

ORDINANCE NO. 097, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS, APPROPRIATING PRIOR YEAR
RESERVES AND AUTHORIZING TRANSFERS OF APPROPRIATIONS FOR THIRTY
PERCENT (30%) DESIGN OF THE WEST ELIZABETH ENHANCED TRAVEL CORRIDOR
PROJECT AND RELATED ART IN PUBLIC PLACES

WHEREAS, the City has identified the West Elizabeth Street corridor as the highest priority pedestrian and alternative mode of transportation area in need of improvement within the City (the "Project"); and

WHEREAS, the West Elizabeth Street corridor has historically high bus passenger and bike commuter rates, as it is heavily traveled by individuals going to and from Colorado State University, including students, faculty and staff; and

WHEREAS, the West Elizabeth Street corridor contains a growing business district, over 24,000 residents, supports 20,000 jobs and needs increased levels of transit capacity, contiguous sidewalks, and multi-modal infrastructure improvements as contemplated by the Project; and

WHEREAS, the City was awarded a \$750,000 Multimodal Options Fund grant ("MOF Grant") from the North Front Range Metropolitan Planning Organization ("NFRMPO") to complete thirty percent (30%) of the design of the Project; and

WHEREAS, Colorado State University ("CSU") has agreed to equally share the cost of the local match required by the MOF Grant of \$750,000 for the 30% design of the Project with the City; thus, the City's local match contribution will be \$375,000 and CSU will contribute \$375,000 for the other half of the required local match; and

WHEREAS, 30% design of the Project is included in the cost of a capital construction project estimated to cost more than \$250,000, and as such, Section 23-304 of the City Code requires one percent of the 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, the MOF Grant and CSU funds are ineligible for public art purposes, leaving the City's contribution of \$375,000 to the required local match as eligible for such contribution under Section 23-304 of the City Code; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, 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 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, 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 these appropriations are available and previously unappropriated from the Transit Services Fund and will not cause the total amount appropriated in the Transit Services Fund, to exceed the current estimate of actual and anticipated revenues to be received in these funds during this fiscal year; and

WHEREAS, Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, 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, the City Manager has recommended the transfer of \$375,000 from the Transit Services Fund to the Capital Projects Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged; and

WHEREAS, the City Manager has recommended the transfer of \$3,750 from the Capital Projects Fund to the Cultural Services and Facilities Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of enhancing the transportation safety and accessibility of the Project area for all residents.

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 unanticipated grant revenue in the Capital Projects Fund the sum of SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000) for expenditure from the Capital Projects Fund for 30% design of the West Elizabeth Enhanced Travel Corridor Project and appropriated therein.

Section 3. That there is hereby appropriated from prior year reserves in the Transit Services Fund the sum of THREE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS

(\$375,000) for expenditure from the Transit Services Fund for transfer to the Capital Projects Fund for 30% design of the West Elizabeth Enhanced Travel Corridor Project and appropriated therein.

Section 4. That there is hereby appropriated from unanticipated revenue from Colorado State University in the Capital Projects Fund the sum of THREE HUNDRED SEVENTY-FIVE DOLLARS (\$375,000) for expenditure from the Capital Projects Fund for 30% design of the West Elizabeth Enhanced Travel Corridor Project and appropriated therein.


Section 5. That the unexpended and unencumbered appropriated amount of TWO THOUSAND NINE HUNDRED TWENTY-FIVE DOLLARS (\$2,925) 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 art projects.

Section 6. That the unexpended and unencumbered appropriated amount of SEVEN HUNDRED FIFTY DOLLARS (\$750) 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 operation costs.

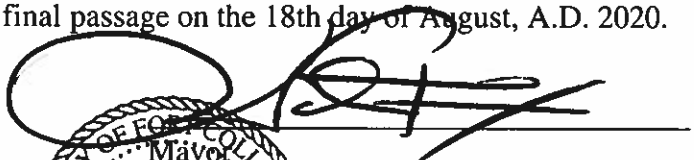
Section 7. That the unexpended and unencumbered appropriated amount of SEVENTY-FIVE DOLLARS (\$75) in the Capital Projects Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program maintenance costs.

Introduced, considered favorably on first reading, and ordered published this 4th day of August, A.D. 2020, and to be presented for final passage on the 18th day of August, A.D. 2020.

ATTEST:



City Clerk



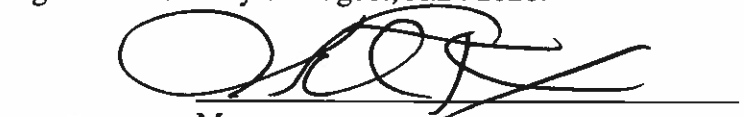
CITY OF FORT COLLINS
Mayor
SEAL
COLORADO

Passed and adopted on final reading on the 18th day of August, A.D. 2020.

ATTEST:



City Clerk



Mayor
SEAL
COLORADO