

RESOLUTION 2024-110
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE MAYOR TO EXECUTE AN
INTERGOVERNMENTAL AGREEMENT WITH LARIMER
COUNTY AND THE CITY OF LOVELAND TO PARTNER ON THE
PURCHASE OF A 142-ACRE PROPERTY IN THE LOVELAND
COMMUNITY SEPARATOR

A. To meet shared land conservation goals, the City, the City of Loveland (“Loveland”) and Larimer County (“County”) have been collaborating for more than two decades on funding partnerships to acquire various open space properties and conservation easements.

B. The City, Loveland and the County have been working toward the purchase a 142-acre property (the “Property”) in the Loveland Community Separator adjacent to the existing 785-acre Prairie Ridge Natural Area. The legal description of the Property is:

The S ½ of Section 28, Township 6 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado. Except those parcels described in deeds recorded: May 31, 2000 at Reception No. 2000035785 and October 19, 2016 at Reception No. 20160071291, and except any portion lying within County Road 19.

C. The Property acquisition will conserve important natural area values. The Property provides relatively natural habitat and migration corridors for a broad range of wildlife species, including mule deer, elk, black bear, mountain lion, coyote, fox, various small mammals, various reptile and amphibian species, raptors, and other resident and migratory bird species. The Property is highly visible from both W. 57th Street and Wilson Avenue in Loveland and provides a viewshed of the foothills and mountains. Conservation of the Property also protects the community separator as well as the agricultural heritage of the front range and will provide potential for future public access for appropriate non-motorized trail-based recreation such as walking, hiking, horseback riding, and biking.

D. The cost to acquire the Property is approximately \$6,809,328. The City of Loveland will contribute \$3,506,996 for 75% ownership of the Property. The City will contribute \$1,702,332 for a 25% ownership of the Property. The County will contribute \$400,000 toward the acquisition and receive a conservation easement over the Property. Great Outdoors Colorado is providing \$1,100,000 and private donors are providing an additional \$100,000.

E. The City, Loveland and the County are negotiating a proposed intergovernmental agreement regarding the proposed transaction, the form of which is attached hereto as Exhibit A (the “IGA”).

F. The City Council has before it Ordinance No. 131, 2024, which authorizes approval of, among other things, the right of first refusal contained in the IGA for Loveland to purchase the City's interest in the Property at fair market value if the City were to ever seek to sell such interest.

G. At its August 14, 2024, meeting, the Land Conservation and Stewardship Board voted unanimously to recommend that Council approve an Intergovernmental Agreement with Larimer County and the City of Loveland to partner on the acquisition of a 142-acre addition to Prairie Ridge Natural Area.

H. 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.

I. 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.

J. Approval of intergovernmental agreements by City Council is required under Section 1-22 of the City Code, unless an exception applies.

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, subject to Ordinance No. 131, 2024, going into effect, the City Council hereby authorizes the Mayor to execute the IGA, attached hereto as Exhibit A, together with such modifications, deletions and additions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City or further 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: Ted Hewitt