

ORDINANCE NO. 065, 2017  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES IN THE TRANSPORTATION FUND  
FOR THE ELIZABETH AND SHIELDS UNDERPASS IMPROVEMENT PROJECT  
AND TRANSFERRING APPROPRIATIONS TO THE CULTURAL SERVICES  
AND FACILITIES FUND FOR THE ART IN PUBLIC PLACES PROGRAM

WHEREAS, Colorado State University (“CSU”) is funding and constructing an \$8.7 million pedestrian and bicycle underpass, and intersection lane improvements at the Elizabeth and Shields Street intersection; and

WHEREAS, as part of this project, the City is upgrading the traffic signal system and constructing a new pedestrian/bicycle signal west of the intersection; and

WHEREAS, lane improvements at the Elizabeth and Shields intersection were mandated in the Intergovernmental Agreement between the City and CSU regarding the on-campus stadium dated April 13, 2015 (the “IGA”); and

WHEREAS, a proposed amendment to the IGA being considered by the City Council by a separate resolution formalizes the responsibility of CSU for the construction of an underpass, and identifies a contribution from the City of \$280,000 for signal upgrades, modification, and the bicycle/pedestrian crossing signal to the west of the intersection; and

WHEREAS, this project aligns with multiple City and CSU planning efforts which have identified the need for improvements at the Elizabeth and Shields intersection with recurring themes of enhanced safety, separation of travel modes, and reducing the number of conflict points and crashes; and

WHEREAS, this appropriation would provide funding for a rebuild of the entire traffic signal system at the Elizabeth and Shields intersection, the installation of a bicycle / pedestrian signal at the relocated Elizabeth mid-block crossing, and the upgrade of all associated underground fiber optic cable; and

WHEREAS, the City’s Traffic Operations Department will perform the construction work associated with this appropriation and the project is expected to be completed in August, 2017; and

WHEREAS, this project involves construction estimated to cost more than \$250,000; therefore, Section 23-304 of the City Code requires one percent of this appropriation to be transferred to the Cultural Services and Facilities Fund for the Art in Public Places (“APP”) program; and

WHEREAS, this Ordinance would appropriate \$280,000 from the Transportation Fund Reserves to cover costs of the Project (\$277,200) and one percent of project cost required for the Art in Public Places Program of \$2,800: \$2,184 for the APP artwork project and \$616 for the maintenance of the artwork and operations of the APP program; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council to appropriate by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; 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 to another fund, provided 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 prior year reserves in the Transportation Fund the sum of TWO HUNDRED AND EIGHTY THOUSAND DOLLARS (\$280,000) for rebuilding the traffic signal system and constructing a new pedestrian/bicycle signal west of the intersection as part of the Elizabeth and Shields Underpass Improvement Project.

Section 3. That the unexpended appropriated amount of TWO THOUSAND ONE HUNDRED EIGHTY-FOUR DOLLARS (\$2,184) in the Transportation Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for an Art in Public Places Art Project.

Section 4. That the unexpended appropriated amount of SIX HUNDRED SIXTEEN DOLLARS (\$616) in the Transportation Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Maintenance and Operations.

Introduced, considered favorably on first reading, and ordered published this 16th day of May, A.D. 2017, and to be presented for final passage on the 6th day of June, A.D. 2017.



ATTEST:

Mayor

City Clerk

Passed and adopted on final reading on the 6th day of June, A.D. 2017.

ATTEST:



*W Winkelmann*

City Clerk

*[Handwritten Signature]*  
Mayor