



Legislation Text

File #: 17-1076, **Version:** 1

A Resolution finding a public purpose in a short-term lease to Ryan B. Roberts of less than fair market value for property purchased as part of the Southern Delivery System Project

Presenter:

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

Summary:

Colorado Springs Utilities is seeking City Council approval of a Resolution finding a public purpose in a short-term lease to Ryan B. Roberts of less than fair market value for property purchased as part of the Southern Delivery System Project.

Previous Council Action:

None with respect to the proposed short-term lease. In February of 2017, City Council previously approved the acquisition of the property that is the subject of the lease.

Background:

Section 10.2(d)(iii)(2) of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests provides that if the rent under a lease in which the City is landlord is for less than fair market value, then City Council, acting by resolution, must find a public purpose in the below-market lease.

Ryan B. Roberts was the owner of the property known as 13110 Bradley Road, Colorado Springs, CO 80928 (the "Property").

On February 28, 2017, City Council approved the acquisition of the Property, and closing on the acquisition took place on March 29, 2017. The property was required as part of the Southern Delivery System's Upper Williams Creek Reservoir Project.

Mr. Roberts has requested additional time to allow him to relocate to his new home. Utilities is requesting approval to allow Mr. Roberts to remain on the Property through September 30, 2017. If City Council does not approve the proposed Resolution, Utilities has agreed to allow Mr. Roberts to remain on the Property for a reasonable period of time, up to the end of July, so that he may move. Granting the proposed lease will not impact the construction schedule of the Project, and is consistent with leases approved related to other City and CSU property acquisitions which involve relocation.

Financial Implications:

N/A

Board/Commission Recommendation:

This item was presented at the June 19, 2017 Utilities Board meeting as a discussion item.

Stakeholder Process:

Staff has been in contact with property owners impacted by the SDS project and will continue to communicate with stakeholders on a regular basis.

Alternatives:

Approve the attached Resolution finding a public purpose in the below-market lease; or do not approve the attached Resolution.

Proposed Motion:

Move approval of the proposed Resolution finding a public purpose in a short-term lease to Ryan B. Roberts of less than fair market value for property purchased as part of the Southern Delivery System Project

N/A