

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 19

DATE: April 19, 2005

STAFF: Matt Baker

### SUBJECT

First Reading of Ordinance No. 041, 2005, Appropriating Unanticipated Revenue in the Street Oversizing Fund for Transfer to the Capital Project Fund - Drake and Ziegler Road Improvements Project, Phase I.

### RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

### FINANCIAL IMPACT

This Ordinance appropriates \$135,000 in unanticipated revenue from Contributions in Aid of Construction in the Street Oversizing Fund (received from the King Soopers Development) into the Capital Projects Fund to construct arterial roadway improvements for the Drake and Ziegler Road Project, Timberline to Rigden Parkway.

Funds will be appropriated as follows:

King Soopers Development	\$135,000	Contribution In Aid
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### EXECUTIVE SUMMARY

The developer of the new King Soopers at the intersection of Drake and Timberline Roads needs to construct improvements to Drake Road to support their truck access and delivery to the site. These improvements are adjacent to and overlap the City's Drake and Ziegler Roadway Project ("Roadway Project"), Timberline to Rigden Parkway.

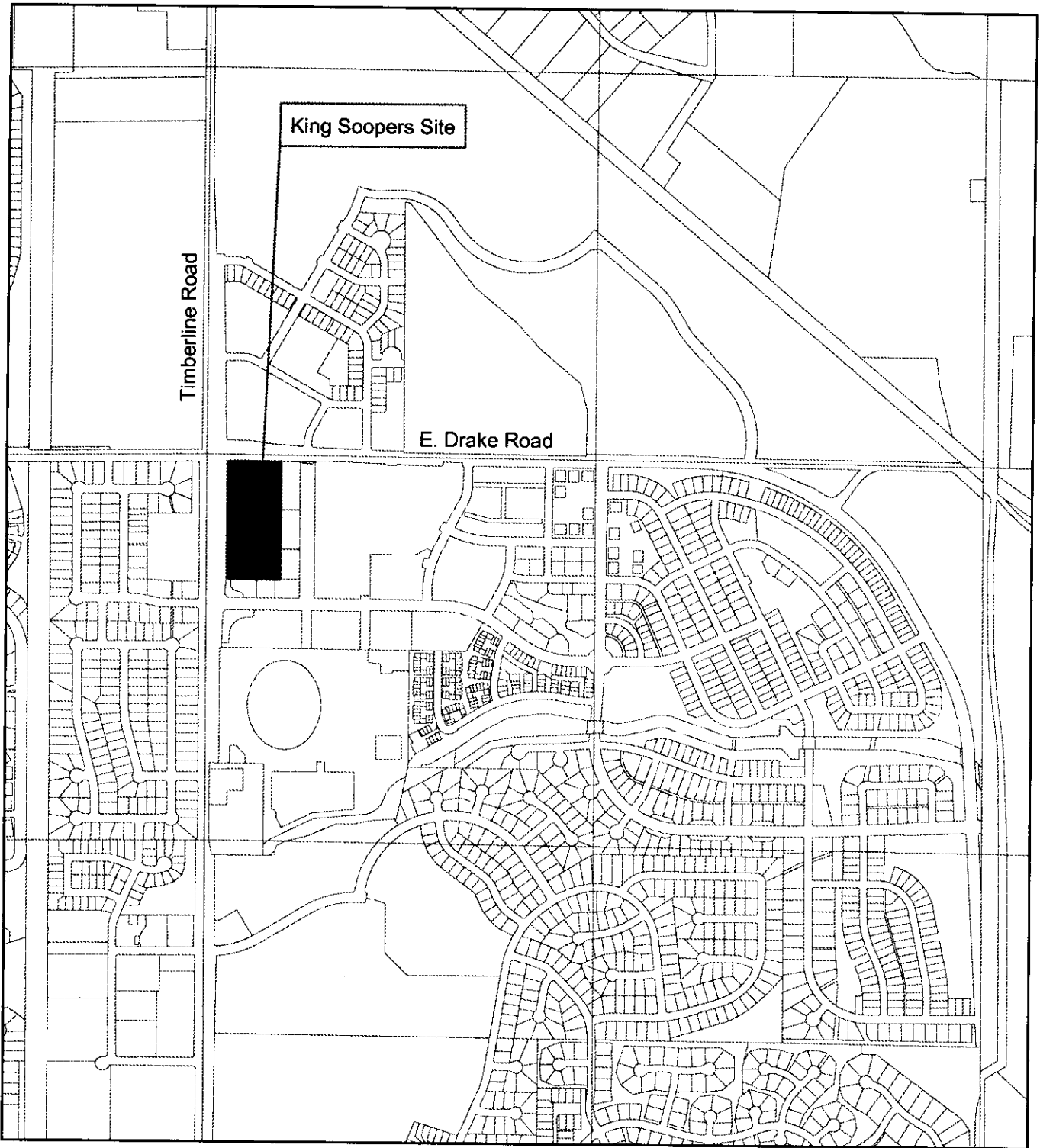
Staff and the developer are coordinating the construction of these improvements for King Soopers with the City's Roadway Project. The coordinated effort will avoid a joint or patch in a new asphalt roadway, and minimize the impact of two separate construction projects to the traveling public.

Since these improvements are for the special use and benefit of the King Soopers site, the developer is contributing the estimated cost, \$135,000. This ordinance would appropriate the unanticipated revenue into the project.

**ATTACHMENTS**

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1. King Soopers Development Parcel Map



# King Soopers Development Parcel Map

1 Inch = 1000 Feet

**Legend**

parall polygon



City of Fort Collins  
April 6, 2005

ORDINANCE NO. 041, 2005  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE STREET OVERSIZING FUND  
FOR TRANSFER TO THE CAPITAL PROJECT FUND - DRAKE AND ZIEGLER ROAD  
IMPROVEMENTS PROJECT, PHASE I

WHEREAS, City Council adopted Ordinance No. 131, 2004, on September 7, 2004, appropriating developer contributions (\$443,752) and authorizing the transfer of existing appropriations (\$900,000) in the City's Street Oversizing Fund to be used to construct improvements on Drake Road from Timberline Road, east to Environmental Drive (the "Project"); and

WHEREAS, the aforementioned improvements were constructed in order to address increased traffic volumes resulting from the Sidehill Development and anticipated improvements associated with a future Lifestyle Center and at Harmony Road and Ziegler Road; and

WHEREAS, the developer of the new King Soopers store located at the intersection of Drake and Timberline Roads needs to construct additional improvements to Drake Road beyond those included in the Project to support truck access and delivery to the new store (the "Additional Improvements"), and said improvements are adjacent to and overlap the Project improvements; and

WHEREAS, City staff believes that it would be in the best interest of the community to coordinate the construction of all of the aforementioned improvements; and

WHEREAS, the developer of the King Soopers store has contributed to the City a total of \$135,000 to cover the cost of the Additional Improvements; and

WHEREAS, Article V, Section 9, of the Charter of the City of Fort Collins (the "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 developer contributions referenced above will not cause the total amount appropriated in the Street Oversizing Fund budget to exceed the current estimate of actual and anticipated revenues to be received during any fiscal year; and

WHEREAS, it is the desire of the City Council to appropriate the sum of \$135,000 from developer contributions within the Street Oversizing Fund, for transfer to the Capital Projects Fund - Drake and Ziegler Road Improvements Project Phase I, to be used to construct the Additional Improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from unanticipated revenue in the Street Oversizing Fund, the sum of ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000) for

transfer to the Capital Projects Fund - Drake and Ziegler Road Improvements Project Phase I, and appropriated therein, to be used to construct the Additional Improvements.

Introduced, considered favorably on first reading, and ordered published this 19th day of April, A.D. 2005, and to be presented for final passage on the 3rd day of May, A.D. 2005.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 3rd day of May, A.D. 2005.

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Mayor

ATTEST:

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City Clerk