



Legislation Text

File #: 16-738, **Version:** 2

A Resolution Accepting a Donation of a 3.407 Acre Parcel of Real Property from Norris Properties, LLC to the City of Colorado Springs

Presenter:

Lyman Ho, SDS Land Acquisition Manager
Jerry Forte, P.E., Chief Executive Officer, Colorado Springs Utilities

Summary:

Southern Delivery System (SDS) staff requests City Council approval of a resolution accepting a donation of real property from Norris Properties, LLC to the City of Colorado Springs for the Upper Williams Creek Reservoir project.

Previous Council Action:

None with respect to this parcel of real property. Since September 8, 2009, City Council has passed a number of resolutions authorizing the acquisition of more than 200 property transactions for the SDS project.

Background:

On December 10, 2013, City Council approved Resolution No. 134-13 authorizing negotiations to acquire properties necessary for the SDS Upper Williams Creek Reservoir (UWCR) project. This donation joins 2,100 acres of property already acquired for the project. Approximately 11 additional properties will be required for the preliminary design of the UWCR.

Utilities negotiated the acquisition of the 3.407 acres of property owned by Norris Properties, LLC (Norris). As a result of these negotiations, the property owner agreed to donate the property to the City of Colorado Springs, and conveyed the property to the City on December 30, 2016.

Pursuant to the provisions of the Colorado Constitution and the Colorado Springs City Charter, the City is empowered to acquire real property necessary for Utilities projects. Additionally, Section 4.4 of *The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests* (the "RES Manual") authorizes property owners to make a gift or donation of property to the City, provided that City Council accepts the donation by resolution.

Colorado Springs Utilities requests that City Council adopt the attached resolution accepting the donation of the Norris property. Additionally, the attached resolution authorizes the City's Real Estate Services Manager to execute all documents necessary to acknowledge the donation of the property to the City on December 30, 2016.

This item supports the City's strategic goal of investing in future infrastructure.

Financial Implications:

This land acquisition was budgeted in the 2016 SDS project budget. If City Council does not approve the Resolution, Utilities will be required to pay fair market value for the property.

Board/Commission Recommendation:

N/A

Stakeholder Process:

Staff has been in contact with property owners impacted by the SDS project and will continue to communicate with stakeholders on a frequent basis. In addition, negotiations with property owners were conducted in accordance with the Federal Uniform Act, the RES Manual, and all applicable law.

Alternatives:

Approve the attached Resolution Accepting a Donation of a 3.407 Acre Parcel of Real Property from Norris Properties, LLC to the City of Colorado Springs; or do not approve the attached Resolution, however, choosing this alternative will result in increased land acquisition costs for developing the Upper Williams Creek Reservoir.

Proposed Motion:

Move approval of the proposed Resolution.

N/A