

ORDINANCE NO. 047, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE TRANSPORTATION
CAPITAL EXPANSION FEE FUND AND THE TRANSPORTATION FUND
AND AUTHORIZING THE TRANSFER OF APPROPRIATIONS FROM
THE TRANSPORTATION CAPITAL EXPANSION FEE FUND AND THE
TRANSPORTATION FUND INTO THE CAPITAL PROJECT FUND FOR THE
EAST PROSPECT ROAD IMPROVEMENTS PROJECT AND TRANSFERRING
APPROPRIATIONS FROM THE CAPITAL PROJECT FUND TO THE CULTURAL
SERVICES AND FACILITIES FUND FOR THE ART IN PUBLIC PLACES PROGRAM

WHEREAS, the Colorado Department of Transportation (“CDOT”) will begin improvements to I-25 in Northern Colorado in 2018 (the “CDOT Project”); and

WHEREAS, no interchange improvements were initially included in the CDOT Project, however, CDOT’s plans now include the design and reconstruction of the I-25 and Prospect Road Interchange (the “Interchange”), which Interchange is a critical gateway into the City; and

WHEREAS, the Interchange and the section of East Prospect Road between Sharp Point Drive and I-25’s western frontage road are severely congested at peak period of travel and existing and planned developments near the interchange will further exacerbate the congestion and safety for multimodal travel; and

WHEREAS, reconstructing the Interchange from its current configuration to a four-lane interchange and designing roadway improvements to East Prospect Road in conjunction with CDOT’s design of the CDOT Project (the “City Project”) will have benefits to the City and address some of the above concerns; and

WHEREAS, staff has identified \$598,680 in Transportation Capital Expansion Fee (“TCEF”) funds to initiate the design phase of the City Project; and

WHEREAS, the use of the TCEF fees on the City Project will fund growth-related transportation improvements; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of enhancing roadways and other transportation related infrastructure; 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, 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; 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 (APP) 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 FIVE HUNDRED NINETY-EIGHT THOUSAND SIX HUNDRED EIGHTY DOLLARS (\$598,680) for the East Prospect Road Improvements Project and appropriated therein.

Section 3. That there is hereby appropriated for expenditure from reserves in the Transportation Fund for transfer to the Capital Projects Fund the sum of ONE THOUSAND THREE HUNDRED TWENTY DOLLARS (\$1,320) for the East Prospect Road Improvements Project and appropriated therein.

Section 4. That the unexpended appropriated amount of FOUR THOUSAND SIX HUNDRED EIGHTY DOLLARS (\$4,680) in the Capital Projects Fund - East Prospect Road Improvements Project is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for Art in Public Places projects.

Section 5. That the unexpended appropriated amount of ONE THOUSAND THREE HUNDRED TWENTY DOLLARS (\$1,320) in the Capital Projects Fund - East Prospect Road Improvements 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 3rd day of April, A.D. 2018, and to be presented for final passage on the 17th day of April, A.D. 2018.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 17th day of April, A.D. 2018.

Mayor

ATTEST:

City Clerk