

ORDINANCE NO. 143, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS AND
AUTHORIZING TRANSFERS OF APPROPRIATIONS FOR
VARIOUS TRANSIT SERVICES GRANTS AND REVENUE

A. The City's budget process requires that revenue be projected up to three years in advance of actual receipt of revenue.

B. For Transfort, this means annual Federal Transit Administration (FTA) grant amounts must be projected using estimates based on historical federal apportionments, anticipated trends, or anticipated changes to the federal funding bill.

C. Confirmed award amounts for each grant typically do not become available until the spring of the award year.

D. Due to this timing, Transfort requires a yearly reconciliation process that appropriates confirmed award amounts for grants used to reimburse that City fiscal year's expenses.

E. This supplemental appropriation will update award amounts for the annual FTA Federal Formula Funds for urbanized areas (5307 funds) and Federal Formula Funds for enhanced mobility of seniors and individuals with disabilities (5310 funds), which will be used to support various Transfort operations.

F. This Ordinance requests appropriation of the entire \$4,402,305 of grant revenue from the FTA's FY23 5307 funds to be used for the 2024 City fiscal year ("FY"), which will place Transfort on a healthy reimbursement track wherein one 5307 operational grant is used per year and that FTA grant year is lagged one year behind the City fiscal year requesting reimbursement.

G. The 5307 funds require a local match of \$3,613,897, which was previously appropriated into the Transfort Operations Lapsing Budget and this Ordinance requests transfer into the Transfort Operations Non-lapsing Budget.

H. This Ordinance requests appropriation of \$37,153 of grant revenue from the FTA's FY20 5310 funds with a local match of \$44,316, and \$73,000 of grant revenue from the FTA's FY22 5310 funds with a local match of \$34,524, to be used for the 2024 City fiscal year.

I. All the U.S. Department of Transportation Formula Grant Funding funds above are pursuant to the annual Certifications and Assurances for F1'A Assistance Programs executed by the City Manager and then individual grant agreements following a process established in Resolution 2011-111, adopted on December 20, 2011, for FTA grants.

J. This Ordinance requests appropriation of \$300,000 of unanticipated grant revenue from Colorado Department of Transportation FASTER (Funding Advancements for Surface Transportation and Economic Recovery Act of 2009) Capital Funds, with a local match of \$300,000, to support Transfort FLEX service.

K. Transfort's 2024 operational budget is currently appropriated to \$22,300,000.

L. To end the year at current service levels, Transfort is anticipated to need an additional appropriation of \$1,300,000, due to 2023 hourly bus operator conversions and the addition of a transit supervisor position, increases to vehicle repair services costs, increased snow removal costs due, the loss of Transfort's advertising contract, discontinued service on routes 11 and 12, and contingency costs.

M. A portion of these additional anticipated budget needs will be funded by approximately \$900,000 in grant revenue from the FY23 5307 grant appropriation.

N. To fund the remaining portion of Transfort's additional anticipated budget needs, this Ordinance requests appropriation of \$400,000 in unanticipated grant revenue from prior year reimbursements.

O. This appropriation benefits 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.

P. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

Q. 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 this Fund during this fiscal year.

R. 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.

S. The City Manager has recommended the transfer of \$3,613,897 from the Transfort Operations Lapsing Budget in the Transit Fund to the Transfort Non-Lapsing Operations in the Transit Services Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

T. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

U. The City Council wishes to designate the appropriation herein for Various Grants listed in Agenda Item Summary as an appropriation that shall not lapse the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

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 new revenue or other funds in the Transit Services Fund the sum of FIVE MILLION FIVE HUNDRED NINETY-ONE THOUSAND TWO HUNDRED NINETY-EIGHT DOLLARS (\$5,591,298) to be expended in the Transit Services Fund for Various Transfort Operations.

Section 2. The unexpended and unencumbered appropriated amount of THREE MILLION SIX HUNDRED THIRTEEN THOUSAND EIGHT HUNDRED NINETY-SEVEN DOLLARS (\$3,613,897) is authorized for transfer from the Transfort Operations Lapsing Budget in the Transit Services Fund to the Transfort Operations Non-Lapsing Budget in the Transit Services Fund and appropriated therein to be expended for Various Transfort Operations.

Section 3. The appropriation herein for Transfort Various Operations is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the City's expenditure of all funds received from such grant and appropriation.

Introduced, considered favorably on first reading on October 15, 2024 and approved on second reading for final passage on November 4, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: November 14, 2024
Approving Attorney: Madelene Shehan