

ORDINANCE NO. 129, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS AND
AUTHORIZING TRANSFERS OF APPROPRIATIONS FOR THE
WILLIAM NEAL AND ZIEGLER INTERSECTION
IMPROVEMENTS PROJECT AND RELATED ART IN PUBLIC
PLACES

A. This Ordinance concerns the design and construction of and funding for an at-grade bicycle and pedestrian crossing at the intersection of William Neal Parkway and Ziegler Road to provide a safe crossing point between the Rendezvous Trail and Rigden Farm to the west and the Poudre River Trail extension and the future East Community Park to the east.

B. The intersection of William Neal Parkway and Ziegler Road is currently side street stop-controlled with high speeds and volumes on Ziegler Road. Current pedestrian and bicycle demand at the intersection is high after the construction of residential housing to the west (Rigden Farm) including a local trail (Rendezvous Trail), and the Poudre River Trail segments to the east.

C. City staff anticipate a traffic signal will be warranted at the intersection in the future. With the construction of the East Community Park and final segments of the Poudre River Trail, it is anticipated that demand for a safe intersection crossing will be significantly higher. However, the need to address pedestrian and cyclist safety exists today.

D. The William Neal and Ziegler Intersection Improvements Project (the "Project") has been developed to improve bicycle and pedestrian safety, to improve all modes of traffic flow at the William Neal/Ziegler Intersection, and to further develop the City's transportation infrastructure and interconnected trail network.

E. The Project will install enhanced at-grade bicycle and pedestrian facilities at the intersection. In addition, the Project will improve connectivity to the Poudre River Trail in the vicinity where the Poudre River Trail crosses the Great Western Railway. The Project will close the gap between a local trail and neighborhood and the Poudre River Trail, providing a safe connection to the East Community Park. Because of the extents of the Poudre River Trail, the project will increase access to schools, parks, transit, and the regional community.

F. Improvements at the intersection will meet the requirements of the Americans with Disabilities Act, eliminating or mitigating existing roadway hazards.

G. Signage and wayfinding will be included in the Project similarly to other City trail projects.

H. The Project will install pedestrian and bike count collection infrastructure. The data will be shared with the North Front Range Metropolitan Planning Organization (“NFRMPO”) and the Colorado Department of Transportation (“CDOT”). Although the Project is not explicitly defined in the NFRMPO Regional Active Transportation Plan (2021), the need for safe local trail connections to the Poudre River Trail is identified. The Project will provide such a connection.

I. The City’s Active Modes Plan identifies these improvements. This intersection is routinely used in the Safe Routes to School (“SRTS”) training rides with students.

J. City staff initially submitted to the NFRMPO for federal Transportation Alternatives Program (“TAP”) funding for the Project in 2021. The Project was waitlisted at that time. Additional funding became available in 2023 as part of Infrastructure Investment and Jobs Act (“IIJA”), and the TAP funds were awarded.

K. 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.

L. 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.

M. 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.

N. The City Manager has recommended the transfer of \$70,700 from the 2050 Parks Rec Transit and OCF fund to the Capital Projects fund and \$55,479 from the Community Capital Improvement Program Bicycle Program Budget in the Capital Projects fund to the William Neal and Ziegler Intersection Improvement Project Budget in the Capital Projects fund determined that the purpose for which the transferred funds are to be expended remains unchanged.

O. 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.

P. The total project cost of \$70,000 has been used to calculate the contribution to the APP program.

Q. The amount to be contributed in this Ordinance will be \$700.

R. A portion of the funds appropriated in this Ordinance for the Project are ineligible for use in the APP program due to restrictions placed on them by Colorado Department of Transportation, the source of these funds.

S. 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.

T. The City Council wishes to designate the appropriation herein for William Neal and Ziegler Intersection Improvements Project as an appropriation that shall not lapse until the completion of the project.

U. The appropriations in this Ordinance benefit public health, safety and welfare of the residents of Fort Collins and serve the public purpose of improving multimodal transportation infrastructure 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 SIX HUNDRED THREE THOUSAND SIX HUNDRED TWENTY-FOUR DOLLARS (\$603,624) to be expended in the Capital Projects fund for the William Neal and Ziegler Intersection Improvements Project.

Section 2. The unexpended and unencumbered appropriated amount of SEVENTY THOUSAND SEVEN HUNDRED DOLLARS: (\$70,700) is authorized for transfer from the 2050 Parks Rec Transit and OCF fund to the Capital Projects fund and appropriated therein to be expended for the William Neal and Ziegler Intersection Improvements Project.

Section 3. The unexpended and unencumbered appropriated amount of FIFTY-FIVE THOUSAND FOUR HUNDRED SEVENTY-NINE DOLLARS: (\$55,479) is authorized for transfer from the Bicycle Program budget in the Capital Projects fund to the William Neal and Ziegler Intersection Improvement budget in the Capital Projects fund

and appropriated therein to be expended for the William Neal and Ziegler Intersection Improvements Project.

Section 4. The unexpended and unencumbered appropriated amount of FIVE HUNDRED FIFTY DOLLARS (\$550) 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 ONE HUNDRED FORTY DOLLARS (\$140) 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 TEN DOLLARS (\$10) 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 the William Neal and Ziegler Intersection Improvements 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 project.

Introduced, considered favorably on first reading on September 3, 2024, and approved on second reading for final passage on September 17, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: September 27, 2024
Approving Attorney: Heather N. Jarvis