarded to the Village on Eastbrook will return to the City-administered competitive process. We have consulted with staff, and our understanding is that these funds can be redeployed into other affordable projects with no negative impact to the City or its federal funding allocations.

### **Changes Since 2024 Funding Application**

The Village on Eastbrook secured tax credit financing through CHFA this year after two competitive tax credit rounds. There have been several changes to the project since its initial award from the City of Fort Collins in 2024:



- a. Addition of a second elevator to promote more reliability and better accessibility.
- b. Redesigned kitchen layouts for improved livability for residents to age in place.
- c. Change to a single electric meter for the Project to maximize cost offset from solar and streamline building efficiency tracking. Utilities will now be paid by Housing Catalyst. All the utilities are now part of the residents' rent. This is a benefit to the residents as they will not be subject to fluctuating utility bills due to the nature of solar power offsets.
- d. All ground floor units have at least one walk in shower, making these units more livable for residents of all ages and abilities.
- e. Increase in the number of fully accessible units to 9 and the number of units serving visually impaired households to 5. This exceeds the minimum requirements.
- f. Removal of all Project Based Vouchers (due to federal funding uncertainty), while maintaining the same unit mix and affordability.
- g. Change to project timeline by one year. Originally, the Village on Eastbrook was scheduled to begin construction in Spring 2025. Because two competitive tax credit applications were required, construction is now scheduled to begin in Spring 2026.

Thank you for your consideration. Please let us know if you need any additional information.

Sincerely,



Julie J. Brewen, CEO



## Housing Catalyst Village on Eastbrook

Jump to: [Pre-Application](#) [Application Questions](#) [Documents](#)

**\$ 1,500,000.00** Requested

Submitted: 2/12/2024 6:39:16 PM (Pacific)

### Project Contact

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Tel: 9704162938

### Additional Contacts

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### Housing Catalyst

1715 W Mountain Avenue  
Fort Collins, CO 80521

### CEO

Julie Brewen  
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## Pre-Application [top](#)

### 1. Which describes the "type" of applicant for this project (the lead applicant if more than one)?

- ☒ Public Organization
- ☐ Community Housing Development Organization (CHDO)
- ☐ Private For-Profit Organization Developer
- ☐ Private Non-Profit Organization

### 2. What specifically are you seeking funding for?

- ☐ Housing acquisition
- ☒ Land acquisition
- ☒ New construction costs
- ☐ Homeownership rehab
- ☐ Rehab of existing rental housing
- ☐ Homeownership assistance
- ☐ Other

### 3. Which category of housing will this funding request assist?

- ☒ Rental
- ☐ Homeownership
- ☐ Both Rental & Homeownership

### 4. Which of these 6 outcomes of the City's Housing Strategic Plan does this project address?

Visit the Resources & Downloads page to view the Housing Strategic Plan: <https://www.fcgov.com/housing/files/20-22913-housing-strategic-plan-no-appendices.pdf?161>

- ☒ Increase housing supply and affordability
- ☒ Increase housing diversity and choice
- ☐ Increase stability and/or renter protections
- ☒ Improve housing equity

- ☐ Preserves existing affordable housing
- ☒ Increase accessibility

HO-5

Item 10.

**5. Provide a brief description of the PROJECT/PROGRAM for which you are requesting funding.**

Housing Catalyst, the Housing Authority for the City of Fort Collins, has been presented with a unique opportunity to provide new expedited affordable housing to our community. A local developer has approached Housing Catalyst with an offer to sell a 2.9-acre parcel of vacant land in a location with many nearby amenities, including a high school, shopping, services, and employment opportunities. Not only does the sale include this prime parcel of land, but it also includes the architectural plans, permits, and approvals for a fully entitled, 73-unit apartment complex. The project was designed by ALM2S, a local experienced architect, who has previous experience working with Housing Catalyst on successful projects. Housing Catalyst is seeking funding for construction costs to make the Village on Eastbrook development a reality. This shovel-ready residential project is a beautiful 3-story, elevator-served building with 44 one-bedroom units and 29 two-bedroom units, as well as a playground and community space. All units will be at or below 60% AMI.

The Final Development Plan, Development Agreement, Building Specifications, and Building Permits are all approved and ready to be issued by the City of Fort Collins. Housing Catalyst currently has a Purchase and Sale Agreement for this property and has applied for a Proposition 123 Land Banking Grant to fund the acquisition. This funding application included a letter of support from the City of Fort Collins. Upon acquisition, Housing Catalyst will continue to work with the existing land planner, architect, and engineering team, all of which Housing Catalyst has worked with on other projects, for a seamless transition that keeps the development moving forward without delay.

This project, with its vibrant design, diverse unit mix, amenities, and elevator will be designed for intergenerational living to support the health and well-being of all ages through social interaction and community connections.

In recent years, about one-in-two adults in America reported experiencing loneliness. And that was before the COVID-19 pandemic exacerbated loneliness and isolation by cutting off so many from their friends, loved ones, and support systems. Loneliness is associated with a greater risk of cardiovascular disease, dementia, stroke, depression, anxiety, and premature death. The mortality impact of being socially disconnected is similar to that caused by smoking up to 15 cigarettes a day, and even greater than that associated with obesity and physical inactivity. The health and societal impacts of this epidemic of loneliness are so critical that the U.S. Surgeon General has identified Social Connection as one of his office's top seven priorities.

Housing can serve an important role in building healthier community connections and providing social interactions that benefit people of all ages. Our communities have become more age-segregated over the past 50 years, which has contributed to the increase in isolation and loneliness among older adults. And recently, research shows that young adults are now feeling more lonely than older adults. Building intergenerational communities that offer the critical social connections that humans are wired for can contribute to better individual physical and mental health and to stronger, more resilient communities.

Housing Catalyst will work with existing local partners such as the Partnership for Age Friendly Communities, the Colorado State University Institute for the Built Environment's (IBE) Lifelong Homes Program, and other community groups to create an intergenerational community at the Village on Eastbrook.

The Village on Eastbrook will serve a range of incomes, with units available to those earning from 30% to 60% of AMI, while being 100% deed restricted affordable housing. Housing Catalyst will leverage its experience in deal structuring, securing tax-credit investment, and compliance for a successful affordable development at Village on Eastbrook. Housing Catalyst is committed to serving very-low-income households in Northern Colorado, and a leader in developing and managing properties that best meet the needs of the community.

Below are the major milestones in the planned development timeline:

August 2023 Submitted Letter of Intent for Proposition 123 Land Banking Funds  
September 2023 Invited to Submit Full Application for Proposition 123 Land Banking Funds  
Late January 2024 Receive Proposition 123 Funding Decision  
February 2024 Submit City of Fort Collins Competitive Process Application  
Early 2024 Acquisition of Land and Fully Entitled Development Plans  
Summer 2024 Submit 4% Noncompetitive Tax Credit Application  
Late 2024 Submit DOH Funding Application  
Spring 2025 Close Tax Credit Partnership  
Spring 2025 Begin Construction  
Fall 2026 Complete Construction  
Fall 2026 Open 73 New Affordable Apartments in Fort Collins

Housing Catalyst has a long-standing commitment to environmental sustainability. This commitment is evidenced by a wide range of sustainability efforts including: installing solar panels on our first tax credit development in 2009; diligently seeking out methods to reduce fossil fuel usage when renovating existing buildings; partnering with state partners like Energy Outreach Colorado on appliance and systems upgrades to improve energy efficiency; working with local partners like the City of Fort Collins' Integrative Design Assistance Program to design and build more efficient buildings; and successfully obtaining Enterprise Green Community certifications for multiple developments.

In keeping with our commitment to energy efficient, livable, and economically sustainable developments, Housing Catalyst plans to certify Village on Eastbrook under the Enterprise Green Communities 2020 criteria and will comply with all City of Fort Collins Energy Code requirements. Sustainability features include Energy Star appliances, LED lighting, low/no VOC contents of materials, and water conservation fixtures.

The site has a Walk Score of 37, which is the average for Fort Collins. While the site is considered Car Dependent, it is considered Very Bikeable. There is a large grocery store, as well as numerous shops, restaurants, services, and employment opportunities within a 12-minute walk. There is an elementary school and a high school within a half mile.

The development will be 100% electric and will incorporate a photovoltaic array. The property meets all the City of Fort Collins' aggressive climate and energy codes, including the local requirement of 10% of electric ready spaces and will provide three tiers of electric vehicle readiness. The project will provide 20% EV Capable spaces, 15% EV Ready spaces, and One EVSE Installed.

The current total development cost is estimated at \$36,500,000. This is calculated from an estimated \$500,000 per unit total development cost, which is based on the construction cost estimate, current costs for the Village on Impala redevelopment, and the proforma being developed in partnership with our tax credit consultant.

**6. What is the location of your project? Provide census tract, parcel number, and address, if known.**

Address: 3221 Eastbrook Drive, Fort Collins, CO 80525

Census Tract: 16.02

Parcel Number: 8730406002 and 8730406004

**7. Does the applicant have site control, or a purchase option on the property?**

☒ Yes

☐ No

☐ N/A

**8. What is the current zoning of the subject property? Has this been verified with the City of Fort Collins, who was contacted?**

Current Zoning: Employment District (E). This has been verified by Jason Holland, City Planner, who was the planner involved in the Conceptual Review. The project is fully entitled, including FDP approval, Development Agreement, and Building Permit approval

**9. What is the permitted use "category" of your project?**

Multifamily Housing

**10. Development Status: Has the project had a Conceptual Review?**

☒ Yes

☐ No

☐ Doesn't apply to this project

**11. If answered "yes" to question #10, and the project requires a Conceptual Review, what is the name of the City Planner taking you through the process? (If not applicable, enter N/A).**

Jason Holland was the planner involved in the Conceptual Review.

**12. If answered "no" to question #10, and the project requires a Conceptual Review, why has the project not been through the process? (If not applicable, enter N/A).**

N/A

## Application Questions [top](#)

**1. SAM (System for Award Management) Registration at [www.sam.gov](http://www.sam.gov) and issuance of a UEI number. Provide your UEI # and list your current status—active; no active exclusion records reported; in process, etc. (Begin this process more than two weeks prior to application).**

UEI: C3KLXNVXLTN5 Status: Active

**2. Based on your organization's most recent audit, were there any outcomes or findings that changed the way the organization does business? If yes, please cite examples from the audit that helped improve performance.**

Housing Catalyst has an AA- rating from Standard and Poors, has more the \$293 million in owned and managed assets, revenues of more than \$46 million, and had no findings in its most recent audit. Housing Catalyst has received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association for the last ten consecutive years. The agency is one of only two housing authorities in the state to be recognized. The achievement recognizes the transparency of the organization and demonstrates that financial reporting is robust and comprehensive.

**3. Summarize what you would like the City's funds to pay for. Discuss how funding meets the strategies and goals outlined in the Housing Strategic Plan (<https://www.fcgov.com/housing/files/20-22913-housing-strategic-plan-no-appendices.pdf> 1618855189). List the cost of each item and PRIORITIZE them.**

Housing Catalyst has identified a need for \$1,500,000 from the City Competitive process for new Construction hard costs. The Construction hard costs are anticipated to be approximately \$19,680,000 and a City award would fund a portion of that work.

Funding assistance provided by the City of Fort Collins will meet the strategies and goals of the Housing Strategic Plan in multiple

ways. The City's Strategic Plan envisions a city where A.) Everyone has Access to Housing, B.) Healthy Housing, C.) Stable Housing, and D.) Affordable Housing.

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A.) Everyone has Access to Housing: Constructing 73 new deed-restricted housing units at the Village on Eastbrook supports the City's Strategic Plan goal of having 10% of its housing stock deed restricted and affordable to households earning <80% of AMI by 2040.

B.) Healthy Housing: The Village on Eastbrook will cater to all demographics including individuals, families, and seniors. Like all of its recent new construction projects, Housing Catalyst will provide a safe, healthy, energy efficient, and stable building for residents of all abilities. A key focus for this project is accessibility. Housing Catalyst plans to work with Institute for the Built Environment to ensure the organization's Lifelong Homes Initiative guidelines are achieved.

C.) Stable Housing: Housing Catalyst is northern Colorado's largest affordable housing developer, property manager, and owner. The organization manages over 1,000 housing units and has been an active affordable housing provider in the community for over 50 years. All of Housing Catalyst's construction projects are affordable and all new construction projects have use restrictions in place which ensure housing is available for low-income residents for a minimum of 40 years, if not longer. Housing Catalyst has all the resources needed to construct, own, and operate housing so that residents are able to maintain stable housing now and into the future.

D.) Affordable Housing: Housing Catalyst seeks provide housing that allows residents to spend no more than 30% of their income on housing at all of its projects. The Village on Eastbrook will also provide housing units for residents with a range of incomes: 30% of area median income up to 60% of area median income.

The Village on Eastbrook project will meet these vision components and also support the following Strategies in the Housing Strategic Plan: Increase Housing Supply & Affordability by building new units; Increase Stability & Renter Protection by providing access to all of Housing Catalyst's resources; Increase Accessibility – the Village on Eastbrook will have a specific focus on providing housing for seniors and those with mobility impairments; Increase Housing Diversity/Choice - Housing Catalyst provides a wide range of housing opportunities throughout the City of Fort Collins and the Village on Eastbrook will provide yet another option for housing the community's residents; and lastly Improve Housing Equity by providing more affordable housing opportunities on the eastern side of Fort Collins for residents of all backgrounds.

#### 4. Provide total number of units to be assisted with City funds, demographic served, AMI levels targeted, etc.:

- Number of Assisted Units: 73
- Demographic Served: Individuals, families, seniors
- AMI Levels Targeted: 30% - 60% AMI

#### 5. What is the total cost for this PROJECT/PROGRAM?

\$32,478,700 which includes all project costs

#### 6. What is the total development cost per unit?

\$444,914 per unit

#### 7. For housing projects, indicate the number of housing units in the project according to income categories.

4	0-30% AMI
6	31-50% AMI
63	51-60% AMI
0	61-80% AMI
73.00	TOTAL

#### 8. Why is this PROJECT/PROGRAM needed in our community? If applicable, provide information from market studies or other supporting documentation.

Housing is the most important platform for pursuing all other life goals. A secure place to live is a fundamental requirement for quality of life and well-being. According to the City's Affordable Housing Strategic Plan, 60% of renters are cost-burdened and the current inventory of affordable units is well below what the City has identified as necessary to meet the need for affordable housing.

There is a significant shortage of affordable housing units in the community with 99% of the affordable housing units in the area occupied. According to a recently conducted market analysis for Housing Catalyst, there is significant demand for additional family LIHTC rental housing in the area, as evidenced by the low vacancy rates; lengthy waitlists and wait times up to 4 years; the projected renter household growth; and the relatively limited supply of new family LIHTC units in the local development pipeline.

#### 9. Have any federal HOME funds been invested in the subject property in the last 20 years from any funder (not just City of Fort Collins)? If yes, provide date, amount, by whom, to whom, and any other relevant information. Indicate if unknown/or n/a.

No

#### 10. Have you received, applied for, or anticipate applying for Low Income Housing Tax Credits (LIHTC) for this project?

yes, please provide details (4% or 9%; anticipated approval date, etc.)

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If applying for LIHTC, is project located in a Qualifying Census Tract (QCT)? Yes or No?

Housing Catalyst will be applying for federal noncompetitive 4% Low-Income Housing Tax Credits in August of 2024 with an anticipated approval date of December 2024. The Village on Eastbrook site is not located in a Qualified Census Tract.

**11. Is this project dependent on commitments or allocations of other funding sources? If so, please provide details:**

This project is dependent on an allocation of noncompetitive tax credits and the City and County 2024 PAB allocations; it is dependent on Proposition 123 funds for land acquisition which have already been awarded; and it is also dependent on gap funding from Colorado Division of Housing.

**12. Do you plan to apply for other City resources, such as Private Activity Bond allocation or Fee Relief, for this project?**

Housing Catalyst plans to request the City's Private Activity Bond allocation and Fee Relief for this project.

**13. Briefly outline the timetable for the commitment and expenditure of the funding being requested (include other project factors, such as rezoning, construction schedule, or application(s) for funding):**

Housing Catalyst was successfully awarded a highly competitive Proposition 123 land banking grant, which will fund the land value portion of the acquisition of the project site. This funding will be received in the spring of 2024 and the purchase of the land will follow. A top priority for Housing Catalyst is to utilize development and partnerships to increase the supply of affordable housing in the community. In alignment with this mission, Housing Catalyst is working with outside partners to strategically align resources and timing that will ensure the ability for multiple projects to proceed. As a result of this effort, the Village on Eastbrook can proceed with non-competitive tax credits by utilizing larger partnership fees from other local projects. We strongly believe this approach will provide the greatest benefit to the community while keeping this important project on track for development.

It is currently anticipated that the LIHTC financial closing and construction will begin in the summer of 2025.

**14. To help promote the efficient use of federal, state, and local funding, please describe how the PROJECT/PROGRAM will maintain short-term, long-term, or permanent affordability:**

The Village on Eastbrook will maintain affordability short-term via use restrictions required by City and CDOH funds which will keep the housing units rent-restricted for approximately 15 or 20 years. Additional affordability requirements will be implemented by the LIHTC program which has a 40-year affordability restriction and also by HUD's project-based voucher program. Thereafter, Housing Catalyst intends to continue fulfilling its mission of providing affordable, accessible, safe, and equitable housing by keeping the property rent-restricted for the foreseeable future.

**15. Describe how your project incorporates Green Building, LEED, Enterprise Green Communities, Energy Star or Energy Efficient aspects. Please include any consultation with the City of Fort Collins Utilities, including the Integrated Design Assistance Program (IDAP).**

Housing Catalyst has a long-standing commitment to environmental sustainability. This commitment is evidenced by a wide range of sustainability efforts including: installing solar panels on our first tax credit development in 2009; diligently seeking out methods to reduce fossil fuel usage when renovating existing buildings; partnering with state partners like Energy Outreach Colorado on appliance and systems upgrades to improve energy efficiency; working with local partners like the City of Fort Collins' Integrative Design Assistance Program to design and build more efficient buildings; and successfully obtaining Enterprise Green Community certifications for multiple developments.

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The development will be 100% electric and will incorporate a photovoltaic array. The property meets all the City of Fort Collins' aggressive climate and energy codes, including the local requirement of 10% of electric ready spaces and will provide three tiers of electric vehicle readiness. The project will provide 20% EV Capable spaces, 15% EV Ready spaces, and One EVSE Installed.

**16. Who will be the PROJECT MANAGER? Provide name, address, email, and phone number. (Enter N/A if not applicable).**

Preston Nakayama, 1715 W Mountain Ave, Fort Collins, CO, pnakayama@housingcatalyst.com, 970-416-2911

**17. Who is the DEVELOPER for this project? (Enter N/A if not applicable).**

Housing Catalyst

**18. Has this DEVELOPER completed other projects in the City of Fort Collins. If so, please list:**

Housing Catalyst's affordable housing real estate development experience spans more than 15 years and includes both new construction and rehabilitation. Our development portfolio includes 1,047 affordable units in 11 developments financed with both 4% and 9% federal and state Low Income Housing Tax Credits, private activity bonds, CDBG, HOME, Division of Housing, and other local, state and federal funding sources. With this combination of public and private financing, Housing Catalyst secures long-term financing for each development. Housing Catalyst has also been instrumental in creating an additional 600+ affordable housing units through various partnerships with nonprofit and private developers.

The following is a list of affordable housing projects completed by Housing Catalyst over the last 10 years:

- Village on Impala: 86-unit, \$44.8M new construction and renovation (2025)
- Plum Place: 15-unit, \$3.2M renovation (2024)
- Village on Bryan: 27-unit, \$3M renovation (2023)
- Oak 140: 79-unit, \$31.5M new construction, with commercial space and parking garage, partnership with the Downtown Development Authority, (2023)
- Swallow Road Apartments: 84-unit renovation project in partnership with CARE Housing (2022)
- Myrtle Street: 16-unit, \$1M Single Room Occupancy renovation (2021)
- Mason Place: 60-unit, \$19.4M permanent supportive housing new construction (2021)
- Village on Horsetooth: 96-unit, \$27M new construction (2018)
- Village on Shields: 285-unit, \$68M renovation (2018)
- Village on Redwood: 72-unit, \$19.4M affordable housing new construction (2017)
- Redtail Ponds: 60-unit, \$12.5M permanent supportive housing new construction (2017)
- Village on Plum: 95-unit, \$16.1M renovation (2015)

**19. If the project is new construction or rehab, please list and provide a brief explanation of similar projects you have completed:**

Housing Catalyst has successfully completed several similar tax credit, new construction development projects, including the Village on Redwood and Village on Horsetooth, as well as the Village on Impala which is currently underway. Housing Catalyst will leverage its significant experience in deal structuring, securing tax-credit investment, and compliance for a successful affordable development. Both the Village on Redwood and the Village on Horsetooth received local and national industry recognition, including a National Association of Housing and Redevelopment Officials (NAHRO) Award of Merit in Affordable Housing for the Village on Horsetooth; a Fort Collins Utilities Energy Efficiency Award and NAHRO Award of Excellence in Project Design for the Village on Redwood.

Housing Catalyst is the largest affordable housing developer and property management company in Fort Collins. Founded in 1971 with just one employee, Housing Catalyst now has a staff of more than 100 employees. Housing Catalyst is committed to serving very-low-income households in Northern Colorado and is a leader in developing and managing properties that best meet the needs of the community.

Housing Catalyst successfully owns and operates an extensive portfolio of mixed-income developments, manages federal housing vouchers, and provides resident services. In 2022, Housing Catalyst supported 1,794 local families with housing voucher assistance, supported more than 500 residents through its Residents Services programs and its two Permanent Supportive Housing developments, and served 2,179 residents living in Housing Catalyst-managed homes with affordable rents.

Housing Catalyst uses a Triple Bottom Line model to build healthy and sustainable affordable communities. We are led by a skilled executive team with extensive experience in real estate acquisition, development, management, and financial administration. We create vibrant, sustainable communities, incorporating green building design into all our ventures and serving as a model for high standards in asset and property management, as evidenced by numerous awards for project design, innovations, environmental sustainability, accountability, and financial reporting.

**20. If you answered question #19, attach evidence of your organization's capacity and experience to undertake and complete the project within the established timetable and budget (upload financial commitment(s) from other funding sources):**

Development Resume and Financial Commitments uploaded

**21. If the project is new construction, or substantial rehab, please explain how it will comply with Fair Housing and Section 504 Accessibility requirements.**

This project will comply with Fair Housing Guidelines and Section 504 Accessibility requirements as detailed in responses to other questions.

**22. If this project includes rehabilitation of currently occupied property, will it meet the CDBG/HOME requirements of the Uniform Relocation Act (URA)? Answer Yes/No/NA for each. View the URA Criteria at [www.fcgov.com/socialsustainability/cpddocuments](http://www.fcgov.com/socialsustainability/cpddocuments)**

*Applicant must attach current occupant census and proof that General Information Notices (GINs) were delivered to all occupants. Failure to attach these items will result in disqualification of the application for federal assistance.*

General Information Notice with proof of delivery

Current Tenant Census

**TOTAL**

**23. If this project includes acquisition of real property, will it meet the following CDBG/HOME requirements of the Uniform Relocation Act (URA)? Answer Yes/No/NA for each. View the URA Criteria at [www.fcgov.com/socialsustainability/cpddocuments](http://www.fcgov.com/socialsustainability/cpddocuments)**

*Applicant must attach current occupant census and proof that General Information Notices (GINs) were delivered to all occupants. Failure to attach these items will result in disqualification of the application for federal assistance.*

General Information Notice with proof of delivery



N/A	Voluntary Arm's Length Transaction
N/A	Current Occupant Census
N/A	Not currently under contract for purchase
0.00	<b>TOTAL</b>

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**24. Is there any additional information about the proposed PROJECT/PROGRAM for which you are requesting funds that you deem helpful for us to know? If so, please explain:**

Housing Catalyst, the Housing Authority for the City of Fort Collins, has been presented with a unique opportunity to provide new expedited affordable housing to our community. A local developer has approached Housing Catalyst with an offer to sell a 2.9-acre parcel of vacant land in a location with many nearby amenities, including a high school, shopping, services, and employment opportunities. Not only does the sale include this prime parcel of land, but it also includes the architectural plans, permits, and approvals for a fully entitled, 73-unit apartment complex. The project was designed by ALM2S, a local experienced architect, who has previous experience working with Housing Catalyst on successful projects. Housing Catalyst is seeking funding for construction costs to make the Village on Eastbrook development a reality. This shovel-ready residential project is a beautiful 3-story, elevator-served building with 44 one-bedroom units and 29 two-bedroom units, as well as a playground and community space. All units will be at or below 60% AMI.

The Final Development Plan, Development Agreement, Building Specifications, and Building Permits are all approved and ready to be issued by the City of Fort Collins. Housing Catalyst currently has a Purchase and Sale Agreement for this property and has already received an award for a Proposition 123 Land Banking Grant to fund the acquisition. This funding application included a letter of support from the City of Fort Collins. Upon acquisition, Housing Catalyst will continue to work with the existing land planner, architect, and engineering team, all of which Housing Catalyst has worked with on other projects, for a seamless transition that keeps the development moving forward without delay.

This project, with its vibrant design, diverse unit mix, amenities, and elevator will be designed for intergenerational living to support the health and well-being of all ages through social interaction and community connections. Housing Catalyst will work with existing local partners such as the Partnership for Age Friendly Communities, the Colorado State University Institute for the Built Environment's (IBE) Lifelong Homes Initiative, and other community groups to create an intergenerational community at the Village on Eastbrook. In a deliberate effort to help address the physical and mental impacts of loneliness commonly found in seniors in our society, the Village on Eastbrook will focus on ways the built environment and programming can foster connectivity. Housing Catalyst is uniquely positioned to offer this type of community due to its extensive local partnerships and holistic property management, maintenance and service programs.

Housing Catalyst developments comply with the standard requirements of 10% of the units to be accessible for mobility impairments and an additional 2% of units will be accessible for hearing/vision impairment. Additionally, all entrances and exit routes, common areas and amenities will be accessible throughout the development, and it will have multiple ground floor units that will be accessible or adaptable with walk-in showers. As it is the intent of the project to meet the Institute for the Built Environment's Lifelong Homes Initiative and provide housing for residents that are fully mobile as well as those that have significant mobility impairments, the Village on Eastbrook will be able to serve residents at all life stages, allowing them to age in place if they desire.

Of note, the market study submitted with this application deviates slightly from Housing Catalyst's current plans in certain areas as we continue to assess and refine the proforma for the Eastbrook project. AMI mix will vary from what is in the current market study and we continue to coordinate with the market analyst to ensure that our understanding of the needs of the project are accurate and up to date. It was previously anticipated that the project could support 25 project-based vouchers, however, this number is still being revised based on available data as well. Updates to this portion of the application will be generated in the coming weeks and months as we continue to study the best population served at the site while maintaining the project's financial feasibility. Due to the extensive development pipeline, recently completed projects, as well as internal waitlists, Housing Catalyst always maintains current understanding of the market needs across the affordability spectrum in Fort Collins.

It is Housing Catalyst's desire to fulfill the goals of the City's strategic plan and continue to advance a balanced housing market in northern Colorado. Housing Catalyst is only able to build new housing for low-income individuals and families with the help from great funding partners like the City of Fort Collins, the state of Colorado, and the Low-Income Housing Tax Credit program. The ability to construct new affordable, attainable, healthy, and efficient housing is a key focus for Housing Catalyst now and into the future, and the Village on Eastbrook project, although a small piece of the puzzle, will help fulfill that mission.

**25. If you receive funding (other than through the Competitive Process) from the City of Fort Collins please provide the amount, purpose and department the funding comes from. If no additional funds are received, enter N/A.**

*(EG: fundraiser support, bus and/or recreation, natural area passes, fee relief, etc.)*

Housing Catalyst has received fee relief on previous projects, most recently the Village on Impala redevelopment.

**26. If applicable, demonstrate how the work of this project and is addressing systemic injustice, inequity and/or racial oppression.**

*Enter N/A if the program does not aid these interests.*

Housing Catalyst is committed to advancing equity in all areas of our work, acknowledging the historical disparities that have shaped our current housing landscape. We actively cultivate a culture of inclusion and belonging where every person is welcomed, valued, and respected. We consistently reexamine our policies and practices, looking for opportunities to remove barriers and expand access to resources. We welcome engagement from diverse voices and perspectives to ensure our programs and services are responsive to

community needs.

Housing Catalyst prioritizes developing homes for individuals and families with very low incomes who are more likely to be housing burdened. The 2021 Fort Collins Equity Indicators Report found disparities in housing cost burden for every characteristic examined, including race and ethnicity, homeowner income, and renter income. Project sites are carefully evaluated for access to transportation, schools, employment opportunities, and services to ensure the development will provide homes where residents can thrive. Housing Catalyst approaches housing development with a focus on intentional design, environmental stewardship, and with inclusive processes that build a sense of place.

Beyond upholding Fair Housing and Equal Opportunity standards, we strive to extend respect, dignity, and compassion to all residents and applicants. Housing Catalyst prioritizes digital equity and works to expand access to broadband and WiFi at our properties. We promote social and economic wellbeing for residents by providing support and resources focused on four areas:

- Stability: Working with residents to ensure they can remain in their homes.
- Health and Wellness: Providing activities to support our residents' mental, physical and social wellbeing.
- Education: Supporting our resident parents and their children in achieving success at school.
- Community Engagement: Organizing activities to cultivate community bonds and nurture a sense of belonging.

## 27. How do you affirmatively market your units and promote fair housing access and opportunity to tenants who have historically been marginalized or discriminated against?

Enter N/A if the program does not aid these interests.

Housing Catalyst creates an Affirmative Fair Housing Marketing Plan (AFHMP) for each new property it develops. The plan includes analysis of census information and resident demographics to identify marginalized groups who may be less likely to apply. Targeted marketing strategies are developed specifically for identified audiences. These strategies may include traditional promotions across marketing channels as well as direct outreach to groups who serve our target populations.

Housing Catalyst intentionally builds partnerships with community organizations and resources who have established relationships with underserved populations. This network of partners provides trusted referrals to Housing Catalyst, allowing us to connect with prospective residents who might not be reached through traditional marketing. As Housing Catalyst has been serving Fort Collins for more than fifty years, our community network is vast and deep.

Once we have connected with a prospective resident, we strive to reduce barriers in the application process. We have resources in place to support applicants who need assistance due to a language barrier or disability.

## Documents [top](#)

### Documents Requested \*

### Required? Attached Documents \*

BOARD OF DIRECTORS APPROVAL (Upload: can be meeting minutes, email approval, or brief memo)	<input checked="" type="checkbox"/>	<a href="#">HC Board Resolution - Eastbrook Funding Request</a>
BOARD OF DIRECTORS QUALIFICATIONS/RELEVANCY (Upload)	<input checked="" type="checkbox"/>	<a href="#">HC Board of Commissioners Bios</a>
IRS 501(c)3 DESIGNATION if applicant is a nonprofit (Upload the first page)	<input checked="" type="checkbox"/>	<a href="#">HC IRS Determination Letter</a>
SAM (System for Award Management) Registration/Activation Information (Upload)	<input checked="" type="checkbox"/>	<a href="#">HC SAM Registration</a>
Certificate of Good Standing from Secretary of State (dated 2023 or 2024) (Upload)	<input checked="" type="checkbox"/>	<a href="#">HC Local Government Filing DOLA</a>
AUDIT--most recent (Upload)	<input checked="" type="checkbox"/>	<a href="#">HC Audit 2022</a>
PROJECT OPERATING BUDGET WORKSHEET (Download template here) <a href="#">download template</a>	<input checked="" type="checkbox"/>	<a href="#">Eastbrook Operating Budget</a>
LETTER OF FINANCIAL COMMITMENT (Upload letters from funders, LOI, etc.)	<input checked="" type="checkbox"/>	<a href="#">HC Development Resume</a> <a href="#">Financial Commitment Villages Eastbrook</a>
MARKET ANALYSIS (Upload)	<input checked="" type="checkbox"/>	<a href="#">Market Analysis Eastbrook</a>
Budget: Funding Sources/Revenues (Download template here) <a href="#">download template</a>	<input checked="" type="checkbox"/>	<a href="#">Eastbrook Sources Revenues</a>
SOURCES AND USES WORKSHEET (Download template here) <a href="#">download template</a>	<input checked="" type="checkbox"/>	<a href="#">Eastbrook Sources and Uses</a>
Board of Directors Acknowledgement (Download template here) <a href="#">download template</a>		<a href="#">HC Board Acknowledgement</a>

Item 10.

UNIFORM RELOCATION ACT COMPLIANCE (Upload, if applicable) (Includes Tenant Census, Voluntary Acquisition Notice, and General Information Notice with Proof of Delivery)

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Item 10.

Census of Current Occupants (required for rehab projects and purchases with existing tenants) (Download template here)

[download template](#)

General Information Notice & Proof of Delivery (required for rehab projects and purchases with existing tenants)

Capital Needs Assessment (required for rehab projects)

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Application ID: 460030

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## Board of Commissioner Bios

### JENNIFER WAGNER, CHAIRPERSON

Jennifer Wagner is a life-long Fort Collins resident who is passionate about housing and has focused her career on Northern Colorado real estate and finance. Wagner specializes in residential construction lending and is currently a Senior Vice President for Bank of Colorado. She has served on several other community and regional boards and organizations.

*Original Appointment: January 2020 | Term Expiration: December 2028*

### LIZETTE MILL, VICE-CHAIRPERSON

A NAHRO Certified Commissioner, Lizette Mill served on the Villages Ltd., Board of Directors for three years before being appointed to the Housing Catalyst Board of Commissioners. Mill is a retired software developer and technical consultant who has been active in community development since 1996, when she moved into a Fort Collins neighborhood she helped design and develop. She is the treasurer of a small community-owned business.

*Original Appointment: April 2021 | Term Expiration: December 2024*

### EMILY FRANCIS, COMMISSIONER

Emily Francis represents District 6 on the Fort Collins City Council and serves as Mayor Pro Tem. Since taking office, Francis has focused on supporting working families through housing, preservation of mobile home parks, economic mobility, and environmental sustainability. Francis is currently the Equity Resource Supervisor in the Colorado Department of Public Health and Environment. She oversees the Equity Resource Support Team Unit within the Disease Control and Public Health Response Division. The unit works to identify and support various agencies to increase and access opportunities and resources to promote health equity.

*Original Appointment: May 2019 | Term Expiration: TBD; City Council Liaison*

### ANN GREEN, RESIDENT COMMISSIONER

Ann Green has a background in nursing and mental health with a focus on gerontology. Her professional experience focused on client services across several industries. Green's heartfelt understanding of the needs of elderly and disabled citizens brings valuable perspective to the Board as it continually looks for ways to build strong communities that support individual well-being.

*Original Appointment: January 2016 | Term Expiration: December 2024*

## KAREN DUNBAR, COMMISSIONER

Karen Dunbar is the Associate Vice President for Gift Planning at Colorado State University, a position she has held since 2016. From 1993-2016, she was affiliated with CSU through her service to the CSU Foundation as their Chief Financial Officer. Dunbar received her degree from CSU, maintains her CPA license, and is involved in several professional organizations related to higher education and the accounting profession.

*Original Appointment: January 2024 | Term Expiration: December 2028*

## ANNE NELSEN, COMMISSIONER

Anne Nelsen is an architect with *[au]workshop | architects + urbanists*, a Fort Collins firm with a focus on projects that sustainably invigorate neighborhoods and cities. She has nearly twenty years of design experience across a variety of project scales and specializes in both residential design and design-build project delivery. She is a NAHRO Certified Commissioner and also serves on the City of Fort Collins Historic Preservation Commission.

*Original Appointment: January 2023 | Term Expiration: December 2027*

## JOSEPH PENTA, COMMISSIONER

Joseph Penta owns Penta Homes Real Estate and Property Management, a full-service brokerage in Fort Collins committed to providing its clients with the expertise and services to meet all their real estate needs. With a front-row seat to rising housing costs and their impact on the city, he is passionate about finding long-term solutions to provide residents with affordable housing options that enhance the community.

*Original Appointment: January 2023 | Term Expiration: December 2027*

Project Operating Budget

This form is to be used for new construction or redevelopment rental proposals (including assisted living)

Applicant Name: \_\_Housing Catalyst\_\_\_\_\_

Funding Year/Cycle: \_\_2024\_\_\_\_\_

INCOME						EXPENSES	
	Median Income	# of Units	Sq. Ft.	Monthly Rent	Total Annual Rent	Administrative Expenses	
0 Bdrm						Management Fee	\$86,598.03
0 Bdrm						On-site Personnel Payroll	\$55,000.00
1 Bdrm - PBV	30%	3	671	\$1,298.00	\$46,728.00	Health Ins. & Benefits	\$46,246.00
1 Bdrm - PBV	50%	5	671	\$1,298.00	\$77,880.00	Legal and Accounting	\$74,445.00
1 Bdrm	60%	36	671	\$1,221.00	\$527,472.00	Advertising	\$50.00
2 Bdrm - PBV	30%	1	995	\$1,618.00	\$19,416.00	Office Supplies	\$1,000.00
2 Bdrm - PBV	50%	1	995	\$1,618.00	\$19,416.00	Telephone (City Connexion)	\$2,500.00
2 Bdrm	60%	27	995	\$1,460.00	\$473,040.00	Audit	\$10,000.00
3 Bdrm						Other	\$4,200.00
3 Bdrm						Total Administrative Expenses	\$280,039.03
3 Bdrm						Operating Expenses	
4 Bdrm						Utilities (Owner paid)	\$66,045.00
4 Bdrm						Trash Removal	\$13,870.00
4 Bdrm						Fire & Liability Insurance	\$73,000.00
Total Rent Income					\$1,163,952.00	Other (campus wide WIFI)	\$5,475.00
Parking Income						Total Operating Expenses	\$158,390.00
Laundry Income						Maintenance	
Other Income:						Maintenance	\$44,380.00
Other Income:						Repairs	\$79,935.00
Other Income:						Groundskeeping (include snow removal)	\$18,250.00
Other Income:						Reserve Funds	\$0.00
Total Income					\$1,163,952.00	Other (Elevator Maintenance)	\$9,855.00
(Vacancy Rate: 7%)			Less Vacancy		-\$81,476.64	Total Maintenance	\$152,420.00
Annual Effective Gross Income					\$1,082,475.36	Real Estate Taxes	\$0.00
ANNUAL DEBT SERVICE						Operating Reserve	\$0.00
1st Mortgage (HC LT Tax Exempt)					\$409,165.00	Replacement Reserve	\$21,900.00
2nd Mortgage (DOH)					Cash Flow Dependent	TOTAL ANNUAL EXPENSES	\$612,749.03
3rd Mortgage (Seller Carry (Prop 123)					Cash Flow Dependent	NET OPERATING INCOME	\$469,726.33
4th Mortgage (Villages)					Cash Flow Dependent	CASH FLOW (Net Operating Income - Total Annual Debt	\$60,561.33
5th Mortgage (Housing Catalyst (Partnership Fee Equity)					Cash Flow Dependent	P.U.P.A. Expenses*	\$8,393.82
6th Mortgage (Housing Catalyst (City Funds if not HOME)					Cash Flow Dependent		
Total Annual Debt Service					\$409,165.00		

\*P.U.P.A. = Per Unit Per Annum Expenses



**PRIOR**  
& ASSOCIATES

## PRELIMINARY MARKET ANALYSIS

VILLAGE ON EASTBROOK  
3221 EASTBROOK DRIVE  
FORT COLLINS, COLORADO 80525

### PREPARED FOR:

HOUSING CATALYST  
1715 W. MOUNTAIN AVENUE  
FORT COLLINS, CO 80521

EFFECTIVE DATE: JANUARY 25, 2024  
REPORT DATE: FEBRUARY 7, 2024

**PREPARED BY:**  
PRIOR & ASSOCIATES  
650 SOUTH CHERRY STREET #425  
DENVER, COLORADO 80246  
INFO@PRIORANDASSOCIATES.COM  
(303) 861-2728

THAD RAHN, PRINCIPAL  
JETT DOUGLAS, PROJECT MANAGER

## INTRODUCTION & SCOPE OF WORK

We have reviewed the current rental market conditions for the proposed Village on Eastbrook at 3221 Eastbrook Drive in Fort Collins, Larimer County, Colorado. The following sections define the project's market area, discuss current and projected demographic trends, and describe the current rental housing conditions of the market area. The analysis also addresses the level of demand at different income levels and discusses the prevailing income-restricted and market-rate rents.

The market analyst reviewed all relevant data, conducted personal interviews with local apartment managers and independently established the conclusions for this report. The rental properties were surveyed remotely from January 19 to 25, 2024, by Meghan O'Reilly and Jett Douglas. Jett Douglas also completed the report, which was reviewed by Thad Rahn, who confirmed the conclusions of the analysis.



**CERTIFICATION**

This market study has been prepared by Prior & Associates, a member in good standing of the National Council of Housing Market Analysts (NCHMA). Prior & Associates is duly qualified and experienced in providing market analysis for Affordable Housing. The company's principals participate in the NCHMA educational and information sharing programs to maintain the highest professional standards and state-of-the-art knowledge. Prior & Associates is an independent market analyst. No principal or employee of Prior & Associates has any financial interest whatsoever in the development of which this analysis has been undertaken. The relationship of the market analyst is limited to that of an independent market analyst. The fee assessed for the study was not contingent on the outcome of the analysis.

To the best of our knowledge, all data contained in this report is correct to the extent that the local, state and federal recording agencies, and demographic suppliers accurately record and publish this data. All projections were based on current professionally accepted methodology.

By: Prior & Associates

By: 

Thad Rahn

Principal

By: 

Tyler Borowy

Principal

By: 

Jett Douglas

Project Manager

## I. PROJECT DESCRIPTION

This analysis evaluates the feasibility of the subject as a 73-unit rental project to be developed through the Federal Low Income Housing Tax Credit (LIHTC) program, as well as Proposition 123 Land Banking, City of Fort Collins and Colorado Division of Housing funds. Occupancy will be restricted to renter households with incomes between at or below 60% of the area median income (AMI). Of the 73 units, four will be restricted at 30% AMI, 21 at 50% AMI and 48 at 60% AMI.

Although it will not have any age-restrictions, the subject is intended to serve an intergenerational population and will target both seniors and families. The 25 units restricted at 30% and 50% AMI will receive Project Based Vouchers (PBV), which will allow tenants to occupy these units by contributing 30% of their incomes towards rent and utilities. A contract term was not provided. Occupancy for the subject's one- and two-bedroom units will be restricted to households with annual incomes below 60% AMI. Households with one to four persons and incomes less than \$68,160 are potential tenants for the subject's.

2023 LIHTC INCOME LIMITS				
Persons	30%	40%	50%	60%
1	\$23,880	\$31,840	\$39,800	\$47,760
2	\$27,270	\$36,360	\$45,450	\$54,540
3	\$30,690	\$40,920	\$51,150	\$61,380
4	\$34,080	\$45,440	\$56,800	\$68,160
5	\$36,810	\$49,080	\$61,350	\$73,620
6	\$39,540	\$52,720	\$65,900	\$79,080
7	\$42,270	\$56,360	\$70,450	\$84,540
8	\$45,000	\$60,000	\$75,000	\$90,000

Source: HUD

The following table, supplied by the project sponsor and HUD lists the subject's unit distribution by type, size, income restriction, and rent. The subject will use project-specific utilities and will not charge any premiums. The sponsor does not plan to lease additional items or services.

UNIT TYPES, SIZES AND RENTS								
Unit Type	Number of Units	Square Footage	% of Median Income	Maximum Gross LIHTC Rent	Utility Allowance	Maximum Net LIHTC Rent	Proposed Net/Contract Rent	Proposed Net Rent per SF
1BR/1BA*	3	671	30%	\$639	\$66	\$573	\$1,289	\$1.92
1BR/1BA*	11	671	50%	\$1,065	\$66	\$999	\$1,289	\$1.92
1BR/1BA	30	671	60%	\$1,278	\$66	\$1,212	\$1,212	\$1.81
2BR/2BA*	1	985	30%	\$767	\$86	\$681	\$1,606	\$1.63
2BR/2BA*	10	985	50%	\$1,278	\$86	\$1,192	\$1,606	\$1.63
2BR/2BA	18	985	60%	\$1,534	\$86	\$1,448	\$1,448	\$1.47

Source: Project Sponsor; HUD;

\*Denotes units with PBV & contract rents

## II. MARKET AREA DELINEATION

The subject is in the Lake Sherwood neighborhood of southeastern Fort Collins, a newer middle-income, mixed commercial and residential neighborhood that provides shelter for residents who are primarily from Fort Collins or surrounding communities of northeastern Colorado. The Lake Sherwood

neighborhood includes the lands that are north of Horsetooth Road, south of Drake Road, east of College Avenue and west of Timberline Road.

The subject is under the jurisdiction of the City of Fort Collins. The local government offers basic municipal services to residents of the city. Public school students attend classes in the Poudre R-1 School District, which serves the city. The primary circulation area of The Coloradoan includes the cities of Fort Collins and Loveland. The newspaper does not divide rental classified listings into submarkets. Local businesses belong to the Fort Collins Chamber of Commerce, which includes members from throughout Fort Collins and surrounding communities in northern Colorado.

The subject is in the Fort Collins submarket, as defined by CoStar, which covers the lands generally east of Horsetooth Mountain Park, west of Colorado Boulevard, south of West County Road 80 and north of East County Road 30. Local market-rate rental properties appeal to tenants primarily from Fort Collins and out of state, with some from other regions in Colorado, who have healthcare, technology, office, education and professional occupations, with incomes of \$50,000 to \$120,000 per year. The surveyed family LIHTC and mixed-income projects appeal to renter households primarily from Fort Collins, with some from outside the region, who have service, retail, healthcare, government, office, education and blue-collar jobs, or are unemployed, and have annual incomes between \$30,000 and \$60,000. The subject appeals to tenants primarily from Fort Collins and other nearby communities of northeastern Colorado, with roughly 25% moving from outside of the region, who have service, retail, healthcare, blue-collar, education and “gig” jobs, although tenant income data was not provided.

Geographic characteristics and community patterns also influence market area boundaries. West of Fort Collins is the Horsetooth Reservoir and the mountainous terrain of Lory State Park. East and south of the city limits are the Timnath and Loveland, which have different community ties. North of the city limits are the smaller rural communities of Wellington and Laporte.

These factors suggest that the subject’s primary market area (PMA) is the city of Fort Collins, which has 174,241 inhabitants and covers 57 square miles. The subject does not have a readily-definable extended, or secondary, market area.

### III. DEMOGRAPHIC TRENDS

#### E. Total Population

From 2010 to 2022, population increased 1.5% per year in the primary market area (PMA) and 1.6% annually in the Fort Collins MSA. Claritas forecasts that the PMA's population will increase 0.9% per year, to 182,132 in 2028. This projected annual rate of growth is slightly less than the projected 1.1% annual increase for the MSA.

POPULATION TRENDS					
	Estimate		Projection 2028	Average Annual Change	
	2010	2023		2010-2023	2023-2028
Fort Collins MSA	299,630	370,447	391,752	1.6%	1.1%
Larimer County	299,630	370,447	391,752	1.6%	1.1%
Fort Collins (PMA)	143,948	174,241	182,132	1.5%	0.9%

Source: U.S. Census, Claritas, Ribbon Demographics

## F. Total Households

The household data provided by Claritas and Ribbon Demographics utilizes a five-year sample from the American Community Survey (ACS), which is the only survey that provides any income information. According to the U.S. Census, “Single-year and multiyear estimates from the ACS are all “period” estimates derived from a sample collected over a period of time, as opposed to “point-in-time” estimates such as those from past decennial censuses. For example, the 2000 Census “long form” sampled the resident U.S. population as of April 1, 2000. While an ACS 1-year estimate includes information collected over a 12-month period, an ACS 5-year estimate includes data collected over a 60-month period. In the case of ACS 1-year estimates, the period is the calendar year (e.g., the 2015 ACS covers the period from January 2015 through December 2015). In the case of ACS multiyear estimates, the period is 5 calendar years (e.g., the 2011–2015 ACS estimates cover the period from January 2011 through December 2015). Therefore, ACS estimates based on data collected from 2011–2015 should not be labeled “2013,” even though that is the midpoint of the 5-year period.”

While the Census suggests to not label the five-year ACS as 2013, a date needs to be established to delineate household trends from the base year of the Claritas data. As such, because the sample contains five full years of sample data, the mid-point of two and half years is utilized for purposes of determining household growth trends.

Since 2010, the PMA has added an average of 868 households per year, while the Fort Collins MSA gained an average of 2,196 households annually. The PMA is projected to gain 647 households per year through 2028, which accounts for 37% of the MSA's household gain. The PMA's projected annual household growth rate (0.9%) is slower than its rate from 2010 through 2023 (1.4%).

HOUSEHOLDS, 2010-2028			
	Households	Annual Increase	% Increase
<b>Fort Collins MSA</b>			
2010	120,297		
Base Year-2011-2015	125,215	1,405	1.2%
2023	148,840	2,487	1.8%
2028	157,571	1,746	1.1%
<b>Larimer County</b>			
2010	120,297		
Base Year-2011-2015	125,215	1,405	1.2%
2023	148,840	2,487	1.8%
2028	157,571	1,746	1.1%
<b>Fort Collins (PMA)</b>			
2010	58,119		
Base Year-2011-2015	59,236	319	0.5%
2023	69,406	1,071	1.7%
2028	72,640	647	0.9%
Source: U.S. Census, Claritas, Ribbon Demographics			

## G. Renter Household Size

In 2023, there are 2.20 persons per renter household in the Fort Collins MSA and 2.17 in the PMA. Of the PMA's renter households, 34% have one person, 35% two, 27% three or four, and 4% have five or more. The subject's units are targeted to households with between one and four persons, which account for 96% of PMA renters in terms of household size.

HOUSEHOLD SIZE, PMA 2023				
Persons In Household	Total	% Of Total	Renters	% Of Renters
1	17,954	25.9%	10,397	33.6%
2	26,032	37.5%	10,889	35.2%
3	12,041	17.3%	5,281	17.1%
4	9,286	13.4%	3,148	10.2%
5	3,011	4.3%	938	3.0%
6 Or More	1,082	1.6%	307	1.0%
<b>Total</b>	<b>69,406</b>	<b>100.0%</b>	<b>30,960</b>	<b>100.0%</b>

Source: Claritas, Ribbon Demographics

## H. Households by Tenure

In 2023, renters comprise 44.6% of all households in the PMA and 33.7% in the Fort Collins MSA. Claritas projects that the renter rate in the PMA will increase to 44.9% in 2028 and that the PMA will gain an average of 334 renter households annually over the next five years.

HOUSEHOLD TENURE, PMA			
	2023	2028	Annual
Total Households	69,406	72,640	647
Owners	38,446	40,009	313
Renters	30,960	32,631	334
% Renter	44.6%	44.9%	0.06%

Source: Claritas, Ribbon Demographics

The following text and table show any potential discrepancies between the demographic data from Claritas and the absorption data from CoStar. The Claritas data is based on dated, 2010 decennial Census data adjusted for changes reflected in the American Community Survey (ACS) from the U.S. Census. Experience shows that this data can inaccurately reflect the actual number of renters in an area, especially those experiencing significant development. According to CoStar, absorption, "Refers to the change in occupancy over a given time period. Lease renewals are not factored into absorption unless the renewal includes the occupancy of additional space. (In that case, the additional space would be counted in absorption.) Pre-leasing of space in non-existing buildings (e.g., Proposed, Under Construction, Under Renovation) is not counted in absorption until the actual move-in date." While this definition appears more related to commercial space, it also explains the approach for multifamily in the calculations. It is assumed that absorption considers demolitions, or removal of rental units from the inventory, and is a count of additional occupied rental units in an area for a specified time period. Due to several factors that could also impact the actual renter household increase, it does not provide an exact determination of new renters, but gives an estimate to compare to the data from Claritas in order to better establish how many renter households are in a market now and what a realistic growth rate could be. For example, if recent rental absorption from CoStar exceeds Claritas estimates and the vacancy rate has been steady or declining, it is possible that the Claritas growth is understated. Past absorption is no guarantee of future growth, but it can better establish the actual renter base and estimate more likely renter increase in the short-term.

The following table displays the total renter households in the PMA in 2010 from the U.S. Census, as well as the 2023 and 2028 estimates and projections from Claritas, and compares the changes to the rental unit absorption trends reported by CoStar. A significant difference between the numbers could suggest inaccuracies in the current year estimates from Claritas. While past absorption is not a guarantee of future growth, the recent absorption trends could be a more accurate barometer of likely renter household growth, especially in developing areas. The absorption data from CoStar

results in 110 less renter households in the PMA in 2023 than the estimates from Claritas, which would increase to a difference of 1,269 in 2028 if the average absorption in the PMA over the past five years were to continue.

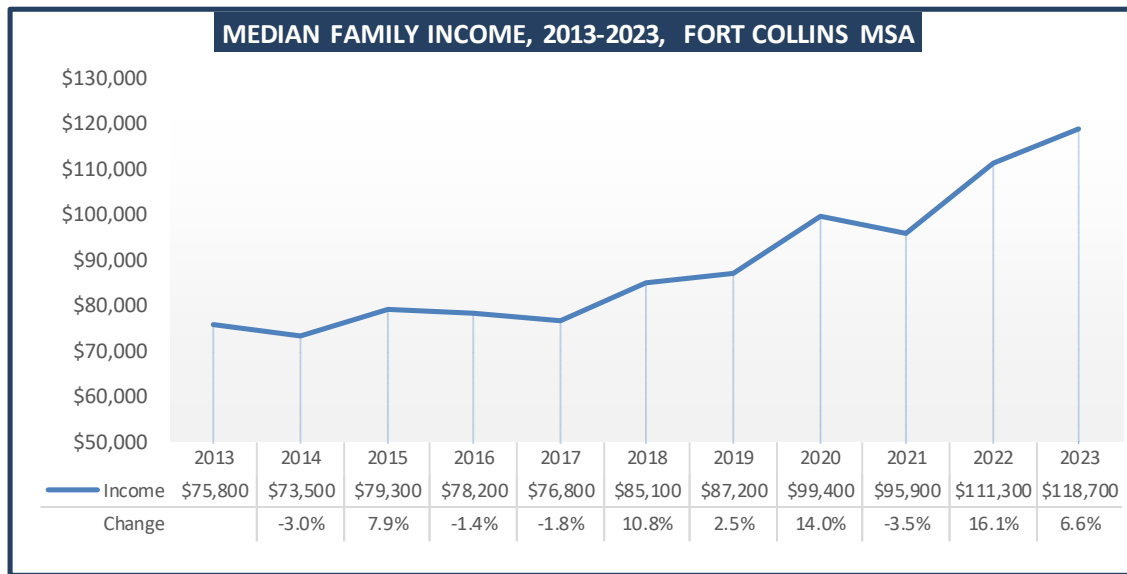
PMA DIFFERENCES IN RENTER HOUSEHOLD ESTIMATES AND ABSORPTION				
Year	RHH (Census/Claritas)	RHH (CoStar Absorption)	Difference	Annual Difference
2010	25,794	25,794	---	---
2023	30,960	30,850	-110	-10
2028	32,631	33,900	1,269	254
Source: Claritas-Ribbon Demographics; CoStar; Analysis by Prior & Associates				

Apartment absorption data from CoStar since 2010 indicates that the PMA has absorbed 389 units per year, while the vacancy rate increased from 4.1% to 4.5% during that period. The average annual absorption in the PMA from the start of 2018 through 2023 was 520 units, while, according to Claritas, the PMA should add 334 renters annually through 2028.

PMA RENTER HOUSEHOLD GROWTH VERSUS ABSORPTION - 2010-2028			
Year	Vacancy Rate	Net Absorption	RHH (Census/Claritas)
2010	4.1%	118	25,794
2011	4.0%	11	---
2012	5.1%	255	---
2013	5.0%	492	---
2014	4.0%	246	---
2015	4.4%	197	---
2016	5.5%	197	---
2017	9.9%	420	---
2018	8.7%	449	---
2019	6.6%	1,145	---
2020	8.2%	232	---
2021	4.0%	1,009	---
2022	3.9%	215	---
2023	4.5%	70	32,631
2028	N/A	N/A	32,631
2010-2023			
Total Change	0.4%	5,056	5,166
Avg. Change	N/A	389	397
2023-2028 (Using Previous 5-Year CoStar Average Absorption & Claritas Forecasts)			
Total Change	N/A	2,600	1,671
Avg. Change	N/A	520	334
Source: Claritas-Ribbon Demographics; CoStar; Analysis by Prior & Associates			

## I. Renter Households by Income

The U.S. Department of Housing and Urban Development (HUD) estimates that the Fort Collins MSA 2023 median family income, which is used to set income and rent limits, is \$118,700. From 2013 to 2023, the median family income increased 4.6% per year. In 2021, the median family income decreased 3.5%, followed by growth 16.1% in 2022 and 6.6% in 2023.



Without rental assistance in place, the maximum allowable net rents for the subject's income-restricted units will start at \$573. Households with annual incomes above \$19,646 can qualify for these units without spending more than 35% of their income for rent. The subject will appeal to households with incomes between this amount and \$68,160, which is the highest eligible income for a four-person household at the 60% AMI level. These units are income targeted to 43.3% of PMA renter households. By applying the specific income range for each renter household size, the PMA has 9,948 income- and size-qualified renter households, which account for 32.1% of PMA renters.

Considering its project-based rental assistance covering 25 units, the subject can target households with incomes as low as \$0, while \$68,160 remains as the highest income limit. With rental assistance in place, the subject's units are income targeted to 62.0% of PMA renters and there are 15,955 income- and size-qualified renter households, accounting for 51.5% of PMA renters.

RENTER HOUSEHOLD INCOME BY SIZE, PRIMARY MARKET AREA, 2023							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
Less than \$10,000	1,648	644	302	71	75	26	2,766
\$10,000-\$20,000	1,418	897	608	186	23	7	3,139
\$20,000-\$30,000	1,486	1,132	699	241	46	19	3,623
\$30,000-\$40,000	1,032	853	483	267	62	15	2,712
\$40,000-\$50,000	1,119	1,277	355	105	38	13	2,907
\$50,000-\$60,000	625	1,005	410	264	27	10	2,341
\$60,000-\$75,000	479	1,308	764	337	179	52	3,119
\$75,000-\$100,000	832	1,474	753	609	177	32	3,877
\$100,000-\$125,000	479	911	232	293	36	11	1,962
\$125,000-\$150,000	264	320	164	349	98	43	1,238
\$150,000-\$200,000	291	622	315	145	76	37	1,486
\$200,000 or more	724	446	196	281	101	42	1,790
<b>Total</b>	<b>10,397</b>	<b>10,889</b>	<b>5,281</b>	<b>3,148</b>	<b>938</b>	<b>307</b>	<b>30,960</b>

Source: Claritas, Ribbon Demographics

Although the subject's target income range is likely to change over the next two years, we use the income range from the previous analysis to estimate the number of income-qualified renters in the PMA for its units in 2025. With the projected changes to the income stratification of renters in the PMA, the subject's units would be income targeted to 41.4% of PMA renter households. In 2025, there will be 9,700 income- and size-qualified renter households in the PMA for the subject's units, or

30.7% of PMA renters. When considering its rental assistance, there will be 15,489 income- and size-qualified renters that account for 49.0% of renter households in the PMA.

RENTER HOUSEHOLD INCOME BY SIZE, PRIMARY MARKET AREA, 2025							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
Less than \$10,000	1,616	621	294	66	74	26	2,696
\$10,000-\$20,000	1,367	842	582	182	26	5	3,004
\$20,000-\$30,000	1,442	1,057	653	235	48	19	3,454
\$30,000-\$40,000	1,057	846	492	264	55	14	2,727
\$40,000-\$50,000	1,087	1,234	346	105	38	12	2,822
\$50,000-\$60,000	613	981	391	256	28	9	2,279
\$60,000-\$75,000	511	1,312	781	333	170	47	3,154
\$75,000-\$100,000	848	1,536	806	602	179	28	4,000
\$100,000-\$125,000	528	1,001	256	311	39	10	2,145
\$125,000-\$150,000	327	374	189	370	109	44	1,413
\$150,000-\$200,000	343	723	360	159	88	34	1,707
\$200,000 or more	894	526	240	384	137	46	2,227
<b>Total</b>	<b>10,633</b>	<b>11,053</b>	<b>5,391</b>	<b>3,265</b>	<b>992</b>	<b>295</b>	<b>31,628</b>

Source: Claritas, Ribbon Demographics

## IV. HOUSING TRENDS AND CONDITIONS

### E. Housing Trends and Development Pipeline

Prior & Associates identified five new projects with a total of 561 units that came online since the beginning of 2021. These projects include a 55-unit senior LIHTC project, Cadence, two family LIHTC properties with 163 dwellings, Oak 140 and Northfield Commons, and two market-rate properties.

According to CoStar new construction reports, the Fort Collins Planning & Zoning Department, our survey and Colorado Housing and Finance Authority (CHFA) there are 11 rental projects planned or under construction in the PMA. CHFA indicated that two rental properties have been awarded tax credits in the PMA during the past three years that have not been placed in service. The following text describes the apartment projects that are in the PMA's development pipeline:

- Village on Impala is an 86-unit LIHTC rehabilitation/new construction project under construction at 306 & 400 Impala Circle, 4.9 miles northwest from the subject. The project includes the rehabilitation of 24 existing units and construction of 62 new units. Given that the existing units do not yet operate in the LIHTC program, the project will add 86 units to the tax credit inventory, 18 of which will be covered by project-based rental assistance. It is expected to come online in early 2025.
- Heartside Hill, a 71-unit LHTC project, is under construction at the northwest corner of Trilby and Lemay Avenue, 3.5 miles southwest from the subject. The project is being sponsored by CARE Housing, Inc., will include 16 deeply-subsidized units and should be completed in early 2025.
- Rendezvous Trail Apartments is a 180-unit market-rate/affordable property that is under construction at 2918 S Timberline Road, 0.3 miles from the subject. It will include 57 affordable units designated for Colorado State University employees, and will be completed in phases with the first phase of apartments slated for completion in early 2024 and the remainder of buildings completed by the end of 2024.



- Additionally, there are eight market-rate properties with a total of 1,5220 units planned or under construction in the PMA. These projects are expected to come online within the next two years and included in the following table.

As noted in the following table, although the subject's renovation will not add any new units to the PMA's overall or LIHTC inventory, the completion of all projects in the development pipeline will increase the rental inventory by a total of 1,906 units over the next two years. The subject will compete directly with the 157 units at Village on Impala and Heartside Hill in terms of target market and income restrictions.

UNITS IN THE PIPELINE – PMA					
Name	Construction Status	Project Type	Units	LIHTC Units	Subsidized Units
Subject	Proposed	LIHTC/Subsidized	73	73	25
Village on Impala	Under Construction	LIHTC/Subsidized	62	86	18
Heartside Hill	Under Construction	LIHTC/Subsidized	71	71	16
Rendezvous Trail Apartments	Under Construction	Market-Rate/Affordable	180	0	0
The Quarry	Under Construction	Market-Rate	319	0	0
The Collins	Planned	Market-Rate	116	0	0
Mars Landing	Planned	Market-Rate	90	0	0
The Flats at Hansen Farm	Planned	Market-Rate	240	0	0
The Granary (Fairway Lane)	Under Construction	Market-Rate	264	0	0
1215 South Shields Street	Planned	Market-Rate	77	0	0
209 Cherry Street	Planned	Market-Rate	112	0	0
South College Avenue & Triangle Drive	Planned	Market-Rate	302	0	0
<b>Total</b>			<b>1,906</b>	<b>230</b>	<b>59</b>

Source: CoStar, Fort Collins Planning & Zoning Dept., CHFA

## F. LIHTC Inventory

The PMA has 40 existing LIHTC projects containing 3,330 income-restricted units. Of these, seven are age-restricted projects with 544 units, one is a 60-unit homeless development, another is a 60-unit family/homeless project with 40 units set aside for formerly homeless persons and 20 traditional LIHTC units, and the remaining 31 are non-age-restricted properties that have 2,666 dwellings, of which 182 are deeply-subsidized. The subject's LIHTC units will compete directly with the 2,484 existing non-deeply-subsidized family units in terms of target market and income restrictions, while its 25 units with rental assistance will compete directly with the 182 deeply-subsidized family dwellings.

LOW INCOME HOUSING TAX CREDIT UNITS IN THE PMA BY AMI THRESHOLD										
Existing Projects	Type	Deep Subsidy	20%	30%	40%	50%	60%	70%	80%	Total
Buffalo Run	LIHTC	0	0	0	13	73	0	0	0	86
Bull Run	LIHTC	0	0	0	0	35	140	0	0	175
Cadence (FKA VOA Senior Residences)	Sr. LIHTC	0	4	14	5	4	10	12	6	55
Care at Eagle Tree	LIHTC	0	0	0	14	21	0	0	0	35
Greenbriar Village	LIHTC	0	0	0	0	9	31	0	0	40
Care at Swallow Road	LIHTC	0	0	0	13	20	7	0	0	40
Windtrail Park	LIHTC	0	0	5	25	16	4	0	0	50
Caribou Apartments I	LIHTC	0	0	0	44	52	0	0	0	96
Caribou Apartments II	LIHTC	0	0	10	23	57	6	0	0	96
Coachlight Plaza Apartments	Subsidized	68	0	0	0	0	0	0	0	68
Country Ranch	LIHTC	0	0	0	0	0	117	0	0	117
DMA Plaza	Sr. LIHTC	0	0	25	29	28	42	0	0	124
Fairbrooke Heights	LIHTC	0	0	0	21	14	0	0	0	35
Fox Meadows Apartments	LIHTC	0	0	0	0	21	42	0	0	63
Lakeview on the Rise	LIHTC	0	0	0	0	0	180	0	0	180
Legacy Senior Residences	Sr. LIHTC	0	0	15	0	31	26	0	0	72
Mason Place	PSH	60	0	0	0	0	0	0	0	60
Northern Hotel	Sr. LIHTC	0	0	0	10	18	19	0	0	47
Northfield Commons	LIHTC	0	0	5	0	8	71	0	0	84
Oak 140	LIHTC	8	0	3	2	29	0	29	8	79
Oakbrook Manor Apartments	Subsidized	106	0	0	0	0	0	0	0	106
Oakridge Crossing	Sr. LIHTC	0	0	15	18	49	44	0	0	126
Parkview Court Apartments	LIHTC	0	0	0	0	0	12	0	0	12
Provincetown Green Communities	LIHTC	0	0	17	30	37	0	0	0	84
Redtail Ponds (Family/Homeless)	PSH	40	0	0	6	14	0	0	0	60
Reflections Senior Apartments	Sr. LIHTC	0	0	0	50	21	0	0	0	71
Residences at Oakridge	LIHTC	0	0	0	0	0	22	0	0	22
Springfield Court	LIHTC	0	0	0	22	26	14	0	0	62
Swallow Road Apartments	LIHTC	0	0	5	13	26	40	0	0	84
Village on Cunningham	LIHTC	0	0	0	0	0	54	0	0	54
Village on Elizabeth	LIHTC	0	0	6	23	13	6	0	0	48
Village on Horsetooth	LIHTC	0	0	43	0	0	52	0	0	95
Village on Plum	LIHTC	0	0	0	0	0	94	0	0	94
Village on Redwood	LIHTC	0	0	13	10	19	29	0	0	71
Village on Richmond	LIHTC	0	0	0	0	26	94	0	0	120
Village on Shields	LIHTC	0	0	0	0	26	256	0	0	282
Village on Stanford	LIHTC	0	0	10	35	21	16	0	0	82
Village on Windmill	LIHTC	0	0	0	0	0	91	0	0	91
Woodbridge Senior Apartments	Sr. LIHTC	0	0	0	49	0	0	0	0	49
Woodlands Apartments	LIHTC	0	0	0	0	23	92	0	0	115
<b>Total Existing, January 2024</b>		<b>282</b>	<b>4</b>	<b>186</b>	<b>455</b>	<b>737</b>	<b>1,611</b>	<b>41</b>	<b>14</b>	<b>3,330</b>
<b>Total Existing Family, January 2024</b>		<b>182</b>	<b>0</b>	<b>117</b>	<b>288</b>	<b>572</b>	<b>1,470</b>	<b>29</b>	<b>8</b>	<b>2,666</b>
<b>Planned/Under Construction Units</b>										
Subject	LIHTC/Subsidized	25	0	0	0	0	48	0	0	73
Village on Impala	LIHTC	18	0	15	0	0	53	0	0	86
Heartside Hill	LIHTC	16	0	0	0	5	50	0	0	71
<b>Total Family/Senior Planned/Under Construction</b>		<b>59</b>	<b>0</b>	<b>15</b>	<b>0</b>	<b>5</b>	<b>151</b>	<b>0</b>	<b>0</b>	<b>230</b>
<b>Total</b>		<b>341</b>	<b>4</b>	<b>201</b>	<b>455</b>	<b>742</b>	<b>1,762</b>	<b>41</b>	<b>14</b>	<b>3,560</b>

Source: CHFA; Survey by Prior &amp; Associates, January 2024

## G. Vacancy Rates

In January 2024, the overall surveyed vacancy rate in the PMA was 3.5%. Vacancies were highest in four-bedroom dwellings and lowest in one-bedroom units. The managers of two market-rate properties, Arbors at Sweetgrass and Aspenleaf Apartments, did not disclose vacancies by unit type, and those projects are shown as undistributed below as a result.

VACANCY RATES OF SURVEYED RENTAL UNITS			
Unit Type	Number	Vacant	Vacancy Rate
One Bedroom	225	6	2.7%
Two Bedrooms	902	29	3.2%
Three Bedrooms	457	18	3.9%
Four Bedrooms	16	1	6.3%
Undistributed	602	23	3.8%
<b>Total</b>	<b>2,202</b>	<b>77</b>	<b>3.5%</b>

Source: Survey by Prior &amp; Associates, January 2024

The surveyed Class B LIHTC projects, Lakeview on the Rise and Provincetown Green, were built in 2011 or 2020 and are in above average condition. They were 2.3% vacant and did not have waitlists.

The surveyed Class C LIHTC and mixed-income properties were built between 1996 and 1985, four of which were renovated between 2012 and 2022, and are in average or above average condition. They were 4.0% vacant overall, including 3.7% at LIHTC units only, and one had a waitlist with four applicants. However, their vacancy rate was skewed upward by an underperforming project, Woodlands Apartments, which was 7.8% vacant reportedly due to a recent influx in evictions and typical turnover, and lowers to 2.8% when this project was excluded.

The surveyed Class B market-rate properties were built from 2009 to 2021 and are in above average or excellent condition. They were 3.2% vacant and did not have waits.

The surveyed Class C market-rate properties, Arbors at Sweetgrass and Aspenleaf Apartments, were built in 1971 or 1982, renovated from 2015 to 2023, and are in average condition. They were 3.8% vacant and the managers did not have waitlists.

VACANCY RATES OF SURVEYED RENTAL UNITS					
Unit Type	Total	Class B LIHTC	Class C LIHTC	Class B Market	Class C Market
One Bedroom	2.7%	2.1%	0.0%	3.1%	---
Two Bedrooms	3.2%	2.4%	3.4%	3.4%	---
Three Bedrooms	3.9%	2.0%	5.0%	2.8%	---
Four Bedrooms	6.3%	---	6.3%	---	---
Undistributed	3.8%	---	---	---	3.8%
<b>Total</b>	<b>3.5%</b>	<b>2.3%</b>	<b>4.0%</b>	<b>3.2%</b>	<b>3.8%</b>
Source: Survey by Prior & Associates, January 2024					

Completion of the subject and all other units in the development pipeline could have an adverse impact on the occupancy levels of existing apartments in the market area. According to Claritas, PMA is gaining 334 renter households per year and will gain 668 renters over the next two years. It is likely that the Claritas data is understated given that CoStar reported an average of 520 units being absorbed per year over the past five years.

The primary market area, which has 30,960 renter households and a 3.5% vacancy rate, can add 465 new rental units without exceeding a 5.0% vacancy rate, which is generally considered a balanced rental market. The PMA's pent-up demand for 465 units, coupled with the projected increase of 668 renter households over the next two years, indicates that the PMA can add a total of 1,134 new rental units over the next two years without exceeding a 5.0% vacancy rate. This level of demand is not sufficient enough to absorb all 1,906 units in the development pipeline, including the subject. Consequently, if the subject and all other units in the pipeline proceed to completion, the PMA's rental vacancy rate will increase to 6.9% and be above a balanced threshold. However, Claritas' renter forecasts appear understated when considering recent absorption trends. If the market area continues to absorb 520 units per year, the overall vacancy rate will only increase to 5.8%. Additionally, 88% of the new units in the pipeline are market-rate, indicating that any negative impact on vacancies will be focused on market-rate apartments.

IMPACT ON VACANCY RATES			
Units Needed for Market Balance			
Renter Household Increase			668
Existing Renters		30,960	
Vacancies in Balanced	5.0%	1,548	
Current Vacancy Rate	3.5%	1,083	
Pent Up Demand		465	465
Total Demand			1,134
Units In Pipeline			1,906
Stabilized Occupancy			95%
Adjusted Units in Pipeline			1,811
Net Demand			-677
Impact On Vacancy Rates			
	2024	Change	2026
Rental Units	32,082	1,906	33,988
Occupied Renter Units	30,960	668	31,628
Vacant Units	1,122		2,359
Current Vacancy Rate	3.5%		6.9%

Source: Claritas, Analysis by Prior &amp; Associates

## H. Rents

Three of the 12 surveyed properties were offering concessions in January 2024. Ridgewood Hills is a Class B market-rate property that was offering a month free on its one- and two-bedroom units only, Arbors at Sweetgrass is another market-rate property offering a \$1,000 move-in credit, while Buffalo Run is a mixed-income project that was discounting its two-bedroom market-rate rent \$80 per month.

The following rent analysis uses the surveyed project's adjusted rents, which were adjusted for any tenant utility costs differences when compared to the subject. Although it will use project-specific utilities allowances, the standard utility allowance from Housing Catalyst was utilized to make uniform adjustments.

The Class B LIHTC properties were built in 2011 or 2020 and are in above average condition. The sponsor's proposed 60% AMI rents are 1% higher than the adjusted Class B 60% AMI units. One of these projects only has 60% AMI units, while the other offers units restricted at 50% AMI and below. The subject's proposed 30% and 50% AMI rents are excluded from the comparisons because they are contract rents.

The surveyed Class C LIHTC and mixed-income properties were built between 1996 and 1985, four of which were renovated between 2012 and 2022, and are in average or above average condition. The subject's proposed 60% AMI rents are 1% lower to 3% higher than the average adjusted Class C 60% AMI rents.

SURVEYED ADJUSTED LIHTC RENTS											
	Class B-30% AMI	Class B-50% AMI	Class B-60% AMI	Class C-30% AMI	Class C-50% AMI			Class C-60% AMI			Subject
					Range	Average		Range	Average		60% AMI
One Bedroom	----	----	\$1,197	---	\$879	\$1,016	\$961	\$1,229	\$1,229	\$1,229	\$1,212
Two Bedroom	\$573	\$1,033	\$1,427	\$573	\$1,033	\$1,337	\$1,177	\$1,086	\$1,500	\$1,408	\$1,448
Source: Survey by Prior & Associates, January 2024											

Source: Survey by Prior &amp; Associates, January 2024

The table compares the rents at the subject and the Class B comparables to the LIHTC rent maximums. One of these projects was attaining 60% AMI rents just below (1%-2%) the maximums,

while the other, Provincetown Green, had rents set 13% to 14% below the rent limits but has non-profit ownership that is likely restricting rents at an artificially low level to increase their value.

SUBJECT PROPOSED AND SURVEYED LIHTC PROJECTS RENTS BY PERCENT OF MAXIMUMS								
Subject (Proposed)			Lakeview on the Rise			Pvincetown Green		
BR Type	AMI	% of Max	BR Type	AMI	% of Max	BR Type	AMI	% of Max
1BR	30%	N/A	1BR	60%	98.6%	2BR	30%	85.7%
2BR	30%	N/A	1BR	60%	98.6%	2BR	30%	85.7%
1BR	50%	N/A	2BR	60%	98.5%	3BR	30%	85.8%
2BR	50%	N/A	2BR	60%	98.5%	2BR	40%	86.7%
1BR	60%	100.0%	3BR	60%	98.4%	2BR	40%	86.7%
2BR	60%	100.0%	3BR	60%	98.4%	3BR	40%	86.8%
						2BR	50%	87.4%
						2BR	50%	87.4%
						3BR	50%	87.3%

Source: Survey by Prior & Associates, January 2024

The rents in the following table are for the surveyed Class C LIHTC properties. Windtrail Park and Care at Greenbriar, Swallow Road and Fairbrooke Heights all had rents set below the maximums, but also have non-profit sponsors. The other properties were attaining rents at or slightly above the maximums. The rents that were above the maximums were highly likely due to the use of project-specific utility allowances, which can allow for higher net rents. Based on the precedent and 97% occupancy of the surveyed LIHTC properties, coupled with the projected renter growth and relatively limited number of other LIHTC projects in the pipeline, the maximum allowable 30%, 50% and 60% AMI rents are attainable for the subject.

[illegible]

Source: Survey by Prior & Associates, January 2024

The surveyed Class B market-rate properties were built between 2009 and 2021, and are in above average or excellent condition. The subject's proposed 60% AMI rents are 24% or 28% lower than the average adjusted Class B market-rate rents, while the surveyed Class B 60% AMI rents are similarly 25% or 29% less. The pro forma 30% and 50% AMI rents are Section 8 contract rents, which are 23% or 24% below the Class B market-rate averages.

The surveyed Class C market-rate properties, Arbors at Sweetgrass and Aspenleaf Apartments, were built in 1971 or 1982, renovated from 2015 to 2023, and are in average condition. The subject's proposed 60% AMI rents are 11% or 18% below the Class C average market-rate rents, but the average Class C 60% AMI rents are only 14% to 17% less.

SURVEYED ADJUSTED MARKET-RATE RENTS						
Unit Type	Class B Market			Class C Market		
	Range	Average		Range	Average	
One Bedroom	\$1,469	\$1,818	\$1,678	\$1,317	\$1,563	\$1,478
Two Bedrooms	\$1,617	\$2,573	\$1,903	\$1,468	\$1,718	\$1,628
Source: Survey by Prior & Associates, January 2024						

The precedent of the LIHTC comparables suggests that a significant discount to market is not needed at 60% AMI, especially for Class C projects. However, the Class B market-rate and LIHTC projects are most similar in terms of quality, amenities and condition. The average 50% AMI rents at the Class B properties provide a 34% to 46% rent advantage to the Class B adjusted market-rate rents, while average surveyed 60% AMI rents are 25% or 29%. The subject's proposed 60% AMI rents provide a similar discount to market, are a good value for low-income tenants, and it will be able to match the precedent of the LIHTC comparables as a result.

## V. DEMAND

### E. Income and Size Qualification Criteria

The subject will appeal to households who have sufficient incomes to pay the proposed rents and want one of the unit types that the subject will offer. Commercial underwriters and owners of conventional market-rate projects generally require that the monthly contract rent should not exceed one-third of a tenant's income. They increase the ratio to 40% for income-restricted projects and occasionally 50% for developments targeted to low-income elderly households. This analysis assumes a 35% rent-to-income ratio per standard underwriting guidelines.

This analysis assumes that one-bedroom units have one or two persons, two-bedroom units have two to four people, and three-bedroom units have three to six persons. The subject will consist of one- and two-bedroom units and can target renter households with one to four persons.

### F. Required Capture Rate

The following table calculates the number of income- and size qualified renter households in the primary market area by applying the specific income threshold for the subject's units at each renter household size. This calculation is applied to both existing renter households and two years of projected growth. These two figures are added together to give the total number of income- and size-eligible renter households for the subject's units when it comes online.

The capture rate analysis indicated that the subject, with rental assistance, would have to attract 0.7% of the income and size-qualified renter households in its primary market area to attain stabilized occupancy. The subject's required market share is attainable considering that the surveyed LIHTC units were 97% occupied and have consistently maintained high occupancy rates while there are only two other LIHTC properties in the PMA that will come online well before the completion of the subject, coupled with the excellent value that its rental assistance offers.

SUBJECT'S TARGET INCOME RANGE BY HOUSEHOLD SIZE, ALL UNITS-PBV							
	Minimum Rent		Minimum Income		Maximum Income		
1 Person	\$0		\$0		\$47,760		
2 Person	\$0		\$0		\$54,540		
3 Person	\$0		\$0		\$61,380		
4 Person	\$0		\$0		\$68,160		
RENTER HOUSEHOLD DEMAND BY INCOME AND SIZE, PMA, 2023							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
Less than \$10,000	1,648	644	302	71	0	0	2,665
\$10,000-\$20,000	1,418	897	608	186	0	0	3,109
\$20,000-\$30,000	1,486	1,132	699	241	0	0	3,558
\$30,000-\$40,000	1,032	853	483	267	0	0	2,635
\$40,000-\$50,000	868	1,277	355	105	0	0	2,605
\$50,000-\$60,000	0	456	410	264	0	0	1,130
\$60,000-\$75,000	0	0	70	183	0	0	253
Total	6,452	5,259	2,927	1,317	0	0	15,955
RENTER HOUSEHOLD DEMAND FROM GROWTH, PMA, 2023-2025							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
Less than \$10,000	-32	-23	-8	-5	0	0	-68
\$10,000-\$20,000	-51	-55	-26	-4	0	0	-136
\$20,000-\$30,000	-44	-75	-46	-6	0	0	-171
\$30,000-\$40,000	25	-7	9	-3	0	0	24
\$40,000-\$50,000	-25	-43	-9	0	0	0	-77
\$50,000-\$60,000	0	-11	-19	-8	0	0	-38
\$60,000-\$75,000	0	0	2	-2	0	0	0
Total	-127	-214	-97	-28	0	0	-466
Total Income and Size Qualified Renter Households							15,489
Subject's Total Proposed Units							73
Capture Rate							0.5%
Source: Claritas; Ribbon Demographics; HUD; Project Sponsor; Analysis by Prior & Associates							

The table below illustrates the required capture rate for the subject without rental assistance in place and with rents set at the maximum allowable 30% AMI amounts, which is 0.8%. This rate is also well below average for a market area and attainable.

SUBJECT'S TARGET INCOME RANGE BY HOUSEHOLD SIZE, ALL UNITS							
	Minimum Rent		Minimum Income		Maximum Income		
1 Person	\$573		\$19,646		\$47,760		
2 Person	\$573		\$19,646		\$54,540		
3 Person	\$681		\$23,349		\$61,380		
4 Person	\$681		\$23,349		\$68,160		
RENTER HOUSEHOLD DEMAND BY INCOME AND SIZE, PMA, 2023							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$10,000-\$20,000	50	32	0	0	0	0	82
\$20,000-\$30,000	1,486	1,132	465	160	0	0	3,243
\$30,000-\$40,000	1,032	853	483	267	0	0	2,635
\$40,000-\$50,000	868	1,277	355	105	0	0	2,605
\$50,000-\$60,000	0	456	410	264	0	0	1,130
\$60,000-\$75,000	0	0	70	183	0	0	253
Total	3,436	3,750	1,783	979	0	0	9,948
RENTER HOUSEHOLD DEMAND FROM GROWTH, PMA, 2023-2025							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$10,000-\$20,000	-2	-2	0	0	0	0	-4
\$20,000-\$30,000	-44	-75	-30	-4	0	0	-153
\$30,000-\$40,000	25	-7	9	-3	0	0	24
\$40,000-\$50,000	-25	-43	-9	0	0	0	-77
\$50,000-\$60,000	0	-11	-19	-8	0	0	-38
\$60,000-\$75,000	0	0	2	-2	0	0	0
Total	-46	-138	-47	-17	0	0	-248
Total Income and Size Qualified Renter Households							9,700
Subject's Total Proposed Units							73
Capture Rate							0.8%
Source: Claritas; Ribbon Demographics; HUD; Project Sponsor; Analysis by Prior & Associates							

The required market share for the subject's 30% AMI units is 0.2%.

SUBJECT'S TARGET INCOME RANGE BY HOUSEHOLD SIZE, 30% AMI UNITS							
	Minimum Rent		Minimum Income		Maximum Income		
1 Person	\$573		\$19,646		\$23,880		
2 Person	\$573		\$19,646		\$27,270		
3 Person	\$681		\$23,349		\$30,690		
4 Person	\$681		\$23,349		\$34,080		
RENTER HOUSEHOLD DEMAND BY INCOME AND SIZE, PMA, 2023							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$10,000-\$20,000	50	32	0	0	0	0	82
\$20,000-\$30,000	577	823	465	160	0	0	2,025
\$30,000-\$40,000	0	0	33	109	0	0	142
Total	627	855	498	269	0	0	2,249
RENTER HOUSEHOLD DEMAND FROM GROWTH, PMA, 2023-2025							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$10,000-\$20,000	-2	-2	0	0	0	0	-4
\$20,000-\$30,000	-17	-54	-30	-4	0	0	-105
\$30,000-\$40,000	0	0	1	-1	0	0	0
Total	-19	-56	-29	-5	0	0	-109
Total Income and Size Qualified Renter Households							2,140
Subject's Total Proposed Units							4
Capture Rate							0.2%
Source: Claritas; Ribbon Demographics; HUD; Project Sponsor; Analysis by Prior & Associates							

The capture rate for the 50% AMI units is 0.9%.

SUBJECT'S TARGET INCOME RANGE BY HOUSEHOLD SIZE, 50% AMI UNITS							
	Minimum Rent		Minimum Income		Maximum Income		
1 Person		\$999		\$34,251			\$39,800
2 Person		\$999		\$34,251			\$45,450
3 Person		\$1,192		\$40,869			\$51,150
4 Person		\$1,192		\$40,869			\$56,800
RENTER HOUSEHOLD DEMAND BY INCOME AND SIZE, PMA, 2023							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$30,000-\$40,000	573	490	0	0	0	0	1,063
\$40,000-\$50,000	0	696	324	96	0	0	1,116
\$50,000-\$60,000	0	0	47	180	0	0	227
Total	573	1,186	371	276	0	0	2,406
RENTER HOUSEHOLD DEMAND FROM GROWTH, PMA, 2023-2025							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$30,000-\$40,000	14	-4	0	0	0	0	10
\$40,000-\$50,000	0	-23	-8	0	0	0	-31
\$50,000-\$60,000	0	0	-2	-6	0	0	-8
Total	14	-27	-10	-6	0	0	-29
Total Income and Size Qualified Renter Households							2,377
Subject's Total Proposed Units							21
Capture Rate							0.9%
Source: Claritas; Ribbon Demographics; HUD; Project Sponsor; Analysis by Prior & Associates							



The 60% AMI capture rate is 1.6%.

SUBJECT'S TARGET INCOME RANGE BY HOUSEHOLD SIZE, 60% AMI UNITS							
	Minimum Rent		Minimum Income		Maximum Income		
1 Person	\$1,212		\$41,554		\$47,760		
2 Person	\$1,212		\$41,554		\$54,540		
3 Person	\$1,448		\$49,646		\$61,380		
4 Person	\$1,448		\$49,646		\$68,160		
RENTER HOUSEHOLD DEMAND BY INCOME AND SIZE, PMA, 2023							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$40,000-\$50,000	694	1,079	13	4	0	0	1,790
\$50,000-\$60,000	0	456	410	264	0	0	1,130
\$60,000-\$75,000	0	0	70	183	0	0	253
Total	694	1,535	493	451	0	0	3,173
RENTER HOUSEHOLD DEMAND FROM GROWTH, PMA, 2023-2025							
	1 Person	2 Person	3 Person	4 Person	5 Person	6+ Person	Total
\$40,000-\$50,000	-20	-36	0	0	0	0	-56
\$50,000-\$60,000	0	-11	-19	-8	0	0	-38
\$60,000-\$75,000	0	0	2	-2	0	0	0
Total	-20	-47	-17	-10	0	0	-94
Total Income and Size Qualified Renter Households							3,079
Subject's Total Proposed Units							48
Capture Rate							1.6%
Source: Claritas; Ribbon Demographics; HUD; Project Sponsor; Analysis by Prior & Associates							

The total number of income- and size-qualified renter households for all LIHTC units in the PMA was determined by using the lowest surveyed 30% AMI rents to determine the minimum required income and the 60% AMI maximums to establish the top of the range. There are 10,229 income- and size-qualified renter households in the PMA for the LIHTC dwellings. Completion of the subject's renovation, as well as those planned or under construction in the market area, will raise the LIHTC inventory to 3,560 units. The number of LIHTC units at the subject, in competitive existing projects and in the development pipeline has been adjusted to stabilized occupancy. If all of these units attain stabilized occupancy, they will have an aggregate penetration rate of 33.1%, a slight increase from the existing rate of 30.9%.

REQUIRED PENETRATION RATE	
	LIHTC
Income-Eligible Renter Households	10,229
Existing LIHTC Units	3,330
LIHTC Units Planned/Under Construction	157
LIHTC Units in Subject	73
Total LIHTC Units	3,560
Stabilized Occupancy %	95%
Adjusted Total LIHTC Units	3,382
<b>Penetration Rate</b>	<b>33.1%</b>
Source: Claritas; Ribbon Demographics; Analysis by Prior & Associates	

## VI. CONCLUSIONS & RECOMMENDATIONS

There is demand for additional family LIHTC rental housing in the PMA, as evidenced by the 97% surveyed occupancy rate at LIHTC properties, which also reported consistently high occupancy rates in previous market surveys. Furthermore, the PMA is gaining 334 renter households annually and there are only two other LIHTC projects with 157 units in the development pipeline, which will come online well before the completion of the subject. CoStar shows the PMA absorbed 520 units since the beginning of 2018, while its vacancy rate declined during this period, and the market will have ample time to absorb the other new LIHTC supply in the pipeline. These factors will support continued high

occupancy rates and pent-up demand for affordable housing in the PMA while the subject's required capture rate is low and attainable. The precedent of the LIHTC comparables with for-profit sponsors indicates that the maximum allowable 30%, 50% and 60% AMI rents are attainable under current market conditions and will provide a discount to the average Class B market-rate rents of at least 24% and are a good value for low-income renters in the PMA.

Affordable Housing Proposal - 2024 Spring

Project Name: Village on Eastbrook



FUNDING SOURCES/REVENUES

Description	Committed Funds (A)	+	Anticipated Funds (B)	=	Total Funds (C)
Federal Government Sources					
Federal LIHTC Equity +Solar TC Equity	\$0	+	\$17,559,341	=	\$17,559,341
		+		=	\$0
		+		=	\$0
		+		=	\$0
Federal Total =					\$17,559,341
State Government Sources					
Colorado Division of Housing (DOH)	\$0	+	\$3,650,000	=	\$3,650,000
CHFA Prop 123 Seller Carry	\$1,449,000	+	\$0	=	\$1,449,000
		+		=	\$0
		+		=	\$0
State Total =					\$5,099,000
Local Sources (includes government and non-foundation sources)					
City of Fort Collins	\$0	+	\$1,500,000	=	\$1,500,000
		+		=	\$0
		+		=	\$0
		+		=	\$0
Local Total =					\$1,500,000
Foundations					
		+		=	\$0
		+		=	\$0
		+		=	\$0
		+		=	\$0
Foundations, etc. Total =					\$0
Fundraising/Donations/Etc.					
Villages LTD Equity Contribution	\$2,000,000	+	\$0	=	\$2,000,000
Partnership Fee Equity	\$0	+	\$5,000,000	=	\$5,000,000
		+		=	\$0
		+		=	\$0
Fundraising Total =					\$7,000,000
Fees for Services					
Housing Catalyst (Deferred Developer fee)	\$1,320,359	+	\$0	=	\$1,320,359
		+		=	\$0
		+		=	\$0
		+		=	\$0
Fees for Services Total =					\$1,320,359
Total Revenues from all Categories =					\$32,478,700

Narrative

Villages Ltd is committing up to \$2,000,000 in equity to the project. Housing Catalyst is committed to deferring up to 43% of our developer fee. Housing Catalyst will apply for non-competitive Low Income Housing Tax Credits (LIHTC) which will result in Tax Credit Equity. After the award of LIHTC from CHFA, Housing Catalyst will apply for funding from Colorado Division of Housing as they require a LIHTC award prior to applying for their funding.

Sources and Uses of Funds Worksheet

Applicant Name: \_Housing Catalyst\_\_\_\_\_

Funding Year/Cycle: \_2024\_\_\_\_\_

Project Activities		Total Project Cost	City Funds Request	Amount	Other Funding Source
A.	Acquisition Costs				
	1. Land	\$1,610,000.00		\$1,610,000.00	Prop 123
	2. Existing Structures	\$0.00			
	3. Appraisals	\$14,000.00		\$14,000.00	LIHTC
	4. Soils Tests	\$12,500.00		\$12,500.00	LIHTC
	5. Survey	\$25,000.00		\$25,000.00	LIHTC
	6. Other - Real Estate Legal Fees	\$145,000.00		\$145,000.00	LIHTC
	7. Other				
B.	Construction Costs				
	1. Building Permit Fees (all City Fees)	\$2,190,000.00		\$2,190,000.00	LIHTC
	2. Tap Fees	included above			
	3. Off-Site Infrastructure	\$0.00			
	4. Construction/Rehab	\$19,679,888.00	\$1,500,000.00	\$18,179,888.00	LIHTC, DOH, Villages, Deferred Fee, Partnership Fee Equity
	5. Landscaping	included above			
	6. Contingency (owner)	\$1,024,227.00		\$1,024,227.00	LIHTC
	7. Other - General Contractor (O&P)	\$629,645.00		\$629,645.00	LIHTC
	8. Other - Inspections	\$96,000.00		\$96,000.00	LIHTC
C.	Design Fees				
	1. Architect Fee	\$570,000.00		\$570,000.00	LIHTC
	2. Engineering Fee	\$75,000.00		\$75,000.00	LIHTC
	3. Other - Market Study	included above			
	4. Other - Capital Needs Assessment	\$0.00			
	5. Traffic Study	\$8,500.00		\$8,500.00	LIHTC
D.	Interim Costs				
	1. Construction Insurance	\$353,631.00		\$353,631.00	LIHTC
	2. Const. Loan Origin Fee	\$61,750.00		\$61,750.00	LIHTC
	3. Construction Interest	\$1,232,000.00		\$1,232,000.00	LIHTC
	4. Consultants - Construction Legal	\$25,000.00		\$25,000.00	LIHTC
	5. Taxes during Construction	\$0.00			
	6. Other - Title Insurance	\$85,000.00		\$85,000.00	LIHTC
	7. Other - Soft Cost Contingency	\$75,000.00		\$75,000.00	LIHTC
	8. Other - Utilities During Construction	\$60,000.00		\$60,000.00	LIHTC
E.	Perm. Financing Fees/Deposits				
	1. Loan Fees & Expenses	\$89,950.00		\$89,950.00	LIHTC
	2. Attorney Fees	\$290,000.00		\$290,000.00	LIHTC
	3. LIHTC Fees	\$209,545.00		\$209,545.00	LIHTC
	4. Developer's Fee	\$3,100,000.00		\$3,100,000.00	LIHTC
	5. Operating Reserve	\$503,764.00		\$503,764.00	LIHTC
	6. Other - Tax Credit Consultant	\$150,000.00		\$150,000.00	LIHTC
	7. Other - Cost Certification	\$68,000.00		\$68,000.00	LIHTC
F.	Tenant Relocation				
	1. Temporary Relocation	\$0.00			
	2. Permanent Relocation	\$0.00			
G.	Project Management				
	1. Marketing / Lease up	\$75,000.00		\$75,000.00	LIHTC
	2. Project Management	\$0.00			
	3. Consultants - Organization Costs	\$0.00			
	4. Other	\$0.00			
	5. Other	\$0.00			
H.	Homebuyer Assistance				
	1. Downpayment Assistance	\$0.00			
	2. Closing Costs	\$0.00			
	3. Interest Rate Buy Down	\$0.00			
	4. Case Management	\$0.00			
	5. Other	\$0.00			
	6. Other	\$0.00			
I.	Tenant Based Rental Assistance				
	1. Rent Payments	\$0.00			
	2. Case Management	\$0.00			
	3. Other	\$0.00			
J.	General Administration				
	1. Salaries/Benefits	\$0.00			
	2. Operating/Supplies	\$0.00			
	3. Travel	\$0.00			
	4. Audit	\$0.00			
	5. Environmental Review/Assessment	\$20,300.00		\$20,300.00	LIHTC
	6. Environmental Notification	\$0.00			
	Total Costs	\$0.00	\$0.00	\$0.00	
		\$32,478,700.00	\$1,500,000.00	\$30,978,700.00	

## Windtrail Park Apartments Rehabilitation Request for Quarter Cent Capital Tax - Affordable Housing Capital Fund Support

CARE Communities respectfully requests \$950,000 in additional assistance from the City of Fort Collins to support the rehabilitation of Windtrail Park Apartments. CARE Communities has been actively preparing for this renovation since early 2024 and has secured multiple funding commitments, including Community Development Block Grant (CDBG) funds from the City of Fort Collins, Low-Income Housing Tax Credits through the Colorado Housing and Finance Authority (CHFA), and Housing Development Grant (HDG) funding from the Colorado Division of Housing.

Since our initial request to the City in early 2025, several unanticipated factors have significantly increased project costs. Federally imposed tariffs and the requirements of the Build America Buy America (BABA) program have driven construction costs higher. In addition, three anticipated funding sources were eliminated, and another was reduced by more than one-third—two of these losses resulting directly from federal program cuts in 2025. In response, CARE Communities has scaled back elements of the original project scope wherever possible to reduce costs. Despite these efforts, a funding gap remains. We are therefore requesting additional support through the Quarter Cent Capital Tax - Affordable Housing Capital Fund to help offset these increased costs and lost funding and to ensure the project can move forward as planned.

### Project Overview

Windtrail Park is a welcoming community in central Fort Collins, offering two- and three-bedroom single-story and two-story homes. The site design features inviting courtyards nestled between buildings, fostering a strong sense of community among residents. Located just a few blocks east of one of Fort Collins' largest city parks, Windtrail Park is well-suited for families and is conveniently close to public transportation, schools, food services, recreation facilities, and medical care.

The property consists of 50 apartments serving families, seniors, and residents with disabilities. All units are ground-floor homes, which is especially important at this site, where more than 20% of residents are seniors. Residents earn between 30 and 60% of the area's median income (AMI), with the following unit distribution:

AMI Level	Number of Units
30% AMI	5
40% AMI	25
50% AMI	16
60% AMI	4

Windtrail Park was originally developed in 2001 using Low-Income Housing Tax Credits and is subject to long-term affordability restrictions. This rehabilitation will reset those restrictions, ensuring the property remains affordable to the Fort Collins community for an additional 60 years.

### Scope of Rehabilitation

The property has not undergone a significant renovation since its original construction. As a result, the proposed rehabilitation includes numerous necessary upgrades that will substantially improve residents' quality of life, energy efficiency, and accessibility, including:

- Replacement of aging furnaces with high-efficiency heat pumps, providing both heating and air conditioning—bringing cooling to homes that have never had air conditioning.
- Installation of washers and dryers in every apartment.
- Interior and exterior painting and replacement of flooring, cabinets, and windows.
- Replacement of all fixtures and appliances with ENERGY STAR®-rated products, including tankless water heaters, LED lighting, and water-efficient fixtures.
- Increased number of accessible and visitable units, along with improved accessibility pathways throughout the site.
- Enhanced amenities, including improved bicycle storage, community-wide Wi-Fi, and an expanded residential clubhouse to support youth and resident services programming.

### Funding Request Summary

- Amount Requested: \$950,000
- Total Project Cost: \$18,573,766
- Development Cost per Unit: \$371,475
- Construction Cost per Unit: \$156,440

Anticipated Closing Date: February 25, 2025

Construction Commencement: March 2, 2026

### Project Financing *(All sources secured unless otherwise noted)*

Source	Amount
City of Fort Collins CDBG	1,000,000
Colorado Division of Housing	950,000
Federal Tax Credit Equity	6,983,894
Permanent Loan	3,500,000
Deferred Developer Fee	739,872
CARE Seller Loan: \$4	4,450,000
Quarter Cent Capital Tax	950,000
Affordable Housing Capital Fund (pending)	
Total	\$18,573,766

### Reason for Funding Request

- Construction costs have increased by more than \$700,000 since the original estimate due to tariffs on materials and the additional expense of American-made products required to comply with the BABA program. Inflation on top of these factors has driven costs even higher.
- Soft costs have also risen, including the need for a BABA compliance consultant, a relocation consultant, additional design team time for BABA compliance reviews, and increased legal fees.
- The original financial model anticipated \$500,000 from a proposed Larimer County housing preservation fund, which was ultimately not established.
- During early conceptual discussions with the Colorado Division of Housing in 2024, CARE anticipated requesting approximately \$30,000 per unit, consistent with funding levels at that time. As funding availability tightened and competition increased, CARE was advised to limit its request to under \$1 million. Accordingly, CARE reduced its request from \$1.5 million to \$950,000, which was subsequently awarded.

### Cost-Saving Measures Implemented

To minimize the funding gap, CARE Communities has implemented numerous cost-reduction strategies, including:

- Scaling back landscaping to replacement of only dead or failing plants.
- Reducing overall site scope, including patching asphalt rather than full replacement and simplifying trash enclosure improvements.
- Reducing the scope of community garden enhancements.
- Eliminating a proposed community gathering area.
- Reducing the size and scope of the community building expansion.
- Reusing existing equipment where feasible, including retaining exterior light poles and replacing only light heads.
- Substituting higher-cost efficiency features with alternatives that still meet energy performance requirements at a lower cost.
- Selecting lower-cost materials throughout the project where appropriate.

There have been no substantive changes to the project scope as presented during the original competitive funding process.

Thank you for your consideration of our request.

Sincerely,  
Steve Keuhneman, Executive Director

## Sources and Uses of Funds Worksheet

Item 10.

Applicant Name: CARE Communities

Funding Year/Cycle: Aff Housing Capital Fund Request

12/12/2025

Project Activities	Total Project Cost	Source
A. Acquisition Costs	\$5,153,825	CDBG, Construction Debt and Equity
B. Construction Costs	\$8,542,446	CDOH, Construction Debt and Equity
C. Design Fees	\$451,440	CDBG, Construction Debt and Equity
D. Interim Costs	\$1,181,586	CDBG, Construction Debt and Equity
E. Perm. Financing Fees/Deposits	\$2,863,469	CDBG, Construction Debt and Equity
F. Tenant Relocation	\$300,000	CDBG, Construction Debt and Equity
G. Project Management	\$81,000	Construction Debt and Equity
Total Costs	\$18,573,766	

Difference

\$ 602,575.00

\$ 738,008.00

\$ 55,390.00

\$ 225,461.00

\$ 299,521.00

\$ -

\$ 77,500.00

\$ 1,998,455.00

Spring 2025

2/13/2025

Project Activities	Total Project Cost	Source
A. Acquisition Costs	\$4,551,250	CDBG, Construction Debt and Equity
B. Construction Costs	\$7,804,438	CDOH, Construction Debt and Equity
C. Design Fees	\$396,050	CDBG, Construction Debt and Equity
D. Interim Costs	\$956,125	CDBG, Construction Debt and Equity
E. Perm. Financing Fees/Deposits	\$2,563,948	CDBG, Construction Debt and Equity
F. Tenant Relocation	\$300,000	CDBG, Construction Debt and Equity
G. Project Management	\$3,500	Construction Debt and Equity
Total Costs	\$16,575,311	

### Explanation for cost increases:

**Acquisition costs** increased mainly due to an increase in the appraised value of the property.

**Construction costs** increased in large part due to tariffs on materials and sourcing materials domestically made for BABA compliance

**Design fees** increased due to redesign and scope changes to reduce costs, along with additional hours spent for BABA review and compliance

**Interim Costs** increased due to insurance rate increases, construction interest rate increases, BABA consultant fees, relocation consultant fees, energy consultant fees

**Perm. Financing Fees/Deposits** increased due to increased interest rates, developer fee, legal fees, and operating reserve

**Project Management** costs increased due to additional lease-up expenses expected



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Social Sustainability  
**FY25 Spring Housing**  
Deadline: 2/18/2025

## CARE Communities Windtrail Park Rehabilitation

Jump to: [Pre-Application](#) [Application Questions](#) [Documents](#)

**\$ 1,000,000.00** Requested

Submitted: 2/18/2025 4:45:51 AM  
(Pacific)

### Project Contact

Kim Iwanski  
[kiwanski@carecommunitiesnoco.org](mailto:kiwanski@carecommunitiesnoco.org)  
Tel: 970-218-1829

### Additional Contacts

none entered

### CARE Communities

1303 W Swallow Rd  
Building 11  
Fort Collins, CO 80526  
United States

Telephone 970-218-1829  
Fax  
Web [www.carecommunitiesnoco.org](http://www.carecommunitiesnoco.org)

### Executive Director

Steve Kuehneman  
[skuehneman@carecommunitiesnoco.org](mailto:skuehneman@carecommunitiesnoco.org)

### Pre-Application [top](#)

#### 1. Which describes the "type" of applicant for this project (the lead applicant if more than one)?

- ☐ Public Organization
- ☒ Community Housing Development Organization (CHDO)
- ☐ Private For-Profit Organization Developer
- ☐ Private Non-Profit Organization

#### 2. What specifically are you seeking funding for?

- ☐ Housing acquisition
- ☐ Land acquisition
- ☐ New construction costs
- ☐ Homeownership rehab
- ☒ Rehab of existing rental housing
- ☐ Homeownership assistance
- ☐ Other

#### 3. Which category of housing will this funding request assist?

- ☒ Rental
- ☐ Homeownership
- ☐ Both Rental & Homeownership

#### 4. Which of these 6 outcomes of the City's Housing Strategic Plan does this project address?

Visit the Resources & Downloads page to view the Housing Strategic Plan: <https://www.fcgov.com/housing/files/20-22913-housing-strategic-plan-no-appendices.pdf?161>

- ☐ Increase housing supply and affordability
- ☐ Increase housing diversity and choice
- ☐ Increase stability and/or renter protections

- ☐ Improve housing equity
- ☒ Preserves existing affordable housing
- ☐ Increase accessibility

HO-1

Item 10.

**5. Provide a brief description of the PROJECT/PROGRAM for which you are requesting funding.**

CARE Communities is a community-based non-profit organization founded in 1992 to help meet the housing needs of households earning low to moderate incomes in Northern Colorado. In 2026, we will renovate/rehabilitate the CARE apartments at Windtrail Park.

Windtrail Park, built in 2001, is a 50-unit multifamily affordable housing community with 40 units located at 2120 Bridgefield Lane and 10 units located across the street at 945 Rolland Moore Drive in Fort Collins. Windtrail is comprised of 13 residential buildings, a community clubhouse, and a community garden.

This rehabilitation will provide much-needed updates to this aging property that has not been renovated since it was built. Key features of the rehab will include energy-efficient appliances, lighting, and water fixtures, along with the addition of central air conditioning and washers/dryers. Additionally, the site's concrete, asphalt, and landscaping will be significantly improved.

CARE Communities will be the general partner, developer, owner, and property manager.

**6. What is the location of your project? Provide census tract, parcel number, and address, if known.**

CARE Communities - Windtrail

2120 Bridgefield Ln, Fort Collins, CO 80526  
LOT 1, CARE HOUSING AT WINDTRAIL PARK PUD, FTC (2000035289)  
Parcel Number  
9723371001

945 Rolland Moore Dr, Fort Collins, CO 80526  
LOT 2, CARE HOUSING AT WINDTRAIL PARK PUD, FTC (2000035289)  
Parcel Number  
9723371002

Census Tract: 001111

**7. Does the applicant have site control, or a purchase option on the property?**

- ☒ Yes
- ☐ No
- ☐ N/A

**8. What is the current zoning of the subject property? Has this been verified with the City of Fort Collins, who was contacted?**

Medium Density Mixed Used Neighborhood (MMN)

Verified through GIS zoning map

**9. What is the permitted use "category" of your project?**

Residential: Multi-Family

**10. Development Status: Has the project had a Conceptual Review?**

- ☐ Yes
- ☐ No
- ☒ Doesn't apply to this project

**11. If answered "yes" to question #10, and the project requires a Conceptual Review, what is the name of the City Planner taking you through the process? (If not applicable, enter N/A).**

N/A

**12. If answered "no" to question #10, and the project requires a Conceptual Review, why has the project not been through the process? (If not applicable, enter N/A).**

N/A

**1. SAM (System for Award Management) Registration at [www.sam.gov](http://www.sam.gov) and issuance of a UEI number. Provide your UEI # and list your current status—active; no active exclusion records reported; in process, etc. (B) process more than two weeks prior to application).**

Item 10.

UEI#: RMCQB3PK6A17 - Active

**2. Based on your organization's most recent audit, were there any outcomes or findings that changed the way the organization does business? If yes, please cite examples from the audit that helped improve performance.**  
CARE Communities' recent audit dated November 13, 2024, did not contain any findings or outcomes that changed how the organization does business.

**3. Summarize what you would like the City's funds to pay for. Discuss how funding meets the strategies and goals outlined in the Housing Strategic Plan (<https://www.fcgov.com/housing/files/20-22913-housing-strategic-plan-no-appendices.pdf?1618855189>). List the cost of each item and PRIORITIZE them.**

CARE Communities is requesting City funds to assist in renovating/rehabilitating its Windtrail Park property. CARE Communities will be the General Partner, developer, owner, and property manager.

Windtrail Park is a welcoming community in central Fort Collins, offering two and three-bedroom single-story and two-story floor plans. The layout of this community provides charming courtyards nestled between the buildings, and the residents there enjoy a sense of community connection unique to this property. Its location, just a few blocks east of one of Fort Collins' largest city parks, makes it a prime location for families. In addition, these apartments are close to public transportation, along with a range of food services, schools, recreation facilities, and medical care.

Built in 2001, Windtrail Park consists of 50 apartments with 10 of those designated for seniors (55+). This property was developed with Low Income Housing Tax Credits and maintains affordability restrictions. The rehabilitation of this property will reset the affordability restrictions, ensuring it will remain affordable to the community for another 60 years.

This property has not undergone any renovation since it was built, thus the scope of this rehabilitation includes quite a few necessary updates. The most impactful update for residents will be new furnaces that include central air conditioning, as there is currently no central air conditioning in these apartments. Another significant upgrade for residents will be the installation of washers and dryers in each apartment. The renovation includes painting all interiors and exteriors, and replacing flooring, cabinets, and window coverings. We will replace all fixtures and appliances with energy star-rated products, including water heaters, lighting, windows, and water fixtures. Other amenities provided will include covered bicycle storage, community Wi-Fi, and an expanded residential clubhouse that will enhance our youth and resident services programming.

#### City Goals

Investing in this project will impact many of the goals in the 2021 Housing Strategic Plan.

**Preservation:** The City of Fort Collins has set a goal to preserve existing affordable housing. The rehabilitation of this property will preserve existing affordable housing and reset the affordability restrictions for at least another 60 years. Additionally, proceeds from this transaction will be directly invested into the creation of more affordable housing. CARE Communities will invest these funds into our 5-year pipeline of projects and leverage them to bring more funding into our community for future affordable housing.

**Healthy Homes:** Following the City goal of Healthy Homes, the rehabilitation of these properties will replace outdated, less energy-efficient appliances and fixtures with highly efficient and sustainable products that meet the Enterprise Green Communities program criteria. This green building program includes integrative design, site considerations, water, energy, healthy building, operations/maintenance, and resident engagement. In addition to using ENERGY STAR appliances, WaterSense fixtures, and healthy building materials, CARE is also committed to educating residents about green building principles.

**Stable Housing:** To help ensure housing stability, CARE has a robust Resident Services program. CARE Communities knows that mental health is equally as important as physical health. Therefore, CARE's Resident Services staff works closely with residents, providing support and serving as vital connectors to services and resources within the community. Additional resident support includes the Housing Success Program (HSP) and the Sister Mary Alice Fund. The HSP is an opportunity for residents who have violated the lease to cure the issue over an extended period (up to 6 months) by developing an action plan followed by regular progress check-ins with CARE's Resident Services staff. CARE's emergency rent assistance program, the Sister Mary Alice Fund, provides residents with a grant to address emergency situations, including but not limited to, medical expenses, car repairs, and temporary loss of income.

#### CHDO Designation

CARE Communities is a Community Housing Development Organization (CHDO), a private, nonprofit organization that builds affordable housing for its community. A CHDO must be accountable to low-income community residents through significant representation on its governing board. CARE residents are a key component to the organization, and we strive to "lead with the resident's voice." In 2023, CARE launched a Resident Council, a resident-driven group committed to helping improve the quality of life in their communities. Residents have a voice in CARE resident programs, community events, expenditures of program dollars at each property, and strategies to promote vibrant and sustainable communities. One

of CARE's Board of Directors consists of members from this Resident Council, ensuring their voices are heard in the organization's high-level strategic decisions.

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#### Use of City Funds

City funds will be applied to pre-development costs, fees, and resident temporary relocation expenses. This includes fees for all engineers and design consultants, along with the special limited partner, bond issuance, and legal fees.

Below is the prioritized list and the total project cost of each item.

1. Architect, Engineering, Consultant Fees: \$390,600
2. Environmental and Radon/Asbestos Testing: \$11,800
3. Site Survey: \$20,900
4. Capital Needs Assessment: \$7,750
5. Soils Tests: \$2,000
6. Appraisals: \$8,800
7. Market Study: \$4,450
8. Resident Relocation: \$300,000
9. Special Limited Partner and Bond Issuer Fees: \$185,000
10. Legal Fees: \$135,000

#### 4. Provide total number of units to be assisted with City funds, demographic served, AMI levels targeted, etc.:

This development will rehabilitate 50 rental homes for families, seniors, and individuals with disabilities who earn 30-60% of the area's median income. The AMI unit breakdown is as follows:

5 units at 30% AMI  
25 units at 40% AMI  
16 units at 50% AMI  
4 units at 60% AMI

#### 5. What is the total cost for this PROJECT/PROGRAM?

\$16,575,311

#### 6. What is the total development cost per unit?

The total development cost per unit is \$351,506

#### 7. For housing projects, indicate the number of housing units in the project according to income categories.

5	0-30% AMI
41	31-50% AMI
4	51-60% AMI
N/A	61-80% AMI
50.00	TOTAL

#### 8. Why is this PROJECT/PROGRAM needed in our community? If applicable, provide information from market studies or other supporting documentation.

Fort Collins is experiencing an affordable housing crisis. This project is critical in addressing the need for affordable housing in our community by preserving and improving existing affordable housing stock. By investing in this project, a critical portion of the community's workforce, such as retail, food service, and office administration, will have an option for high-quality affordable housing.

According to the Colorado Multi-Family Housing Vacancy and Rental Survey, the 2024 third quarter average rent for a 2-bedroom, 1 bath apartment in Fort Collins is \$1643 a month. Currently, rent for a 2-bedroom, 1 bath at the Windtrail community, depending on income, ranges from \$565 – \$1,254. Additionally, 5% of Fort Collins' total housing inventory is affordable, but 16% of Fort Collins' current residents meet poverty guidelines. Preserving the affordability of these rental units and updating them to last beyond another 25 years is critical for the housing needs of our community.

Windtrail provides critically needed affordable rentals for seniors with 10 of its apartments designated for seniors. According to HUD's Comprehensive Housing Affordability Strategy data, there are approximately 2,474 cost-burdened senior households earning less than 80% AMI in Fort Collins. Furthermore, the senior population in Larimer County is expected to double by 2030. The market study shows the primary market area (PMA) has an aging population. The projected rate of population growth for the 55 and older age group in the PMA is 1.7%, which is more than double the average annual increase for the overall population (0.8%).

Of the 40 existing tax credit properties in the PMA, only seven are age-restricted and contain a relatively low number of units (544) relative to the number of senior renter households in the market area. The PMA is gaining 182 senior (55+) renters and there are no new age-restricted units in the development pipeline. With the demand for affordable, accessible

rentals increasing, the importance of designing and maintaining accessible units is paramount. This project will help address the need for seniors seeking affordable and accessible rentals.

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Additionally, people with disabilities and in need of accessible features in their home are faced with fewer options. Approximately one in three older Coloradans have a disability of some kind, and two in three people will develop a disability and need care at some point in their lifetime. This project will be designed to ensure that at least 10% of the units are accessible to people with mobility disabilities. An additional 4% of the apartments will be accessible to people with hearing or visual disabilities.

**9. Have any federal HOME funds been invested in the subject property in the last 20 years from any funder (not just City of Fort Collins)? If yes, provide date, amount, by whom, to whom, and any other relevant information. Indicate if unknown/or n/a.**

Federal HOME funds were initially invested in the Windtrail property when it was constructed in 2001 by multiple sources such as Colorado Department of Local Affairs, City of Fort Collins CDBG, and Colorado Department of Housing. There have been no additional HOME funds invested in the property since that time.

**10. Have you received, applied for, or anticipate applying for Low Income Housing Tax Credits (LIHTC) for this project? If yes, please provide details (4% or 9%; anticipated approval date, etc.)**

*If applying for LIHTC, is project located in a Qualifying Census Tract (QCT)? Yes or No?*

CARE Housing plans to apply for 4% Federal Low Income Housing Tax Credits (LIHTC) in June 2025. We anticipate an approval notification from CHFA in August 2025.

Windtrail is located in a Qualifying Census Tract as of 2024 HUD data.

**11. Is this project dependent on commitments or allocations of other funding sources? If so, please provide details:**

Yes, this project depends on additional funding commitments to fully address the needed rehabilitation of these properties. Below is a list of funding sources for the project. Please note this is subject to change.

Permanent Loan: \$2,750,000  
Impact Development Fund: \$500,000  
Colorado Division of Housing: \$1,000,000  
CARE Loan: \$3,850,000  
Federal Tax Credit Equity: \$6,361,971  
Deferred Developer Fee: \$505,840  
45L Equity: \$107,500

As a 4% Federal LIHTC project, Private Activity Bonds (PAB) are also required. In the first quarter of 2025, CARE will apply for PAB from the City of Fort Collins.

**12. Do you plan to apply for other City resources, such as Private Activity Bond allocation or Fee Relief, for this project?**

Yes, CARE will apply for Private Activity Bonds and affordable housing fee credits for this project.

**13. Briefly outline the timetable for the commitment and expenditure of the funding being requested (include other project factors, such as rezoning, construction schedule, or application(s) for funding):**

Below is an outline of key dates for the project.

Completed:

Design team selected Fall 2023  
Conducted Site Surveys April 2024  
General Contractor Selection May 2024  
Energy and Design Charette July 2024  
Schematic Design Phase Completed August 2024

Upcoming Milestones:

City CDBG Application February 2025  
City Private Activity Bond Request March 2025  
Design Development Submittal March 2025  
Design Development Cost Estimate May 2025  
CHFA 4% Tax Credit Application June 2025  
DOH Application Fall 2025  
Construction Drawings Complete December 2025  
Begin Construction February 2026  
Construction Substantial Completion November 2026

**14. To help promote the efficient use of federal, state, and local funding, please describe how the PROJECT/PROGRAM will maintain short-term, long-term, or permanent affordability:**

Windtrail Park apartments were developed using LIHTC in 2001. Therefore, the land and associated 50 units already have affordability restrictions. This rehabilitation will reset and extend those affordability restrictions for at least another 60 years.

**15. Describe how your project incorporates Green Building, LEED, Enterprise Green Communities, Energy Star or Energy Efficient aspects. Please include any consultation with the City of Fort Collins Utilities, including the Integrated Design Assistance Program (IDAP).**

The project will comply with the 2020 Enterprise Green Communities requirements. These requirements take several aspects of the project into consideration to bring energy efficiency, water use efficiency, and ongoing maintenance into alignment with sustainability goals and objectives.

The design team includes a sustainability consultant, Energetics, whose role is to ensure the requirements of the Enterprise Green Communities and the City of Fort Collins' sustainability goals and objectives are integrated into the design and construction. The method for achieving the sustainability and energy goals is through a design charrette where all parties work together to ensure the funds are used to their full potential. Throughout the construction process, Energetics will test and verify that all sustainability and energy efficiency metrics are met.

**16. Who will be the PROJECT MANAGER? Provide name, address, email, and phone number. (Enter N/A if not applicable).**

Director of Housing Development, Kim Iwanski, 1303 W Swallow Rd, Building 11, Fort Collins, CO 80526, kiwanski@carecommunitiesnoco.org, 970-218-1829

Housing Development Project Manager, Tatiana Zentner, 1303 W Swallow Rd, Building 11, Fort Collins, CO 80526, tzentner@carecommunitiesnoco.org, 970-420-5704

**17. Who is the DEVELOPER for this project? (Enter N/A if not applicable).**

CARE Communities is the developer.

**18. Has this DEVELOPER completed other projects in the City of Fort Collins. If so, please list:**

CARE Communities is Northern Colorado's largest local, private nonprofit affordable rental housing developer, property manager and service provider. During its 33 years in business, CARE has developed eight affordable housing communities in Northern Colorado, providing homes to approximately 1,000 individuals, half of whom are children. Seven of these communities are in Fort Collins and one is in Windsor.

CARE Communities has developed the following projects in the City of Fort Collins:

Heartside Hill (June 2025): New construction: 72 units  
 Greenbriar (1994): New construction, 40 units  
 Swallow (1996): New construction, 40 units  
 Eagle Tree (1998): New construction, 36 units  
 Windtrail (2001): New construction, 50 units  
 Fairbrooke Heights (2002): New construction, 36 units  
 Provincetowne Green (2011): New construction, 85 units  
 Swallow Road Apartments (2022): Acquisition of 44 units and Rehabilitation of 84 units

**19. If the project is new construction or rehab, please list and provide a brief explanation of similar projects you have completed:**

CARE recently completed a rehabilitation of its Swallow Road Apartments in 2022. That property is comprised of 84 two- and three-bedroom units. The Swallow Road and Windtrail Park projects share the same goal of maintaining affordability while rejuvenating an aging apartment community. The Swallow Road Apartment rehab involved extensive updates to apartments while residents were living onsite. Since this was a recent project with a similar scope, existing CARE staff are experienced in executing this project, including the logistics involved with moving residents temporarily as apartments are renovated.

**20. If you answered question #19, attach evidence of your organization's capacity and experience to undertake and complete the project within the established timetable and budget (upload financial commitment(s) from other funding sources):**

CARE will be committing internal funds and/or existing equity in the property, providing the necessary funds to complete the renovations. Please see attached CARE Development Resume for details on the organization's capacity.

**21. If this project is new development or rehabilitation, please explain how the DEVELOPER will comply with Buy American Preference (BAP,) as instructed by the Build American Buy American Act (BABA) for projects**

**developed and financed with federal funds:**

To meet the requirements of the Buy American Preference (BAP) CARE Communities will engage a BABA compliant consultant as part of our development team on this project.

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**22. If the project is new construction, or substantial rehab, please explain how it will comply with Fair Housing and Section 504 Accessibility requirements.**

An affirmative fair housing marketing plan will outline the method for non-discrimination and equal housing opportunity. Rehabilitation of the site will conform to 504 Accessibility requirements and Uniform Federal Accessibility Standards (UFAS).

**23. If this project includes rehabilitation of currently occupied property, will it meet the CDBG/HOME requirements of the Uniform Relocation Act (URA)? Answer Yes/No/NA for each. View the URA Criteria at [www.fcgov.com/socialsustainability/cpddocuments](http://www.fcgov.com/socialsustainability/cpddocuments)**

*Applicant must attach current occupant census and proof that General Information Notices (GINs) were delivered to all occupants. Failure to attach these items will result in disqualification of the application for federal assistance.*

☐ Yes General Information Notice with proof of delivery

☐ Yes Current Tenant Census

**TOTAL**

**24. If this project includes acquisition of real property, will it meet the following CDBG/HOME requirements of the Uniform Relocation Act (URA)? Answer Yes/No/NA for each. View the URA Criteria at [www.fcgov.com/socialsustainability/cpddocuments](http://www.fcgov.com/socialsustainability/cpddocuments)**

*Applicant must attach current occupant census and proof that General Information Notices (GINs) were delivered to all occupants. Failure to attach these items will result in disqualification of the application for federal assistance.*

☐ Yes General Information Notice with proof of delivery

☐ N/A Voluntary Arm's Length Transaction

☐ Yes Current Occupant Census

☐ Yes Not currently under contract for purchase

**TOTAL**

**25. Is there any additional information about the proposed PROJECT/PROGRAM for which you are requesting funds that you deem helpful for us to know? If so, please explain:**

CARE Communities is a local, mission-driven organization. This project aligns with our mission of providing quality, affordable housing to the community. By way of the earned developer fee, the community will benefit as CARE will leverage and reinvest the proceeds back into Fort Collins to meet the City's affordable housing goals, including preserving more affordable housing and increasing the local supply of affordable housing units.

**26. If you receive funding (other than through the Competitive Process) from the City of Fort Collins please provide the amount, purpose and department the funding comes from. If no additional funds are received, enter N/A.**

*(EG: fundraiser support, bus and/or recreation, natural area passes, fee relief, etc.)*

CARE has not received any other funding from the City of Fort Collins for the Windtrail Park Rehabilitation Project.

**27. If applicable, demonstrate how the work of this project and is addressing systemic injustice, inequity and/or racial oppression.**

*Enter N/A if the program does not aid these interests.*

CARE Communities (CARE) is committed to diversity, equity, inclusion, and justice (DEIJ). We embrace community and workforce diversity through a purposeful culture to inspire equity, inclusivity, and opportunity. To advance DEIJ, we engage underrepresented communities, provide equitable access to high-quality affordable housing, acknowledge historical biases and oppression, and continuously learn and improve. Our commitment to DEIJ drives us to create a more equitable and just community, today and for future generations.

In 2023, CARE launched the Resident Council--a resident-driven group committed to helping improve the quality of life in their communities. CARE also utilizes community conversations, surveys, and consistent interactions with our residents to ensure we continue to promote vibrant and sustainable communities.

Finally, CARE's commitment to diversity, equity, and inclusion is demonstrated through its Board of Directors recruitment. Three members of CARE's Board are residents in CARE's properties. One-third of the Board is comprised of members with lived experience with a trauma background, living in affordable housing, or having an intersecting identity as part of an underserved community. CARE staff and its Board continue to participate in workshops on diversity, equity and inclusion and implicit biases. CARE continues to evaluate the organization through an equity lens to ensure the policies and procedures are as inclusive as possible across the entire spectrum of the agency.

**28. How do you affirmatively market your units and promote fair housing access and opportunity to tenants who have historically been marginalized or discriminated against?**

*Enter N/A if the program does not aid these interests.*

CARE Communities has established clear fair housing policies and procedures that are communicated to all staff. This includes a zero-tolerance policy for discrimination and a process for residents who would like to address concerns.

CARE has a Memorandum of Understanding (MOU) with community providers who are informed when a unit is available before placing the availability on the website for the general public. This ensures that the most vulnerable and those with the highest need have an opportunity to achieve safe and stable housing. These partners include Project Self Sufficiency, Crossroads Safehouse, Homeward Alliance, Family Housing Network, and Catholic Charities.

We regularly monitor and evaluate marketing efforts to ensure they reach the intended audience and promote fair housing access and opportunities for all. We adjust strategies as needed based on feedback and data. CARE Communities staff seeks out training on fair housing, implicit bias, and cultural competency to ensure that we understand the importance of fair housing and are equipped to promote inclusive practices.

**Documents** [top](#)

**Documents Requested \***

**Required? Attached Documents \***

BOARD OF DIRECTORS APPROVAL (Upload: can be meeting minutes, email approval, or brief memo)



[Board Resolution](#)

BOARD OF DIRECTORS QUALIFICATIONS/RELEVANCY (Upload)



[Board list](#)  
[CARE Communities Development Resume](#)

IRS 501(c)3 DESIGNATION if applicant is a nonprofit (Upload the first page)



[IRS Letter](#)

SAM (System for Award Management) Registration/Activation Information (Upload)



[SAM.Gov Document](#)

Certificate of Good Standing from Secretary of State (dated 2023 or 2024) (Upload)



[State Letter](#)

AUDIT--most recent (Upload)



[Audited Financials](#)

PROJECT OPERATING BUDGET WORKSHEET (Download template here)



[Operating Budget](#)

[download template](#)

LETTER OF FINANCIAL COMMITMENT (Upload letters from funders, LOI, etc.)



[CARE Letter](#)

MARKET ANALYSIS (Upload)



[Market Study](#)

Budget: Funding Sources/Revenues (Download template here)



[Funding Sources](#)

[download template](#)

SOURCES AND USES WORKSHEET (Download template here)



[Sources and Uses](#)

[download template](#)

Board of Directors Acknowledgement (Download template here)

[Board Letter](#)

[download template](#)

UNIFORM RELOCATION ACT COMPLIANCE (Upload, if applicable) (Includes Tenant Census, Voluntary Acquisition Notice, and General Information Notice with Proof of Delivery)

Census of Current Occupants (required for rehab projects and purchases with existing tenants) (Download template here)

[Windtrail Census of Current Occupants 2025](#)

[download template](#)

General Information Notice & Proof of Delivery (required for rehab projects and purchases with existing tenants)

[General Information Notice & Proof of Delivery](#)



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Application ID: 489260

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# Sources and Uses of Funds Worksheet

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Item 10.

Applicant Name: CARE Communities

Funding Year/Cycle: Spring 2025

Project Activities		Total Project Cost	City Funds Request	Amount	Other Funding Source
<b>A.</b>	<b>Acquisition Costs</b>				
	1. Land	\$0		\$0	
	2. Existing Structures	\$4,500,000		\$4,500,000	Construction Debt and Equity
	3. Appraisals	\$8,800	\$8,800	\$8,800	Construction Debt and Equity
	4. Soils Tests	\$2,000	\$2,000	\$2,000	Construction Debt and Equity
	5. Survey	\$20,900	\$20,900	\$20,900	Construction Debt and Equity
	6. Capital Needs Assessment	\$7,750	\$7,750	\$7,750	Construction Debt and Equity
	7. Environmental and Radon/Asbestos Test	\$11,800	\$11,800	\$11,800	Construction Debt and Equity
<b>B.</b>	<b>Construction Costs</b>				
	1. Building Permit Fees	\$75,075		\$75,075	Construction Debt and Equity
	2. Tap Fees	\$0		\$0	
	3. Off-Site Infrastructure	\$0		\$0	
	4. Construction/Rehab	\$7,729,363		\$7,729,363	CDOH, Construction Debt and Equity
	5. Landscaping	\$0		\$0	
	6. Contingency	\$0		\$0	
	7. Other - General Contractor	\$0		\$0	
	8. Other - Inspections	\$0		\$0	
<b>C.</b>	<b>Design Fees</b>				
	1. Architect Fee	\$379,100	\$379,100	\$379,100	Construction Debt and Equity
	2. Engineering Fee	\$1,500	\$1,500	\$1,500	Construction Debt and Equity
	3. Other - Market Study	\$4,450	\$4,450	\$4,450	Construction Debt and Equity
	4. Other - Accounting	\$11,000		\$11,000	Construction Debt and Equity
<b>D.</b>	<b>Interim Costs</b>				
	1. Construction Insurance	\$228,032		\$228,032	Construction Debt and Equity
	2. Const. Loan Origin Fee	\$87,000		\$87,000	Construction Debt and Equity
	3. Construction Interest	\$510,000		\$510,000	Construction Debt and Equity
	4. Consultants	\$10,093	\$10,000	\$10,093	Construction Debt and Equity
	5. Taxes during Construction	\$0		\$0	
	6. Other - Title Insurance	\$31,000		\$31,000	Construction Debt and Equity
	7. Other - Const Lender Legal	\$40,000	\$40,000	\$40,000	Construction Debt and Equity
	8. Other - Soft Cost Contingency	\$50,000		\$50,000	Construction Debt and Equity
<b>E.</b>	<b>Perm. Financing Fees/Deposits</b>				
	1. Loan Fees & Expenses	\$83,500		\$83,500	Construction Debt and Equity
	2. Attorney Fees	\$60,500	\$50,000	\$60,500	Construction Debt and Equity
	3. LIHTC Fees	\$74,000		\$74,000	Construction Debt and Equity
	4. Developer's Fee	\$1,831,254		\$1,831,254	Construction Debt and Equity
	5. Operating Reserve	\$0		\$0	
	6. Other - Investor Legal and Fees	\$37,500	\$35,000	\$37,500	Construction Debt and Equity
	7. Other - Cost Certification	\$6,500		\$6,500	Construction Debt and Equity
	8. Other - SLP Fees	\$85,000	\$85,000	\$85,000	Construction Debt and Equity
	9. Other - Bond Fees	\$100,000	\$100,000	\$100,000	Construction Debt and Equity
	10. Rent Up Reserve	\$100,000		\$100,000	Construction Debt and Equity
	11. Operating Reserve	\$185,694		\$185,694	Construction Debt and Equity
<b>F.</b>	<b>Tenant Relocation</b>				
	1. Temporary Relocation	\$300,000	\$243,700	\$300,000	Construction Debt and Equity
	2. Permanent Relocation	\$0		\$0	
<b>G.</b>	<b>Project Management</b>				
	1. Marketing	\$3,500		\$3,500	Construction Debt and Equity
	2. Project Management	\$0		\$0	
	3. Consultants - Organization Costs	\$0		\$0	
	4. Other	\$0		\$0	
	5. Other	\$0		\$0	
<b>H.</b>	<b>Homebuyer Assistance</b>				
	1. Downpayment Assistance	\$0		\$0	
	2. Closing Costs	\$0		\$0	
	3. Interest Rate Buy Down	\$0		\$0	
	4. Case Management	\$0		\$0	
	5. Other	\$0		\$0	
	6. Other	\$0		\$0	
<b>I.</b>	<b>Tenant Based Rental Assistance</b>				
	1. Rent Payments	\$0		\$0	

	2. Case Management	\$0		\$0	HO-1	Item 10.
	3. Other	\$0		\$0		
<b>J</b>	<b>General Administration</b>					
	1. Salaries/Benefits	\$0		\$0		
	2. Operating/Supplies	\$0		\$0		
	3. Travel	\$0		\$0		
	4. Audit	\$0		\$0		
	5. Environmental Review/Assessment	\$0		\$0		
	6. Environmental Notification	\$0		\$0		
	<b>Total Costs</b>	<b>\$16,575,311</b>	<b>\$1,000,000</b>	<b>\$16,575,311</b>		

## Affordable Housing Proposal - 2025 Spring

Project Name: Windtrail Park Apartments Rehabilitation

**FUNDING SOURCES/REVENUES**

Description	Committed Funds (A)	+	Anticipated Funds (B)	=	Total Funds (C)
<b>Federal Government Sources</b>					
		+		=	\$0
		+		=	\$0
		+		=	\$0
		+		=	\$0
Federal Total =					\$0
<b>State Government Sources</b>					
CDOH Loan		+	\$1,000,000	=	\$1,000,000
		+		=	\$0
		+		=	\$0
		+		=	\$0
State Total =					\$1,000,000
<b>Local Sources (includes government and non-foundation sources)</b>					
City of Fort Collins Loan		+	\$1,000,000	=	\$1,000,000
Larimer County Loan		+	\$500,000	=	\$500,000
		+		=	\$0
		+		=	\$0
Local Total =					\$1,500,000
<b>Foundations</b>					
		+		=	\$0
		+		=	\$0
		+		=	\$0
		+		=	\$0
Foundations, etc. Total =					\$0
<b>Fundraising/Donations/Etc.</b>					
		+		=	\$0
		+		=	\$0
		+		=	\$0
		+		=	\$0
Fundraising Total =					\$0
<b>Other Sources</b>					
1st Mortgage Lender		+	\$2,750,000	=	\$2,750,000
Impact Development Fund		+	\$500,000	=	\$500,000
Federal LIHTC Equity		+	\$6,361,971	=	\$6,361,971
45L Credit Equity		+	\$107,500	=	\$107,500
CARE Seller Loan	\$3,850,000	+		=	\$3,850,000
Deferred Developer Fee	\$505,840	+		=	\$505,840
		+		=	\$0
		+		=	\$0
		+		=	\$0
Fees for Other Total =					\$14,075,311
Total Revenues from all Categories =					\$16,575,311

**Narrative**

Use this section if you want to explain information listed in your budget.

**AFFORDABLE HOUSING BOARD (AHB)**

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



January 13, 2025

To: City Council

Re: Gap Funding Discretionary Request – Community Capital Investment Program (CCIP)  
Affordable Housing Capital Fund

Village on Eastbrook – Housing Catalyst  
Windtrail Park – CARE Communities

The Affordable Housing Board (AHB) advises City Council on matters pertaining to affordable housing topics to concern of the city. Based on our review of the following requests, the AHB recommends that Council:

- **Approve Housing Catalyst's request for \$1.2 million of CCIP Affordable Housing Capital Funds** to support the Village on Eastbrook project, replacing a \$1.2 million City-administered CDBG/HOME award received in 2024. This replacement with local funds ensures the project can proceed efficiently without additional costs and project delays associated with federal Build America Buy America (BABA) requirements.
- **Approve CARE Communities request for additional assistance for the amount of \$950,000 of CCIP Affordable Housing Capital Funds** to offset unanticipated additional costs associated with BABA compliance for the Windtrail Park Apartments Rehabilitation project.

The AHB supports advancing these projects with CCIP funding as the City continues to navigate the impacts of federal policy on our local affordable housing development.

Thank you for your consideration,

Jorja Whyte

Member of the Affordable Housing Board  
On Behalf of the Affordable Housing Board

RESOLUTION 2026-017  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH HOUSING  
CATALYST FOR A LOAN OF 2016-2025 AND 2026-2035 COMMUNITY CAPITAL  
IMPROVEMENT PROGRAM FUNDS FOR THE VILLAGE ON EASTBROOK

A. Housing Catalyst, the Fort Collins Housing Authority, has requested \$1,200,000 in local funding from the City to support development of the Village on Eastbrook, an affordable housing development. The Village on Eastbrook will be located at 3221 Eastbrook Drive and comprise 73 rental units (the "Project"). The Project will serve households in the area median income range of 30% - 80%. The total estimated Project cost is \$34.9 million.

B. Through Resolution 2024-077, the City awarded Housing Catalyst \$1.2 million in federal funds as part of the 2024 affordable housing competitive funding process. However, because the federal funds will trigger federal Build America Buy America ("BABA") requirements and result in an estimated increase of 2-5% in Project costs, Housing Catalyst has requested that the City award local funds in place of federal funds.

C. Presently \$200,359 remains in the Affordable Housing Capital Fund from a previous appropriation of 2016-2025 Community Capital Improvement Program revenues that may be used to support this request. Additionally, if Ordinance No. 009, 2026, an appropriation from the 2026-2035 Community Capital Improvement Program to the Affordable Housing Capital Fund, goes into effect, \$999,641 in anticipated revenue is available.

D. Housing Catalyst will return the \$1.2 million in federal funds previously awarded and those funds will be available for allocation to other affordable housing developments as part of the City's competitive process.

E. The City will provide the funding as a due-on-sale loan pursuant to a Recipient Contract between the City and Housing Catalyst.

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. The City Council finds that the Project meets the requirements for funding from the Community Capital Improvement Program and that it is in the best interests of the City to provide \$1.2 million to Housing Catalyst for the Project.

Section 2. The City Council hereby authorizes the City Manager, subject to the enactment of Ordinance No. 009, 2026, to execute an agreement necessary to implement the funding allocation described herein on terms and conditions consistent with this Resolution, along with such additional terms and conditions as the City Manager, in

consultation with the City Attorney, deems necessary or appropriate to protect the interests of the City. Further, the City Manager may take any action necessary to effect the return of the City's prior award of \$1.2 million in federal funds for the Project.

Section 3. This Resolution shall not be construed as constituting City Council approval, support for approval, or waiver of any City regulatory requirement, including any development application process whether in administrative or quasi-judicial review, for the Project.

Passed and adopted on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 3, 2026

Approving Attorney: Ted Hewitt

Exhibit: None



RESOLUTION 2026-018  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH  
COMMUNITY AFFORDABLE RESIDENCES ENTERPRISE, INC. FOR A LOAN  
OF 2026-2035 COMMUNITY CAPITAL IMPROVEMENT PROGRAM FUNDS FOR THE  
WINDTRAIL PARK REHABILITATION PROJECT

A. Community Affordable Residences Enterprise, Inc., a Colorado nonprofit organization doing business as CARE Communities (“CARE Communities”), has requested \$950,000 in funding from the City to support its rehabilitation project of the Windtrail Park Apartments. The Windtrail Park Apartments are located at 2120 Bridgefield Lane and comprise 50 rental units. The Windtrail Park Apartments serve households in the area median income range of 30% - 60%. CARE Communities’ effort to rehabilitate the Windtrail Park Apartments (the “Project”) will cost an estimated \$18,573,766.

B. Through Resolution 2025-065, the City awarded CARE Communities \$1 million for the Project. However, because CARE Communities will fund the Project, in part, with federal funds, CARE Communities must meet the requirements of Build America Buy America (“BABA”). This will result in cost increases for the Project. Additionally, federal tariffs have caused increases in Project costs. CARE Communities has requested that the City award additional funds so that it can complete the Project without delay.

C. Sufficient funding is available from anticipated revenue in the Affordable Housing Capital Fund appropriated through Ordinance No. 009, 2026. These funds are revenues from the 2026-35 Community Capital Improvement Program.

D. The City will provide the funding as a due-on-sale loan pursuant to a Recipient Contract between the City and CARE Communities.

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. The City Council finds that the Project meets the requirements for funding from the Community Capital Improvement Program and that it is in the best interests of the City to provide \$950,000 to CARE Communities for the Project.

Section 2. The City Council hereby authorizes the City Manager, subject to the enactment of Ordinance No. 009, 2026, to execute an agreement necessary to implement the funding allocation described herein on terms and conditions consistent with this Resolution, along with such additional terms and conditions as the City Manager, in consultation with the City Attorney, deems necessary or appropriate to protect the interests of the City.

Section 3. This Resolution shall not be construed as constituting City Council approval, support for approval, or waiver of any City regulatory requirement, including any development application process whether in administrative or quasi-judicial review, for the Project.

Passed and adopted on February 3, 2026.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 3, 2026  
Approving Attorney: Ted Hewitt

Exhibit: None

**File Attachments for Item:**

**11. Resolution 2026-019 Making Board and Commission Liaison and Council Committee Assignments and Making Appointments to Various External Boards and Authorities.**

The purpose of this item is to make Councilmember liaison assignments to City boards and commissions and Council committees as well as make appointments to external boards and authorities on behalf of the City.

February 3, 2026

# AGENDA ITEM SUMMARY

City Council



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## STAFF

Delynn Coldiron, City Clerk  
Davina Lau, Public Engagement Specialist

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## SUBJECT

**Resolution 2026-019 Making Board and Commission Liaison and Council Committee Assignments and Making Appointments to Various External Boards and Authorities.**

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## EXECUTIVE SUMMARY

The purpose of this item is to make Councilmember liaison assignments to City boards and commissions and Council committees as well as make appointments to external boards and authorities on behalf of the City.

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## STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

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## BACKGROUND / DISCUSSION

The purpose of this item is to adopt Council liaison and committee assignments. This item was discussed during the Council Retreat on January 31, 2026.

In addition, this Resolution also assigns Councilmembers to numerous cooperative and external authorities, boards, committees, and groups, as listed.

The assignments remain in effect until modified and provide that if any Councilmember should leave office prior to a change in appointment, the new incumbent in that Council seat will automatically assume the predecessor's assignments until Council has acted on subsequent assignments. The Resolution also assigns alternates to some external authorities, boards, committees, and groups.

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## CITY FINANCIAL IMPACTS

None.

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## BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

## **PUBLIC OUTREACH**

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None.

## **ATTACHMENTS**

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1. Resolution 2026-019

RESOLUTION 2026-019  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING BOARD AND COMMISSION LIAISON AND COUNCIL COMMITTEE  
ASSIGNMENTS AND MAKING APPOINTMENTS TO VARIOUS EXTERNAL BOARDS  
AND AUTHORITIES

A. The City Council appoints Councilmembers to serve as liaisons to the City's boards and commissions and appoints Councilmembers to established Council committees.

B. The City Council also appoints Councilmembers as representatives to certain other organizations of which the City is a member.

C. City Code Section 2-570 provides that Council may appoint any number of its own members to serve as City representatives to or members of boards of directors of, other governmental or private agencies.

D. In addition to appointing members, Council appoints alternate members to all Council committees to assist with effective functioning of these committees, as described below.

E. Council has determined that the appointments set forth in this Resolution are and will be in the best interests of the City.

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. All appointments set forth herein shall continue until such time as Council may reconsider and modify the same, unless an individual appointee leaves office, in which event the appointment shall immediately terminate.

Section 2. The following named Councilmembers are hereby appointed to serve as the Council liaison to the following City boards and commissions:

<b>BOARD OR COMMISSION</b>	<b>LIAISON</b>
ACTIVE MODES ADVISORY BOARD	_____
AFFORDABLE HOUSING BOARD	_____
AIR QUALITY ADVISORY BOARD	_____
ARTS AND CULTURE BOARD	_____
BUILDING REVIEW COMMISSION	_____
CITIZEN REVIEW BOARD	_____
DISABILITY ADVISORY BOARD	_____

ECONOMIC ADVISORY BOARD	_____
ENERGY BOARD	_____
GENERAL EMPLOYEE'S RETIREMENT COMMITTEE	_____
HISTORIC PRESERVATION COMMISSION	_____
HUMAN RELATIONS COMMISSION	_____
HUMAN SERVICES AND HOUSING FUNDING BOARD	_____
LAND CONSERVATION AND STEWARDSHIP BOARD	_____
LAND USE REVIEW COMMISSION	_____
NATURAL RESOURCES ADVISORY BOARD	_____
PARKS AND RECREATION BOARD	_____
PLANNING AND ZONING COMMISSION	_____
SENIOR ADVISORY BOARD	_____
TRANSPORTATION BOARD	_____
WATER COMMISSION	_____
WOMEN AND GENDER EQUITY ADVISORY BOARD	_____
YOUTH ADVISORY BOARD	_____

Section 3. The following named Councilmembers are hereby appointed to serve on the following Council Committees:

#### COUNCIL COMPENSATION POLICY COMMITTEE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

#### COUNCIL ELECTION CODE COMMITTEE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

#### COUNCIL ETHICS REVIEW BOARD

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

## COUNCIL FINANCE COMMITTEE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

## COUNCIL FUTURES COMMITTEE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

## LEGISLATIVE REVIEW COMMITTEE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

Section 4. The role and function of the Alternate appointed to the Council Committees in Section 3 are as follows:

- (a) Attend a Committee meeting (if available) at the request of a Committee member who is unable to attend; and
- (b) Attend and participate in a Committee meeting at the request of the staff liaison when a Committee member has become unable to attend and the Committee has time-sensitive matters to consider.

Section 5. The following named Councilmembers are hereby appointed to serve as representatives on the following Council authorities:

## DOWNTOWN DEVELOPMENT AUTHORITY

\_\_\_\_\_  
 \_\_\_\_\_ (Alternate)

## HOUSING CATALYST

\_\_\_\_\_



Section 6. The following named Councilmembers are hereby appointed to serve as representatives on the following boards, committees, and councils:

BOXELDER BASIN REGIONAL STORMWATER AUTHORITY (optional)

\_\_\_\_\_

BOXELDER BASIN REGIONAL STORMWATER AUTHORITY SELECTION COMMITTEE

\_\_\_\_\_

\_\_\_\_\_

CITY/COUNTY/POUDRE SCHOOL DISTRICT LIAISON COMMITTEE

\_\_\_\_\_

\_\_\_\_\_

COLORADO COMMUNITIES FOR CLIMATE ACTION BOARD (optional)

\_\_\_\_\_

COLORADO MUNICIPAL LEAGUE (CML) POLICY COMMITTEE (one with optional 2<sup>nd</sup>)

\_\_\_\_\_

\_\_\_\_\_

EMERGENCY MANAGEMENT POLICY GROUP (Mayor)

\_\_\_\_\_

FORFEITED PROPERTY DISPOSITION COMMITTEE (Mayor or designee)

\_\_\_\_\_

LARIMER COUNTY BEHAVIORAL HEALTH POLICY COUNCIL (Mayor or designee)

\_\_\_\_\_

\_\_\_\_\_ (Alternate)

LARIMER COUNTY COMMUNITY SERVICES BLOCK GRANT ADVISORY TRIPARTITE BOARD

\_\_\_\_\_

LIBRARY TRUSTEE SELECTION COMMITTEE

\_\_\_\_\_

\_\_\_\_\_

## NORTH FRONT RANGE METROPOLITAN PLANNING COUNCIL (MPO)

\_\_\_\_\_  
 \_\_\_\_\_ (Alternate 1)  
 \_\_\_\_\_ (Alternate 2)

## NORTH I-25 COALITION

\_\_\_\_\_

## PLATTE RIVER POWER AUTHORITY (Mayor)

\_\_\_\_\_

## POUDRE FIRE AUTHORITY BOARD OF DIRECTORS

\_\_\_\_\_

\_\_\_\_\_

Section 7. The role and function of the Alternates appointed in Section 5 and Section 6 shall be as described in the governing documents of the relevant body, or if no such description is applicable, shall be to attend and participate in meetings of the relevant body on behalf of the City at the request of and in the place of the assigned Councilmember.

Passed and adopted on February 3, 2026.

\_\_\_\_\_  
 Mayor

ATTEST:

\_\_\_\_\_  
 City Clerk

Effective Date: February 3, 2026  
 Approving Attorney: Carrie Daggett

Exhibit: None