

ORDINANCE NO. 059, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS FROM GRANT
REVENUE AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE WILLOW STREET
IMPROVEMENTS – LINDEN STREET TO LINCOLN AVENUE
PROJECT AND RELATED ART IN PUBLIC PLACES

A. The purpose of this item is to appropriate grant monies received pursuant to an intergovernmental agreement (“IGA”) authorized by Resolution 2025-042 between the City and the Downtown Development Authority (“DDA”) for the Willow Street Improvements – Linden Street to Lincoln Avenue project (“Project”).

B. The Downtown zone district is divided into nine subdistricts, one of which is the River District. The River District Streetscape Improvements Project Plan (dated August 1, 2008) envisions a consistent and comprehensive streetscape approach within the River District, which the City and DDA have been working toward designing and redeveloping. The Project is within the identified plan area.

C. As the River District has redeveloped, the City and the DDA have sought to prepare streetscape designs for sections of the River District ahead of, and in conjunction with proposed redevelopment. The City and the DDA have partnered to deliver the design and eventual construction of two streetscape improvement projects within the River District: 1) Linden Street Improvements – Jefferson Street to the Poudre River and 2) Willow Street Improvements – Linden Street to the BNSF railroad (“Phase 1”). Both projects saw significant financial participation from the DDA and development within the corridors.

D. The DDA and the City entered into an IGA in 2014 authorized by Resolution 2014-051 to complete the design and engineering for Phase 1. Later in 2014 the DDA and the City partnered to fund the design and construction of these improvements (initial appropriation Ordinance No. 093, 2014, and other ordinances as listed in Recital Q below). That work was completed in 2020.

E. The Project that is the subject of this Ordinance is contemplated as Phase 2 of the overall Willow Street Improvements project. As with Phase 1, the Project was contemplated to move forward once there was interest in development within the corridor, and a proposed development on Linden Street has prompted the City and DDA to move forward. The Project design will identify the proposed streetscape improvements for this corridor and help determine what improvements will be the developer’s responsibility for constructing or for providing financial participation.

F. The City can minimize the funding needed to prepare the streetscape design with a willing partner in the DDA, future development contributions, as well as the development contribution from the Bas Bleu Development that Council appropriated via Ordinance No. 22, 2025.

G. The IGA funds will be used for design and right-of-way acquisition for the Project. This section of Willow Street between Linden Street and Lincoln Avenue also has an existing railroad spur, a need for active modes improvements, and a need for on-street parking to support redevelopment and existing development. The IGA and appropriation will also allow the City to begin critical negotiations with OmniTRAX (Great Western Railway of Colorado) concerning the existing railroad spur in this section of Willow Street.

H. 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, does not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

I. 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 and all other funds to be received in this fund during this fiscal year.

J. 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.

K. The City Manager has recommended the appropriations described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transportation Services fund and that this appropriation will not cause the total amount appropriated in the Transportation 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.

L. 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.

M. The City Manager has recommended the transfer of \$70,000 from the Willow Street Improvements Phase 1 project in the Capital Projects fund to the Willow Street Improvements – Linden Street to Lincoln Avenue Phase 2 Project in the Capital

Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

N. 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 shall not lapse at the end of the fiscal year in which the appropriation is made but continue until the completion of the capital project.

O. The City Council wishes to designate the appropriations herein for the Willow Street Improvements – Linden Street to Lincoln Avenue Project as appropriations that shall not lapse until the completion of the Project.

P. This Project involves construction estimated to cost more than \$250,000 and, as such, City Code Section 23-304 requires one percent of these appropriations to be transferred to the Cultural Services and Facilities fund for a contribution to the Art in Public Places (“APP”) program.

Q. This Ordinance makes \$250,000 available to the Project. The project cost of \$180,000 has been used to calculate the contribution to the APP program because the amount of \$70,000 is being transferred from Willow Street Improvements Phase 1 project funds. The \$70,000 amount was excluded from this APP calculation because the APP contribution based on that and earlier phase funding was transferred in the earlier project phase in prior ordinances (Ordinance No. 154, 2017, Ordinance No. 133, 2018, and Ordinance No. 061, 2019).

R. The amount of \$70,000 was excluded from this calculation due being transferred from a different project phase that contributed to the APP program in a prior Ordinance.

S. The amount to be contributed in this Ordinance will be \$1,800.

T. The appropriations in this Ordinance benefit public health, safety and welfare of the residents of Fort Collins and serve the public purpose of improving transportation and streetscape infrastructure and safety within the City.

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 Capital Projects fund the sum of ONE HUNDRED EIGHTY THOUSAND DOLLARS: (\$180,000) to be expended in the Capital Projects fund for the Willow Street Improvements – Linden Street to Lincoln Avenue Project.

Section 2. There is hereby appropriated from prior year reserves in the Transportations Services fund the sum of ONE THOUSAND EIGHT HUNDRED

DOLLARS (\$1,800) to be expended in the Transportation Services fund for transfer to the Capital Projects fund and appropriated and expended therein for the Willow Street Improvements – Linden Street to Lincoln Avenue Project.

Section 3. The unexpended and unencumbered appropriated amount of SEVENTY THOUSAND DOLLARS (\$70,000) is authorized for transfer from the Willow Street Improvements Phase 1 project in the Capital Projects fund to the Willow Street Improvements – Linden Street to Lincoln Avenue Phase 2 Project in the Capital Projects fund and appropriated and expended therein for the Project.

Section 4. The unexpended and unencumbered appropriated amount of ONE THOUSAND FOUR HUNDRED FOUR DOLLARS: (\$1,404) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein to fund art projects under the APP program.

Section 5. The unexpended and unencumbered appropriated amount of THREE HUNDRED SIXTY DOLLARS: (\$360) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the operation costs of the APP program.

Section 6. The unexpended and unencumbered appropriated amount of THIRTY-SIX DOLLARS: (\$36) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated and expended therein for the maintenance costs of the APP program.

Section 7. The appropriation herein for Willow Street Improvements – Linden Street to Lincoln Avenue Phase 2 Project 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 completion of the capital project.

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

Mayor

ATTEST:

City Clerk

Effective Date: April 25, 2025

Approving Attorney: Heather N. Jarvis