

TOWN OF WINDSOR

RESOLUTION NO. 2021 – 06

A RESOLUTION APPROVING AND ADOPTING THE *ADDENDUM FOR EXTENSION OF TERM* BETWEEN THE TOWN OF WINDSOR AND POUDRE SCHOOL DISTRICT WITH RESPECT TO THE PAYMENT OF FEES IN LIEU OF LAND DEDICATION

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality with all powers and authority vested by Colorado law; and

WHEREAS, the Town has a long history of cooperative relations with school districts, including the Poudre School District (“PSD”); and

WHEREAS, beginning in 1999, the Town and PSD established requirements for land dedication and payment of fees in lieu thereof in connection with residential development within Windsor; and

WHEREAS, the terms of land dedication and fees in lieu thereof are set forth in that certain *Intergovernmental Agreement Concerning Land Dedications or Payments in Lieu for School Purposes* dated December 1, 1999 (“Original IGA”); and

WHEREAS, the Town and PSD desire to reaffirm the Original IGA and extend it as set forth in the *Addendum for Extension of Time* dated January 25, 2021, attached hereto and incorporated herein (“Addendum”); and

WHEREAS, Title 29, Article 1 of the Colorado Revised Statutes encourages and permits local governments to cooperate in the provision of any function, service, or facility lawfully authorized to each of the cooperating entities, including the sharing of costs, the imposition of taxes, or the incurring of debt, so long as such cooperation is authorized by each party thereto with the approval of its governing body; and

WHEREAS, the Town Board desires to approve the attached Addendum, thereby reaffirming the Original IGA, as amended.

NOW, THEREFORE, be it resolved by the Town Board for the Town of Windsor, Colorado, as follows:

1. The attached *Addendum for Extension of Time* dated January 25, 2021, is hereby approved and adopted.
2. The Mayor is hereby authorized to execute the attached Addendum on behalf of the Town.

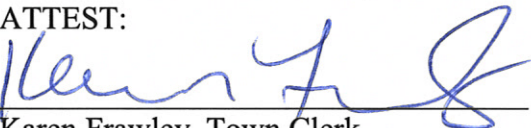
3. The Town Attorney is authorized to make such modifications to the form of the attached Addendum as may be necessary to carry out the intent of this Resolution.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 25th day of January, 2021.

TOWN OF WINDSOR, COLORADO

By: 
Paul Rennemeyer, Mayor

ATTEST:


Karen Frawley, Town Clerk



ADDENDUM FOR EXTENSION OF TERM

This Addendum for Extension of Term ("Addendum") is made this 25th day of January, 2021, by and between Poudre School District R-1, a public school district and political subdivision of the State of Colorado ("School District"), and the Town of Windsor, a home rule municipality (the "Town"), to extend the term of that certain "Intergovernmental Agreement Concerning Land Dedications or Payments in Lieu for School Purposes" dated December 1, 1999 (the "Agreement").

WHEREAS, the Agreement has expired but the parties hereto wish to reaffirm, renew and extend the Agreement in accordance with its terms except as expressly modified by this Addendum.

NOW, THEREFORE, in consideration of their mutual promises and undertakings as herein set forth, the receipt and sufficiency of which are hereby mutually acknowledged, the School District and the Town agree as follows:

1. Section 9 of the Agreement is hereby amended by adding thereto the following sentence: **"Notwithstanding the foregoing, the term of this Agreement shall be extended through November 30, 2029."**

2. Exhibits A and B, attached hereto and incorporated herein by reference, are hereby adopted as written and shall supersede any and all previous versions of Exhibits A and B to the Agreement.

3. Except for the changes set forth in the preceding Sections 1 and 2, the Agreement is readopted as written in all its particulars.

Signed and dated as above written.

POUDRE SCHOOL DISTRICT R-1

By 
cfebvre@psdschools.org | cfebvre@psdschools.org (Jan 27, 2021 09:25 MST)
Christophe Febvre, Board of Education President

ATTEST:

By 
Tessa Oppenheimer (Jan 27, 2021 09:51 MST)
Secretary, Board of Education

TOWN OF WINDSOR, COLORADO
A home rule municipal corporation

By 
Paul Rennemeyer, Mayor

ATTEST:

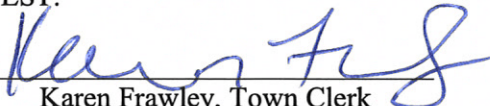
By 
Karen Frawley, Town Clerk



Exhibit A

Poudre School District

School District Methodology

Based on the School District Planning Standards contained in **Exhibit B**, calculation of land dedication or In-lieu Fee payments uses the following procedures:

1. The student yield is determined by the number of attached dwelling units.
(e.g. Category A, Elementary School = 0.35)
2. The amount of land required per student is calculated by dividing the acreage by the capacity.
(e.g. Elementary School = 15 acres / 525 students = 0.029)
3. The acreage per dwelling unit is determined by multiplying the student yield by the per student land requirement.
(e.g. 0.35 yield x 0.029 acres = 0.010)
4. To convert the land dedication requirement into in-lieu payments, the acreage per dwelling unit is multiplied by the developed land value.
(e.g. 0.010 acres x \$100,000 = \$1,000.00)

Summary

The total land dedication or In-lieu Fee payment per dwelling unit is:

	Category A <i>1 to 4 attached units</i>		Category B <i>5 or more attached units</i>	
	<u>Land</u>	<u>PILO¹</u>	<u>Land</u>	<u>PILO¹</u>
Elementary School	0.0100 acres	\$ 950	0.005 acres	\$475
Middle School	0.0040 acres	\$ 380	0.002 acres	\$190
High School	0.0040 acres	\$ 380	0.002 acres	\$190
Total	0.0180 acres	\$1,710	0.009 acres	\$855

To determine the land or In-lieu Fee payments for a proposed residential development, the per dwelling unit totals above would be multiplied by the total number of dwelling units in the development.

(e.g. 300 single family units = 0.0180 x 300 = 5.4-acre dedication or \$1,710 x 300 = \$513,000 PILO)

¹PILO means "payment-in-lieu-of" land dedication

Exhibit B

Poudre School District

**School District Planning Standards and
School Site Acreage Requirements¹**

Planning Standards

i. Student Yield Per Dwelling Unit²

	Category A <i>1 to 4 attached dwelling units</i>	Category B <i>5 or more attached dwelling units</i>
Elementary School	0.35	½ Category A
Middle School	0.10	½ Category A
High School	0.09	½ Category A
Total	0.54 students	½ Category A

ii. School Enrollment Capacities³

Elementary School	525 students
Middle School	750 students
High School	1,800 students

iii. Developed Land Value for 2012⁴

\$95,000

School Site Acreage Requirements¹

Elementary School	15 acres
Middle School	30 acres
High School	80 acres

¹This Exhibit is limited to requirements for instructional buildings in the nature of a typical school building within the School District. Standards for other types of School Facilities will be determined on a case by case basis.

²Average student yields for elementary, middle school, and high school based on information collected by Western Demographics, Inc. includes all residential dwelling types within the School District.

³Based on Poudre School District's current educational specifications.

⁴Average land value based on report prepared by Shannon and Associates dated March 14, 2006 and updated August 13, 2008, December 29, 2010, and November 16, 2012. Adjustments to occur every 2 years in the even year based on changes to the Larimer County Assessor's "Residential Lot Classification".









Resolution 2021-06

Final Audit Report

2021-01-27

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By:	Tessa Oppenheimer (tessao@psdschools.org)
Status:	Signed
Transaction ID:	CBJCHBCAABAAsbiLMgPKs1D-HYf5U2VnmwiXUZt6Xf1

"Resolution 2021-06" History

-  Document created by Tessa Oppenheimer (tessao@psdschools.org)
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-  Document emailed to cfebvre@psdschools.org cfebvre@psdschools.org (cfebvre@psdschools.org) for signature
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-  Email viewed by cfebvre@psdschools.org cfebvre@psdschools.org (cfebvre@psdschools.org)
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-  Document e-signed by Tessa Oppenheimer (tessao@psdschools.org)
Signature Date: 2021-01-27 - 4:51:14 PM GMT - Time Source: server- IP address: 24.9.93.101
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