TOWN OF TIMNATH
RESOLUTION NO. 19, Series 2008

A RESOLUTION FOR THE TOWN COUNCIL
OF THE TOWN OF TIMNATH, COLORADO
PROPOSING A PROGRAM OF COOPERATION
WITH THE CITY OF FORT COLLINS
REGARDING THE RIVERWALK PROJECT

WHEREAS, the Town of Timnath is in the process of review and consideration of the
annexation of certain real property of approximately 268 acres, located in unincorporated
Larimer County at the southwest quadrant of Harmony Road and Interstate 25, referred to herein
as the “Riverwalk Project;” and

WHEREAS, the Town Council wishes to express its appreciation to the City of Fort Collins, and
especially Mayor Doug Hutchinson and City Manager Darin Atteberry, for their cooperation in
the discussion of regional collaboration; and

WHEREAS, approximately 25 acres of property located within the corporate boundaries of Fort
Collins are proposed to be developed as a portion of the Riverwalk Project; and

WHEREAS, the Riverwalk Project has the potential to affect the entryway into both the City of
Fort Collins and the Town of Timnath; and

WHEREAS, development of the type represented by the Riverwalk Project can be considered a
benefit to the community and the region as a whole; and

WHEREAS, specifically the Town of Timnath desires to provide a regional development that
provides mutual benefit to Larimer County, the City of Fort Collins, and the Town of Timnath;
and

WHEREAS, by working together on the Riverwalk Project, the Town of Timnath and the City of
Fort Collins can spearhead a regional project that benefits the whole region and allows for
cooperation between communities at a new level; and

WHEREAS, in the event the Riverwalk Project is annexed and completed, there are a number of
infrastructure improvements located within Fort Collins which could be improved in connection
with the Project, which will assist the region as a whole in improving safety for the traveling
public; and

WHEREAS, the architectural design of Riverwalk Project is assumed to be of importance to both
Fort Collins and Timnath; and

WHEREAS, development of the Riverwalk Project will result in potential increases in real
property and sales tax revenues.
NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO THAT:

1. The Town Council hereby makes the following proposal for consideration and response by the Fort Collins City Council with respect to certain aspects of the Riverwalk Project, to the extent that Project is annexed into and developed within the Town:

   a) The Town of Timnath will share with the City of Fort Collins 20% of the net sales tax revenues received by the Town from retail sales transactions within the portion of the Riverwalk Project located within the Town.

   b) The City of Fort Collins will share with the Town of Timnath 20% of the net sales tax revenues received by the City from retail sales transactions within the portion of the Riverwalk Project located within the City, to be devoted to regional improvements.

   c) The Town of Timnath will, in cooperation with the City of Fort Collins, assist in the funding for construction of the following public infrastructure improvements located within Fort Collins, which improvements will serve the entire region:
      a. Improve Strauss Cabin Road and Harmony Road intersection, including signalization: $3-4M
      b. Harmony Road storm drainage overflow: Approximately $4-5M
      c. Develop and maintain Eagle View Park and Trail: $4-5M
      d. Connection of trails for Fossil Creek Reservoir and Eagle View Park through Riverwalk Project and to the Poudre River Trail under Harmony Road: $2M

   d) The City of Fort Collins and the Town of Timnath will cooperate regarding access and infrastructure for the Riverwalk Project as follows: (1) The City will permit access for the Project on Harmony Road and Strauss Cabin Road, and (2) the City will cooperate with the Town to allow the improvements on Harmony Road to be completed within the planned schedule for the Project.

   e) The City and the Town will continue to cooperate on the development of the overall Riverwalk Project.

   f) A Design Review Committee (DRC) shall be formed to review and advise on the architectural design of the Riverwalk Project. The DRC shall be composed of five representatives, appointed as follows:

      a. City of Fort Collins Planning Staff Member
      b. Town of Timnath Planning Staff Member
      c. Three (3) Members from the Developer Team (Architecture, Developer, Landscape Designer)

2. The Town Council understands and appreciates that the proposal contained in this Resolution is conceptual in level of detail, but is nevertheless sufficient for the Fort Collins City
Council to determine whether the City is willing to further pursue more detailed discussions leading to an intergovernmental agreement on this subject. Accordingly, the Town Council declares this proposal as an offer to Fort Collins to engage in those further detailed discussions. In the event this offer is either rejected or not responded to within 30 days from the date hereof, the Town Council will consider that the City Council is not interested in pursuing such an agreement, and the proposal will be considered withdrawn. In the event the City accepts this proposal, the Town Council will direct its staff to develop an intergovernmental agreement for consideration and approval by both the City and the Town within 30 days. If the agreement is not approved within the thirty days the offer is considered withdrawn.

PASSED AND ADOPTED THIS 17th DAY OF SEPTEMBER, 2008

[Signature]
Donna Benson, Mayor

ATTEST:

[Signature]
Linda Griess, Acting Town Clerk