

ORDINANCE NO. 161, 2017  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES IN THE TRANSPORTATION CAPITAL  
EXPANSION FEE FUND AND AUTHORIZING THE TRANSFER OF APPROPRIATIONS  
FROM THE TRANSPORTATION CAPITAL EXPANSION FEE FUND INTO THE CAPITAL  
PROJECT FUND FOR THE "HORSETOOTH AND COLLEGE INTERSECTION PROJECT",  
AND TRANSFERRING APPROPRIATIONS TO THE CULTURAL SERVICES AND  
FACILITIES FUND FOR THE ART IN PUBLIC PLACES PROGRAM

WHEREAS, the City Engineering Department completed an Arterial Intersection Prioritization Study in 2011, which listed the Horsetooth Road and College Avenue intersection as one of the locations for needed safety and operational improvements; and

WHEREAS, on April 18, 2017, City Council adopted Ordinance No. 040, 2017, appropriating \$3,368,000 for the Horsetooth Road and College Avenue Intersection Improvements Project (the "Project") the grant funding for the Project; and

WHEREAS, on September 19, 2017, City Council adopted Ordinance No. 093, 2017, appropriating \$32,000 of Surface Transportation Program Metro ("STP") grant funds for the Horsetooth Road and College Avenue Intersection Improvements Project (the "Project") for the Project; and

WHEREAS, the purpose of this Ordinance is to appropriate \$1,100,000 from Transportation Capital Expansion Fee Fund reserves for the acquisition of certain property interests adjacent to the project area; and

WHEREAS, total appropriated funds for this Project will be \$7,250,000 following this Council item; 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, City staff have determined that the appropriations as described herein are available and previously unappropriated in the Transportation Capital Expansion Fee Fund; 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 to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged; the purpose for which the funds were initially appropriated no longer exists; or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance; and

WHEREAS, this project involves construction estimated to cost more than \$250,000, as such, Section 23-304 of the City Code requires one percent of these qualified appropriations to be transferred to the Cultural Services and Facilities Fund for a contribution to the Art in Public Places program.

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

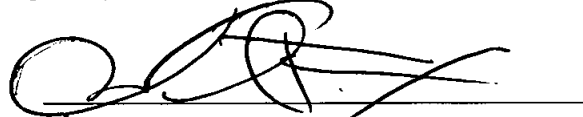
Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated for expenditure from reserves in the Transportation Capital Expansion Fee Fund for transfer to the Capital Projects Fund the sum of ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000) for the Project and appropriated therein.

Section 3. That the unexpended appropriated amount of EIGHT THOUSAND FIVE HUNDRED EIGHTY DOLLARS (\$8,580) in the Capital Projects Fund - Lemay and Vine Intersection Project is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for Art in Public Places projects.

Section 4. That the unexpended appropriated amount of TWO THOUSAND FOUR HUNDRED TWENTY DOLLARS (\$2,420) in the Capital Projects Fund - Lemay and Vine Intersection Project 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 21st day of November, A.D. 2017, and to be presented for final passage on the 5th day of December, A.D. 2017.

  
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Mayor

ATTEST:

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



Passed and adopted on final reading on the 5th day of December, A.D. 2017.

  
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Mayor

ATTEST:

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

