

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 13

**DATE:** April 20, 1999

**STAFF:** Craig Foreman

### SUBJECT:

First Reading of Ordinance No. 35, 1999, Appropriating Prior Year Reserves in the Capital Expansion Fund and Authorizing the Transfer of Appropriations Between Funds for Improvements Relating to the Southwest Community Park.

### RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

### FINANCIAL IMPACT:

Adoption of the Ordinance will appropriate \$570,000 from prior year reserves in the Capital Expansion Fund for improvements to Southwest Community Park. Through December 31, 1998, a total of \$2,588,261 has been collected from Community Parkland Capital Expansion Fees. To date, only \$50,000 has been appropriated. In addition, \$5,700 is transferred to the Cultural Services and Facilities Fund, and appropriated therein, for Art in Public Places.

### EXECUTIVE SUMMARY:

By adopting this Ordinance, \$570,000 worth of improvements will be made to the Southwest Community Park. Staff does not intend to fully develop this park for several years. These improvements are being constructed now because of Cottonwood Glen Neighborhood Park, which will be built this year.

Cottonwood Glen Neighborhood Park will serve the residents in the mile bounded by Taft Hill Road on the east, Drake Road on the north and Horsetooth Road on the south (see attached map). This day-use park will contain a restroom, shelter, playground, multi-use pad, parking lot, ballfield, soccer field, open space, sidewalks, irrigation pond, and landscaping. Neighborhood Parkland Fees fund the construction budget for the park.

This park is located on and adjacent to the undeveloped Southwest/Youth Sports Community Park. This Community Park is intended to serve a four square mile area around the park site. Conceptual plans for this park show the northern area will contain facilities (restroom, shelter, pond, parking, sidewalks, open space and landscaping) that provide day-use type recreational opportunities. The development of the Cottonwood Glen Neighborhood Park has been designed to accommodate the planned community park uses in this northern area.

The costs associated with accommodating the Community Park needs as the neighborhood park is constructed are estimated to be \$570,000. The main items of cost include the piping of nearly one mile of the Dixon Canal which will serve the community park, at a cost of \$170,000. The irrigation pond and pump house are sized to serve the future needs of the community park at a cost of \$100,000. Utilities have been sized to serve the future community park at a cost of \$40,000. A temporary asphalt path to the Olander School area in the southeast corner of the community park site will be installed at a cost of \$30,000. The design of the neighborhood park has been adjusted to function with the anticipated community park increased use. The design has increased the park development acreage and design costs and results in an additional cost of \$170,000. The contingency for the community park work is estimated at \$54,300. The contribution required for the appropriation for Art in Public Places is \$5,700.

ORDINANCE NO. 35, 1999  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES IN THE  
CAPITAL EXPANSION FUND AND AUTHORIZING THE TRANSFER  
OF APPROPRIATIONS BETWEEN FUNDS FOR IMPROVEMENTS  
RELATING TO THE SOUTHWEST COMMUNITY PARK

WHEREAS, the City of Fort Collins has recognized and addressed the issue of requiring future growth and new development to contribute its proportionate share of the cost of providing new capital facilities and infrastructure required to maintain the City's level of services to its residents; and

WHEREAS, the City Council adopted Ordinance No. 51, 1996, on May 21, 1996, amending the City Code by adding a new Article pertaining to the imposition of capital expansion fees to be used to fund capital improvements for the library, community parkland, police services, fire services, and general governmental facility services; and

WHEREAS, the capital expansion fees imposed under the provisions of the aforementioned section of the City Code, including a Community Parkland Capital Improvement Expansion Fee, went into effect on July 1, 1996, and the City has since been receiving said fees as a condition of the issuance of building permits; and

WHEREAS, City Code Section 7.5-18 provides for annual fee increases in the capital improvement expansion fees corresponding to the increase in the Denver-Boulder Consumer Price Index for all urban consumers; and

WHEREAS, on November 17, 1998, the City Council adopted Ordinance No. 205, 1998, adjusting the aforementioned capital expansion fees for increases in inflation based on the Denver-Boulder Consumer Price Index; and

WHEREAS, City Code Section 7.5-28(a) requires that Community Parkland Capital Improvement Expansion Fee funds be used only for capital improvements related to the provision of community parks, as such improvements may be identified in the capital improvements plan for community parkland; and

WHEREAS, Park Planning staff have identified the need to appropriate \$570,000 of Community Parkland Capital Improvement Expansion Fees, to be used to cover certain costs associated with the construction of Southwest Community Park, including the partial piping of Dixon Canal, irrigation and pump house improvements, utility work, a temporary asphalt path, design costs, and art in public places; and

WHEREAS, the development of the Southwest Community Park is identified in and consistent with the Parks and Recreation Policy Plan adopted by the Council in Resolution 96-147 on December 3, 1996; and

WHEREAS, the aforementioned request for appropriation of said fees is in compliance with the uses of the fees set forth in Chapter 7.5 of the City Code; and

WHEREAS, funds are available in the Capital Expansion Fund for Community Parkland, from prior year reserves in the amount of \$570,000; and

WHEREAS, Article V, Section 9, of the Charter of the City of Fort Collins (the "Charter") permits the City Council to appropriate by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, Article V, Section 10, of the Charter authorizes the City Council to transfer by ordinance any unexpended appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged or the purpose for which the funds were initially appropriated no longer exists; and

WHEREAS, pursuant to Section 23-304 of the City Code, one percent (1%) of the funds appropriated for the construction of capital projects should be set aside in the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund, for use in the acquisition or leasing of works of art, maintenance, repair or display of works of art, and administrative expenses related to the Art in Public Places Guidelines adopted by Council in Ordinance No. 47, 1998; and

WHEREAS, it is the desire of the Council to appropriate \$570,000 from prior year reserves in the Capital Expansion Fund for Community Parkland for the provision of costs associated with Southwest Community Park, and authorize the transfer of \$5,700 from the Capital Expansion Fund, Southwest Community Park project to the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund.

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

Section 1. That there is hereby appropriated for expenditure from prior year reserves in the Capital Expansion Fund, the sum of FIVE HUNDRED SEVENTY THOUSAND DOLLARS (\$570,000) to be used for certain costs associated with the development of the Southwest Community Park.

Section 2. That the unexpended appropriated amount of FIVE THOUSAND SEVEN HUNDRED DOLLARS (\$5,700) is hereby authorized for transfer from the Southwest Community Park project in the Capital Expansion Fund to the Art in Public Places Reserve Account in the Cultural Services and Facilities Fund, and appropriated therein to be used for art associated with the construction of the Southwest Community Park.

Introduced, considered favorably on first reading, and ordered published this 20th day of April, A.D. 1999, and to be considered for final passage on the 4th day of May, A.D. 1999.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 4th day of May, A.D. 1999.

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Mayor

ATTEST:

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City Clerk

SOUTHWEST/YOUTH SPORTS COMMUNITY PARK

