

ORDINANCE NO. 141, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING REVENUE FROM A FUNDING ADVANCEMENTS FOR SURFACE
TRANSPORTATION AND ECONOMIC RECOVERY GRANT AND THE COLORADO
DEPARTMENT OF TRANSPORTATION AMERICANS WITH DISABILITIES ACT
GRANT AND APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS FOR THE US 287 AND TRIANGLE DRIVE SIGNAL INSTALLATION
PROJECT AND RELATED ART IN PUBLIC PLACES

A. The intersection of College Avenue and Triangle Drive is a “T” intersection that is currently side street stop-controlled with high traffic speeds and volumes on College Avenue (also known as “US 287”).

B. The Shenandoah and Ridgewood Hills neighborhoods on the west side of College Avenue access this intersection from Triangle Drive. Lakeview on the Rise is a neighborhood on the east side of College Avenue northeast of the intersection. Directly east of the intersection is the Pelican Marsh Natural Area owned by the City’s Natural Areas Department (“Natural Areas”). The intersection will remain a “T” intersection as there is no intention of Natural Areas extending Triangle Drive east of College Avenue.

C. City staff determined that a traffic signal is warranted due to severe crash history at this intersection and has developed the US 287 and Triangle Drive Signal Installation Project (the “Project”) to improve vehicular, bicycle, and pedestrian safety in and around the intersection.

D. The Project will install a new traffic signal as well as bicycle and pedestrian improvements connecting to the northeast towards the Lakeview on the Rise neighborhood. The bicycle and pedestrian improvements implement the sidepath recommendation along College Avenue as identified in the adopted Active Modes Plan, providing multimodal connectivity from Lakeview on the Rise to the Shenandoah and Ridgewood Hills neighborhoods. The improvements at the intersection will meet Americans with Disabilities Act (ADA) requirements.

E. The implementation of the bicycle and pedestrian improvements will necessitate acquisition of right-of-way and easements from Natural Areas, requiring a future action before City Council. Coordination with FC Moves, Natural Areas, and Real Estate Services Department staff has been underway to ensure implementation of the Active Modes infrastructure minimizes impacts to the Pelican Marsh Natural Area.

F. City staff initially submitted to the Colorado Department of Transportation (CDOT) for Highway Safety Improvement Program (HSIP) funding in 2023 but was not initially selected for funding. City staff continued discussions with CDOT providing additional information requesting CDOT Funding Advancements for Surface Transportation and Economic Recovery (FASTER) funding. Through this request, CDOT

awarded \$682,211 in FASTER funds. CDOT also awarded \$183,843 of CDOT ADA grant funds for ADA improvements for the Project.

G. The Project was presented to Council Finance Committee on August 1, 2024. The committee supported an off-cycle supplemental appropriation and was in favor of forwarding the appropriation request to City Council.

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 these appropriations are available and previously unappropriated from the Transportation Capital Expansion Fee Fund and the Transportation Services Fund, as applicable, and will not cause the total amount appropriated in the Transportation Capital Expansion Fee Fund and the Transportation Services Fund, as applicable, to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds 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 \$688,897 from the Transportation Capital Expansion Fee Fund to the Capital Projects Fund and \$136 from

the Transportation Services Fund to 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. 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 \$682,200 has been used to calculate the contribution to the APP program.

Q. The amount to be contributed in this Ordinance will be \$6,822.

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. These appropriations benefit public health, safety and welfare of the people of Fort Collins and serve the public purpose of improving transportation infrastructure within the City and accommodating multimodal transportation and safety.

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 EIGHTY-TWO THOUSAND TWO HUNDRED ELEVEN DOLLARS (\$682,211) to be expended in the Capital Projects Fund for the US 287 and Triangle Drive Signal Installation Project.

Section 2. There is hereby appropriated from new revenue or other funds in the Capital Projects Fund the sum of ONE HUNDRED EIGHTY-THREE THOUSAND EIGHT HUNDRED FORTY-THREE DOLLARS: (\$183,843) to be expended in the Capital Projects Fund for the US 287 and Triangle Drive Signal Installation Project.

Section 3. There is hereby appropriated from prior year reserves in the Transportation Capital Expansion Fee Fund the sum of SIX HUNDRED EIGHTY-EIGHT THOUSAND EIGHT HUNDRED NINETY-SEVEN DOLLARS: (\$688,897) to be expended in the Transportation Capital Expansion Fee Fund for Transfer to the Capital Projects Fund and appropriated therein to be expended for the US 287 and Triangle Drive Signal Installation Project.

Section 4. There is hereby appropriated from prior year reserves in the Transportation Services Fund the sum of ONE HUNDRED THIRTY-SIX DOLLARS (\$136) in the Transportation Services Fund for Transfer to the Capital Projects Fund and appropriated therein to be expended for the US 287 and Triangle Drive Signal Installation Project.

Section 5. The unexpended and unencumbered appropriated amount of FIVE THOUSAND THREE HUNDRED TWENTY-ONE DOLLARS: (\$5,321) 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 6. The unexpended and unencumbered appropriated amount of ONE THOUSAND THREE HUNDRED SIXTY-FOUR DOLLARS: (\$1,364) 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 7. The unexpended and unencumbered appropriated amount of ONE HUNDRED THIRTY-SEVEN DOLLARS (\$137) 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 8. The appropriations herein for the US 287 and Triangle Drive Signal Installation Project are hereby designated, as authorized in Article V, Section 11 of the City Charter, as appropriations 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 October 1, 2024, and approved on second reading for final passage on October 15, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: October 25, 2024

Approving Attorney: Heather N. Jarvis