

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

**ITEM NUMBER: 7**

**DATE: February 21, 2006**

**STAFF: Craig Foreman  
Sheri Wamhoff**

**SUBJECT**

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Second Reading of Ordinance No. 001, 2006 Appropriating Unanticipated Revenue in the Neighborhood Parkland Fund - Oak Street Plaza Park Capital Project to be Used to Construct Improvements to the Oak Street Plaza Park.

**RECOMMENDATION**

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Staff recommends adoption of the Ordinance on Second Reading.

**FINANCIAL IMPACT**

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Oak Street Plaza Park improvements will be funded by Neighborhood Parkland, Downtown Development Authority, and General Improvement District #1 (the "GID") funds. The total cost for design, construction and contingency for the Oak Street Improvement project is estimated at \$1,280,000. Council has previously approved appropriations totaling \$271,165 for park improvements and the balance of funds is being provided through contributions from the Downtown Development Authority (\$350,000) and the GID (\$312,575) in addition to \$346,260 from prior year reserves in the Neighborhood Parkland Fund.

Oak Street Plaza Park is currently maintained by the Parks Maintenance Division with funding for operation and maintenance included in the 2006 and 2007 budget. The annual operation and maintenance cost for 2006 is \$6,000.

**EXECUTIVE SUMMARY**

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This Ordinance, which was unanimously adopted on First Reading on February 7, 2006, appropriates unanticipated revenue in the Neighborhood Parkland Fund-Oak Street Plaza Park Capital Project to be used for improvements to the Oak Street Plaza Park.

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

**ITEM NUMBER: 14**

**DATE: February 7, 2006**

**STAFF: Craig Foreman**  
**Sheri Wamhoff**

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**SUBJECT**

Items Relating to Oak Street Plaza Park.

**RECOMMENDATION**

Staff recommends adoption of both items.

**FINANCIAL IMPACT**

Oak Street Plaza Park improvements will be funded by Neighborhood Parkland, Downtown Development Authority, and General Improvement District #1 (the "GID") funds. The total cost for design, construction and contingency for the Oak Street Improvement project is estimated at \$1,280,000. Council has previously approved appropriations totaling \$271,165 for park improvements and the balance of funds is being provided through contributions from the Downtown Development Authority (\$350,000) and the GID (\$312,575) in addition to \$346,260 from prior year reserves in the Neighborhood Parkland Fund.

Oak Street Plaza Park is currently maintained by the Parks Maintenance Division with funding for operation and maintenance included in the 2006 and 2007 budget. The annual operation and maintenance cost for 2006 is \$6,000.

**EXECUTIVE SUMMARY**

- A. Resolution 2006-009 Adding Oak Street Plaza Park to the Inventory of City Parks in the 1996 Parks and Recreation Policy Plan.
- B. First Reading of Ordinance No. 001, 2006 Appropriating Unanticipated Revenue in the Neighborhood Parkland Fund - Oak Street Plaza Park Capital Project to be Used to Construct Improvements to the Oak Street Plaza Park

Council adopted the Parks and Recreation Policy Plan in 1996 (the "Policy Plan"). The Policy Plan includes an inventory of existing parks and identifies general locations for future parks. Oak Street Plaza is not included in the 1996 Park Inventory. Recently the downtown area has seen residential development that has generated parkland fees and the need for improved urban parks. The Oak Street Improvement Project planned for 2006 will greatly improve Oak Street Plaza Park, creating a very attractive urban park setting. Improvements planned for the park

include an interactive water feature, new, colorful paving, turf grass, a stage and better landscaping. The park is about one-half acre in size. It was last improved in the early 1980's and is showing its age. The existing concrete plaza, flower beds and fountain require increased maintenance. The plaza is dated and is not the vibrant community gathering place it will be after it is renovated.

A year long design effort with the Downtown Development Authority, area businesses and interested parties has resulted in a new design for the park. This design creates a more functional and inviting park by removing the planters to allow for better movement of people; replacing the concrete surface with colorful pavers and turf grass; replacing the fountain with a interactive water spray feature that uses minimal water; improving the landscaping and lighting; and providing better access for people with disabilities. The park improvements will be completed in 2006.

Adding Oak Street Plaza Park to the inventory of parks in the Policy Plan will clarify its status as a City park and allow the use of neighborhood parkland fees from nearby residential development to be used for the Improvement Project. It will also allow staff to manage the site using park regulations.

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**ORDINANCE NO. 001, 2006**  
**OF THE COUNCIL OF THE CITY OF FORT COLLINS**  
**APPROPRIATING UNANTICIPATED REVENUE IN THE NEIGHBORHOOD PARKLAND**  
**FUND - OAK STREET PLAZA PARK CAPITAL PROJECT TO BE USED TO CONSTRUCT**  
**IMPROVEMENTS TO THE OAK STREET PLAZA PARK**

WHEREAS, Oak Street Plaza Park (the "Park") is an important open space in the City's downtown, bounded by the Museum of Contemporary Art to the south, First Community Bank to the north, College Avenue to east, and access to the Museum and Bank, via Oak Street on the west; and

WHEREAS, the Park is a focal point in downtown Fort Collins and is used for small concerts and provides a nice setting for people gathering or just relaxing; and

WHEREAS, City staff has been working with the Downtown Development Authority, area businesses and other interested parties on a new design for the Park; and

WHEREAS, the scope of the planned improvements will make the Park more functional and inviting by removing planters to allow for better movement of people; replacing the existing fountain with a water spray feature while conserving water; and providing new paving and pedestrian lighting, new furniture, a large grass area, ornamental plantings, and better access for those with disabilities (the "Project"); and

WHEREAS, the estimated cost to construct the Project improvements is \$1,280,000; and

WHEREAS, the following sources have been appropriated and will be used to fund the Project improvements:

Neighborhood Parkland Fund impact fees	
Approved by City Council on November 18, 2003, via the adoption of Ordinance No. 156, 2003	\$ 150,000
Unspent interest earnings on Certificates of Participation used to fund the Downtown Intersection Renovation project	
Approved by City Council on October 18, 2005, via the adoption of Ordinance No. 113, 2005	<u>\$ 121,165</u>
Total	\$ 271,165

WHEREAS, staff has identified the following additional sources, totaling \$1,008,835, which may be used to fund the balance of the costs associated with the Project improvements:

Contribution from the Downtown Development Authority	\$ 350,000
Contribution from the General Improvement District No. 1	\$ 312,575
Prior Year Reserves in the Neighborhood Parkland Fund	<u>\$ 346,260</u>
Total	\$ 1,008,835

WHEREAS, on July 7, 2005, the Board of Directors of the Downtown Development Authority approved funding of \$300,000 for the Project and up to \$50,000 for additional work on the south side of the stairway to the Museum of Contemporary Art, contingent upon City Council appropriating funds relating to the issuance of City of Fort Collins Downtown Development Authority Subordinate Tax Increment Revenue Bonds, Series 2005A; and

WHEREAS, on November 15, 2005, City Council adopted Ordinance No. 121, 2005, appropriating proceeds in the Downtown Development Authority Fund from the issuance of City of Fort Collins Downtown Development Authority Subordinate Tax Increment Revenue Bonds, Series 2005A, for the purpose of making certain capital improvements in the downtown area; and

WHEREAS, Ordinance No. 121, 2005, included an appropriation of \$350,000 to be used for the Project; and

WHEREAS, the General Improvement District No. 1 (the "GID") contribution of \$312,575 will be available, contingent upon the adoption of Ordinance No. 051 of the Council of the City of Fort Collins, Ex-Officio the Board of Directors of General Improvement District No. 1, on February 7, 2006, authorizing the transfer of appropriations from the GID to the City's Neighborhood Parkland Fund to be used for the Project; and

WHEREAS, the Project improvements are scheduled to begin in 2006, with final completion scheduled for June 2006; 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, Article V, Section 9, of the Charter also permits the City Council to appropriate by ordinance at any time during the fiscal year such funds from expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, City staff has determined that the appropriation of funds from unanticipated revenue as described herein will not cause the total amount appropriated in the Neighborhood Parkland Fund - Oak Street Plaza Park Project to exceed the current estimate of actual and anticipated revenues to be received during any fiscal year; and

WHEREAS, it is the desire of Council to appropriate the sum of \$662,575, in the form of contributions from the Downtown Development Authority (\$350,000) and the GID (\$312,575), and \$346,260 from prior year reserves in the Neighborhood Parkland Fund, to be used with amounts previously appropriated by Council, totaling \$271,165, to construct improvements to the Oak Street Plaza Park.

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

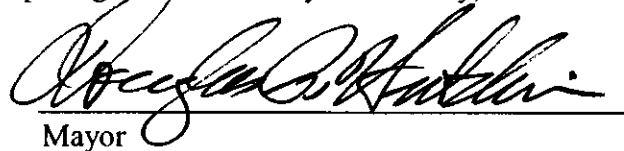
Section 1. That there is hereby appropriated for expenditure from unanticipated revenue in the Neighborhood Parkland Fund - Oak Street Plaza Park capital project, the sum of SIX HUNDRED SIXTY-TWO THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$662,575) from the following sources:

Downtown Development Authority Contribution	\$ 350,000
General Improvement District No. 1 Contribution	\$ 312,575
Total	\$ 662,575

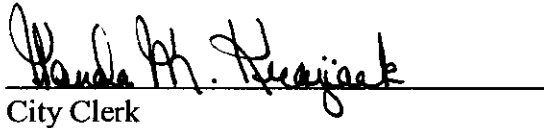
to be used to construct improvements to the Oak Street Plaza Park.

Section 2. That there is hereby appropriated from prior year reserves in the Neighborhood Parkland Fund the sum of THREE HUNDRED FORTY-SIX THOUSAND TWO HUNDRED SIXTY DOLLARS (\$346,260) to be used to construct improvements to the Oak Street Plaza Park.

Introduced and considered favorably on first reading and ordered published this 7th day of February, A.D. 2006, and to be presented for final passage on the 21st day of February, A.D. 2006.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Passed and adopted on final reading this 21st day of February, A.D. 2006

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Mayor

ATTEST:

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City Clerk