

ORDINANCE NO. 066, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPROPRIATIONS FOR A FEDERAL LOBBYING
CONTRACT RELATED TO REGULATION OF TRAIN HORN NOISE

WHEREAS, the City has been trying to achieve a reduction in train horn noise through the downtown core for many years, most notably in the form of attempting to establish a quiet zone along the Mason corridor, which would prohibit train operators traveling along the Mason corridor from using train horns within the established quiet zone, except in rare circumstances; and

WHEREAS, despite various attempts, the City has not been successful in establishing a quiet zone along the Mason corridor due to the way the Federal Railroad Administration (the "FRA") interprets relevant regulations; and

WHEREAS, the City has not been able to obtain further direction from the FRA on what might be a workable solution to establish a quiet zone along the Mason corridor; and

WHEREAS, after further discussion with representatives of Congress and members of the Trump administration, it appears the best solution to establish a quiet zone along the Mason corridor would be to pursue various legislative solutions through Congress that may allow the City to establish a quiet zone or to otherwise reduce train horn noise through the downtown core; and

WHEREAS, staff has evaluated prospective providers of lobbying services and has identified Squire Patton Boggs (SPB) as the preferred provider to help secure necessary sponsors and support for a legislative solution to the train horn noise issue; and

WHEREAS, this Ordinance appropriates \$49,000 for 2019 lobbying services from SPB for seven months, with an option to extend the contract for an additional five months if Council subsequently appropriates an additional \$35,000 in the 2020 budget revision process, or otherwise; and

WHEREAS, staff plans to begin work with SPB immediately upon securing an appropriation, so as to not miss timely opportunities in the Congressional calendar; and

WHEREAS, this appropriation serves the public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of reducing noise pollution within the City's downtown core; 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 General


Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year.

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.

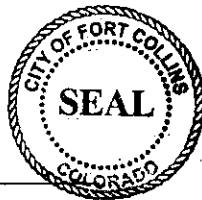
Section 2. That there is hereby appropriated from prior year reserves in the General Fund the sum of FORTY NINE THOUSAND DOLLARS (\$49,000) for expenditure in the General Fund for a Federal Lobbying Contract with Squire Patton Boggs related to Train Horn Noise.

Introduced, considered favorably on first reading, and ordered published this 21st day of May, A.D. 2019, and to be presented for final passage on the 4th day of June, A.D. 2019.


Mayor

ATTEST:


Chief Deputy City Clerk



Passed and adopted on final reading on the 4th day of June, A.D. 2019.


Mayor Pro Tem

ATTEST:


City Clerk

