

ORDINANCE NO. 008, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING REGIONAL TRANSPORTATION CAPITAL IMPROVEMENT
EXPANSION FEES AND AUTHORIZING TRANSFERS OF APPROPRIATIONS
FOR THE TAFT HILL IMPROVEMENTS PROJECT-HORSETOOTH TO
HARMONY AND RELATED ART IN PUBLIC PLACES

WHEREAS, Taft Hill Road is a major regional road for both the City of Fort Collins and Larimer County and is identified as a 4-lane arterial road on the Master Street Plan; and

WHEREAS, the City has been working with Larimer County (the "County") to plan improvements to Taft Hill Road, including cooperating on the Taft Hill Improvements Project from Horsetooth Road to Harmony Road (the "Project"), the limits of which start at Horsetooth Road and end at Brixton Road, south of Harmony Road (the "Project Limits"); and

WHEREAS, the majority of Taft Hill Road within the Project Limits is a 2-lane road and experiences significant congestion and higher-than-expected rate of traffic accidents and the Project will construct the a 4-lane arterial street within the Project Limits; and

WHEREAS, the Project Limits are within unincorporated County but within the City's Growth Management Area ("GMA") boundary and partnering with the County on the Project is in the best interests of the City; and

WHEREAS, the City and County previously submitted a joint grant application for design, right-of-way acquisition and construction funding for the Project to the North Front Range Metropolitan Planning Organization ("NFRMPO") for the Project and the City was awarded a federal Surface Transportation Block Grant ("STBG") by the NFRMPO, which grant will be administered by the Colorado Department of Transportation ("CDOT") and will become available in July 2021; and

WHEREAS, the County will be contributing Regional Transportation Capital Improvement Expansion Fees ("Regional TCEF") previously collected by the City pursuant to City Code Section 7.5-80, *et seq.* to be used as local matching funds for the STBG grant and overmatching funds for the Project; and

WHEREAS, this Ordinance appropriates the Regional TCEF funds to be used on the Project, as well as required Art in Public Places contributions; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of enhancing road infrastructure within the City's GMA; 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 Services Fund and will not cause the total amount appropriated in the Transportation Services 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 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, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Capital Projects Fund and will not cause the total amount appropriated in the Capital Projects 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 Services Fund for transfer to the Capital Projects Fund the sum of FIFTEEN THOUSAND FOUR HUNDRED SIXTY DOLLARS (\$15,460) for the Taft Hill Improvements Project - Horsetooth to Harmony and appropriated therein.

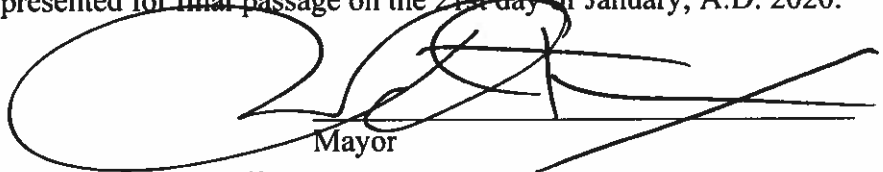
Section 3. That there is hereby appropriated for expenditure from unanticipated revenue in the Capital Projects Fund the sum of ONE MILLION FIVE HUNDRED FORTY-FIVE THOUSAND NINE HUNDRED SEVENTY-FIVE DOLLARS (\$1,545,975) for the Taft Hill Improvements Project - Horsetooth to Harmony and appropriated therein.

Section 4. That the unexpended appropriated amount of TWELVE THOUSAND FIFTY-NINE DOLLARS (\$12,059) 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 THREE THOUSAND NINETY-TWO DOLLARS (\$3,092) 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 THREE HUNDRED NINE DOLLARS (\$309) 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 7th day of January, A.D. 2020, and to be presented for final passage on the 21st day of January, A.D. 2020.



Mayor

ATTEST:


City Clerk



Passed and adopted on final reading on the 21st day of January, A.D. 2020.


Mayor

ATTEST:


City Clerk

