



## Legislation Details (With Text)

**File #:** 19-615      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Mayor's Office

**File created:** 9/25/2019      **In control:** City Council

**On agenda:** 10/22/2019      **Final action:** 10/22/2019

**Title:** A Resolution authorizing the acceptance of a donation of certain property which shall serve as the future site for parks, open space, roadway improvements, retaining walls, and utilities

**Presenter:**  
Robin Allen, P.E., Civil Engineer

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Resolution\_30th\_2019, 2. Mesa\_30th\_parcel\_v2, 3. Exhibit A and B 9-4-19 for CC memo and resolution, 4. Signed Resolution 100-19.pdf

Date	Ver.	Action By	Action	Result
10/22/2019	1	City Council	adopted	Pass
10/7/2019	1	Council Work Session	referred	

A Resolution authorizing the acceptance of a donation of certain property which shall serve as the future site for parks, open space, roadway improvements, retaining walls, and utilities

**Presenter:**

Robin Allen, P.E., Civil Engineer

**Summary:**

City of Colorado Springs Public Works staff requests City Council approval of a resolution accepting a donation of real property from Winds of the Spirit, LLC, to the City of Colorado Springs ("City") to enable the Public Works Department to properly maintain Mesa Road and 30th Street. This parcel donation also allows for construction of retaining walls needed to protect 30th Street between Mesa and Gateway Road and for the use of Parks, Open Space, and Utilities.

**Background:**

Winds of the Spirit, LLC has graciously offered to donate approximately 23.85 acres of real property to the City. The property is important to the City for the maintenance of Mesa Road and 30<sup>th</sup> Street, in addition to the use for Parks, Open Space, and Utilities.

Pursuant to the provisions of the Colorado Constitution and the Colorado Springs City Charter, the City is empowered to acquire real property necessary for City capital 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.

City Public Works requests that City Council adopt the attached resolution accepting the donation of the Winds of the Spirit, LLC 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.

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

**Previous Council Action:**

None.

**Financial Implications:**

There is no negative impact to the General Fund, or other funds, associated with this transaction.

**City Council Appointed Board/Commission/Committee Recommendation:**

N/A

**Stakeholder Process:**

Staff has been in contact with property owners adjacent to Mesa Road and 30th Street, and will continue to communicate with them, as needed.

**Alternatives:**

City Council could decline to approve the land donation to the City. However, choosing this alternative would require the City to purchase land for Mesa Rd and 30th Street.

**Proposed Motion:**

Move approval of the proposed Resolution.

N/A