

RESOLUTION 2026-064
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY MANAGER TO SIGN A JOINT USE
AGREEMENT WITH POUDBRE RIVER PUBLIC LIBRARY
DISTRICT REGARDING THE SOUTHEAST COMMUNITY
CENTER COMMON AMENITIES

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 to share in the cost and management of the joint use spaces.

C. These joint use spaces include both indoor and outdoor spaces. The indoor joint use spaces include various meeting rooms, corridors, lobbies, and restrooms. The outdoor joint use spaces include the parking lot, sidewalks, bike racks, and vegetation surrounding the SECC.

D. The City and Library have negotiated a Joint Use Agreement ("JUA") establishing the terms governing the cost share and operation of the joint use spaces within the SECC. The City Council desires to authorize the City Manager, in consultation with the City Attorney, to execute the JUA on behalf of the City in substantially the form attached hereto as Exhibit A.

E. Key provisions of the JUA include the following:

1. The JUA will remain in force for the same term as the Library's lease, unless terminated early by mutual agreement.
2. The City may terminate the JUA if the Library fails to make any payment related to the Design and Construction IGA.
3. The general cost share for the operation and maintenance of the joint use spaces is 70% to be paid by the City and 30% to be paid by the Library.
4. The City and the Library will meet quarterly to discuss any issues, concerns, coordination of events, schedules, maintenance, repair, budgeting issues, concerns, coordination of events, schedules, maintenance, repair, budgeting, long term facility planning, and partnership evaluation. These meetings are intended to transition to annual meetings.

5. The City and the Library will meet annually to create a schedule for the use of meeting and community rooms. Only the City may enter into rental agreements for these rooms.
6. The City and the Library will collaborate on establishing rules and regulations for the SECC, ensuring they are publicly accessible.

F. The City and the Library also agree to contemporaneously execute an intergovernmental agreement related to the design and construction of the library within the SECC and a lease agreement outlining the Library's property rights regarding the library.

G. 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.

H. 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.

I. 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 Joint Use Agreement between the City of Fort Collins and the Poudre River Public Library District regarding the Southeast Community Center common amenities, 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 – Joint Use Agreement between the City of Fort Collins and Poudre River Public Library District Regarding the Southeast Community Center Common Amenities