

RESOLUTION 2024-113
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY MANAGER TO ENTER INTO TWO
AGREEMENTS WITH THE COLORADO STATE FOREST
SERVICE FOR THE MICHIGAN DITCH PRE-FIRE MITIGATION
PROJECT

A. The City owns and operates a water utility that provides water service to customers within its water service area. As part of the water utility, the City owns and operates the Michigan Ditch and associated infrastructure for the purpose of providing raw water for water supply, including for drinking water treatment.

B. Between August and December, 2020, the Cameron Peak Fire significantly impacted federal and state lands abutting the Michigan Ditch and associated infrastructure.

C. The City has identified a need to develop and execute forest health treatment activities in priority areas at risk of future large scale catastrophic wildfires with regards to pre-fire mitigation thinning, fuel breaks and forest restoration, including in and around the Michigan Ditch and its associated infrastructure.

D. The City has thus begun work on the Michigan Ditch Pre-Fire Mitigation Project ("Project"). The City has worked with the Colorado State Forest Service on this Project.

E. The Colorado State Forest Service is willing to develop and provide access to environmental information and expertise to provide relevant data analysis and to complete certain forest fuels reduction work to mitigate the risk of future large-scale wildfires in and around the Michigan Ditch and its associated infrastructure.

F. The City and the Colorado State Forest Service have negotiated a proposed services agreement, attached as Exhibit "A" ("Services Agreement"), the purpose of which is for the City to retain the Colorado State Forest Service to perform certain forest health and pre-fire mitigation services related to the Michigan Ditch and its associated infrastructure.

G. The Colorado State Forest Service is also willing to work with the City to fund the Project. The City applied for and the Colorado State Forest Service has awarded the City a grant for forest health and pre-fire mitigation work in and around the Michigan Ditch and its associated infrastructure. To accept such grant funds, the City must sign a proposed grant agreement, attached as Exhibit "B" ("Grant Agreement").

H. City Council finds that entering into the Services Agreement and Grant Agreement is necessary to safeguard the City's critical water supply infrastructure and is in the best interests of the City water utility ratepayers and the city as a whole.

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 City Manager is hereby authorized to execute a Services Agreement substantially in the form of Exhibit "A", with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Section 2. The City Manager is hereby authorized to execute a Grant Agreement substantially in the form of Exhibit "B", with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Passed and adopted on September 3, 2024.

Mayor Pro Tem

ATTEST:

City Clerk

Effective Date: September 3, 2024

Approving Attorney: Eric Potyondy