

RESOLUTION 2024-138
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF INTERGOVERNMENTAL
AGREEMENTS BETWEEN THE CITY OF FORT COLLINS AND
THE FORT COLLINS-LOVELAND WATER DISTRICT FOR THE
PURCHASE OF WATER SERVICE FOR THE FUTURE
SCHOOLSIDE PARK PROPERTY

A. On January 19, 2021, City Council adopted the 2021 Parks and Recreation Master Plan (the "Plan"). The Plan identified the Schoolside Park (the "Park") to be developed.

B. Council approved appropriations for the development of the Park in both the 2023 and 2024 budget cycles.

C. The Park site is located on South Timberline Road and is within the service area of the Fort Collins-Loveland Water District (the "District"). The Park will require both an irrigation water tap and a commercial water tap.

D. The District will provide water service to the Park and has offered to sell a irrigation water tap to the City for \$430,480 and a commercial water tap for \$12,415.

E. The District requires the City to execute a Memorandum of Agreement for Purchase of Water Tap ("MOA") for the purchase of the irrigation water tap, in substantially the form attached hereto as Exhibit "A" and incorporated herein by this reference, and which is an intergovernmental agreement that sets forth the terms and conditions for the purchase of the water tap.

F. The District requires the City to execute a second MOA for the purchase of the commercial water tap, in substantially the form attached hereto as Exhibit "B" and incorporated herein by this reference, and which is an intergovernmental agreement that sets forth the terms and conditions for the purchase of the water tap.

G. City Code authorizes City Council to approve the execution of intergovernmental agreements by ordinance or resolution.

H. The City Council desires to authorize the City Manager, in consultation with the City Attorney, to execute both MOAs on behalf of the City in substantially similar form to "Exhibit A" and Exhibit "B."

I. The MOAs will allow the City to acquire from the District both water taps that are necessary for water service to the Park, which is in the best interest of the City and beneficial to the users of the Park and the City at large.

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, following consultation with the City Attorney, to execute the MOA for an irrigation water tap in substantially similar form to "Exhibit A" subject to modifications as deemed necessary to protect the interests of the City of Fort Collins or to effectuate the purposes of this Resolution.

Section 2. The City Manager is hereby authorized, following consultation with the City Attorney, to execute the MOA for a commercial water tap in substantially similar form to "Exhibit B" subject to modifications as deemed necessary to protect the interests of the City of Fort Collins or to effectuate the purposes of this Resolution.

Passed and adopted on December 3, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: December 3, 2024
Approving Attorney: Sara Arfmann