

AGENDA ITEM SUMMARY

April 3, 2018

City Council

STAFF

Caleb Feaver, Civil Engineer I
Chris Van Hall, Legal

SUBJECT

Second Reading of Ordinance No. 043, 2018, Appropriating Unanticipated Revenue into the Capital Project Fund for the North College Improvements Project - Canal to State Highway 1 and for Transfer from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 20, 2018, appropriates unanticipated revenue in the amount of \$156,144 into the Capital Project Fund for the North College Improvements Project-Canal to State Highway 1. Funds to be appropriated were collected as a payment-in-lieu of frontage improvement obligations from a recent development near the Project location. After this appropriation, the total appropriated funding for the Project will be approximately \$2.35 million.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading of Agenda Item Summary, March 20, 2018 (w/o attachments) (PDF)
2. Ordinance No. 043, 2018 (PDF)

AGENDA ITEM SUMMARY

City Council

March 20, 2018

STAFF

Caleb Feaver, Civil Engineer I
Chris Van Hall, Legal

SUBJECT

First Reading of Ordinance No. 043, 2018, Appropriating Unanticipated Revenue into the Capital Project Fund for the North College Improvements Project – Canal to State Highway 1 and for Transfer from the Capital Project Fund to the Cultural Services and Facilities Fund for the Art in Public Places Program.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate unanticipated revenue in the amount of \$156,144 into the Capital Project Fund for the North College Improvements Project-Canal to State Highway 1. Funds to be appropriated were collected as a payment-in-lieu of frontage improvement obligations from a recent development near the Project location. After this appropriation, the total appropriated funding for the Project will be approximately \$2.35 million.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

North College Avenue (US Highway 287) is a major thoroughfare for both the City of Fort Collins and the Colorado Department of Transportation (CDOT). In 2016, the City finished rehabilitating the North College corridor within the City limits through the addition of multi-modal, roadway, urban design, and utility improvements. CDOT is currently constructing improvements on US Highway 287 from State Highway 1 to the LaPorte Bypass.

Following 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. The area of missing infrastructure includes a crossing over the Larimer & Weld Canal.

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. In 2017, Larimer County was awarded federal Transportation Alternatives Program (TAP) funds which were transferred to the City for the construction of the Project. Additional funds from Transportation Capital Expansion Fees and developer contributions have also been appropriated to the project. Following this developer contribution appropriation, total project funding will be \$2,351,970.

Because the developer contributions are restricted in use to the geographic area of development, the funds are being appropriated to this Project. By appropriating these restricted funds, less restricted funds may become available for other uses should the Project be completed under budget.

The Project is both inside the City limits and unincorporated Larimer County, and is located on US Highway 287 (a CDOT managed road). The City, County, and CDOT are coordinating to reconstruct the roadway, install two pedestrian bridges over the Larimer & Weld Canal and construct sidewalks from the Canal to Highway 1. The City's project is in the final design phase and right-of-way acquisition phase. The City's project will bid in the summer of 2018, and all construction work from the Larimer & Weld Canal to the Laporte bypass will be complete in late 2018.

Because the total Project cost is over \$250,000, 1% of the appropriated funds will be appropriated to APP in accordance with City Code.

CITY FINANCIAL IMPACTS

The following is a summary of the project funding:

| | |
|--|--------------------|
| Prior Appropriated Funds | |
| Federal Funds (CMAQ and TAP Grants, and Local Matching Funds from City and Larimer County) | \$1,718,323 |
| Transportation Capital Expansion Fee Funds | \$400,000 |
| Developer Contributions | \$77,503 |
| | |
| Funds to be Appropriated with this Action | |
| Developer Contributions | \$156,144 |
| | |
| Total Current Project Budget | \$2,351,970 |
| | |
| Transfer to Art in Public Places | \$1,561 |

PUBLIC OUTREACH

City staff is maintaining a project website through the Engineering homepage as the first resource for public outreach. Staff has met with various stakeholders including the North Fort Collins Business Association, property and business owners, local residents, the Larimer & Weld Canal Company and Bicycle Fort Collins.

Staff will continue to meet with stakeholders through property acquisition and construction.

ATTACHMENTS

1. Project Location map (PDF)

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:

City Clerk

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

Mayor

ATTEST:

City Clerk