

ORDINANCE NO. 073, 2021  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING SUPPLEMENTAL APPROPRIATIONS OF AMERICAN RESCUE  
PLAN (ARP) ACT AND CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL  
APPROPRIATIONS ACT (CRRSA) FUNDING

WHEREAS, the City's Transportation Department received federal funding from the American Rescue Plan Act of 2021 ("ARP") and 2021 Corona Virus Response and Relief Supplemental Appropriations Act ("CRRSAA") for Transfort operation assistance, preventative maintenance, contracted services costs, and mobility for seniors and individuals with disabilities related to preparation for and response to the COVID-19 pandemic; and

WHEREAS, the City's Transfort Department is also the designated recipient of these funds for the geographical Transportation Management Area ("TMA"), and thus, is responsible for allocating dedicated funds to smaller transit agencies and metropolitan planning organizations in the TMA; including the Berthoud Area Transportation System ("BATS") and the North Front Range Metropolitan Planning Organization ("NFRMPO"); and

WHEREAS, the City's Transfort Department received total Federal Transit Authority ("FTA") grant revenue in the following amounts:

- \$1,509,248 in CRRSAA Section 5307 & 5310 funding;
- \$8,964,773 in ARP Section 5307 and 5310 funding; and

WHEREAS, through existing FTA-approved agreements with BATS and NFRMPO, the City retains 38% of BATS' and NFRMPO's funding allocation to exchange their federal share with local funds; and

WHEREAS, as the TMA manager, the City's Transfort Department is obliged to pass along the remaining 62% of the grant funding through allocations as follows:

- \$1,377,623 to NFRMPO;
- \$185,111 to BATS; and

WHEREAS, the City's net grant revenue is:

- \$1,284,514 in CRRSAA Section 5207 & 5310 funding;
- \$7,626,773 in ARP Section 5307 and 5310 funding; and

WHEREAS, the City Council recognizes that its Transfort Department has been competitively disadvantaged when seeking grant funding due primarily to not having funds appropriated for local match at the time grant applications are submitted; and

WHEREAS, City Council finds it appropriate to allow \$1.2M of the net \$8,911,287 FTA funding to be designated as local funds to be used as a source of Transfort grant matches for additional opportunities that may arise throughout the fiscal year; and

WHEREAS, Council finds it appropriate to allocate the remainder of the net CRRSAA and ARP funds to repay a portion of the funds previously budgeted and appropriated in the 2021 Transfort budget for:

- continuation of fixed route services, including preventative maintenance activities;
- capital projects for rolling stock;
- facilities;
- IT equipment;
- Contracted services costs;
- to support Transfort's ADA paratransit services;
- programs that improve mobility for seniors and individuals with disabilities;

WHEREAS, these appropriations benefit the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of supporting the essential transportation services that many transit-dependent members of the community rely on to get to and from work, buy groceries and other essentials, to receive medical care, and to care for family or friends; 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 and all other funds 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 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 and all other funds to be received in that fund 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 \$1,200,000 from the Transfort operating budget in the Transit Services Fund to a newly established Transfort budget, also in the Transit Services Fund, to be used specifically as local match funding for grants that Transfort will apply for in the future, and has determined that the proposed transfer is from a budget in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

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 Transit Services Fund the sum of TEN MILLION FOUR HUNDRED SEVENTY-FOUR THOUSAND TWENTY-ONE DOLLARS (\$10,474,021) for expenditure from the Transit Services Fund for operating assistance, preventative maintenance, contracted service costs, mobility for seniors and individuals with disabilities related to preparation for and response to the COVID-19 pandemic (\$8,911,287), grant match local funding (\$1,200,000) and to cover pass through money due to NFRMPO (\$1,377,623) and BATS (\$185,111).

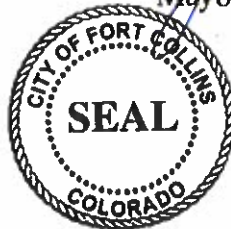
Section 3. That the unexpended and unencumbered appropriated amount of ONE MILLION TWO HUNDRED THOUSAND DOLLARS (\$1,200,000) is hereby authorized for transfer from the Transfort operating budget to a newly established Transfort budget to be used specifically as local match funding for grants that Transfort will apply for in the future and appropriated therein.

Introduced, considered favorably on first reading, and ordered published this 1st day of June, A.D. 2021, and to be presented for final passage on the 15th day of June, A.D. 2021.

*Jeri Gust*  
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Mayor

ATTEST:

*Alyssa Calderon*  
\_\_\_\_\_  
City Clerk



Passed and adopted on final reading on the 15th day of June, A.D. 2021.

*Jeri Gust*  
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Mayor

ATTEST:

*Diana Gula-Yeast*  
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City Clerk-Deputy

