

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

ITEM NUMBER: 14

DATE: December 2, 2003

STAFF: Eric Brake

**SUBJECT**

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First Reading of Ordinance No. 165, 2003, Authorizing the Transfer of Appropriations Between Funds to be Used for the Advanced Traffic Management System.

**RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

**FINANCIAL IMPACT**

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This Ordinance transfers money from the General Fund to the Congestion Mitigation and Air Quality (CMAQ) account for the Advanced Traffic Management System (ATMS).

Funds will be transferred as outlined below in resolution of a June 2001 CDOT Audit Report that found that a \$52,962 grant paid to the City by CDOT was unallowable and recommended that CDOT require the City to repay those funds. Instead of requiring repayment, CDOT has agreed to allow the City to apply those funds to one of the City's top 2004 CMAQ projects.

\$53,000 of funds will be transferred internally, as follows:

**FROM**

\$53,000      2003 General Fund (Natural Resources, Air Quality)

**TO**

\$53,000      Traffic Operations ATMS

**EXECUTIVE SUMMARY**

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In 2000, the Colorado Department of Transportation (CDOT) awarded the City a federal Congestion Mitigation and Air Quality (CMAQ) grant for the purpose of creating an educational package intended to change youths' behavior regarding vehicular use (*Cars, Cultures, Cures*). Following completion of the project, the state conducted an audit and determined that insufficient value was provided in the final product and recommended that \$52,962 of the grant money be repaid.

After several months of discussion and negotiation, the City proposed a Corrective Action Plan (the "Plan"). Under the Plan, the City would transfer \$53,000 in local funds to the City's Advanced Traffic Management System (ATMS) project in lieu of repaying \$52,962 to CDOT.

On November 6, 2003, the Federal Highway Administration (FHWA), which oversees the funding, provided written confirmation that "this is a satisfactory solution to the CDOT Audit Recommendation". The FHWA supported this resolution because the ATMS project is an approved 2004 CMAQ project, has unmet funding needs in 2004, and delivers an acceptable air quality benefit.

#### **Brief Summary of ATMS Project**

The ATMS project has been a top priority of the City of Fort Collins for many years. The project is included in the City Transportation Plan, the long range regional transportation plan, and the Council policy agenda.

Phases I of the fiber optic communication system has already been completed and has allowed the City to improve communication, monitoring and signal progression along the major travel corridors within the City. Phase II of the system is currently under construction and will be completed in December. Signal progression in particular has improved by as much as 30% with the new system.

In 2004, Phase III of the ATMS project was approved for \$788,000 in CMAQ funding, instead of the requested \$1,100,000. The additional \$53,000 will extend the implementation of the ATMS project.

ORDINANCE NO. 165, 2003  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE TRANSFER OF APPROPRIATIONS BETWEEN FUNDS  
TO BE USED FOR THE ADVANCED TRAFFIC MANAGEMENT SYSTEM

WHEREAS, in 2000, the Colorado Department of Transportation (CDOT) awarded the City with a Congestion Mitigation & Air Quality (CMAQ) grant to create a program aimed towards helping youths' change their behavior regarding vehicle use ("Cars, Cures, and Culture Program"); and

WHEREAS, following an audit of the completed project in 2001, the State determined that insufficient value was provided in the final products associated with the Cars, Cures, and Culture Program; and

WHEREAS, the State, in an Audit Report dated June 7, 2002, disallowed \$52,962 of the grant funds paid by CDOT to the City that were associated with the Cars, Cures, and Culture Program, and requested that the \$52,962 be repaid to CDOT; and

WHEREAS, in October 2003, the City developed a Corrective Action Plan, proposing a transfer of \$53,000 from the City's local air quality program to the City's Advanced Traffic Management System capital project, in lieu of a direct repayment to CDOT; and

WHEREAS, in November 2003, the City received confirmation from the Federal Highway Administration, that the City's Corrective Action Plan would satisfactorily resolve the State's 2002 Audit Report disallowance; and

WHEREAS, Article V, Section 10, of the Charter of the City of Fort Collins (the "Charter") authorizes the City Council to transfer by ordinance any unexpended and unencumbered 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; and

WHEREAS, it is the desire of the Council to authorize the transfer of existing appropriations, totaling \$53,000, in the City's General Fund - Natural Resources budget to the Capital Projects Fund - Traffic Signal Timing System project to be used to extend implementation of the Automated Traffic Management System.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the unexpended appropriated amount of FIFTY-THREE THOUSAND DOLLARS (\$53,000) is hereby authorized for transfer from the General Fund - Natural Resources budget to the Capital Projects Fund - Traffic Signal Timing System project, and appropriated therein, to be used to extend implementation of the Automated Traffic Management System.

Introduced and considered favorably on first reading and ordered published this 2nd day of December, A.D. 2003, and to be presented for final passage on the 16th day of December, A.D. 2003.

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Mayor

ATTEST:

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Chief Deputy City Clerk

Passed and adopted on final reading this 16th day of December, A.D. 2003.

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Mayor

ATTEST:

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City Clerk