

RESOLUTION 2018-076
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL
AGREEMENT WITH LARIMER COUNTY TO PARTNER ON THE PURCHASE
OF AN 800 ACRE INHOLDING AT RED MOUNTAIN OPEN SPACE

WHEREAS, to meet shared land conservation goals, the City and Larimer County (“County”) have been working together since 2003 to conserve land in the Laramie Foothills – Mountains to Plains Conservation Area, including the Red Mountain Open Space (“Red Mountain”) directly west of the City’s Soapstone Prairie Natural Area; and

WHEREAS, the County has acquired an inholding parcel in Red Mountain, approximately 800 acres in size, known as Gallegos Ranch; and

WHEREAS, the City wishes to acquire a conservation easement on the Gallegos Ranch property, as well as on another previously purchased inholding parcel at Red Mountain (together, the “Red Mountain Inholding”), to cooperate with the County on the costs and responsibilities of conserving those properties; and

WHEREAS, the City already holds a conservation easement on the rest of Red Mountain; and

WHEREAS, the City and County have negotiated a proposed intergovernmental agreement regarding the Red Mountain Inholding, a copy of which is attached hereto as Exhibit “A” and incorporated herein by reference (the “IGA”); and

WHEREAS, under the terms of the IGA the City would pay the County \$1,125,000, representing half the cost of acquiring Gallegos Ranch, plus a portion of the due diligence costs incurred by the County for the acquisition, and the County would convey to the City a conservation easement on the Red Mountain Inholding; and

WHEREAS, the City’s portion of the funds has already been appropriated; and

WHEREAS, the IGA would also give the City a right of first refusal if the County ever wishes to sell all or a portion of the Red Mountain Inholding; and

WHEREAS, at its regular meeting on July 3, 2018, the Land Conservation and Stewardship Board voted to recommend that the City Council approve the IGA; and

WHEREAS, Article II, Section 16 of the City Charter empowers the City Council, by ordinance or resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services, or enter into cooperative or joint activities with other governmental bodies; and

WHEREAS, Section 29-1-203 of the Colorado Revised Statutes provides that governments may cooperate or contract with one another to provide certain services or facilities when such

cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve; and

WHEREAS, the City Council has determined that acquisition of a conservation easement on the Red Mountain Inholding is in the best interests of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

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

Section 2. That the City Council hereby authorizes the Mayor to execute the IGA between the City and the County, in substantially the form attached hereto as Exhibit "A," together with such modifications and additions as the City Manager, in consultation with the City Attorney, determines necessary or appropriate to protect the interests of the City or further the purposes of this Resolution, as set forth above.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 21st day of August, A.D. 2018.

Mayor

ATTEST:

City Clerk

WITHDRAWN FROM CONSIDERATION