

CITY COUNCIL COMMUNICATION



MEETING DATE: September 15, 2020

ITEM NUMBER: 6.A

SECOND READING:

{{customfields.ResoOrdNumber}}

TYPE OF ITEM:

PRESENTED BY:

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SUBJECT/AGENDA TITLE:

A Request for Approval of the Longmont City Council to Negotiate with Boulder County on the Acquisition and Management of the McLachlan Property

EXECUTIVE SUMMARY:

The 73-acre McLachlan Property is located immediately west of Longmont's city limits at the southeast corner of Nelson Road and North 65th Street (Attachment 1). It has been a priority acquisition for the City, as it lies immediately adjacent to Clover Basin Reservoir. The City has a controlling interest in this body of water and staff believes it would benefit the City to acquire the land that surrounds it.

The City has submitted annual acquisition requests to the County since 2014 through their Parks and Open Space Community Request Program (Attachment 2). When these requests began in 2014, this property was known as the Johnson property, but is now known as the McLachlan property.

In early 2020, the County informed the City's Land Management Team that the McLachlan property was back on the market. At the time, the City's Open Space funds were tied up in other acquisitions, making this opportunity a difficult one for the moment. Boulder County offered to take the lead on the purchase of the property with their Land Acquisitions staff and providing the initial funding. That offer included an option for the City to buy into a joint ownership of the property with the County if the City Open Space funds became available.

City Staff took this proposal to the Parks and Recreation Advisory Board (PRAB) for their approval at the March 9, 2020 meeting (Attachment 3). The PRAB members unanimously supported this acquisition.

Boulder County staff also took the proposal to their Parks and Open Space Advisory Board, who unanimously approved this recommendation (Attachment 4), and this recommendation was presented to the Board of County Commissioners. The County Commissioners approved

the County's acquisition on March 10, 2020 (Attachment 5).

As City staff prepared to move forward to work with the County for a joint-ownership deal, we discovered that, in the six years of pursuing this property, it had not been formally presented to Council. At this time, Staff is requesting Council's direction on whether to work with the County to pursue jointly acquiring the McLachlan property. If directed to do so, Staff would work with Boulder County to negotiate the appropriate cost split and management responsibilities for the property.

Boulder County is aware that City Council has not provided City staff direction to negotiate this acquisition, but was willing to continue on their own with the purchase, knowing the significance of the property to the City and County. If Council directs staff not to pursue joint-acquisition, the McLachlan property will remain under the County's full control and there will be no obligation to the City.

COUNCIL OPTIONS:

1. Direct staff to work with Boulder County on an acquisitions agreement and an Intergovernmental Agreement regarding the purchase and management of the McLachlan Property.
2. Do not direct staff to move forward with the acquisition of this property.

RECOMMENDED OPTIONS:

Option 1

FISCAL IMPACT & FUND SOURCE FOR RECOMMENDED ACTION:

PWNR Parks and Natural Resources Staff will bring back an IGA with the terms of the purchase for Council to approve. All cost will be covered by the Open Space fund.

BACKGROUND AND ISSUE ANALYSIS:

This acquisition has been an annual request by the City to the County since 2014 through the annual Boulder County Parks and Open Space's Community Request program. This request has been reviewed and approved by the Parks and Recreation Advisory Board (PRAB).

The 73-acre McLachlan property contains significant Open Space values such dryland agriculture, wetland features, and the James Ditch that meanders through the property. The property is immediately adjacent to the Clover Basin Reservoir. It is also adjacent to Boulder County's Clover Basin Ranch conservation easement property, and lies east of the Bergen Family Farm NUPUD conservation easement property and north and west of the Lyons conservation easement property and the Suitts Open Space property.

Through the application of the City's Raw Water Policy over the past decades, the Longmont has obtained the ownership of 99% of the stock in the Clover Basin Reservoir Company and has long desired the McLachlan parcels for additional open space and passive recreation opportunities at the reservoir.

When the McLachlan went on the market in early 2020, the County approached the Parks and Natural Resources staff to determine if the City was still interested in acquiring the property. While the City acknowledged its interest, it was also made clear that the Open Space funds were committed to other acquisitions at that time. Boulder County recognized the importance of this property to the City and County and was willing to continue with the purchase of property.

Boulder County Parks and Open Space Advisory Board unanimously approved of the County purchasing the property and working with the City, if approved by Council. This recommendation was provided to the Board of County Commissioners, who approved the County acquisition on March 11, 2020.

Boulder County has paid \$2,400,000 to acquire the fee title from Courtney and Brittany McLachlan for their 73-acres of agricultural property with wetland features. The County is also proposing creating two residential lots in the northwest portion of the property, each approximately two-acres in size, to be sold at a future date, subject to a Conservation Easement held by Boulder County. They intend to receive approximately \$1 million for the sale of both lots. These proceeds will reduce the overall cost of the property to an estimated \$1,400,000.

With Council's approval, the City would pay for a portion of the property. The County has also offered the ability for the City to pay overtime. All payments would be funded by the Open Space Sales Tax. Even with the financial impacts of the Coronavirus, this fund has the ability to cover the cost of this important Open Space acquisition.

ATTACHMENTS:

1. Vicinity Map
2. 2014 Boulder Community Trails, Open Space, and GIS Request
3. 2020 PRAB Meeting Agenda with McLachlan Presentation
4. POSAC-McLachlan Acquisition, February 27, 2020
5. BOCC-McLachlan Acquisition, March 10, 2020