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 Rominey, 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 expect 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 [Signature]
Christophe Febvre, Board of Education President

ATTEST:

By [Signature]
Secretary, Board of Education

TOWN OF WINDSOR, COLORADO
A home rule municipal corporation

By [Signature]
Paul Renfro, Mayor

ATTEST:

By [Signature]
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.
   
   \( \text{\textit{e.g. Category A, Elementary School = 0.35}} \)

2. The amount of land required per student is calculated by dividing the acreage by the capacity.

   \( \text{\textit{e.g. Elementary School = 15 acres / 525 students = 0.029}} \)

3. The acreage per dwelling unit is determined by multiplying the student yield by the per student land requirement.

   \( \text{\textit{e.g. 0.35 yield x 0.029 acres = 0.010}} \)

4. To convert the land dedication requirement into in-lieu payments, the acreage per dwelling unit is multiplied by the developed land value.

   \( \text{\textit{e.g. 0.010 acres x $100,000 = $1,000.00}} \)

Summary

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

<table>
<thead>
<tr>
<th>Category A</th>
<th>Category B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 to 4 attached units</td>
</tr>
<tr>
<td></td>
<td>Land</td>
</tr>
<tr>
<td>Elementary School</td>
<td>0.0100 acres</td>
</tr>
<tr>
<td>Middle School</td>
<td>0.0040 acres</td>
</tr>
<tr>
<td>High School</td>
<td>0.0040 acres</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>0.0180 acres</strong></td>
</tr>
</tbody>
</table>

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.

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

\(^1\text{PILO means "payment-in-lieu-of" land dedication}\)
Exhibit B

Poudre School District

School District Planning Standards and
School Site Acreage Requirements

Planning Standards

i. Student Yield Per Dwelling Unit

<table>
<thead>
<tr>
<th>Category</th>
<th>Category A</th>
<th>Category B</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1 to 4 attached dwelling units</td>
<td>5 or more attached dwelling units</td>
</tr>
<tr>
<td>Elementary School</td>
<td>0.35</td>
<td>½ Category A</td>
</tr>
<tr>
<td>Middle School</td>
<td>0.10</td>
<td>½ Category A</td>
</tr>
<tr>
<td>High School</td>
<td>0.09</td>
<td>½ Category A</td>
</tr>
<tr>
<td>Total</td>
<td>0.54 students</td>
<td>½ Category A</td>
</tr>
</tbody>
</table>

ii. School Enrollment Capacities

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

iii. Developed Land Value for 2012

$95,000

School Site Acreage Requirements

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

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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

"Resolution 2021-06" History

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