

ORDINANCE NO. 022, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED GRANT REVENUE FROM THE FEDERAL
TRANSIT ADMINISTRATION (FTA) IN THE TRANSIT SERVICES FUND AND
APPROPRIATING PRIOR YEAR RESERVES IN THE TRANSIT SERVICES FUND AND
AUTHORIZING THE TRANSFER OF APPROPRIATIONS FROM THE TRANSIT
SERVICES FUND TO THE CAPITAL PROJECT FUND FOR THE ACCESSIBLE
INFRASTRUCTURE ENHANCEMENT 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 City was awarded a competitive grant by the Federal Transit Administration (“FTA”) to upgrade bus stops through the Transfort service area in the amount of \$1,520,344 (the “Grant”); and

WHEREAS, the Grant will be used to repair or replace concrete pads at bus stops and purchase amenities, such as accessible bus shelters, over the next 2-3 years; and

WHEREAS; the Grant requires the City to provide a local match of \$380,086 that would typically be derived from the Community Capital Improvement Program (“CCIP”) funds, however, CCIP funds for Fiscal year 2020 and 2021 have not yet been appropriated or approved; and

WHEREAS, because of the above, the local match that would typically come from CCIP for year 2020 and 2021 will come from Tranfort’s Transit Reserve Funds and these reserve funds will be replenished by the 2020 and 2021 CCIP funds as they become available; and

WHEREAS; the City’s Art in Public Places (“APP”) Ordinance requires \$19,004 to be appropriated towards the City’s APP Program, and so an additional \$19,004 will be appropriated from Transfort’s Transit Reserve Funds to satisfy the APP requirement; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of enhancing bus stops that are utilized by citizens for public transportation; 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, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Transit Services Fund and will not cause the total amount appropriated in the Transit Services Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year; 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 City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Transit Services Fund and will not cause the total amount appropriated in the Transit Services Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any 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 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; and

WHEREAS, FTA funds are ineligible for public art purposes, as Section 23-304 of the City Code otherwise requires, due to grant restriction on the use of the funds and therefore reserves from the Transit Services Fund are being requested to cover the amount needed for the 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 unanticipated revenue in the Transit Services Fund the sum of ONE MILLION FIVE HUNDRED TWENTY THOUSAND THREE HUNDRED FORTY-FOUR DOLLARS (\$1,520,344) for transfer to the Capital Projects Fund for the Accessible Infrastructure Enhancement Project and appropriated therein.

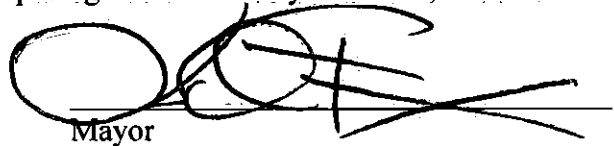
Section 3. That there is hereby appropriated for expenditure from reserves in the Transit Services Fund the sum of ONE HUNDRED SEVENTY-FOUR THOUSAND FIVE HUNDRED NINETY DOLLARS (\$174,590) for transfer to the Capital Projects Fund for the Accessible Infrastructure Enhancement Project and appropriated therein.

4. That the unexpended appropriated amount of FOURTEEN THOUSAND EIGHT HUNDRED TWENTY-THREE DOLLARS (\$14,823) in the Capital Projects Fund - Accessible Infrastructure Enhancement Project is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Art Project.

Section 5. That the unexpended appropriated amount of THREE THOUSAND EIGHT HUNDRED DOLLARS (\$3,800) in the Capital Projects Fund - Accessible Infrastructure Enhancement Project is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Operations.

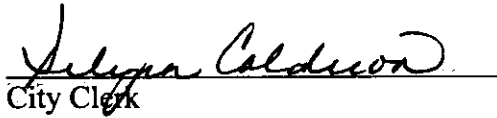
Section 6. That the unexpended appropriated amount of THREE HUNDRED EIGHTY-ONE DOLLARS (\$381) in the Capital Projects Fund - Accessible Infrastructure Enhancement Project is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Maintenance.

Introduced, considered favorably on first reading, and ordered published this 19th day of February, A.D. 2019, and to be presented for final passage on the 5th day of March, A.D. 2019.



Mayor

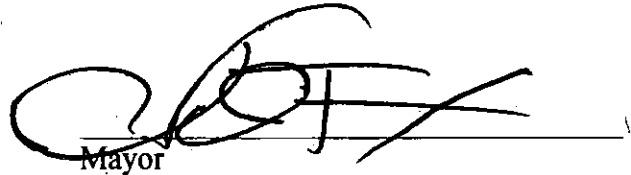
ATTEST:



City Clerk

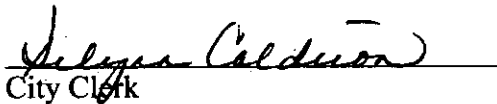


Passed and adopted on final reading on the 5th day of March, A.D. 2019.



Mayor

ATTEST:



City Clerk

