

ORDINANCE NO. 098, 2013  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE CAPITAL PROJECTS FUND  
AND AUTHORIZING THE TRANSFER OF EXISTING APPROPRIATIONS FROM THE  
NATURAL AREAS FUND TO THE CAPITAL PROJECTS FUND FOR WOODWARD  
RELATED PUBLIC IMPROVEMENTS

WHEREAS, pursuant to Ordinance No. 055, 2013, the City, the Downtown Development Authority (“DDA”), and Woodward Inc (“Woodward”) entered into an agreement which provides that Woodward will advance up to \$6.05 million to the DDA to fund certain public improvements, to be made on or near the former Link-N-Greens Golf Course in connection with the redevelopment of that property (the “Woodward Site”) and the City will act as either the project manager or construct the public improvements; and

WHEREAS, the improvements include right-of-way improvements (\$1,750,000), open space restoration (\$3,500,000), and the relocation and installation of a power transmission line (\$1,297,080) that currently crosses the Woodward Site for a total cost of \$6,547,080; and

WHEREAS, Woodward has agreed to advance funds to the City through the DDA in amount of \$6,047,080 for these public improvements, and the Natural Areas Fund is providing \$500,000 for the open space restoration; and

WHEREAS, on June 4, 2013, Ordinance No. 076, 2013, the City appropriated unanticipated DDA revenue in the amount of \$1,297,080 in the General Fund for the relocation and installation of the transmission line on the Woodward Site; and

WHEREAS, City staff recommends keeping all of the public improvement funds related to the Woodward Site in the Capital Projects Fund; and

WHEREAS, the DDA revenue will now be recorded in the Capital Projects Fund and not the General Fund, so the General Fund appropriations in the amount of \$1,297,080 will be treated as unavailable for expenditure after this ordinance is approved; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, City staff has determined that the appropriation of the revenue as described herein will not cause the total amount appropriated in the Capital Projects Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year.

WHEREAS, Article V, Section 10, of the City Charter authorizes the City Council to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof

from one fund (project) to another fund (project), provided that the purpose for which the transferred funds are to be expended remains unchanged.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the unexpended appropriated amount of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) in the Natural Areas Fund is hereby authorized for transfer to the Capital Projects Fund - Woodward Public Improvements Project and appropriated therein.

Section 2. That there is hereby appropriated from unanticipated revenue in the Capital Projects Fund the sum of SIX MILLION FORTY-SEVEN THOUSAND EIGHTY DOLLARS (\$6,047,080) for the Woodward Public Improvements Project.

Introduced, considered favorably on first reading, and ordered published this 16th day of July, A.D. 2013, and to be presented for final passage on the 20th day of August, A.D. 2013.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 20th day of August, A.D. 2013.

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Mayor

ATTEST:

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City Clerk