

RESOLUTION 2026-063
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY MANAGER TO SIGN AN
INTERGOVERNMENTAL AGREEMENT WITH POUDBRE RIVER
PUBLIC LIBRARY DISTRICT FOR THE DESIGN AND
CONSTRUCTION OF THE SOUTHEAST COMMUNITY CENTER

A. On April 7, 2015, Fort Collins voters approved Ordinance No. 013, 2015, extending for ten years a quarter-cent sales tax dedicated to the Community Capital Improvement Program for capital projects and related operation and maintenance. The Ordinance includes a requirement that the City construct a community center in southeast Fort Collins focused on innovation, technology, art, recreation, and the creative process, including a large outdoor leisure pool and meeting spaces dedicated to innovation and creativity (the "SECC").

B. The City, the Poudre River Public Library District ("Library"), and other partners have collaborated on the development of the SECC located adjacent to Fossil Ridge High School. The Library desires to locate a new southeast branch library within the SECC and agreed that it would share in the cost associated with the library's design and construction, as well as operate the library at its expense.

C. The City and Library have negotiated an Intergovernmental Agreement ("IGA") establishing the terms governing the design and construction of the public library and overall SECC. The City Council desires to authorize the City Manager, in consultation with the City Attorney, to execute the IGA on behalf of the City in substantially the form attached hereto as Exhibit A.

D. The IGA outlines the cost sharing agreements between the City and the Library, including that the SECC will meet LEED Gold standards.

E. Key provisions of the IGA include the following:

1. The City and the Library will join resources to construct and operate the SECC.
2. The IGA will remain in force through the completion of the SECC, which is estimated to take twenty-three (23) months.
3. The City owns the site in fee simple and will be sole owner of the SECC.
4. The Library will lease a portion of the SECC from the City that will serve as the public library. The public library operations in the SECC will fulfill the innovation and technology obligations of the 2015 ballot measure. The Library will contribute a maximum of \$23,000,000 to the design and construction of the public library. The Library will pay all costs associated with the design, construction, operation, and maintenance of the public library. The City is not responsible for

funding the design, construction, operation or maintenance of the public library.

5. The City and the Library agree that the overall design of the public library will align with the City's vision for the SECC.
6. The City and the Library will collaborate on a shared design of the spaces to be jointly used by them ("Joint Use Spaces"). The Joint Use Spaces include both indoor spaces, such as meeting rooms and bathrooms, and outdoor spaces, such as the parking lot and vegetation surrounding the SECC.
7. Although the overall cost of the design and construction of the SECC will be unknown on the effective date of the IGA, the parties agree the overall cost of the design and construction of the SECC will not exceed ninety-nine million and five hundred dollars (\$99,500,000).
8. The general cost share for the design and construction of the Joint Use Spaces is 70% City share and 30% Library share.
9. The City and the Library agree to enter into good faith negotiations to increase the Library's maximum contribution if the cost of services, goods, labor, or materials increases by more than 5%, as evidenced by the Consumer Price Index.
10. The City and the Library also agree to contemporaneously execute a joint use agreement related to the Joint Use Spaces within the SECC and a lease agreement outlining the Library's property rights regarding the library.

F. Article XIV, Section 18(2) of the Colorado Constitution and Colorado Revised Statutes Section 29-1-203 authorize governmental entities to enter into intergovernmental agreements, and to cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units.

G. Section 1-22 of the City Code requires that, with some exceptions, intergovernmental agreements or cooperative activities between the City and other governmental entities be submitted to the City Council for review and approval by ordinance or resolution.

H. The City Council finds that approval of the Agreement will promote efficient use of public resources, enhance intergovernmental cooperation, and serve the best interests of the community.

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 that:

Section 1. The Intergovernmental Agreement between the City of Fort Collins and the Poudre River Public Library District regarding the design and construction of the

Southeast Community Center, on file in the office of the City Clerk and incorporated herein by this reference, is hereby approved.

Section 2. The City Manager is hereby authorized to execute the Agreement on behalf of the City, together with such modifications as the City Manager, in consultation with the City Attorney, determines are necessary and appropriate to protect the interests of the City, consistent with the intent of this Resolution.

Passed and adopted on April 21, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: April 21, 2026

Approving Attorney: Sara Arfmann

Exhibit: Exhibit A – Intergovernmental Agreement between the City of Fort Collins and Poudre River Public Library District Regarding Southeast Community Center Project Design, Construction, Operation, Maintenance, and Management