

AGENDA ITEM SUMMARY

April 21, 2020

City Council

STAFF

Matt Day, Senior Landscape Architect
Ingrid Decker, Legal

SUBJECT

Second Reading of Ordinance No. 045, 2020, Appropriating Unanticipated Philanthropic Revenue from New Belgium Brewing in the General Fund and Transferring it to the Capital Projects Fund for the Poudre River Reach 4 Feasibility Study.

EXECUTIVE SUMMARY

This item is coming to Council on Second Reading because it is necessary to move the project forward.

This Ordinance, unanimously adopted on First Reading on April 7, 2020, appropriates \$10,000 of philanthropic revenue in the General Fund for transfer to the Capital Projects Fund for the Reach 4 Feasibility Study by Park Planning & Development. The intent of the charitable gift, secured and facilitated by City Give, is designated by the donor, New Belgium Brewing, in support of the Reach 4 Feasibility Study.

The Reach 4 efforts focus on the feasibility of completing the improvements as called out in the Poudre River Downtown Master Plan. The Plan includes a conceptual site plan and cost estimate for Reach 4, located between the Whitewater Park and Linden Street. Reach 4 is particularly sensitive, as it is a former Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site. The study will help determine if/how the concept site plan and cost estimate provided in the Master Plan should be adjusted, based on a more robust analysis of the site conditions and preferred outcomes. These efforts will help inform a design and construction offer in the upcoming BFO process.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, April 7, 2020 (w/o attachments) (PDF)
2. Ordinance No. 045, 2020 (PDF)

AGENDA ITEM SUMMARY

City Council

April 7, 2020

STAFF

Matt Day, Senior Landscape Architect
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SUBJECT

First Reading of Ordinance No. 045, 2020, Appropriating Unanticipated Philanthropic Revenue from New Belgium Brewing in the General Fund and Transferring it to the Capital Projects Fund for the Poudre River Reach 4 Feasibility Study.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate \$10,000 in philanthropic revenue in the General Fund for transfer to the Capital Projects Fund for the Reach 4 Feasibility Study by Park Planning & Development. The intent of the charitable gift, secured and facilitated by City Give, is designated by the donor, New Belgium Brewing, in support of the Reach 4 Feasibility Study.

The Reach 4 efforts focus on the feasibility of completing the improvements as called out in the Poudre River Downtown Master Plan. The Plan includes a conceptual site plan and cost estimate for Reach 4, located between the Whitewater Park and Linden Street. Reach 4 is particularly sensitive, as it is a former Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site. The study will help determine if/how the concept site plan and cost estimate provided in the Master Plan should be adjusted, based on a more robust analysis of the site conditions and preferred outcomes. These efforts will help inform a design and construction offer in the upcoming BFO process.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Poudre River Master Plan identifies six (6) "reaches," each with a unique set of recommendations to improve in-river and bankside recreation, habitat connectivity, restoration and rehabilitation, bank protection, flood mitigation, water quality, public safety and access, and transportation. Reach 4 is located between the BNSF railroad bridge downstream of College Avenue, and Linden Street.

Reach 4 Feasibility Study will enable the City of Fort Collins to fully identify the features desired in the reach, evaluate the feasibility and permitting requirements associated with the improvements based on the sensitive nature of the site as a former Superfund site, and identify an accurate cost for the improvements.

The Study will also examine and evaluate potential features including: River take-out and access points, an improved walk along the south bank, recreation elements, Poudre Trail re-alignment along the north side of the River, trail underpasses, in-stream recreational features, and grade separated trail crossings at Linden Street and the BNSF railroad bridge.

The City Manager recommends the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated

in the General Fund to exceed the current estimate of actual and anticipated revenues to be received in the General Fund during this fiscal year. He also recommends the transfer described herein and has determined that the purpose for which the transferred funds are to be expended remains unchanged.

CITY FINANCIAL IMPACTS

This Ordinance appropriates \$10,000 of unanticipated philanthropic revenue to supplement the projected budget for the Reach 4 feasibility.

Reach 4 Feasibility Study Funding History:

- \$100K in 2019 from the 2019-2020 Budget Offer #32.7
- \$25K was appropriated in the 2019 Annual Adjustment from charitable gifting
- \$10K being appropriated in this Ordinance.

The revenue is being appropriated into the General Fund for transfer to the Capital Projects Fund to support the Reach 4 Feasibility Study by Park Planning & Development.

The funds have been received and accepted per the City Give Financial Governance Policy provisions of the Financial Management Policies.

COPY

ORDINANCE NO. 045, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED PHILANTHROPIC REVENUE FROM NEW
BELGIUM BREWING IN THE GENERAL FUND AND TRANSFERRING IT TO THE
CAPITAL PROJECTS FUND FOR THE POUDBRE RIVER REACH 4 FEASIBILITY STUDY

WHEREAS, the City’s Poudre River Master Plan identifies six “reaches,” or continuous stretches of the river, each with a unique set of characteristics and recommendations for improvements; and

WHEREAS, New Belgium Brewing has donated to the City \$10,000 to fund the “Reach 4 Feasibility Study,” which will enable the City to identify the features desired in that stretch of the Poudre River between the BNSF railroad bridge east of North College Avenue and the Linden Street bridge (the “Study”); and

WHEREAS, the Study will also evaluate the feasibility, permitting requirements, and potential costs for the improvements; and

WHEREAS, this Ordinance appropriates these unanticipated revenues from the General Fund and transfers them to the Capital Projects Fund to supplement \$125,000 in funding previously appropriated for the Study; and

WHEREAS, this appropriation benefits public health, safety and welfare of the residents of Fort Collins and serves the public purpose of furthering public access and improvements to an important segment of the Poudre River near downtown; 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, the City Manager has recommended the appropriation described herein and determined that these appropriations are available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues to be received in these funds during the fiscal year; and

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 or capital project account to another fund or capital project account, provided that the purpose for which the transferred funds are to be expended remains unchanged; and

WHEREAS, the City Manager has recommended the transfer described herein and determined 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 City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from unanticipated philanthropic revenue in the General Fund the sum of TEN THOUSAND DOLLARS (\$10,000) for transfer to the Capital Projects Fund and appropriated therein for the Reach 4 Feasibility Study by Park Planning & Development.

Introduced, considered favorably on first reading, and ordered published this 7th day of April, A.D. 2020, and to be presented for final passage on the 21st day of April, A.D. 2020.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 21st day of April, A.D. 2020.

Mayor

ATTEST:

City Clerk