

ORDINANCE NO. 061, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPROPRIATIONS AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE WILLOW STREET IMPROVEMENTS
PROJECT AND RELATED ART IN PUBLIC PLACES

WHEREAS, the City, utilizing Downtown Development Authority (“DDA”) funds, initiated the Willow Streets Improvement Project’s conceptual design phase in 2014 (the “Project”); and

WHEREAS, to further support the Project, the DDA wishes to transfer \$435,000 in funds previously allocated to the Jefferson Street Improvements to the Project; and

WHEREAS, several parcels along Willow Street have either developed or initiated development and the City will collect a payment in lieu from these developments to meet the development’s local street frontage improvements associated with Willow Street and so this Ordinance will appropriate \$40,364 from Transportation Capital Expansion Fee (“TCEF”) Reserves, previously collected from developments within the Project limits that were given as payments in lieu for local street access frontages; and

WHEREAS, this Ordinance also transfers funds to meet the Art in Public Places requirements associated with this appropriation; 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 within the City; 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 Transportation Capital Expansion Fund and will not cause the total amount appropriated in the Transportation Capital Expansion Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any 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 Transportation Fund and will not cause the total amount appropriated in the Transportation 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.

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 prior year reserves in the Transportation Capital Expansion Fund for transfer to the Capital Projects Fund the sum of FORTY THOUSAND THREE HUNDRED SIXTY-FOUR DOLLARS (\$40,364) for the Willow Street Improvements Project and appropriated therein.

Section 3. That there is hereby appropriated for expenditure from prior year reserves in the Transportation Fund for transfer to the Capital Projects Fund the sum of FOUR THOUSAND FOUR HUNDRED THIRTY-NINE DOLLARS (\$4,439) for the Willow Street Improvements Project and appropriated therein.

Section 4. That the unexpended appropriated amount of FOUR HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$435,000) of Downtown Development Authority funds in the Capital Projects Fund is authorized for transfer from the Jefferson Street Improvements Project to the Willow Street Improvements Project and appropriated therein.

Section 5. That the unexpended appropriated amount of THREE THOUSAND SEVEN HUNDRED NINE DOLLARS (\$3,709) in the Capital Projects Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Art Project.

Section 6. That the unexpended appropriated amount of NINE HUNDRED FIFTY-ONE DOLLARS (\$951) in the Capital Projects Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Operations.


Section 7. That the unexpended appropriated amount of NINETY-FIVE DOLLARS (\$95) in the Capital Projects Fund 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 16th day of April, A.D. 2019, and to be presented for final passage on the 7th day of May, A.D. 2019.



Mayor

ATTEST:



City Clerk




Passed and adopted on final reading on the 7th day of May, A.D. 2019.



Mayor

ATTEST:



City Clerk

