

ORDINANCE NO. 047, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING A LEASE AGREEMENT WITH THE POUDBRE RIVER PUBLIC LIBRARY
DISTRICT FOR USE OF A PORTION OF THE SOUTHEAST COMMUNITY CENTER

- A. The City of Fort Collins (“City”) is a Colorado home rule municipality.
- B. The Poudre River Public Library District (“Library District”) is a quasi-municipal corporation and political subdivision of the State of Colorado providing public library services within its boundaries, which include the City.
- C. Article XIV, Section 18 of the Colorado Constitution and Colorado Revised Statutes Section 29-1-203 authorize governmental entities to cooperate and contract with one another to provide services and facilities.
- D. In April 2015, Fort Collins voters approved Ordinance No. 013, 2015, a dedicated sales tax to fund construction of a Southeast Community Center emphasizing innovation, technology, art, recreation, and community uses.
- E. The City has undertaken development of the Southeast Community Center (“SECC” or “Project”) as part of that voter-approved initiative.
- F. The City and the Library District have entered into an Intergovernmental Agreement governing design and construction of the Project, and a Joint Use Agreement governing shared use, operations, and maintenance of certain spaces within the Project.
- G. The Lease Agreement provides for the Library District to occupy and operate a public library within a designated portion of the SECC, consistent with the Project’s public purpose and the voter-approved uses.
- H. The Lease Agreement also supports coordinated use of shared spaces and establishes a long-term partnership framework between the City and the Library District.
- I. The Lease term exceeds twenty (20) years and therefore requires approval by ordinance pursuant to Section 23-113(b) of the City Code.
- J. The Lease provides for consideration in the form of the Library District’s capital contributions, operational obligations, and shared use commitments, and therefore constitutes a below-market lease that must satisfy the bona fide public purpose requirements of City Code Section 23-114.
- K. The City Council finds that the Lease serves a bona fide public purpose because:
1. It promotes the health, safety, and general welfare of residents by expanding access to public library services and community facilities,

2. It supports City Council-adopted plans and policies, including voter-approved capital improvement initiatives and recreation and community services goals,
3. It leverages significant financial contributions and partnership funding from the Library District,
4. It does not result in improper private benefit, and
5. It will not interfere with City operations or divert resources from primary City functions.

L. The Lease further supports long-term public use of the SECC and ensures coordinated development and operation of a shared public facility.

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

Section 1. The City Council finds that the Lease Agreement with the Poudre River Public Library District is in the best interests of the City.

Section 2. The City Council finds that the Lease Agreement serves a bona fide public purpose in accordance with City Code Section 23-114.

Section 3. The City Council approves the Lease Agreement between the City of Fort Collins and the Poudre River Public Library District for an initial term of up to ninety-nine (99) years, as described in the Lease.

Section 4. The City Council authorizes the City Manager to execute the Lease Agreement, substantially in the form attached as Exhibit A, subject to such modifications as the City Attorney determines are necessary to protect the interests of the City and to conform to applicable law.

Section 5. The City Council further authorizes execution of any additional documents necessary to implement the Lease and related financing or operational agreements consistent with the terms approved herein.

Introduced, considered favorably on first reading on April 21, 2026, and approved on second reading for final passage on May 5, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: May 15, 2026
Approving Attorney: April Silva

Exhibit: Exhibit A - Lease Agreement (Southeast Community Center – Library District)