

ORDINANCE NO. 074, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPROPRIATIONS AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE LEMAY AND VINE INTERSECTION
IMPROVEMENTS PROJECT AND RELATED ART IN PUBLIC PLACES

WHEREAS, the Lemay Avenue realignment and intersection improvements have been prioritized as the City's highest priority Transportation Capital Improvement Project and has been on the City's Master Street Plan for nearly 30 years; and

WHEREAS, the Lemay and Vine Intersection Improvements Project will construct a new realigned Lemay Avenue from Lincoln Avenue to Conifer Street, and a new intersection slightly northeast of the existing Lemay Avenue and Vine Drive intersection (the "Project"); and

WHEREAS, the Project will alleviate existing deficiencies and provide a key infrastructure asset for northeast Fort Collins while also adding vehicular and multimodal capacity to the existing transportation network within the Project area; and

WHEREAS, the Project cost is currently estimated at \$23.3 million and will be replacing an existing two-lane roadway with a new four-lane roadway, which results in a net gain of two travel lanes; and

WHEREAS, because these new travel lanes will address growth-related impacts by providing additional capacity to the existing transportation network, the Project is eligible to be partially funded through Transportation Capital Expansion Fee ("TCEF") funds; and

WHEREAS, staff developed a funding contribution model and calculated the total TCEF contribution available for the Project as \$10.7 million, of which \$1.8 million (in 2019 dollars) will be reimbursed by future development of land adjacent to the Project; and

WHEREAS, this Ordinance appropriates \$9.1 million in TCEF funds to the Project; and

WHEREAS, this appropriation will also address Art in Public Places obligations associated with this appropriation of \$9.1 million for the Project; and

WHEREAS, this appropriation benefits the public and residents of the City of Fort Collins because it enhances existing roadway and 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 Fee Fund and will not cause the total amount appropriated in the Transportation Capital Expansion Fee 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 Fee Fund for transfer to the Capital Projects Fund the sum of NINE MILLION SEVENTY-NINE THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$9,079,980) for the Lemay and Vine Intersection 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 TWENTY THOUSAND TWENTY DOLLARS (\$20,020) for the Lemay and Vine Intersection Improvements Project and appropriated therein.

Section 4. That the unexpended appropriated amount of SEVENTY THOUSAND NINE HUNDRED EIGHTY DOLLARS (\$70,980) 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 5. That the unexpended appropriated amount of EIGHTEEN THOUSAND

TWO HUNDRED DOLLARS (\$18,200) 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 6. That the unexpended appropriated amount of ONE THOUSAND EIGHT HUNDRED TWENTY DOLLARS (\$1,820) 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 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

