

RESOLUTION 2024-098
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE MAYOR TO EXECUTE AN
INTERGOVERNMENTAL AGREEMENT WITH LARIMER
COUNTY TO PARTNER ON THE PURCHASE OF A 484-ACRE
PROPERTY IN THE WELLINGTON COMMUNITY SEPARATOR

A. To meet shared land conservation goals, the City 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. Earlier this year, the City purchased a 484-acre property in the Wellington Community Separator known as the “Rocky Ridge Property”. The Rocky Ridge Property conserves a buffer along two large reservoirs, ensuring habitat and migration corridors for wildlife and fills in gaps in the community separator. The property provides open space, scenic views, and a critical buffer for the reservoirs and the surrounding wetlands habitat. It encompasses a mix of native and domestic grasses and previously tilled fields.

C. The County has agreed to contribute funds towards the cost of acquisition of the Rocky Ridge Property in exchange for the City’s agreement to convey to the County a conservation easement over the Rocky Ridge Property as well as a right of first refusal in case the City ever wishes to sell all or a portion of its fee interest in the Rocky Ridge Property, which conveyance the City Council is being asked to authorize by separate ordinance (the “Conservation Easement”).

D. The total cost to acquire the Rocky Ridge Property and to subsequently convey a conservation easement is approximately \$5,117,600. This total includes the purchase price of the fee acquisition as well as the due diligence and closing costs associated with both the fee acquisition and conservation easement conveyance. The City’s share is approximately \$3,612,350 and the County will contribute \$1,505,250.

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

F. At its June 12, 2024, meeting, the Land Conservation and Stewardship Board voted unanimously to recommend that Council approve the proposed IGA with Larimer County to partner on the purchase of, and conveyance of a conservation easement for, the Rocky Ridge property.

G. 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.

H. 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.

I. 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 the City Council hereby authorizes the Mayor, upon the effective date of Ordinance No. 120, 2024, 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 August 20, 2024.

Mayor Pro Tem

ATTEST:

City Clerk

Effective Date: August 20, 2024
Approving Attorney: Ted Hewitt