



Urban Renewal Authority Agenda

April 24, 2025 at 5:00 PM

Jeni Arndt, Chair
Kristin Stephens, Vice Chair
Susan Gutowsky
Julie Pignataro
Tricia Canonico
Melanie Potyondy
Kelly Ohlson
Emily Francis
Kristen Draper
Dan Sapienza
Matt Schild

Council Information Center (CIC)
in City Hall, 300 Laporte Ave, Fort
Collins, CO and via Zoom at
<https://zoom.us/j/98687657267>

Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Comcast

Caitlin Quander
Brownstein Hyatt Farber Schreck, LLP

Josh Birks
Acting Executive Director

Delynn Coldiron
Secretary

URBAN RENEWAL AUTHORITY BOARD MEETING 5:00 PM

A) CALL MEETING TO ORDER

B) ROLL CALL

C) AGENDA REVIEW

Executive Director's Review of Agenda.

D) PUBLIC PARTICIPATION

E) PUBLIC PARTICIPATION FOLLOW-UP

CONSENT CALENDAR

1. Consideration and Approval of the Minutes of the January 23, 2025 and March 27, 2025 Meetings.

The purpose of this item is to approve the minutes of the January 23, 2025 and March 27, 2025 meetings.

2. Resolution No. 142 Approving an Agreement to Administer a Single Loan with Impact Development Fund.

The purpose of this item is to discuss an agreement for IDF to underwrite and administer a single loan on behalf of the Authority. IDF would administer the proposed loan between the Authority and the developer of the proposed middle-income housing project to be constructed at 302 Conifer Street.

END OF CONSENT CALENDAR

F) ADOPTION OF CONSENT CALENDAR

G) COMMISSIONER REPORTS

H) DISCUSSION ITEMS

The method of debate for discussion items is as follows:

- Chair introduces the item number and subject; asks if formal presentation will be made by staff
- Staff and/or Applicant presentation (optional)
- Chair requests public comment on the item (three minute limit for each person)
- Board questions of staff on the item
- Board motion on the item
- Board discussion
- Final Board comments
- Board vote on the item

Note: Time limits for individual agenda items may be revised, at the discretion of the Chair, to ensure all have an opportunity to speak. **If attending in person, please sign in at the table in the back of the room.** 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.

3. **Public Hearing and Resolution No. 143 Adopting A Supplemental 2025 Budget Resolution for Technical Consulting Services and Prospect South Bike/Ped Improvements.**

The purpose of this item is to request reappropriation of unspent funds. In April 2024, the URA Board approved \$275,000 to fund an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area. This project did not commence due to the limited staff capacity spent on higher priorities, specifically North College real estate projects.

Additionally, in April 2024, the URA Board approved \$180,000 for technical consulting services, of which only \$5,000 was spent in 2024. Staff are requesting reappropriation of the unspent funds to begin or continue the noted work in 2025.

4. **Items Relating to the North College Urban Renewal Bonds Series 2025.**

A. Resolution No. 144 Authorizing, Approving and Directing the Issuance, Sale and Delivery by the Authority of Tax Increment Revenue & Refunding Bonds (North College) Series 2025, in the Maximum Aggregate Principal Amount of \$18,000,000; Approving Documents in Connection Therewith; and Ratifying Prior Actions.

B. Resolution No. 145 Authorizing the Fort Collins Urban Renewal Authority's Financing of Certain Capital Projects Using Funds to be Reimbursed from Bonds or Other Indebtedness.

The purpose of this item is to discuss the issuance of new debt and refinancing existing debt for the North College Urban Renewal Plan Area (the "Plan Area"). The Fort Collins Urban Renewal Authority (the "Authority") has entered into Purchase and Sale Agreements to acquire and redevelop a closed grocery store at 1636 N. College Avenue and motel located at 1513 N. College Avenue. In addition, the Authority may consider the acquisition of additional properties within the Plan Area requiring funds more than the current forecasted cash balances without the use of debt financing.

5. Public Hearing and Resolution No. 146 Adopting a Supplemental 2025 Budget Resolution for the Payment of Tax Increment to Larimer County.

The purpose of this item is to consider a Resolution authorizing funding a payment to Larimer County (the “County”) per the terms of the Redevelopment and Reimbursement Agreement (the “Redevelopment Agreement”) between the Fort Collins Urban Renewal Authority (the “Authority”), Walton Foothills Holdings VI, L.L.C., the City of Fort Collins (the “City”) and the Foothills Metropolitan District (the “District”). This payment will fund payment of an annual payment of \$60,000 from the Pledged Property Tax Increment Revenue since 2015 – the first year of substantial Pledged Property Tax Increment Revenue – which has not been paid. The total payment will be \$600,000.

6. Potential executive session pursuant to C.R.S § 24-6-402(4)(a), (b) and (e) to discuss the potential purchase or acquisition of real property interests, to receive legal advice on specific legal questions, and to determine positions relative to matters that may be subject to negotiations related to property in the North College Urban Renewal Plan area:

“I move that the Fort Collins Urban Renewal Authority go into executive session pursuant to: C.R.S. § 24-6-402(4)(a), (b) and (e) for the purpose of discussing with the Authority’s attorneys and appropriate management staff the following items, all related to property in the North College Urban Renewal Plan Area:

- Potential Purchase or Acquisition of Real Property Interests,
- Specific Legal Advice on Specific Legal Questions, and
- Determine Positions Relative to Matters that may be Subject to Negotiations, Develop Strategy for Negotiations and Instruct Negotiators.”

7. Resolution No. 147 Authorizing an Amendment to the Purchase Agreement for the Acquisition of Property at 1513 N. College Ave.

The purpose of this item is to consider a resolution authorizing the Acting Executive Director to negotiate and execute an amendment to the Purchase and Sale Agreement for acquisition of property at 1513 N. College Avenue. Based on current inspections and due diligence, Fort Collins Urban Renewal Authority (the “Authority”) staff believe that an amendment will be necessary to affect the most advantageous acquisition of the property for the purpose of remediating blight.

I) OTHER BUSINESS

J) ADJOURNMENT

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 48 hours advance notice when possible.

A petición, 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 48 horas de aviso previo cuando sea posible.

April 24, 2025

AGENDA ITEM SUMMARY

Urban Renewal Authority



STAFF

Amani Chamberlin, Assistant City Clerk

SUBJECT

Consideration and Approval of the Minutes of the January 23, 2025 and March 27, 2025 Meetings.

EXECUTIVE SUMMARY

The purpose of this item is to approve the minutes of the January 23, 2025 and March 27, 2025 meetings.

STAFF RECOMMENDATION

Staff recommends approval of the minutes.

ATTACHMENTS

1. Draft Minutes, January 23, 2025
2. Draft Minutes, March 27, 2025

URBAN RENEWAL AUTHORITY BOARD

Regular Meeting – 5:00 PM

A) CALL MEETING TO ORDER

Chair Arndt called the regular meeting to order at 5:01 p.m. in the CIC room at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

B) ROLL CALL

PRESENT

Chair Jeni Arndt
Vice Chair Kristin Stephens
Boardmember Susan Gutowsky
Boardmember Julie Pignataro
Boardmember Melanie Potyondy
Boardmember Emily Francis
Boardmember Dan Sapienza
Boardmember Matt Schild
Boardmember Tricia Canonico (remote/non-voting)
Boardmember Kelly Ohlson

ABSENT

Boardmember Kristin Draper

STAFF PRESENT

Redevelopment Manager Andy Smith
Assistant Secretary Amani Chamberlin

C) EXECUTIVE DIRECTORS' AGENDA REVIEW

Andy Smith, Redevelopment Manager, provided an overview of the agenda, including:

- No changes to the published agenda.
- Introduced Chris Schaffer who recently joined the URA as the Program Coordinator.

D) PUBLIC PARTICIPATION

None.

E) PUBLIC PARTICIPATION FOLLOW-UP

None.

F) COMMISSIONER REPORTS

None.

1. Consideration of a motion to approve a “term sheet” for a loan and a grant to support the development of a middle-income housing project proposed to be constructed at 302 Conifer Street.

The purpose of this item is to consider authorizing the Acting Executive Director to sign a “term sheet” describing the general terms and conditions of a loan from the URA North College Plan Area fund to the developers of a proposed deed-restricted 76-unit multi-family community for low moderate and middle-income residents to be constructed at 302 Conifer Street. The proposed loan amount is \$3.22 million and will carry an interest rate of 3.0%. The proposed loan is designed to “revolve” to support future middle-income housing projects, and will leverage other funding sources, including a \$7 million Proposition 123 Equity award from the State of Colorado. Additionally, a Tax Increment Finance (“TIF”) grant of \$100,000 funded by future property tax payments is also proposed. Approval of the term sheet will authorize URA staff, legal counsel, and a third-party loan administrator to negotiate a loan agreement with the developer, which will be reviewed by the URA Board at a meeting in the near future.

Andy Smith, Redevelopment Manager, stated this item relates to a proposed loan from the URA to a middle-income housing project that is to be built at 302 Conifer Street. Smith stated the social impact loan would be \$3.22 million plus a TIF reimbursement grant not to exceed \$100,000. He stated the support of housing is within the urban renewal law as it is a reliable blight prevention and mitigation strategy. Smith noted 59 of the proposed 76 dwelling units will be restricted to 80% or less of AMI.

Smith stated this proposed loan and grant would help advance the following strategic objectives and goals: help fill a difficult financial gap for selected housing projects on difficult sites, create some long-term financial resources for when this plan area’s TIF revenue collection sunsets in four years, is an effective and timely way to leverage partner resources, and might be a way to have a structure to bring deed restricted housing to other plan areas.

Carl Szanton, The Szanton Company, introduced Erica Madison, Chief Lending Officer of Impact Development Fund, which would be the administrator of this loan, and Michael Leahy, middle-income housing finance consultant, and Nathan Szanton, company founder. Mr. Szanton stated The Szanton Company has completed 14 low-income housing tax credit developments totaling 747 units, with another under construction now. He noted the company has never sold a development and has never experienced a default or bankruptcy. Additionally, Mr. Szanton noted the company has made the decision to only focus on Colorado developments moving forward.

Mr. Szanton discussed the projects completed by the company and discussed some of the highlights of the 302 Conifer project, including that it will be all electric and is participating in the City’s Integrated Design Assistance Program for energy efficiency. He stated the project is a mix of studio, one- and two-bedroom units and contains a roof top deck, resident lounge, fitness room, indoor bike storage, a bike and dog wash station, and storage units.

Mr. Szanton noted this project was catalyzed by receiving an award of Prop 123 equity in July of 2024, and was one of six projects selected in the first round of that funding, which is designed to help with projects that are designed to serve a demographic that hasn’t typically been served by affordable housing, known as the missing middle. He noted the project will not include any subsidy from the Division of Housing and stated the company is close to completing its partnership with Housing Catalyst to be a special limited partner to provide property tax relief and allow the project to take on additional debt to help finance construction.

Mr. Szanton noted the Prop 123 projects feature a program wherein all equity returns received by the State for all Prop 123 projects will be pooled into a tenant equity vehicle to distribute monthly and annual cash back credits to residents of the Prop 123 properties.

Boardmember Francis asked about the AMI restrictions for the units that are not 80% or below. Szanton replied all units are deed restricted with 57 being 80% or below and the others being 90% or 100% of AMI. Section , Item 1.

Boardmember Francis asked if the project will have the City's affordability requirement. Sue Beck-Ferkiss, Social Sustainability, replied the new Land Use Code requires 60 years for affordability and there are meetings set up right now to determine how that will be implemented across all funding strategies.

Vice Chair Stephens asked if The Szanton Company's other projects have been more affordable housing or workforce housing such as this. Mr. Szanton replied all of their previous projects have been affordable and financed with low-income tax credits; this will be the first non-low-income tax credit project. He stated they have developed mixed-income projects in the past.

Vice Chair Stephens asked if the units at 100% of AMI would still limit residents to not spending more than 30% of their income on housing. Mr. Szanton replied in the affirmative and noted rents would be determined based on each individual family.

Boardmember Pignataro asked how it would be treated if a single individual wanted a two-bedroom apartment. Mr. Szanton replied that would be allowed if the individual was not spending more than 30% of their income on rent.

Boardmember Sapienza asked for more details about the TIF grant. Smith replied it would be a grant based on the forecasted or actual property taxes are on the unabated units, up to \$100,000.

Smith stated the overall project is \$26.2 million with \$13 million in loans, \$7 million in Prop 123 equity, and \$1.8 million in other equity and credits, leaving a gap of \$4.2 million. He noted the URA is contemplating a \$3.22 million loan and there were originally discussions of a loan along with a Community Foundation loan of \$1 million; however, the Community Foundation has decided not to commit to this project yet leaving a \$1 million gap that Mr. Szanton and his team have assured can be filled through value engineering or other sources.

Smith discussed the Prop 123 voter-approved initiative in 2022 that provides an affordable and middle-income housing fund. He stated the City signed a commitment and goal in 2023 making it eligible to receive Prop 123 funding. Additionally, Smith noted the Staff Report indicated that the dwelling units at 302 Conifer would count toward the City's Prop 123 production goal; however, staff has since determined that may not be accurate as the Prop 123 rules have yet to be finalized. However, the project would not have been eligible for the funding award had the City not signed that commitment.

Beck-Ferkiss noted the City's commitment was accepted in June of 2023, which opened the door for projects in our jurisdiction to apply for any of the programs under Prop 123, including the equity program that has awarded this project \$7 million. However, in looking at the guidance that has been published to date, it seems that only units for rent that are 60% AMI or below will be counted for the Fort Collins Prop 123 commitment, which was to add 185 units per year, or 555 over three years. If that commitment is not met, Fort Collins would not be eligible for funding rounds until another commitment is accepted by the State. Beck-Ferkiss noted home ownership units could target higher income levels to be counted toward the commitment.

Smith further detailed the proposed URA loan which would provide 3% annual interest-only payments on the loan until the capital is returned, which is the sooner of 12½ years or a significant capital event that releases the cash. He stated the TIF grant is intended to be 100% of the estimated property taxes from the 17 units that are not eligible for tax abatement by virtue of the special limited partnership with Housing Catalyst, and the actual amount will depend on project completion. He noted a reimbursement agreement would be put in place, but staff is seeking input

from the Board regarding the idea of a grant up to \$100,000 to cover the property taxes last year of the TIF collection period of 2029.

Angela Hygh, counsel attending in Caitlin Quander's stead, stated the statute is not explicit as to the treatment of dollars such as a loan repayment after the sunset of the tax increment period. She stated their analysis is that they are not tax increment dollars generated from property tax, and are therefore not treated as property tax increment under the statute. She noted counsel provided a memo on how to treat those dollars.

Smith stated one creative aspect of the proposed loan is the involvement Impact Development Fund which would help underwrite and administer the loan on behalf of the URA. He noted this loan would be subordinate to the Freddy Mac and CHFA loans and interest payments would be made from available cash flow after those two loans, but before the developer or Prop 123 equity distributions. Any unpaid interest would be applied to the back end of the loan as unpaid principal.

Smith noted there is always a risk of non-payment; however, he noted this developer/borrower has yet to have a project get into financial trouble. Additionally, he noted there are no personal guarantees after construction of the project, which is fairly standard.

Smith outlined the next steps for authorization of the loan.

Boardmember Pignataro asked if the project's timeline includes realistic expectations to get through the City's development review process. Mr. Szanton replied they are in the process of going through the City's Basic Development Review (BDR) process and they are almost three rounds into that process. He stated the hope is that there will only be four rounds, and if that is the case, the project will be on pace to have a building permit and break ground by August 1st of this year.

Boardmember Ohlson asked if the images shown are current renderings of the project. Mr. Szanton replied in the affirmative and noted they have had to be extremely aggressive about managing costs given the financing gap that exists. He noted the building will be right against the street frontage to help activate Conifer Street.

Boardmember Ohlson asked what investments the developer is making in the project. Mr. Szanton replied they have offered to forego 20% of their developer fee, or about \$300,000, as a way of helping to finance the gap to make the project work financially. Additionally, they are putting in \$645,000 as sponsor equity alongside the Prop 123 equity investment.

Boardmember Ohlson asked if the repayment of the Prop 123 principal must occur over time or at the end of 30 years. Smith replied he would follow up with a response.

Boardmember Ohlson asked why the other loans have higher interest rates than the URA's 3%. Smith replied that was negotiated based on the what would work for the developer's pro forma and on a social impact loan that was sized to fit somewhat of what was previously encountered for the cost of funds in the URA.

Boardmember Ohlson asked about the definition of the special limited partnership with Housing Catalyst and whether that means the project does not pay any property taxes until it is no longer deed restricted. Smith replied the State Statute allows for Housing Authorities to enjoy tax abatement on units that are less than 80% AML, and to enter into agreements with other developers in special limited partnerships to provide that same property tax abatement on those units. He stated staff does not know the details of the private partnership between Housing Catalyst and the developer; however, a fee is likely going to be paid to Housing Catalyst for that benefit. He stated he would follow up in writing with additional details.

Boardmember Francis asked if staff is confident the URA has the dollars to fund this loan. Boardmember Francis replied there is approximately \$8.1 million in unrestricted dollars in the North College Plan Area fund and there have been some discussions about a potential bond issuance to get some acceleration on forecasted revenues. He stated staff could provide a memo on the topic and about where other funds are committed.

Section , Item 1.

Boardmember Francis stated her preference is for a 60-year deed restriction and expressed support for the project.

Vice Chair Stephens stated this project seems to meet many of the URA's goals around housing and commended the developer as financing for these types of missing middle projects is tricky. She stated she hopes this will become a statewide model in how to find gap dollars for funding these projects. She expressed support for the loan and grant.

Boardmember Potyondy commented on the importance of missing middle housing and stated this is a good opportunity to utilize first round funding from Prop 123.

Boardmember Ohlson thanked the developers and stated the questions are not indicative of non-support.

Chair Arndt thanked the developers for bringing forth a creative project.

Vice Chair Stephens moved, seconded by Boardmember Francis, to approve the non-binding term sheet for a loan to the developer of a deed-restricted apartment project proposed to be constructed at 302 Conifer Street, and to authorize the Fort Collins URA's Acting Executive Director to sign the non-binding term sheet and that an update be provided to the Board prior to execution of final agreements.

The motion carried 9-0.

H) OTHER BUSINESS

None.

J) ADJOURNMENT

There being no further business before the board, the meeting was adjourned at 6:00 p.m.

Chair

ATTEST:

Assistant Secretary

URBAN RENEWAL AUTHORITY BOARD

Regular Meeting – 5:00 PM

A) CALL MEETING TO ORDER

Vice Chair Kristin Stephens called the regular meeting to order at 5:01 p.m. in the CIC room at 300 Laporte Avenue, Fort Collins, Colorado, with hybrid participation available via the City's Zoom platform.

B) ROLL CALL

PRESENT

Vice Chair Kristin Stephens
Boardmember Susan Gutowsky
Boardmember Julie Pignataro
Boardmember Malanie Potyondy
Boardmember Emily Francis
Boardmember Kristin Draper (arrived at 5:09 p.m.)
Boardmember Dan Sapienza
Boardmember Matt Schild (arrived at 5:05 p.m.)
Boardmember Tricia Canonico (remote/non-voting)

ABSENT

Chair Jeni Arndt
Boardmember Melanie Potyondy
Boardmember Kelly Ohlson

STAFF PRESENT

Acting Executive Director Josh Birks
Assistant Secretary Amani Chamberlin

C) EXECUTIVE DIRECTORS' AGENDA REVIEW

Acting Executive Director Josh Birks provided an overview of the agenda, including:

- Updates to previous sets of minutes were sent out today.
- No other changes to the published agenda.
- Possible executive session.

D) PUBLIC PARTICIPATION

None.

E) PUBLIC PARTICIPATION FOLLOW-UP

None.

F) COMMISSIONER REPORTS

None.

1. **Consideration and Approval of the Minutes for the September 26, 2024, October 24, 2024, and the December 2, 2024 Urban Renewal Authority Board Meetings.**

The purpose of this item is to approve the minutes of the September 26, 2024, October 24, 2024, and the December 2, 2024 Urban Renewal Authority Board meetings.

Boardmember Gutowsky moved, seconded by Boardmember Potyondy, to approve the amended minutes of the September 26, 2024, October 24, 2024, and December 2, 2024.

The motion carried 8-0.

2. **Public Hearing and Consideration of Resolution No. 140 Adopting a Supplemental Budget Resolution for Vine & Jerome Intersection Improvements.**

The purpose of this item is to consider a resolution authorizing a funding contribution to the City's Vine Drive and Jerome Street Intersection Improvements Project (Project), and if so, what level of contribution is agreeable.

Andy Smith, Redevelopment Program Manager, noted this item was presented to the Finance Committee late last year and the Committee offered support for full consideration by the Board.

Dana Hornkohl, Engineering Department, stated this item relates to authorizing a funding contribution to the City's Vine Drive and Jerome Street Intersection Improvements Project. He noted both roadways are two-lane connectors and there are currently no crossing facilities for either bicycles or pedestrians at the intersection. Hornkohl noted there has been a fatality at the intersection and many of the improvements are meant to address the way in which that occurred as well as observed undesirable behaviors in the intersection.

Hornkohl outlined the proposed improvements that would be part of this project and showed some renderings of the completed intersection. He noted staff is recommending the URA offer a contribution to the base project, which does not include improvements on the west side and which is based on the amount of the project that is within the URA boundary, in the amount of \$293,000. Hornkohl noted staff is not recommending a contribution to the west side improvements as that includes an additional significant cost due to the necessary right-of-way acquisition and significant construction costs, and would total approximately an extra \$449,000.

PUBLIC COMMENT

None.

BOARD DISCUSSION

Boardmember Pignataro asked if the DDA is amenable to contributing funds to the project. Hornkohl replied they have provided positive feedback for a base level contribution and noted staff will be going before that board in February. Additionally, the DDA has proposed some amenities such as screening of the south properties and wayfinding it would fund in whole to add to the project.

Boardmember Pignataro asked about the proposed developments on the west side. Hornkohl replied Powerhouse II is proposed at the corner of Vine and Jerome and Jerome Street Station is proposed on the parcel just north of that.

Boardmember Francis expressed support for the base project funding contribution.

Vice Chair Stephens concurred and stated it is important to move ahead with improvements even if the west side improvements are not part of the project.

Section , Item 1.

Boardmember Schild asked about the bike traffic pattern if only the east side improvements are made. Hornkohl replied there are bike improvements on both sides, but only pedestrian improvements on the east side.

Boardmember Gutowsky expressed support for funding the project, particularly given the fatality that occurred.

Boardmember Pignataro moved, seconded by Boardmember Francis, to adopt Resolution No. 140 Adopting a Supplemental Budget Resolution for Vine & Jerome Intersection Improvements inserting the amount of \$293,076.

The motion carried 8-0.

3. **Potential executive session pursuant to C.R.S. § 24-6-402(4)(a), (b) and (e) to discuss the potential purchase or acquisition of real property interests, to receive legal advice on specific legal questions, and to determine positions relative to matters that may be subject to negotiations related to property in the North College Urban Renewal Plan area.**

Boardmember Potyondy moved, seconded by Boardmember Francis, that the Fort Collins Urban Renewal Authority go into executive session pursuant to: C.R.S. § 24-6-402(4)(a), (b) and (e) for the purpose of discussing with the Authority's attorneys and appropriate management staff the following items, all related to property in the North College Urban Renewal Plan Area.

The motion carried 8-0.

4. **Public Hearing and Consideration Resolution No. 141 Authorizing the Acquisition of Property at 1513 N. College Ave. and Adopting a Supplemental 2025 Budget Resolution to Authorize Funds to Acquire Said Property**

The owner of the property located at 1513 North College Ave (Property) has signed a Purchase and Sale Agreement (PSA) now before the URA Board of Commissioners for consideration. If the Board agrees with the PSA terms, a resolution authorizing the URA Acting Executive Director to sign the PSA and closing documents on behalf of the URA as Buyer is presented for Board approval (Exhibit A). If the PSA is signed by the Acting Executive Director, the URA will then have certain rights to inspect and purchase the Property per the terms of the PSA. The resolution does not require the URA to purchase the Property.

Andy Smith, Redevelopment Program Manager, stated this item relates to a purchase and sale agreement (PSA) to acquire the property located at 1513 North College Avenue, the Budget Host Motel. Smith noted the motel has 31 rooms, approximately ten of which have been red tagged due to methamphetamine contamination, on 0.72 acres and is currently enrolled in the public nuisance ordinance program with the City.

Smith stated the seller has signed the PSA and noted the document only provides for the right to purchase the property, but does not obligate the URA to do so. Smith outlined some of the details of the PSA, including the price of \$2.15 million, 120 days of inspection, and a closing 35 days after the end of the due diligence period, or later if the property is not cleared of all property and tenants. Smith also noted one of the allowed activities of the URA is the acquisition of property to prevent blight.

PUBLIC COMMENT

None.

Boardmember Potyondy asked about the process for public nuisance properties.

Marcy Yoder, Neighborhood Services Manager, stated she is responsible for sending out notices to public nuisance properties and is the primary contact for people once they get a notice.

Lieutenant Kelly Weaver, Fort Collins Police Services, stated he is currently the Community Engagement Lieutenant.

Yoder stated this property has been considered a chronic nuisance property due to having a certain number of violations within a period of time. She stated the notice of violation was issued at the end of 2023, ten days were granted to respond that the notice had been received, and within 30 days, an abatement plan agreement was signed. She stated things at the property improved for a bit, then quickly went back to the way they were; therefore, the property has not stayed in compliance with the abatement plan.

Boardmember Potyondy asked about the process that occurs should a property remain a nuisance. Yoder replied the program is relatively new, but the recent practice has been that the abatement plan would be in effect for a year, and if the property goes out of compliance at any time during that period, an additional notice can be issued and the plan can be amended. Additionally, a property can then be considered a public nuisance which would allow for a more immediate and severe pathway through the court system.

Commissioner Draper asked if there are places for the current tenants to be relocated within the timeframe allocated. Josh Birks, Acting Executive Director, replied contacts will be made with those individuals to connect them with community resources during the due diligence process. He noted the terms of the PSA also ask that the seller participate in that process and that closing would not occur until all tenants have been relocated.

Boardmember Gutowsky asked about the process should a property remain a nuisance. Yoder replied the City would file a lawsuit.

Boardmember Sapienza requested additional detail regarding the 120-day due diligence process. Smith replied customary physical property inspections would occur, including inspections related to the methamphetamine contamination. Additionally, costs for adaptive reuse would be considered.

Vice Chair Stephens asked if there are federal dollars available to assist with cleanup given the contamination. Smith replied in the affirmative and stated an interdepartmental technical team has been in conversations with CDPHE. Additionally, the URA or the City is uniquely positioned to be able to access those funds.

Boardmember Francis expressed support for moving forward with the purchase as it falls directly within the URA's mission to eliminate blight.

Vice Chair Stephens concurred and noted the purchase is also a proactive move for the URA.

Boardmember Potyondy moved, seconded by Boardmember Francis, to adopt Resolution No. 141 Authorizing the Acquisition of Property at 1513 N. College Ave. and Adopting a Supplemental 2025 Budget Resolution to Authorize Funds to Acquire Said Property.

The motion carried 8-0.

H) OTHER BUSINESS

None.

I) ADJOURNMENT

Section , Item 1.

There being no further business before the board, the meeting was adjourned at 6:13 p.m.

Vice Chair

ATTEST:

Assistant Secretary

DRAFT

April 24, 2025

AGENDA ITEM SUMMARY

Urban Renewal Authority



STAFF

Josh Birks, Acting Executive Director, and
Andy Smith, Redevelopment Manager

SUBJECT

Resolution No. 142 Approving an Agreement to Administer a Single Loan with Impact Development Fund.

EXECUTIVE SUMMARY

The purpose of this item is to discuss an agreement for IDF to underwrite and administer a single loan on behalf of the Authority. IDF would administer the proposed loan between the Authority and the developer of the proposed middle-income housing project to be constructed at 302 Conifer Street.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

On March 27, 2025, the Authority approved a motion authorizing the Acting Executive Director to sign a “term sheet” describing the general terms and conditions of a loan from the URA North College Plan Area fund to the developers of a proposed deed-restricted 76-unit multi-family community for low-moderate and middle-income residents to be constructed at 302 Conifer Street. The proposed loan amount is \$3.22 million and will carry an interest rate of 3.0%. The proposed loan is designed to “revolve” to support future middle-income housing projects, and will leverage other funding sources, including a \$7 million Proposition 123 Equity award from the State of Colorado. Additionally, a Tax Increment Finance (“TIF”) grant not to exceed \$100,000 funded by future property tax payments is also proposed.

This resolution approves an agreement between the Authority and Impact Development Fund (“IDF”) to underwrite, administer, and service the loan on behalf of the Authority. IDF began in Fort Collins more than 20 years ago, known then as Funding Partners. IDF is nationally regarded as a proven leader in affordable housing finance, with significant experience working in partnership with public and private entities.

IDF is “a nonprofit Community Development Financial Institution (CDFI) certified by the United States Treasury, and as an approved CRA (Community Reinvestment Act) institution, IDF works with social impact investors, local municipalities, housing and financing authorities, nonprofit organizations such as Habitat for Humanity, partner CDFIs and traditional banks. Impact Development Fund supports projects that bring together multi-faceted community stakeholders including nonprofit organizations, developers, community banks, individuals and local and state government. Starting with strategic planning for future projects, through the application process to ultimately securing financing, we help overcome obstacles to ensure critical community projects can break ground.”

AUTHORITY FINANCIAL IMPACTS

Entering into this agreement in advance of an agreement with the developer of the proposed project has a minimal impact (*approximately \$32,200*) on the Authority's finances. IDF will be compensated through four fees:

- **Origination Fee** – A fee of one percent (1.0%) of the total principal balance of the proposed loan, due at the time of loan settlement and fund distribution. ***A responsibility of the borrower and not due unless a loan is issued in support of the project.***
- **Servicing Fee** – A twenty-five (25) basis points (bps) servicing fee assessed monthly on outstanding loans. ***This is paid for out of interest payments to the Authority and only occurs when a loan is made.***
- **Withdrawal/Denial Fee** – A fee due at the time of loan withdrawal or denial (either way), of one percent (1.0%) of the total loan balance for which the Borrower applied to compensate for administrative costs incurred during underwriting. ***The Authority may be required to pay this fee if the loan does not get made to the developer. An estimated cost of \$32,200.***
- **Modification Fee** – A fee due only upon a request by the borrower of a loan document modification after closing. ***The requested change must be approved by both IDF and URA. There would be no financial obligation of the URA.***

ATTACHMENTS

1. Resolution No. 142 – Impact Development Fund

RESOLUTION NO. 142

OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL
AUTHORITY APPROVING AN AGREEMENT TO ADMINISTER A SINGLE LOAN WITH
IMPACT DEVELOPMENT FUND

WHEREAS, the Fort Collins Urban Renewal Authority (the “Authority”) was established in 1982 under and in accordance with the Colorado Urban Renewal Law, Colorado Revised Statutes (“C.R.S.”) § 31-25-101, et seq. (the “Urban Renewal Law”); and

WHEREAS, the City Council of the City of Fort Collins, Colorado (the “City”), by Resolution No. 2004-152 approved and adopted on December 21, 2004, the “North College Urban Renewal Plan” (the “North College Plan”) as an urban renewal plan under the Urban Renewal Law for the area described therein (the “North College Plan Area”); and

WHEREAS, the North College Plan provides for the Authority to exercise all powers authorized under the Urban Renewal Law; and

WHEREAS, for the purposes of preventing and eliminating blight, the Authority determined it should provide a loan (the “Proposed Loan”) to the developers of a proposed deed-restricted multi-family community for low-moderate and middle-income residents to be constructed at 302 Conifer Street (the “Property”), which is located in the North College Plan Area; and

WHEREAS, at a regular board meeting of the Authority on March 27, 2025, the board of commissioners of the Authority (the “Board”) approved a motion authorizing the Acting Executive Director to execute a term sheet describing the general terms and conditions of the Proposed Loan; and

WHEREAS, in addition to the direct purposes of eliminating blight and preventing injury to the public health, safety, morals and welfare of the residents of the City, the development of the Property within the boundaries of the North College Plan Area is expected to provide substantial direct and indirect benefits to the City, its citizens and the surrounding region and enhance the goals of the City as set forth in the Fort Collins City Plan in numerous ways; and

WHEREAS, the Authority is in need of professional services for the administration of the Proposed Loan; and

WHEREAS, Impact Development Fund (“IDF”) has the expertise, experience and resources to provide the Authority the required services; and

WHEREAS, the Authority Board has been presented with an Agreement to Administer a Single Loan with IDF (the “Agreement”) which is currently being reviewed, edited and negotiated by the Authority’s counsel with IDF; and

WHEREAS, the Agreement provides that all of IDF’s fees to administer the Proposed Loan are paid by the developers of the Property / borrowers under the Proposed Loan, except if the Proposed Loan does not end up being entered into by the Authority and the borrower in which case IDF is owed a 1% fee of \$32,200 based on the total loan balance, which the Authority may

pursue borrower for but the Authority is contractually obligated to pay; and

WHEREAS, the Authority is authorized in C.R.S. § 31-25-105(1)(b) to “make and execute all contracts and other instruments which it may deem necessary or convenient to the exercise of its powers.”

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

Section 1. That the Authority hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That, once negotiated and approved by the Authority’s legal counsel and Acting Executive Director, the Acting Executive Director is authorized to enter into the Agreement on the Authority’s behalf on.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 24th day of April, 2025.

FORT COLLINS URBAN RENEWAL
AUTHORITY

Chair

ATTEST:

Assistant Secretary

April 24, 2025

AGENDA ITEM SUMMARY

Urban Renewal Authority



STAFF

Andy Smith, Development Program Manager
Josh Birks, Acting Executive Director

SUBJECT

Public Hearing and Resolution No. 143 Adopting A Supplemental 2025 Budget Resolution for Technical Consulting Services and Prospect South Bike/Ped Improvements.

EXECUTIVE SUMMARY

The purpose of this item is to request reappropriation of unspent funds. In April 2024, the URA Board approved \$275,000 to fund an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area. This project did not commence due to the limited staff capacity spent on higher priorities, specifically North College real estate projects.

Additionally, in April 2024, the URA Board approved \$180,000 for technical consulting services, of which only \$5,000 was spent in 2024. Staff are requesting reappropriation of the unspent funds to begin or continue the noted work in 2025.

STAFF RECOMMENDATION

Staff recommend adoption of the Resolution.

BACKGROUND / DISCUSSION

Prospect South Bike/Ped Design RFP

In 2020 and 2021, Urban Renewal Authority (URA) staff collaborated with the Institute for the Built Environment on a series of public workshops to generate ideas on how to best spend unpledged tax increment in the Prospect South Plan Area. The top priority project from this engagement was bicycle and pedestrian connectivity west of College Ave. On March 25, 2021, the URA Board adopted the Prospect South Community Investment Plan. The Prospect South Community Investment Plan identified five projects for investment with enhanced bicycle and pedestrian connectivity west of College Avenue as the top priority project.

Creation of an existing conditions report documenting the bicycle and pedestrian network in its current state;

- Series of public meetings to generate ideas and solicit feedback on potential design solutions;
- Development of a preferred design with preliminary engineering design (30% design);
- Maintenance plan for proposed improvements; and

- Initial survey and easement work for acquiring property needed for completion of bicycle and pedestrian network.

On May 26, 2022, a similar supplemental budget request for \$250,000 was approved by the URA Board, however the money was not spent as the RFP was not issued due to staffing capacity. Shortly after the appropriation several staffing changes occurred within the Sustainability Services area which manages the Urban Renewal Authority, including the reassignment of the Deputy Director (and Acting Executive Director of the URA) to the role of lead executive for the service area. Shortly thereafter, the Redevelopment Manager went on temporary, later becoming permanent, loan to the Planning Development and Transportation Service Area.

In April 2024, the URA Board approved a supplemental budget request for \$275,000, however work did not commence due to limited staff capacity spent on higher priorities, specifically North College real estate projects.

A part-time Project Coordinator was recently hired to help manage URA projects, and staff capacity has increased sufficiently to begin this project in early summer 2025.

Currently, the fund balance of the Prospect South Plan Area is estimated to be approximately \$1,936,662. Approval of this \$275,000 budget request would leave approximately \$1,661,662 in reserves for other priorities or to continue to advance the bike/ped connectivity project.

Technical Consultants

In April 2024, the URA Board approved \$180,000 for technical consulting services, of which only \$5,000 was spent in 2024. Staff are requesting reappropriation of \$175,000 of unspent funds to begin or continue the noted work in 2025.

The \$5,000 spent in 2024 brought the URA website into compliance with the accessibility provisions required by HB21-1110.

Similar to 2024, the \$175,000 will help fund the following services:

1. Real estate due diligence such as environmental, mechanical, electrical, plumbing, and structural analysis.
2. Financial and economic modeling and analysis including but not limited to market studies, pro forma analysis, partnership structure, and TIF forecasts
3. Planning services including zoning reports, site planning, utility infrastructure, access plans, massing studies, and entitlements.
4. Architectural and engineering services including conceptual building design, code analysis, site planning, and cost estimating.
5. Internal owner's representative services including procurement, project management, contractor management, cost management, and technical negotiations.
6. Website update

AUTHORITY FINANCIAL IMPACTS

Prospect South Bike/Ped Design RFP

An amount not to exceed \$275,000 to come from the Prospect South Plan Area, leaving a fund balance of approximately \$1,661,662.

Technical Consultants

An amount not to exceed \$175,000 to come primarily from the North College Plan Area fund, which currently has an estimated restricted fund balance of approximately \$8,105,108.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Resolution No. 143 – Prospect South Bike/Ped

RESOLUTION NO. 143

OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL
AUTHORITY ADOPTING A SUPPLEMENTAL 2025 BUDGET RESOLUTION FOR
TECHNICAL CONSULTING SERVICES AND PROSPECT SOUTH BIKE/PED
IMPROVEMENTS

WHEREAS, the Fort Collins Urban Renewal Authority (“Authority”) on October 24, 2024 adopted the annual budget for the fiscal year beginning January 1, 2025 and ending December 31, 2025 per Fort Collins Urban Renewal Authority Resolution No. 136, pursuant to and in accordance with Colorado local budgeting requirements and Colorado statute; and

WHEREAS, by Resolution 2024-131, adopted by the Authority on April 25, 2024, the Authority approved the appropriation of \$275,000.00 to fund a request for proposals (“RFP”) for partial design of bike and pedestrian improvements in the urban renewal area described in the Prospect South Plan Area (the “RFP Funds”); and

WHEREAS, none of the RFP Funds were spent in 2024; and

WHEREAS, a need exists to allocate funds to prepare design documents for bicycle and pedestrian improvements in the Prospect South Plan Area; and

WHEREAS, by Resolution 2024-132, adopted by the Authority on April 25, 2024, the Authority approved the appropriation of \$180,000.00 toward on-call technical consultant services for real estate related matters and website improvements (the “Technical Consultant Services Funds”); and

WHEREAS, only \$5,000.00 of the Technical Consultant Service Funds were spent in 2024, and \$175,000.00 of the Technical Consultant Service Funds were not spent; and

WHEREAS, a need exists to allocate funds towards several on-call technical consultant services for real estate related matters and website improvements; and

WHEREAS, the amended 2025 budget, as revised by this Resolution, remains in balance as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The 2025 appropriation for the Prospect South Plan Area is hereby modified to provide for the \$275,000.00 budget request for an RFP for partial design of bike and pedestrian improvements in the Prospect South Plan Area.

Section 3. The 2025 appropriation is hereby modified to provide for the \$175,000.00 budget request for technical consulting services.

Section 4. The remittance and reappropriation of the funds set forth in this Resolution is hereby authorized.

Section 5. The Authority finds that the required notice and opportunity for public inspection, were properly made and held in accordance with C.R.S. §§ 29-1-106 and 29-1-109.

Section 6. This Resolution is enacted as a supplemental budget and appropriation pursuant to C.R.S. § 29-1-109.

Section 7. If necessary, the Secretary of the Authority is directed to file a certified copy of this Resolution with the Division of Local Government, Department of Local Affairs, State of Colorado.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 24th day of April, 2025.

FORT COLLINS URBAN RENEWAL
AUTHORITY

Chair

ATTEST:

Assistant Secretary

April 24, 2025

AGENDA ITEM SUMMARY

Urban Renewal Authority



STAFF

Josh Birks, Acting Executive Director

Melissa Buck, Authority Municipal Advisor (SVP, Public Finance, UMB Financial Services, Inc.)

SUBJECT

Items Relating to the North College Urban Renewal Bonds Series 2025.

EXECUTIVE SUMMARY

A. Resolution No. 144 Authorizing, Approving and Directing the Issuance, Sale and Delivery by the Authority of Tax Increment Revenue & Refunding Bonds (North College) Series 2025, in the Maximum Aggregate Principal Amount of \$18,000,000; Approving Documents in Connection Therewith; and Ratifying Prior Actions.

B. Resolution No. 145 Authorizing the Fort Collins Urban Renewal Authority's Financing of Certain Capital Projects Using Funds to be Reimbursed from Bonds or Other Indebtedness.

The purpose of this item is to discuss the issuance of new debt and refinancing existing debt for the North College Urban Renewal Plan Area (the "Plan Area"). The Fort Collins Urban Renewal Authority (the "Authority") has entered into Purchase and Sale Agreements to acquire and redevelop a closed grocery store at 1636 N. College Avenue and motel located at 1513 N. College Avenue. In addition, the Authority may consider the acquisition of additional properties within the Plan Area requiring funds more than the current forecasted cash balances without the use of debt financing.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

In 2018, the Authority commissioned a professional third-party analysis of opportunities for potential investment within the North College Urban Renewal Plan Area (the "Plan Area"). The analysis culminated in a report, and in 2019, the report was followed and considered by key community stakeholders. The report culminated with three categories of proposed investment and targeted allocations for each:

- Complete, Vibrant neighborhoods (25%)
- Community Hub (50%)
- Infrastructure Improvements (25%)

Since 2020 and the completion of the Community Investment Plan, an assortment of opportunities, challenges, and policy objectives have emerged. The Authority has responded to these opportunities by entering into purchase and sale agreements for two blighted properties, pursuing additional blighted

properties within the plan area, considering support of a proposed middle income deed restricted housing project, support of pedestrian improvements at the intersection of Jerome and Vine Drive.

CURRENT & PLANNED PROPERTY ACQUISITIONS

Beginning in late 2022, the Authority began discussions with the owner of 1636 North College Avenue (currently a vacant grocery store) regarding the potential sale of the property to the Authority. Negotiations occurred across 2023 and 2024 culminating in consideration and approval by the Authority of a Purchase and Sale Agreement (“PSA”) for \$7,636,050.

Starting in late 2024, the Authority approached the owner of 1513 North College Avenue (currently a motel call “Budget Host”) regarding the potential sale of the property. Negotiations occurred quickly, on January 23, 2025, the Authority board considered and approved a PSA for \$2.15 million.

Together, acquisition of both properties will enable the Authority to cure, mitigate, and/or prevent the spread of blight conditions within the Plan Area. The acquisition of property is one of the enumerated powers of the Authority in Colorado statutes. The cost to acquire both properties totals approximately \$9.79 million.

Authority staff are engaging with additional property owners adjacent to 1636 N. College and other nuisance properties (like 1513 N. College) regarding the potential sale of property. Collectively these properties could require an additional \$5 to \$6 million.

OTHER AUTHORITY PLANS

At this time, the Authority is considering a range of investments that could total over \$19.0 million - \$9.8 million (1636 N. College and 1513 N. College), up to an additional \$6.0 million in property acquisitions, \$3.2 million to support middle-income and deed restricted housing at 302 Conifer). Current cash on hand (approximately \$8.0 million) falls short of this amount.

FUNDING AUTHORITY ACTIVITIES

At the end of 2024, Authority staff ask its municipal advisor (Melissa Buck with UMB Financial Services, Inc.) to analyze several scenarios to fund the proposed activities. These scenarios included pay-as-you-go and issuing bonds. The projected cash balance, both now and in the future, will not fund the projects based on current anticipated timing (e.g., current cash-on-hand is insufficient to acquire both 1636 N. College and 1513 N. College). However, an initial analysis suggests that the projected Tax Increment Revenue (“TIF”) to be collected within the Plan Area could be leveraged into a bond issuance of approximately \$12.4 million. This combined with the current cash balance of \$8.0 million would create cash-on-hand sufficient to meet the projected cash flow needs of the Authority.

BOND UNDERWRITING SERVICES

To obtain the most competitive pricing on a bond issuance, Authority staff issued a Request for Proposals soliciting bond underwriting services. Written proposals were submitted by six firms: Stifel, D.A. Davidson, Piper Sandler, RBC Capital Markets, Raymond James, and Estrada Hinojosa (TRB Capital Markets). Each of the six firms that responded demonstrated varying degrees of experience with tax increment financings, structuring complexity, investor distribution strategies, and proposed pricing.

Working with the Authority’s municipal advisor, the submissions were reviewed for experience and expertise, rating & structuring approach, financial strength and fees, and marketing and distribution strategy. Based on these criteria, staff selected D.A. Davidson to provide underwriting services for this bond issuance. The high-quality proposal, structure flexibility, and deep track record with Colorado special districts made the D.A. Davidson the most comprehensive and execution-ready partner.

AUTHORITY FINANCIAL IMPACTS

The objective of the Series 2025 bonds is to provide sufficient funds to acquire several properties in North College. The forecast cash flow for the district does not provide sufficient funds in a timely manner for all the anticipated acquisitions. The Authority has two primary options for issuing bonds to meet projected cash flow needs:

- A. Issue new bonds (Series 2025) at parity with the existing bonds (Series 2013); or

- B. Issue revenue and refunding bonds (Series 2025) refinancing the existing bonds (Series 2013) and generating new money.

The bond scenarios share the same objectives:

- Generate \$12.4 million in new money (also known as, “Project Fund”);
- Manage total interest and net debt service so as not to increase existing costs; and
- Maximize available funds annually (after debt service) to fund additional blight remediation projects

Attachment 2 shows the potential bond funding scenarios, based on current market conditions, assuming the City agrees to offer a moral obligation pledge, and bond insurance is obtained as part of the financing. The two scenarios are compared below in **Table 1**.

Table 1
Bond Scenario Comparison (2030 Maturity)

Scenario	A Parity Bonds	B Refunding & Improvement Bonds
Total PAR	\$16,410,000	\$15,490,000
Total Interest	\$2,609,213	\$2,400,204
Net Debt Service	\$18,070,250	\$17,890,204
Annual Avg. Debt Service	\$3,540,166	\$3,247,843

Currently, issuing refunding and improvement bonds (Scenario B) presents the best financial option. This scenario, (1) keeps the total amount borrowed (Total PAR) lowest overall; (2) has a lower total interest cost and net debt service amount; and (3) manages the annual average debt service to maximize annual cash flow. However, market conditions remain volatile and maintaining flexibility given conditions is the most prudent course of action. Therefore, the authorizing resolution enables the Acting Executive Director to execute either scenario to achieve the objectives stated above.

The net impact to the Authority’s finances from the proposed refunding will be an increase in the average annual debt service to approximately \$3.5 million up from approximately \$950,000. Or an increase of approximately \$3.0 million annually.

ATTACHMENTS

1. Resolution No. 144 – Bonds Renewal
2. Resolution No. 145 – Use of Bonds Funds
3. Initial Bond Scenarios
4. Presentation

RESOLUTION NO. 144

OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY AUTHORIZING, APPROVING AND DIRECTING THE ISSUANCE, SALE AND DELIVERY BY THE AUTHORITY OF TAX INCREMENT REVENUE REFUNDING AND IMPROVEMENT BONDS (NORTH COLLEGE TAX INCREMENT URBAN RENEWAL AREA) SERIES 2025, IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$18,000,000.00; APPROVING DOCUMENTS IN CONNECTION THEREWITH; AND RATIFYING PRIOR ACTIONS.

WHEREAS, the Fort Collins Urban Renewal Authority (the “Authority”) is a public body corporate and politic, and has been duly created, organized, established and authorized by the City of Fort Collins, Colorado (the “City”) to transact business and exercise its powers as an urban renewal authority, all under and pursuant to the Colorado Urban Renewal Law, constituting part 1 of article 25 of title 31, Colorado Revised Statutes, as amended (the “Act”); and

WHEREAS, the City Council of the City by Resolution No. 2004-152, approved and adopted on December 21, 2004, has authorized and approved the “North College Urban Renewal Plan” as an urban renewal plan under the Act (the “Plan”) for the area described therein (the “Plan Area”); and

WHEREAS, all applicable requirements of the Act and other provisions of law for and precedent to the adoption and approval by the City of the Plan have been duly complied with; and

WHEREAS, pursuant to Section 31-25-109 of the Act, the Authority has the power and authority to issue bonds to finance the activities or operations of the Authority permitted and authorized under the Act and also has the power to issue refunding bonds; and

WHEREAS, the Board of Commissioners of the Authority (the “Board”) has determined that it is advantageous and in the best interests of the Authority to acquire, demolish, renovate and construct various capital projects within the Plan Area, including, but not limited to, acquiring and renovating an abandoned grocery store and neighboring properties, acquiring, renovating, and equipping certain nuisance properties and miscellaneous capital expenditures for and in connection with the urban renewal project within the Plan Area (collectively, the “Project”); and

WHEREAS, the Authority has previously issued and has outstanding its Fort Collins Urban Renewal Authority, Tax Increment Revenue Bonds (North College Tax Increment Urban Renewal Area), Series 2013 (the “Prior Bonds”); and

WHEREAS, the Board has determined that it is advantageous and in the best interests of the Authority to refund all of the outstanding Prior Bonds, subject to market conditions being favorable and conducive to achieving meaningful debt service savings (the “Refunding”); and

WHEREAS, the Board has determined and hereby determines that it is in the best interests of the Authority and the citizens of the City that the Authority now issue tax increment revenue

bonds in the maximum aggregate principal amount of \$18,000,000.00 (the “Bonds”) for the purpose of financing the Project and the Refunding, pursuant to and in accordance with the Plan and the Act; and

WHEREAS, the Bonds will be issued under and pursuant to an Indenture of Trust (the “Indenture”) between the Authority and U.S. Bank Trust Company, National Association, as trustee; and

WHEREAS, the Bonds shall be sold and delivered by the Authority to D.A. Davidson & Co. (the “Underwriter”) pursuant to the provisions of a Bond Purchase Agreement (the “Bond Purchase Agreement”) between the Authority and the Underwriter; and

WHEREAS, in connection with the issuance of the Bonds, it is necessary and in the best interests of the Authority to enter into a Cooperation Agreement (the “Cooperation Agreement”) between the Authority and the City; and

WHEREAS, the Authority desires to enter into a Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) relating to the Bonds; and

WHEREAS, Section 11-57-204 of the Supplemental Public Securities Act, constituting Title 11, Article 57, Part 2, Colorado Revised Statutes (the “Supplemental Act”), provides that a public entity, including the Authority, may elect in an act of issuance to apply all or any of the provisions of the Supplemental Act; and

WHEREAS, there are on file with the City Clerk as the Secretary of the Board (the “Secretary”): (a) the proposed form of Indenture; (b) the proposed form of Bond Purchase Agreement; (c) the proposed form of Preliminary Official Statement (the “Preliminary Official Statement”) prepared for distribution to the purchasers of the Bonds; (d) the proposed form of Cooperation Agreement; and (e) the proposed form of Continuing Disclosure Agreement; and

WHEREAS, all acts, conditions and things required by law to exist, happen and be performed precedent to and in connection with the authorization of the Bonds exist, have happened and have been performed in regular and due time, form and manner as required by law, it is appropriate for the Board to adopt this Resolution at this time.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY, COLORADO:

Section 1. All actions (not inconsistent with the provisions of this Resolution) heretofore taken by the Board and the employees, agents, officials and officers of the Authority directed toward financing and implementing the Project and the Refunding, and the issuance and sale of the Bonds are hereby ratified, approved and confirmed.

Section 2. The Board hereby finds and determines, pursuant to the laws of the State and the Act, that adopting this Resolution, issuing the Bonds, executing the documents related thereto, and implementing the Project and the Refunding is necessary, advantageous and in the best interests of the Authority and the citizens of the City.

Section 3. To provide funds to defray the cost of the Project and the Refunding and to pay the costs of issuance incurred in connection therewith, there is hereby authorized and created an issue of revenue bonds of the Authority designated as its “Fort Collins Urban Renewal Authority, Tax Increment Revenue Refunding and Improvement Bonds (North College Tax Increment Urban Renewal Area), Series 2025” (or such other designation as approved by the hereinafter defined Chairperson or Acting Executive Director) in the maximum aggregate original principal amount of \$18,000,000.00, in accordance with the provisions of the Indenture. The Bonds shall be dated, shall bear interest, shall be subject to redemption prior to maturity and shall mature as provided in the Indenture.

Section 4. The Board hereby elects to apply all of the Supplemental Act to the Bonds and in connection therewith delegates to each of the Chairperson of the Board (the “Chairperson”) and the Acting Executive Director of the Authority (the “Acting Executive Director”) the independent authority to make any determination delegable pursuant to Section 11-57-205(1)(a-i), Colorado Revised Statutes, to accept and sign the Bond Purchase Agreement, to make determinations in relation to the Bonds, subject to the following parameters and restrictions: (a) the aggregate principal amount of the Bonds shall not exceed \$18,000,000.00; (b) the Bonds shall mature no later than December 1, 2030; (c) the purchase price of the Bonds shall not be less than 95% of the original principal amount on the Bonds; and (d) the maximum net effective interest rate on the Bonds shall not exceed 4.50%. The Chairperson and the Acting Executive Director are hereby independently authorized to determine whether (a) a reserve fund insurance policy will be obtained for deposit into the Reserve Fund, as such term is defined in the Indenture, and if so, to select a surety provider to issue a reserve fund insurance policy for all or any portion of the Reserve Fund Requirement, as such term is defined in the Indenture, related to the Bonds and execute any related documents or agreements required by such commitment and (b) whether or not to proceed with the Refunding. The delegation set forth in this Section 4 shall be effective for one year following the date hereof.

Section 5. The forms, terms and provisions of Indenture, Bond Purchase Agreement, Cooperation Agreement and Continuing Disclosure Agreement (collectively, the “Documents”) are hereby authorized and approved, and the Authority shall enter into the Documents in substantially the forms on file with the Secretary, but such Documents may be completed, corrected or revised as deemed necessary by the parties thereto in order to carry out the purposes of this Resolution and as the Acting Executive Director shall approve, the execution thereof being deemed conclusive approval of any such changes by the Authority. The Chairperson and the Acting Executive Director are each hereby authorized and directed to execute and deliver the Indenture, the Cooperation Agreement and the Continuing Disclosure Agreement for and on behalf of the Authority. The Secretary is hereby authorized and directed to affix the seal of the Authority to, and to attest those Documents requiring the attestation of the Secretary. The Bond Purchase Agreement shall be executed by either the Chairperson or the Acting Executive Director as authorized herein.

Section 6. A final Official Statement (the “Official Statement”), in substantially the form of the Preliminary Official Statement on file with the Secretary, is in all respects approved and authorized. The Chairperson is hereby authorized and directed, for and on behalf of the Authority, to execute and deliver the final Official Statement in substantially the form and with substantially the same content as the Preliminary Official Statement on file with the

Secretary, with such changes as may be approved by the Chairperson or the Acting Executive Director. The distribution of the Preliminary Official Statement and the final Official Statement to all interested persons in connection with the sale of the Bonds is hereby ratified, approved and authorized.

Section 7. The form, terms and provisions of the Bonds, in the form contained in the Indenture, are hereby approved, with such changes therein as are approved by the Chairperson or the Acting Executive Director; and the manual or facsimile signature of the Chairperson is hereby authorized and directed to be placed on the Bonds, the seal of the Authority, or a facsimile thereof, is hereby authorized and directed to be affixed to the Bonds, and the Acting Executive Director is hereby authorized and directed to attest the Bonds, in accordance with the Indenture.

Section 8. The officers of the Authority are hereby authorized and directed to execute and deliver for and on behalf of the Authority any and all additional certificates, documents and other papers, and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the transactions and other matters authorized by this Resolution. The execution of any document or instrument by the aforementioned officials or employees of the Authority shall be conclusive evidence of the approval by the Authority of such document or instrument in accordance with the terms hereof and thereof.

Section 9. The Bonds, together with interest payable thereon, are special and limited obligations of the Authority payable solely as provided in the Indenture. The principal of, premium, if any, and interest on the Bonds shall not constitute an indebtedness of the City, the State of Colorado or any political subdivision thereof, and none of the City, the State of Colorado or any political subdivision thereof shall be liable thereon, nor in any event shall the principal of, premium, if any, and interest on the Bonds be payable out of funds or properties other than the Trust Estate, as such term is defined in the Indenture. Neither the Commissioners of the Authority nor any persons executing the Bonds shall be liable personally on the Bonds.

Section 10. Pursuant to Section 11-57-209 of the Supplemental Act, if a member of the Board, or any officer or agent of the Authority acts in good faith, no civil recourse shall be available against such member, officer, or agent for payment of the principal, interest or prior redemption premiums on the Bonds. Such recourse shall not be available either directly or indirectly through the Board or the Authority, or otherwise, whether by virtue of any constitution, statute, rule of law, enforcement of penalty, or otherwise. By the acceptance of the Bonds and as a part of the consideration of their sale or purchase, any person purchasing or selling such Bonds specifically waives any such recourse.

Section 11. After the Bonds are issued this Resolution shall be and remain irrevocable and may not be amended except in accordance with the Indenture, until the Bonds and the interest thereon shall have been fully paid, canceled and discharged in accordance with the Indenture.

Section 12. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such

section, paragraph, clause or provision shall not affect any of the remaining provisions of, this Resolution.

Section 13. All bylaws, orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any bylaw, order or resolution or part thereof.

Section 14. This Resolution shall be in full force and effect immediately upon its passage and approval.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 24th day of April, 2025.

FORT COLLINS URBAN RENEWAL
AUTHORITY

By:

Chairperson

ATTEST:

Assistant Secretary

RESOLUTION NO. 145

OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL
AUTHORITY REGARDING FINANCING OF CERTAIN CAPITAL PROJECTS

WHEREAS, the Fort Collins Urban Renewal Authority (the “Authority”) has paid certain expenditures and expects to pay certain additional expenditures in connection with the Project (as defined below), prior to the issuance of bonds or other indebtedness to be used to finance such expenditures (the “Obligations”);

WHEREAS, Section 1.150-2 of the Treasury Regulations requires the Authority to declare its reasonable official intent to reimburse prior expenditures for the Project with the proceeds of the Obligations; and

WHEREAS, the Authority intends to declare its intent to reimburse certain prior expenditures for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

Section 1. Project. The Project consists of the acquisition, demolition renovation and construction of various capital projects within the City of Fort Collins (the “City”), including, but not limited to, the acquisition and renovation of an abandoned grocery store and neighboring properties, the acquisition, renovation, and equipping of certain nuisance hotels and miscellaneous capital expenditures within the City (collectively, the “Project”).

Section 2. Reimbursement. The Board of Commissioners of the Authority expects that it will pay certain expenditures in connection with the Project prior to the issuance of the Obligations. The Authority will pay the expenditures with funds other than proceeds of the Obligations, such as funds in its general fund or other available funds. The Authority reasonably expects that it will reimburse itself for the use of such funds with the proceeds of the Obligations to be issued by an authorized governmental issuer to finance the costs of the Project. The maximum principal amount of the Obligations expected to be issued for the Project is \$18,000,000.00. **This statement of official intent to reimburse constitutes a declaration of official intent under Section 1.150-2 of the Treasury Regulations.**

Section 3. Effective Date. This Resolution shall be effective immediately on its adoption.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 24th day of April, 2025.

FORT COLLINS URBAN RENEWAL
AUTHORITY

Chair

ATTEST:

Assistant Secretary

City of Fort Collins, CO

Fort Collins Urban Renewal Authority

Tax Increment Revenue Bonds, Series 2025 (Assumes Aa3 Underlying + Bond Insurance)

Financing Scenarios

Structure Option	<u>Series 2025 Bonds Only</u>		<u>Series 2013 and Series 2025 Parity Bonds</u>		<u>Series 2025 Refunding and Improvement Bonds</u>	
	2029 Maturity	2030 Maturity	2029 Maturity	2030 Maturity	2029 Maturity	2030 Maturity
Total Par Amount	12,295,000	12,210,000	16,495,000*	16,410,000*	15,575,000	15,490,000
Project Fund	12,400,000	12,400,000	12,400,000	12,400,000	12,400,000	12,400,000
Total Interest	1,661,748	2,076,088	2,194,873	2,609,213	1,990,365	2,400,204
Total Net Debt Service	13,956,748	14,286,088	17,740,910	18,070,250	17,565,365	17,890,204
True Interest Cost	3.66%	3.68%	N/A	N/A	3.66%	3.68%
Annual Average Debt Service	3,095,767	2,593,541	4,042,392	3,540,166	3,896,199	3,247,843

*Includes outstanding par of the Series 2013 Bonds at issuance

Rates as of 4/15/2025

***Resolution Nos. 144 & 145:
Items Relating to the North College Urban
Renewal Bonds - Series 2025***

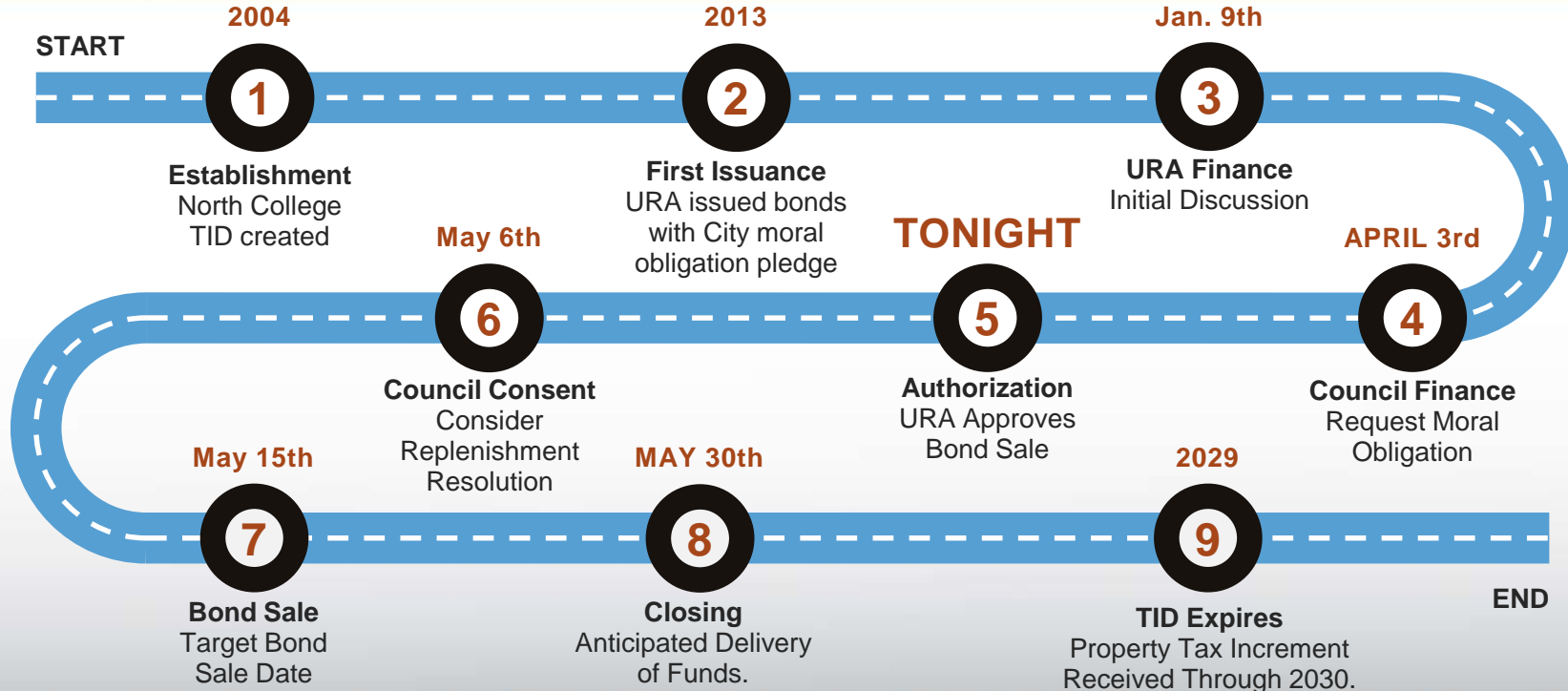
- Resolution No. 144 – Authorizes, Approves and Directs the Issuance, Sale and Delivery of Bonds in the Maximum Aggregate Principal Amount of \$18,000,000
- Resolution 145 – Authorizes the Authority to finance certain capital projects to be reimbursed from bonds (*provides flexibility*)

Need for Bond Issuance

Item	Amount
Bond Capital	\$12,400,000
Cash Balance	\$8,000,000
Available for Use	\$20,400,000
<i>Less: Known/Potential Projects</i>	
Albertson's Acquisition	(\$7,700,000)
1513 N. College Acquisition	(\$2,150,000)
Supporting 302 Conifer	(\$3,200,000)
Subtotal	(\$13,050,000)
<i>Less: Additional Blight Remediation Activities</i>	(\$6,000,000)
Remaining Balance	\$1,350,000

- **Authority Cash Balance.**
Insufficient to meet immediate needs (*next 12-18 months*)
- **Projected Short Fall.**
\$11.15 million
- **Proposed Bond Amount.**
\$12.4 million
(*shortfall + contingency*)

Leveraging TIF before it Expires



Bond Objectives

- Generate \$12.4 million in new money
- Manage total interest and net debt service so as not to increase existing costs
- Maximize available funds annually (after debt service) to fund additional blight remediation projects

City of Fort Collins, CO
Fort Collins Urban Renewal Authority
Tax Increment Revenue Bonds, Series 2025 (Assumes Aa3 Underlying + Bond Insurance)
Financing Scenarios

Structure Option	<u>Series 2025 Bonds Only</u>		<u>Series 2013 and Series 2025 Parity Bonds</u>		<u>Series 2025 Refunding and Improvement Bonds</u>	
	2029 Maturity	2030 Maturity	2029 Maturity	2030 Maturity	2029 Maturity	2030 Maturity
Total Par Amount	12,295,000	12,210,000	16,495,000*	16,410,000*	15,575,000	15,490,000
Project Fund	12,400,000	12,400,000	12,400,000	12,400,000	12,400,000	12,400,000
Total Interest	1,661,748	2,076,088	2,194,873	2,609,213	1,990,365	2,400,204
Total Net Debt Service	13,956,748	14,286,088	17,740,910	18,070,250	17,565,365	17,890,204
True Interest Cost	3.66%	3.68%	N/A	N/A	3.66%	3.68%
Annual Average Debt Service	3,095,767	2,593,541	4,042,392	3,540,166	3,896,199	3,247,843

*Includes outstanding par of the Series 2013 Bonds at issuance

Source: D.A. Davidson & Co.; Rates as of April 15, 2025

Financial Impacts

Scenario	Current	A – Parity	B – Refunding & Improvement	Max Difference
Avg. Annual Debt Service	\$950,000	\$3,500,000	\$3,250,000	\$2,550,000
Avg. Annual Cash Flow	\$3,000,000	\$500,000	\$750,000	(\$2,500,000)
Project Total Cash for Projects	\$27,900,000	\$9,800,000	\$10,000,000	(\$18,100,000)

Rough estimates for illustrative purposes; additional forecasting will be complete once bonds are formally priced in the market

Key Takeaways



Remedies Blight Now

Enables critical projects and acquisitions without delay
Creating the opportunity for community revitalization



Leverages Existing Taxes

Smartly uses TIF revenues before they expire



Financially Sound Plan

Proposed debt is conservatively sized
Focuses on immediate and anticipated needs that enable important projects to be considered now rather than later due to cash flow

- Resolution No. 144 – Authorizes, Approves and Directs the Issuance, Sale and Delivery of Bonds in the Maximum Aggregate Principal Amount of \$18,000,000
- Resolution 145 – Authorizes the Authority to finance certain capital projects to be reimbursed from bonds (*provides flexibility*)

April 24, 2025

AGENDA ITEM SUMMARY

Urban Renewal Authority



STAFF

Josh Birks, Acting Executive Director

SUBJECT

Public Hearing and Resolution No. 146 Adopting a Supplemental 2025 Budget Resolution for the Payment of Tax Increment to Larimer County.

EXECUTIVE SUMMARY

The purpose of this item is to consider a Resolution authorizing funding a payment to Larimer County (the "County") per the terms of the Redevelopment and Reimbursement Agreement (the "Redevelopment Agreement") between the Fort Collins Urban Renewal Authority (the "Authority"), Walton Foothills Holdings VI, L.L.C., the City of Fort Collins (the "City") and the Foothills Metropolitan District (the "District"). This payment will fund payment of an annual payment of \$60,000 from the Pledged Property Tax Increment Revenue since 2015 – the first year of substantial Pledged Property Tax Increment Revenue – which has not been paid. The total payment will be \$600,000.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND/DISCUSSION

The Redevelopment Agreement defines Pledged Property Tax Increment Revenue as:

"100% of the annual ad valorem property tax revenue received by the Authority from the Larimer County Treasurer in excess of the amount produced by the levy of those taxing bodies that levy property taxes against the Property Tax Base Amount in the TIF Area in accordance Colorado law, **but not including**, (a) the District Operating Revenue, (b) the District Debt Service Mill Levy Revenue, (c) the Authority Administrative Fee, (d) mill levy override payments approved by the electors of Poudre School District in 2012 and subsequent years, (e) any offsets collected by the Larimer County Treasurer for return of overpayments or any reserve funds retained by the Authority for such purposes in accordance with Sections 31-25-107(9)(a)(III) and (b) of the Act, and **(f) \$60,000 each year of such annual revenues.**" (emphasis added)

As a result, the Authority has been remitting funds that should not have been remitted to the District since 2015. The total payment is \$600,000 for the period between 2015 and 2024. The fund necessary to make this payment were withheld from the property tax increment remitted to the District in 2024. However, they were not included in the 2025 budget. This resolution authorizes the funding necessary to make the payment.

AUTHORITY FINANCIAL IMPACTS

The proposed action has no impact on the Authority's finances. All tax increment within the Foothills Tax Increment District, less the one and a half percent (1.5%) administrative fee are remitted to the Foothills Metropolitan District. Given, the \$600,000 was withheld from the 2024 increment remittances the payment to the County reduces the increment received by the District rather than the Authority. It's a matter of honoring the Redevelopment Agreement and remitting the incremental funds to the correct recipient.

ATTACHMENTS

1. Resolution No. 146 – County Tax Increment
2. County Tax Increment Presentation

RESOLUTION NO. 146

OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL
AUTHORITY ADOPTING A SUPPLEMENTAL 2025 BUDGET RESOLUTION

WHEREAS, the Fort Collins Urban Renewal Authority (“Authority”) on October 24, 2024 adopted the annual budget for the fiscal year beginning January 1, 2025 and ending December 31, 2025 per Fort Collins Urban Renewal Authority Resolution No. 136, pursuant to and in accordance with Colorado local budgeting requirements and Colorado statute; and

WHEREAS, pursuant to Resolution No, 068, adopted by the Authority on January 14, 2014, the Authority entered into a Redevelopment and Reimbursement Agreement with Walton Foothills Holdings VI, L.L.C., the City of Fort Collins and the Foothills Metropolitan District in which the Authority agreed to remit \$60,000 annually from the property tax increment generated in the urban renewal area defined in the Foothills Mall Urban Renewal Plan (the “Foothills Mall Plan Area”) to the County of Larimer; and

WHEREAS, Authority staff identified that these funds have not been remitted to the County; and

WHEREAS, in 2024, the Authority retained \$600,000 in property tax increment to make up this amount and for payment to the County in the calendar year 2025; and

WHEREAS, the amended 2025 budget, as revised by this Resolution, remains in balance as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. That the 2025 appropriation for the Foothills Mall Plan Area is hereby modified to provide for this \$600,000.00 budget request, and the remittance and reappropriation of the funds set forth in this Resolution is hereby authorized.

Section 3. The Authority finds that the required notice and opportunity for public inspection, were properly made and held in accordance with C.R.S. §§ 29-1-106 and 29-1-109.

Section 4. This Resolution is enacted as a supplemental budget and appropriation pursuant to C.R.S. § 29-1-109.

Section 5. If necessary, the Secretary of the Authority is directed to file a certified copy of this Resolution with the Division of Local Government, Department of Local Affairs, State of Colorado.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 24th day of April, 2025.

FORT COLLINS URBAN RENEWAL
AUTHORITY

Chair

ATTEST:

Assistant Secretary

April 24, 2025

Resolution No. 146: Budget for Payment to Larimer County

- Redevelopment & Reimbursement Agreement defined Pledge Property Tax Increment Revenue as excluding:
 - “\$60,000 each year of...annual revenues”
- Funds are intended to offset lost Business Personal Property Tax revenue to the County from redevelopment
- Payments should have begun in 2015

Payment to County

Year	Not Withheld	To Be Withheld
2015	\$ 60,000.00	\$ -
2016	\$ 60,000.00	\$ -
2017	\$ 60,000.00	\$ -
2018	\$ 60,000.00	\$ -
2019	\$ 60,000.00	\$ -
2020	\$ 60,000.00	\$ -
2021	\$ 60,000.00	\$ -
2022	\$ 60,000.00	\$ -
2023	\$ 60,000.00	\$ -
2024	\$ 60,000.00	\$ -
2025	\$ -	\$ 60,000.00
Total	\$ 600,000.00	\$ 60,000.00

- Missed Payments 2015 to 2024:
\$600,000 (*tonight's action*)
- Annual Withholding: \$60,000
(*included in 2025 Budget*)
- **Total Payment: \$660,000**

April 24, 2025

AGENDA ITEM SUMMARY

Urban Renewal Authority



STAFF

Josh Birks, Acting Executive Director
Andy Smith, Redevelopment Manager

SUBJECT

Resolution No. 147 Authorizing an Amendment to the Purchase Agreement for the Acquisition of Property at 1513 N. College Ave.

EXECUTIVE SUMMARY

The purpose of this item is to consider a resolution authorizing the Acting Executive Director to negotiate and execute an amendment to the Purchase and Sale Agreement for acquisition of property at 1513 N. College Avenue. Based on current inspections and due diligence, Fort Collins Urban Renewal Authority (the "Authority") staff believe that an amendment will be necessary to affect the most advantageous acquisition of the property for the purpose of remediating blight.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

The Property located at 1513 N College Avenue is a 31-room motel operating as the Budget Host. It is situated on a .72-acre site, has 31 rooms, and is located within the North College Urban Renewal Plan area boundaries.



Blight Mitigation

The Fort Collins URA exists to cure, mitigate, and/or prevent blight conditions found within its urban renewal plan areas. The North College Urban Renewal Plan (Exhibit C) was adopted in 2004 and authorizes the URA to purchase property as detailed below:

“In the event that the Authority finds it necessary to purchase any real property for an urban renewal project to remedy blight factors pursuant to the Urban Renewal Law and this Plan, the Authority may do so by any legal means available, including the exercise of the power of eminent domain, pursuant to the Urban Renewal Law.”

Updates

Authority staff working with outside consultants have conducted a series of inspections. These inspections have identified several items that might necessitate an amendment to the Purchase and Sale Agreement before closing on the acquisition of property at 1513 N. College Avenue.

AUTHORITY FINANCIAL IMPACTS

The proposed action should have no added impact on the Authority's finances.

ATTACHMENTS

1. Resolution No. 147 – 1513 N College

RESOLUTION NO. 147

OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS
URBAN RENEWAL AUTHORITY AUTHORIZING AN AMENDMENT TO THE
PURCHASE AGREEMENT FOR THE ACQUISITION OF PROPERTY AT 1513 N.
COLLEGE AVE.

WHEREAS, the Fort Collins Urban Renewal Authority (the “Authority”) was established in 1982 under and in accordance with the Colorado Revised Statutes (“C.R.S.”) § 31-25-101, et seq. (the “Urban Renewal Law”); and

WHEREAS, the City Council of the City of Fort Collins, Colorado (the “City”), by Resolution No. 2004-152 approved and adopted on December 21, 2004, the “North College Urban Renewal Plan” (the “North College Plan”) as an urban renewal plan under the Urban Renewal Law for the area described therein (the “North College Plan Area”); and

WHEREAS, at the time the North College Plan was adopted, the real property located within the North College Plan Area was found, determined and declared to be a blighted area as defined in the Urban Renewal Law (the “Blight Determination”); and

WHEREAS, the North College Plan provides for the Authority to exercise all powers authorized under the Urban Renewal Law, including the Authority’s acquisition of real property located within the North College Plan Area; and

WHEREAS, based on community feedback and continued and growing issues of blight, the Authority determined it should acquire the property located at 1513 N. College Ave. (the “Property”), which Property is located within the North College Plan Area; and

WHEREAS, by Resolution No. 141, adopted by the Authority on January 23, 2025, the Authority approved entering into a Purchase Agreement for the purchase of the Property with a Purchase Price of \$2,150,000.00 (including the initial deposit of \$50,000.00); and

WHEREAS, based on its inspections of the Property pursuant to the Purchase Agreement, the Authority has determined that it is necessary and appropriate to engage in good faith negotiations with the seller of the Property for modified terms to the Purchase Agreement, and to authorize the Acting Executive Director to enter into one or more amendments to the Purchase Agreement; and

WHEREAS, the Authority is authorized in C.R.S. § 31-25-105(1)(b) to “make and execute all contracts and other instruments which it may deem necessary or convenient to the exercise of its powers” and in C.R.S. § 31-25-105(1)(e) to “acquire any property by purchase”.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. Once negotiated and approved by the Authority’s legal counsel and Acting Executive Director, the Acting Executive Director is authorized to enter into one or more amendments to the Purchase Agreement as the Authority’s legal counsel and Acting Executive Director may determine to be necessary and appropriate to protect the interests of the Authority; provided, however, that any amendments to the Purchase Agreements that increase the Purchase Price or materially increase the obligations of the Authority must be presented to the Authority Board for approval prior to execution.

Section 3. The Acting Executive Director or his designee is hereby authorized and directed to take all actions and execute all documents necessary for the Authority to comply with and effectuate the Purchase Agreement, as may be amended, and to acquire the Property, including all actions identified in the Purchase Agreement, as may be amended, or any exhibit thereto that are not specifically designated as requiring review, approval, or decision by the Authority or required by law to be performed by the Authority.

Section 4. This Resolution shall be effective upon approval by the Authority.

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 24th day of April, 2025.

FORT COLLINS URBAN RENEWAL
AUTHORITY

Chair

ATTEST:

Assistant Secretary