

RESOLUTION 2025-100
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING A FIRST AMENDMENT TO THE
CONSOLIDATED SERVICE PLAN FOR
MONTAVA METROPOLITAN DISTRICT NOS. 1 THROUGH 7

A. The Colorado Special District Act authorizes the formation of a metropolitan district within the City by approval of the district's service plan by adoption of a resolution of Council and subsequent voter approval at the organizing election.

B. Part 2, Article 1 of Title 32 of the Colorado Revised Statutes (C.R.S.) further specifies the requirements and procedures, including a hearing before the Council, for approval of a proposed service plan or any amendment thereto that constitutes a material modification thereof.

C. The City's Financial Management Policy 10 – Metro Districts (the "Metro District Policy"), as authorized by City Council Resolutions 2021-045, 2019-016, 2018-079, and 2008-069, further establishes the criteria, guidelines, and processes for the City in considering applications for service plans for proposed metropolitan districts and amendments to those plans. The Metro District Policy sets expectations that metropolitan districts will provide broad public benefits, requires applicant assurances and specific commitments, and provides for enforcement of these public benefits by inclusion of related terms in district service plans, development agreements, and other contracts.

D. On September 25, 2018, Council held a public hearing on the formation of a consolidated metropolitan district, the proposed areas and boundaries of which were wholly within the corporate limits of the City. Council approved the formation of the consolidated Montava Metropolitan District Nos. 1 through 7 (the "District"), by adoption of Resolution 2018-083, which included the findings of Council regarding the purposes of planning, design, acquisition, construction, installation, relocation, redevelopment, and operation and maintenance of all or a portion of certain public improvements for which the Districts was organized.

E. The District was organized by Order and Decree Organizing District, issued on January 30, 2020, and recorded on February 3, 2020.

F. By adoption of Resolution 2020-007, Council approved a public benefits agreement between the City and the District to secure public benefits, including, but not limited to, the development of affordable and workforce housing. The agreement was executed on December 11, 2020.

G. On August 21, 2025, the Board of Directors of the District requested that the City consider a proposed First Amendment to the Consolidated Service Plan for Montava Metropolitan District Nos. 1-7 (the "First Amendment") to increase the maximum debt authorization for the District and to authorize the District to establish special improvement districts in addition to traditional bond issuances.

H. On October 2, 2025, staff presented the proposed First Amendment to the Council Finance Committee with a recommendation to refer the First Amendment to Council for consideration.

I. On October 3, 2025, notice of a public hearing on the First Amendment was made by publication in the Fort Collins Coloradoan and by sent by United States first class mail to all owners of record within the District.

J. On November 3, 2025, Council held a public hearing on the proposed First Amendment, at which Council reviewed the First Amendment and considered the testimony and evidence presented at the public hearing.

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

Section 1. The Council hereby determines that the changes proposed in the First Amendment constitute material modifications of the Consolidated Service Plan for the District, per Sections XIV and XV thereof, for which notice, a hearing, and action by resolution are required, pursuant to C.R.S. §§ 32-1-204.5 and 32-1-207(2) and the Metro District Policy.

Section 2. The Council hereby determines that the notification requirements of the Metro District Policy, as well as the statutory notification requirements in Part 3, Article 1 of Title 32, C.R.S., have been complied with regarding the public hearing on the First Amendment.

Section 3. The Council, after considering the testimony and evidence presented, and after its review of the First Amendment, hereby finds that the First Amendment contains, or sufficiently provides for, the items described in C.R.S. § 32-1-202(2).

Section 4. The Council's findings are based solely upon the evidence in the First Amendment presented at the public hearing and the City has not conducted any independent investigation of the evidence. The City makes no guarantee as to the financial viability of the District or the achievability of the desired results.

Section 5. The Council hereby approves the First Amendment, attached hereto as Exhibit A and incorporated herein by this reference .

Section 6. The approval of Council of the First Amendment is not a waiver or a limitation upon any power that the City Council is legally permitted to exercise with respect to the property within the District.

Passed and adopted on November 3, 2025.

Mayor Pro Tem

ATTEST:

City Clerk

Effective Date: November 3, 2025

Approving Attorney: Dianne Criswell

Exhibit: Exhibit A: First Amendment to the Consolidated Service Plan for
Montava Metropolitan District Nos. 1-7.