

ORDINANCE NO. 043, 2018  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE CAPITAL PROJECTS  
FUND FOR THE NORTH COLLEGE IMPROVEMENTS PROJECT - CANAL  
TO STATE HIGHWAY 1 PROJECT AND TRANSFERRING APPROPRIATIONS  
FROM THE CAPITAL PROJECT FUND TO THE CULTURAL SERVICES  
AND FACILITIES FUND FOR THE ART IN PUBLIC PLACES PROGRAM

WHEREAS, North College Avenue (US Highway 287) is a major thoroughfare for both the City of Fort Collins and the Colorado Department of Transportation (CDOT); and

WHEREAS, in 2016, the City finished rehabilitating the North College corridor within the City limits through the addition of a multi-modal, roadway, urban design, and utility improvements; and

WHEREAS, CDOT is currently constructing improvements on US Highway 287 from State Highway 1 to the LaPorte Bypass; and

WHEREAS, following the previous City improvements along the North College Corridor and CDOT's current project, a gap in pedestrian and bicycle infrastructure will exist along both sides of US Highway 287 for approximately 1,000 feet, including a missing crossing over the Larimer and Weld Canal; and

WHEREAS, in 2012, the City was awarded federal Congestion Mitigation and Air Quality (CMAQ) funds by the North Front Range Metropolitan Planning Organization (NFRMPO) to initiate a project addressing the lack of pedestrian and bicycle facilities along US Highway 287 between the City limits and State Highway 1 (the "Project"); and

WHEREAS, including funds from Larimer County pursuant to a federal Transportation Alternatives Program grant that were previously appropriated, additional funds from the City's Transportation Capital Expansion Fees and the developer contributions that have previously been appropriated to the Project, the current Project budget is \$2,195,826; and

WHEREAS, an additional \$156,143.63 in developer contributions, which contributions were collected as payment-in-lieu of frontage improvement obligations from a recent development near the Project location, is available for appropriation to the Project, bringing the Project budget to a new total of \$2,351,969.63; 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, 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 total estimated construction cost of 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 (APP) program; and

WHEREAS, this appropriation benefits public health, safety, and welfare of the citizens of Fort Collins and serves the public purpose of enhancing roadways, pedestrian paths and other transportation related infrastructure; and

WHEREAS, the Financial Officer has determined that the appropriations as described herein are available and previously unappropriated in the Transportation Capital Expansion Fee Fund and the Transportation Fund.

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

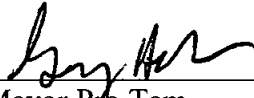
Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated for expenditure from unanticipated revenue in the Capital Projects Fund the sum of ONE HUNDRED FIFTY-SIX THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$156,144) for the North College Improvements Project - Canal to State Highway 1 Project and appropriated therein.

Section 3. That the unexpended appropriated amount of ONE THOUSAND TWO HUNDRED EIGHTEEN DOLLARS (\$1,218) in the Capital Projects Fund - North College Improvements Project - Canal to State Highway 1 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 THREE HUNDRED FORTY-THREE DOLLARS (\$343) in the Capital Projects Fund - North College Improvements Project - Canal to State Highway 1 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 20th day of March, A.D. 2018, and to be presented for final passage on the 3rd day of April, A.D. 2018.

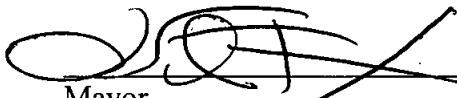
  
\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

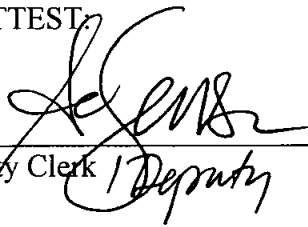
  
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City Clerk



Passed and adopted on final reading on the 3rd day of April, A.D. 2018.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk / Deputy

