

RESOLUTION 2025-075
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE EXECUTION OF AN
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY
OF FORT COLLINS, COLORADO AND LARIMER COUNTY FOR
THE MAINTENANCE OF JOINTLY OWNED ROADWAYS

A. The City of Fort Collins (“City”) and Larimer County (“County”) each maintain a network of roads, many of which are shared along their common boundaries. This maintenance includes roadside mowing, snow removal, pavement marking, sign maintenance and roadway surface maintenance.

B. To minimize cost, increase efficiency, and provide a streamlined process for road maintenance activities, the City has entered into intergovernmental agreements with the County to provide for coordinated maintenance of these shared roadways and sharing of the associated costs.

C. The attached intergovernmental agreement (“IGA”) between the City and County provides for coordinated maintenance activities to be completed by the County on shared roadway areas of Richards Lake Road and Horsetooth Road (Larimer County Road 40) between July 8, 2025, and July 7, 2026.

D. Colorado Revised Statutes Section 29-1-203(1) permits governments to “cooperate or contract with one another to provide any function, service, or facility lawfully authorized to each of the cooperating or contracting units, including the sharing of costs, the imposition of taxes, or the incurring of debt, only if 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...”.

E. City Charter Article II, Section 16 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.”

F. City Code Section 1-22(b)(2)(b) requires the City Council to approve all IGAs that require the City to make a direct, monetary payment over \$50,000. The attached IGA requires the City to reimburse the County up to \$130,000 and \$50,000 for road maintenance performed on Richards Lake Road and Horsetooth Road respectively.

G. City Council has determined that the IGA is in the best interests of the City and that the City Manager should be authorized to execute the IGA between the City and County 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, on behalf of the City, an 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 19, 2025.

Mayor

ATTEST:

Sr. Deputy City Clerk

Effective Date: August 19, 2025

Approving Attorney: Madelene Shehan

Exhibit: Exhibit A – IGA For Shared Roadways Maintenance Cost