

ORDINANCE NO. 039, 2021
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS AND APPROPRIATING PRIOR YEAR
RESERVES FOR THE SOUTH TIMBERLINE ROAD IMPROVEMENTS PROJECT -
STETSON CREEK ROAD TO TRILBY ROAD AND RELATED ART IN PUBLIC PLACES

WHEREAS, Timberline Road is a major thoroughfare for Fort Collins residents, serving as a regional connection for Northern Colorado Communities; and

WHEREAS, significant development has taken place in this area over the last decade, and the existing two-lane road infrastructure has reached capacity causing significant congestion and the need to enhance vehicular safety; and

WHEREAS, Timberline Road is identified as a four-lane arterial road on the City's Master Street Plan; and

WHEREAS, infrastructure improvements included in widening Timberline Road to four lanes between Stetson Creek Road and Trilby Road also include addition of a median, sidewalks, and scheduled bicycle facilities (the "Project"), all of which will improve the overall safety, capacity, and mobility in the Project area; and

WHEREAS, on March 2, 2021, City Council adopted Resolution 2021-026 approving an Intergovernmental Agreement ("IGA") between the City and the Colorado Department of Transportation ("CDOT") under which CDOT will provide \$2,694,602 in Surface Transportation Block Grant (STBG) funds for the completion of the Project; and

WHEREAS, additional funds (a total of \$1,861,940) are also appropriated and transferred as set forth below for required local matching funds and Art in Public Places (APP) contributions related to the Project; and

WHEREAS, this appropriation benefits public health, safety and welfare of the residents of Fort Collins and serves the public purpose of constructing public infrastructure to improve the overall safety, capacity, and mobility in the Project area; and

WHEREAS, this project involves construction estimated to cost more than \$250,000, and 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; and

WHEREAS, a portion of the Project funds (the STBG funding) is ineligible for APP funding, as Section 23-304 of the City Code otherwise requires, due to grant restriction on the use of the funds; 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 these appropriations are available and previously unappropriated from the Capital Projects Fund and the Cultural Services and Facilities Fund, as applicable, and will not cause the total amount appropriated in the Capital Projects Fund or the Cultural Services and Facilities Fund, as applicable, 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 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 Transportation Capital Expansion Fee Fund and the Transportation Services Fund, as applicable, and will not cause the total amount appropriated in the Transportation Capital Expansion Fee Fund or the Transportation Services Fund, as applicable, 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 \$18,435 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.

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 TWO MILLION SIX HUNDRED NINETY-FOUR THOUSAND SIX HUNDRED TWO DOLLARS (\$2,694,602) for expenditure from the Capital Projects Fund for the South Timberline Road Improvements Project - Stetson Creek Road to Trilby Road.

Section 3. That there is hereby appropriated from prior year reserves in the Transportation Capital Expansion Fee Fund the sum of ONE MILLION EIGHT HUNDRED FIFTY-SEVEN THOUSAND EIGHT HUNDRED EIGHTY-FOUR DOLLARS (\$1,857,884)

for expenditure from the Transportation Capital Expansion Fee Fund for transfer to the Capital Projects Fund for the South Timberline Road Improvements Project - Stetson Creek Road to Trilby Road and appropriated therein.

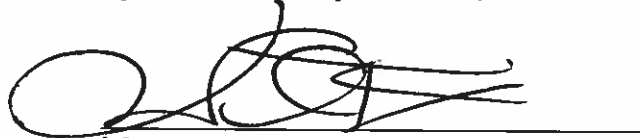
Section 4. That there is hereby appropriated from prior year reserves in the Transportation Services Fund the sum of FOUR THOUSAND FIFTY-SIX DOLLARS (\$4,056) for expenditure from the Transportation Services Fund for transfer to the Capital Projects Fund for the South Timberline Road Improvements Project - Stetson Creek Road to Trilby Road and appropriated therein.

Section 5. That the unexpended and unencumbered appropriated amount of FOURTEEN THOUSAND THREE HUNDRED SEVENTY-NINE DOLLARS (\$14,379) in the Capital Projects Fund is hereby 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 THREE THOUSAND SIX HUNDRED EIGHTY-SEVEN DOLLARS (\$3,687) 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 THREE HUNDRED SIXTY-NINE DOLLARS (\$369) 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 2nd day of March, A.D. 2021, and to be presented for final passage on the 16th day of March, A.D. 2021.



ATTEST:


City Clerk



Passed and adopted on final reading on the 16th day of March, A.D. 2021


Mayor

ATTEST:


City Clerk

