

ORDINANCE NO. 112, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS OF APPROPRIATIONS FOR THE SAFE ROUTES
TO SCHOOL ZACH ELEMENTARY SCHOOL PROJECT

A. The Safe Routes to School (“SRTS”) Zach Elementary School Project (the “Project”) has been developed to address safety concerns and eliminate most of the conflicts that result in crashes presented by both the existing suboptimal crossings at Kechter Road and Jupiter Drive and at Kechter Road and Cinquefoil Lane.

B. In 2023 a Colorado Department of Transportation (“CDOT”) SRTS grant was awarded to the City for the design and construction of the Project. The SRTS and local match funding was appropriated by City Council in November 2023, in Ordinance No. 144, 2023. A supplemental appropriation was approved by City Council in November 2024, in Ordinance No. 139, 2024, to fund additional concrete work and acquisition of temporary construction easements that were not originally identified as part of the Project. The design of the improvements is complete and temporary construction easements have been secured. Construction is planned to begin in July 2025 and to be completed before school begins in mid-August.

C. Poudre School District (“PSD”) will contribute \$25,000 to the Project. Ordinance No. 144, 2023, noted that the City anticipated receiving a \$25,000 contribution for the Project from the PSD, which would reimburse portions of the appropriated Community Capital Improvement Program (“CCIP”) funds from the Bicycle and Pedestrian CCIP programs. The CCIP funding was used to fully fund the Project while the City awaited the PSD contribution. The PSD contribution was received in 2024.

D. This Ordinance will appropriate the \$25,000 PSD contribution to the Project and allow for the transfer to the CCIP, reimbursing these funds for fronting the funding to Project. The new funding is being appropriated strictly for the reimbursement, not as additional Project funding. The PSD contribution (\$25,000) to the capital Project allows the previous CCIP budget contribution of \$86,398 to be reduced to \$61,398. This Ordinance reimburses the CCIP funds for the \$25,000 used to fully fund the Project budget at its inception. The Project budget (\$1,381,984) is not increasing.

E. This Ordinance will also transfer previously appropriated money from CCIP Pedestrian Sidewalks project account and CCIP Bicycle Infrastructure improvements project account to the Zach Elementary capital project, each in the amount of \$30,699, for a total of \$61,398. It also closes previously used accounts in order to streamline the business side of the project. These appropriations will be executed within the Capital Projects Fund.

F. No additional contribution to the Art in Public Places (APP) program is required, because it was addressed in Ordinance No. 144, 2023.

G. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

H. The City Manager has recommended the appropriation of prior year reserves described herein and determined that the funds to be appropriated are available and previously unappropriated from the Capital Project Fund and that this appropriation will not cause the total amount appropriated in the Capital Project Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

I. 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.

J. The City Manager has recommended the transfer of \$30,699 from the CCIP Pedestrian Sidewalk – ADA capital account in the Capital Project Fund to the Safe Routes to School Zach Elementary School Project capital account in the Capital Project Fund and transfer of \$30,699 from the CCIP Bicycle Infrastructure Improvements capital account in the Capital Project Fund to the Zach Elementary School Project capital account in the Capital Project Fund and has determined that the purpose for which the transferred funds are to be expended remains unchanged.

K. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project, that such appropriation not lapse at the end of the fiscal year in which the appropriation is made, but continue until the completion of the capital project.

L. The City Council wishes to designate the appropriation herein for the Safe Routes to School Zach Elementary School Project as an appropriation that will not lapse until the completion of the project.

M. This appropriation benefits the public health, safety, and welfare of the residents and traveling public of Fort Collins and serves the public purpose of improving transportation infrastructure.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from prior year reserves in the Capital Projects Fund the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) to be expended in the Capital Projects Fund for the Safe Routes to School Zach Elementary School Project.

Section 2. The unexpended and unencumbered appropriated amount of THIRTY THOUSAND SIX HUNDRED NINETY-NINE DOLLARS (\$30,699) is authorized for transfer from CCIP Pedestrian Sidewalk – ADA capital project account in the Capital Project Fund to the Zach Elementary School Project capital account in the Capital Project Fund and appropriated therein to be expended for Safe Routes to School Zach Elementary School Project.

Section 3. The unexpended and unencumbered appropriated amount of THIRTY THOUSAND SIX HUNDRED NINETY-NINE DOLLARS (\$30,699) is authorized for transfer from CCIP Bicycle Infrastructure Improvements capital project account in the Capital Project Fund to the Zach Elementary School Project capital account in the Capital Project Fund and appropriated therein to be expended for Safe Routes to School Zach Elementary School Project

Section 4. The appropriations herein for the Safe Routes to School Zach Elementary School Project are hereby designated, as authorized in Article V, Section 11 of the City Charter, as appropriations that will not lapse at the end of this fiscal year but continue until the completion of the project.

Introduced, considered favorably on first reading on July 1, 2025, and approved on second reading for final passage on July 15, 2025.

Mayor

ATTEST:

Sr. Deputy City Clerk

Effective Date: July 25, 2025

Approving Attorney: Heather N. Jarvis

Exhibit: None