AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Memorandum of Agreement; City of Gunnison; Colorad

Action Requested: Board of County Commissioners' Signature

Parties to the Agreement:

Term Begins: **Term Ends:** **Grant Contract #:**

Summary:

Please see the attached agreement related to the Colorado Federal Lands Access Program.

Fiscal Impact: County will serve as the fiscal agent.

Submitted by: Katherine Haase **Submitter's Email Address:** khaase@gunnisoncounty.org

Finance Review: (●) Required ( ) Not Required

Comments:
No budget impact for this document, commitment is for staff time and possible future trail maintenance costs if project goes forward. No concerns. ln

Reviewed by: GUNCOUNTY1\lNienhueser Discharge Date: 5/24/2016

County Attorney Review: (●) Required ( ) Not Required

Comments:
ok - gs

Reveiwed by: GUNCOUNTY1\gstuhr Discharge Date: 5/20/2016 Certificate of Insurance Required Yes ( ) No (●)

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 5/24/2016

(●) Consent Agenda ( ) Regular Agenda ( ) Worksession Time Allotted: 0

Agenda Date: 6/7/2016

Revised April 2015

MEMORANDUM AGREEMENT

THIS AGREEMENT is made and entered into this ___ day of May, 2016, by and between the CITY OF GUNNISON, a Colorado home rule municipality, hereinafter called "CITY," and the BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, a political subdivision of the State of Colorado, hereinafter called "COUNTY," WITNESSETH:

WHEREAS, in 1938 the City and County jointly purchased 160 acres that today is the primary access to the Hartman Rocks Recreation Area managed by the Bureau of Land Management; and

WHEREAS, long term management of this unique habitat and recreation resource is a shared program of the BLM, CITY and COUNTY; and

WHEREAS, there is tremendous community support for the Hartman Rocks Recreation Area as witnessed by the many volunteer hours donated to maintain the Area; and

WHEREAS, the CITY and COUNTY jointly were awarded Great Outdoors Colorado grants for master planning and development of base amenities to the Hartman Rocks Area; and

WHEREAS, Hartman Rocks is a growing national and international tourist attraction as witnessed by formal recognition from the International Mountain Bicycling Association as among its top five Mountain West biking opportunities; and

WHEREAS, Gunnison County Road 38 (Gold Basin Road) is the primary route to access Hartman Rocks and most of the right-of-way necessary is owned by the COUNTY; and

WHEREAS, the proposed detached trail along County Road 38 will provide improved connectivity between Hartman Rocks and the city's residential neighborhoods, the Central Business District and Western State Colorado University; and

WHEREAS, collaborating with Gunnison County to improve connectivity between the city's urban area and Hartman Rocks is a defined policy in the CITY and COUNTY joint Hartman Rocks Management and Master Plan (1998), the Transportation Element of the CITY Master Plan (2007), the Upper Gunnison Valley Transportation Plan (2008), and the Multi- Use Trail System section of the CITY Non-Motorized Transportation Plan (2013).

WHEREAS, the Colorado Federal Land Access Program (FLAP) is an exceptional opportunity for the CITY and COUNTY to collaborate on completing the Gold Basin Trail much sooner than either can currently afford; and

WHEREAS, the BLM's Gunnison Field Office encourages and supports a Colorado Federal Land Access Program grant application for the Gold Basin Trail; and

WHEREAS, the COUNTY has demonstrated expertise in applying for and administering Federal grants; and

WHEREAS, pursuant to Section 29-1-110 C.R.S., this MOU is subject to the CITY making an annual budget appropriation in an amount sufficient to fund this MOU; and

WHEREAS, the CITY has both sufficient reserves and dedicated future revenues from its 1A sales tax to fund the Gold Basin Trail project;

NOW, THEREFORE, the parties hereto, agree to be co-applicants for a Colorado Federal Lands Access Program grant to complete the proposed detached trail (Gold Basin Trail) along County Road 38 to provide improved connectivity between Hartman Rocks and the city's residential neighborhoods, the Central Business District and Western State Colorado University; and further agree as follows:

1. The COUNTY will prepare and submit the FLAP grant application;
2. The CITY will provide the necessary $10,000 reimbursable deposit to complete an accurate scope, schedule, and budget for the project;
3. The COUNTY will administer the grant for compliance;
4. The CITY will provide matching funds as construction progresses, currently estimated to total $260,000, if the grant is awarded;
5. Both parties will consult once the official cost estimated is provided by the Federal Highway Administration to assure the project's financial feasibility;
6. Once constructed, the COUNTY will maintain the Gold Basin Trail.
7. This written agreement constitutes the only expressed or implied understanding between the CITY and COUNTY, respectively.

This agreement shall be construed according to the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals as of the day and year first above written.

CITY OF GUNNISON, a Colorado
Home rule municipality

By Richard Hagan
Richard Hagan, Mayor

ATTEST:

Gail A Davidson
Gail Davidson
City Clerk

BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF GUNNISON, a political subdivision of the State of Colorado

By _____
Paula Swenson, Chairperson

ATTEST:

_____