

RESOLUTION 2024-102  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE EXECUTION OF AN  
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF  
FORT COLLINS, COLORADO AND THE TOWN OF BERTHOUD  
FOR THE FLEX ROUTE REGIONAL TRANSIT SERVICES

A. Each year since 2016, the City has entered into an intergovernmental agreement (“IGA”) with the Town of Berthoud (“Berthoud”) to provide FLEX Route Regional Transit Services.

B. Both the City and Berthoud contribute a percentage of funds based on the ridership of each jurisdiction.

C. This partnership has contributed toward regional connectivity transit goals, and City Council wishes to continue offering these services.

D. The funds for the City’s expenditure and reimbursement for these transit services were appropriated previously through the Budgeting for Outcomes Process; thus, no appropriation action is required with this item.

E. This Resolution comes before City Council to authorize the attached IGA for Bus Service between the City of Fort Collins and the Town of Berthoud substantially in the form attached hereto as Exhibit “A” and incorporated herein by this reference (the “IGA”).

F. The attached IGA for Bus Service with the Town of Berthoud is intended to be effective retroactively on January 1, 2024. The extended delay in executing this IGA is the result of unanticipated changes in the availability of federal funding.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager be authorized to execute the IGA between the City and Berthoud in support thereof.

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. City Council hereby authorizes the City Manager to execute the IGA in substantially the form attached hereto as Exhibit “A,” together with such modifications and additions 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 as set forth above.

Section 2. During the term of the IGA the City Manager, in consultation with the City Attorney, also is authorized to approve and execute amendments to the IGA

consistent with this Resolution so long as the City Manager determines such amendments: (a) are reasonably necessary and appropriate to protect the City's interests or provide a benefit to the City; (b) effectuate the purposes of this Resolution; and (c) limit the City's financial obligation to expenditure of funds already appropriated and approved by Council or conditioned upon such appropriation.

Passed and adopted on August 20, 2024.

---

Mayor Pro Tem

ATTEST:

---

City Clerk

Effective Date: August 20, 2024  
Approving Attorney: Madelene Shehan