

**DATE:** June 4, 2013  
**STAFF:** Bruce Hendee, Lawrence  
Pollack, Steve Catanach, Virginia Purvis

**AGENDA ITEM SUMMARY**  
FORT COLLINS CITY COUNCIL

**13**

**SUBJECT**

Second Reading of Ordinance No. 076, 2013, Appropriating Unanticipated Revenue in the General Fund for the Platte River Power Authority Transmission Line Relocation Project Located on the Woodward Property.

**EXECUTIVE SUMMARY**

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Council approved the Woodward incentive package in April 2013. As a part of that agreement, Woodward agreed to advance funds to support the relocation of the Platte River Power Authority (PRPA) Transmission Line. This Ordinance, unanimously adopted on First Reading on May 21, 2013, appropriates \$1,297,080 from the General Fund Reserves for the relocation of the PRPA transmission line. Immediate appropriation is needed to allow the transmission line relocation to move forward so that Woodward's building site plans may remain on schedule. Delay in authorizing the appropriation may necessitate the need for PRPA to construct and remove a temporary transmission line as well as design and construct the relocated permanent transmission line. This effort would require that PRPA incur additional costs.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on Second Reading.

**ATTACHMENTS**

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1. First Reading Agenda Item Summary without attachments - May 21, 2013

**DATE:** May 21, 2013  
**STAFF:** Bruce Hendee, Lawrence  
 Pollack, Steve Catanach, Virginia Purvis

**AGENDA ITEM SUMMARY**  
 FORT COLLINS CITY COUNCIL

**10**

**SUBJECT**

First Reading of Ordinance No. 076, 2013, Appropriating General Fund Reserves for the Platte River Power Authority Transmission Line Relocation Project Located on the Woodward Property.

**EXECUTIVE SUMMARY**

Council approved the Woodward incentive package in April 2013. As a part of that agreement, Woodward agreed to advance funds to support the relocation of the Platte River Power Authority (PRPA) Transmission Line. This Ordinance appropriates \$1,297,080 from the General Fund Reserves for the relocation of the PRPA transmission line. Immediate appropriation is needed to allow the transmission line relocation to move forward so that Woodward's building site plans may remain on schedule. Delay in authorizing the appropriation may necessitate the need for PRPA to construct and remove a temporary transmission line as well as design and construct the relocated permanent transmission line. This effort would require that PRPA incur additional costs.

**BACKGROUND / DISCUSSION**

On April 2, 2013, Council adopted Ordinance No. 056, 2013, *Appropriating General Fund Reserves to Fund a Reimbursement Reserve Fund in Connection with an Agreement between the City, Downtown Development Authority (DDA) and Woodward, Inc., Regarding the Link-N-Green Development*. Ordinance No. 056, 2013, provided that Woodward would advance up to \$6.05 million to the City, to be repaid by Pledged Tax Increment Revenues ("TIF") to fund certain public improvements, including right-of-way improvements and open space restoration, as well as the relocation of a power transmission line. Furthermore, in Ordinance No. 056, 2013, the City agreed to appropriate \$2.272 million for a reimbursement to the reserve fund to ensure the adequate support for construction of the Improvements. Because the Woodward advance funds are not yet available, City staff is requesting the immediate appropriation of \$1,297,080 from City reserves in order to allow the relocation of the transmission line to begin. The City funds will be reimbursed by the Woodward advance.

On April 15, 2013, the City entered into an Intergovernmental Agreement ("IGA") with PRPA, which provided that the City of Fort Collins will pay for the relocation and installation of the 230/115kV transmission line that currently crosses the Woodward property (**Attachment 1**).

Design plans resulted in placing one new transmission tower in the Williams Natural Area just south of the Mulberry/Lemay Avenue intersection and the removal of three transmission towers northwest of Mulberry; two in the Springer Natural Area and one at the Water Reclamation natural area. Ordinance No. 063, 2013, authorizing the necessary easements from the City, was adopted on second reading on May 7, 2013.

Specifically, one pole will be added in the Williams Natural Area (reference pole #6, yellow line, **Attachment 2**). The general size of the pole will be approximately 100 to 125 feet tall and 3 to 5 feet in circumference at the base, depending upon the distance from pole #5. Placement will be approximately 150 feet south of the existing bike trail and approximately 60 feet west of the sidewalk that parallels south bound Lemay Avenue. Contingency placement will be known once the following items are specified:

- Signal light/pole on the northwest corner of Mulberry and Lemay for the westbound traffic on Mulberry
- Proposed restaurant placement at the southeast end of the Woodward Property
- New bike trail route across Lemay.

**FINANCIAL / ECONOMIC IMPACTS**

The transmission line relocation is a critical path component of the redevelopment of the new Woodward site. Commitment from the City to PRPA is needed immediately so materials can be secured to complete the project and

avoid the need and cost of temporary transmission lines. Staff is requesting an appropriation for \$1,297,080 from the General Fund Reserve. Additional appropriations will be forthcoming for the other portions of the project described above.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

**BOARD / COMMISSION RECOMMENDATION**

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The Land Conservation and Stewardship Board supported the proposed alignment at its March 13, 2013 meeting.

**ATTACHMENTS**

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1. Intergovernmental Agreement for the Design and Relocation of Platte River Power Authority Transmission Facilities, April 15, 2013
2. Context Map of Transmission Poles
3. Land Conservation and Stewardship Board minutes, March 13, 2013

COPY

COPY

ORDINANCE NO. 076, 2013  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE GENERAL FUND FOR THE  
PLATTE RIVER POWER AUTHORITY TRANSMISSION  
LINE RELOCATION PROJECT LOCATED ON THE WOODWARD PROPERTY

WHEREAS, per Ordinance No. 055, 2013, the City, the Downtown Development Authority, and Woodward Inc (“Woodward”) entered into an agreement (the “Agreement”) that Woodward would advance up to \$6.05 million to the City (the “Advance”) to fund certain public improvements, to be made on the former Link-N-Greens Golf Course (the “Woodward Site”); and

WHEREAS, the improvements include right-of-way improvements, open space restoration, and the relocation and installation of a power transmission line that currently crosses the Woodward Site; and

WHEREAS, the Advance will be repaid to Woodward from pledged Downtown Development Authority tax increment revenues; and

WHEREAS, on April 15, 2013, the City entered into an Intergovernmental Agreement (the “IGA”) with the Platte River Power Authority (“PRPA”), which provides that the City will pay the cost of relocating and installing the transmission line (the “Project”) at an estimated cost of \$1,297,080; and

WHEREAS, the Project will result in one new transmission tower placed in a natural area just south of Mulberry Street and the removal of three transmission towers northwest of Mulberry Street in a natural area; and

WHEREAS, Ordinance No. 063, 2013, authorizing the necessary easements from the City for the Project, was adopted on second reading on May 7, 2013; and

WHEREAS, PRPA is currently designing the Project and estimates that design and construction of the Project will take approximately fourteen months; and

WHEREAS, the Project is a critical path component of the redevelopment of the new Woodward Site and immediate action is necessary to avoid the need and cost of temporary transmission lines; and

WHEREAS, the Advance is not yet available for use for the Project and consequently City staff has identified existing City revenues that may be made available to allow the Project expeditiously; and

WHEREAS, pursuant to the Agreement, the City will be entitled to reimbursement from the Advance for the expenditure of the funds appropriated hereunder; and

WHEREAS, Article V, Section 9, of the City Charter further 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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated for expenditure from unanticipated revenue in the General Fund the sum of ONE MILLION TWO HUNDRED NINETY SEVEN THOUSAND EIGHTY DOLLARS (\$1,297,080) for the relocation and installation of a transmission line on the Woodward Site.

Introduced, considered favorably on first reading, and ordered published this 21st day of May, A.D. 2013, and to be presented for final passage on the 4th day of June, A.D. 2013.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 4th day of June, A.D. 2013.

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Mayor

ATTEST:

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City Clerk