

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 8
DATE: July 15, 2008
STAFF: Chip Steiner
Darin Atteberry

SUBJECT

Second Reading of Ordinance No. 076, 2008, Appropriating Funds in the Downtown Development Authority Fund for Expenditure in Accordance with the Downtown Plan of Development.

RECOMMENDATION

Staff recommends adoption of this Ordinance on Second Reading.

EXECUTIVE SUMMARY

Ordinance No. 076, 2008, unanimously adopted on First Reading on July 1, 2008, appropriates \$2,800,000 from the Downtown Development Authority Operations and Maintenance 2004A DDA Bond Project and the 2007A Bond Project fund for the purchase of the Elks Building, 140 East Oak Street. The DDA Board has authorized the expenditure on this project.

ATTACHMENTS

1. Copy of First Reading Agenda Item Summary - July 1, 2008.
(w/o original attachments)

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 22

DATE: July 1, 2008

STAFF: Chip Steiner
Darin Atteberry

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SUBJECT

First Reading of Ordinance No. 076, 2008, Appropriating Funds in the Downtown Development Authority Fund for Expenditure in Accordance with the Downtown Plan of Development.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

At its April 10, 2008 meeting, the Downtown Development Authority Board voted to recommend approval of the appropriation.

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FINANCIAL IMPACT

The DDA Board has authorized expenditure on the purchase of the Elks Building, 140 East Oak Street, in the amount of \$2,800,000. The funds are currently available but require appropriation by City Council.

EXECUTIVE SUMMARY

The Downtown Development Authority (DDA) is asking Council to appropriate \$2,800,000 from the Downtown Development Authority Operations and Maintenance 2004A DDA Bond Project and the 2007A Bond Project fund for the purchase of the Elks building. The DDA Board has authorized the expenditure on this project.

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BACKGROUND

The Downtown Development Authority (the "DDA") was created in 1981 with the purpose, according to State statute, of planning and implementing projects and programs within the boundaries of the DDA. The DDA and the City adopted a Plan of Development that specifies the projects and programs the DDA would undertake. Subsequent to that Plan, the City has adopted the Downtown Plan and the Downtown Strategic Plan. All three documents cite the need for and the pursuit of a downtown hotel. The Elks building will be torn down (saving and recycling as much material as possible and minimizing the impact of local landfills) and the surface area will become public parking in conjunction with the hotel development. While the DDA originally intended to

build a convention center on the Elks site, the hotel developer has agreed to add 7,000 square feet of meeting space within the hotel proper (in addition to the 5,000 square feet it has already committed to build). The DDA intends, with City Council approval, to use the saved funds for improvements to six alleys, the planning, design and construction of a year-round community market, and to ensure the DDA-planned amphitheater is built to the maximum benefit of the community.

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ATTACHMENTS

1. Minutes from the April 10, 2008 meeting of the DDA.
2. Excerpts from the Downtown Development Authority Plan of Development, Downtown Strategic Plan and the Downtown Plan.

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ORDINANCE NO. 076, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING FUNDS IN THE
DOWNTOWN DEVELOPMENT AUTHORITY FUND
FOR EXPENDITURE IN ACCORDANCE WITH THE
DOWNTOWN PLAN OF DEVELOPMENT

WHEREAS, on April 21, 1981, the City of Fort Collins, Colorado, adopted Ordinance No. 46, 1981, establishing the Fort Collins, Colorado, Downtown Development Authority (the "DDA"); and

WHEREAS, the Downtown Development Authority's Plan of Development was approved by the City on September 8, 1981, and established the purpose of the DDA and the types of projects in which the DDA would participate; and

WHEREAS, through the adoption of Ordinance No. 88, 2004, the Council appropriated proceeds from the issuance of the City of Fort Collins, Colorado Downtown Development Authority Taxable Subordinate Tax Increment Revenue Bonds, Series 2004A, for expenditure on certain capital improvements in the amount of \$6,235,000 and

WHEREAS, through the adoption of Ordinance No. 016, 2007, the Council appropriated proceeds from the issuance of the City of Fort Collins, Colorado Downtown Development Authority Taxable Subordinate Tax Increment Revenue Bonds, Series 2007A, for expenditure on certain capital improvements in the amount of \$5,700,000 and

WHEREAS, the DDA requested and City Council appropriated funds in Ordinance No 089, 2004, of which \$255,000 remains unexpended and appropriated funds in Ordinance No 017, 2007, of which \$2,545,000 remains expended for a combined total of \$2,800,000; and

WHEREAS, the DDA wishes to purchase the Elks Building, located within DDA boundaries at 140 East Oak Street, with \$2,800,000 of unexpended funds, knowing that the DDA will request the issuance of City of Fort Collins Colorado taxable subordinate tax increment revenue bonds in 2008 to fund project commitments; and

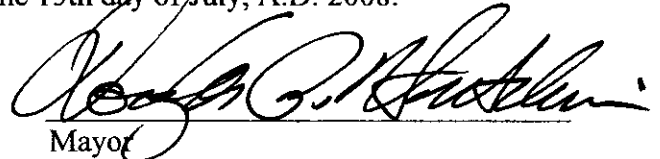
WHEREAS, Article V, Section 10, of the Charter authorizes the City Council to transfer by ordinance any unexpended and unencumbered amount or portion thereof from one fund or capital project to another fund or capital project, provided the purpose for which the transferred funds are to be expended remains unchanged; and

WHEREAS, the Board of Directors of the Fort Collins Downtown Development Authority passed and adopted at the regular meeting of the Board of Directors of the Fort Collins Downtown Development Authority on the 10th day of April, 2008, the desire and intent to purchase the Elks Building; and

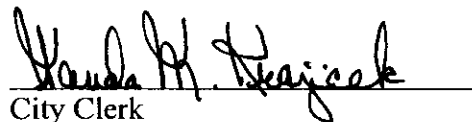
WHEREAS, the Board anticipates considering and passing a resolution at its July 10, 2008 regular meeting asking that City Council appropriate funds for the purpose of buying the Elks Building.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated and reallocated for expenditure from reserves in the Downtown Development Authority Fund the sum of TWO MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$2,800,000) to be used for the purchase of the Elks Building.

Introduced, considered favorably on first reading, and ordered published this 1st day of July, A.D. 2008, and to be presented for final passage on the 15th day of July, A.D. 2008.


Mayor

ATTEST:


City Clerk

Passed and adopted on final reading on the 15th day of July, A.D. 2008.

Mayor

ATTEST:

City Clerk