

RESOLUTION 2024-064  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING THE EXECUTION OF AN AMENDMENT TO AN  
EXISTING INTERGOVERNMENTAL AGREEMENT BETWEEN THE  
CITY OF FORT COLLINS, COLORADO, AND THE COLORADO  
DEPARTMENT OF TRANSPORTATION FOR THE COLLEGE AVENUE-  
TRILBY ROAD INTERSECTION IMPROVEMENTS PROJECT

A. Beginning in 2020, Fort Collins Engineering Department Traffic Operations and FC Moves staff, guided by the Arterial Intersection Prioritization Study, identified traffic safety and congestion issues, as well as a lack of active modes infrastructure, at the intersection of Trilby Road and South College Avenue (also known as State Highway 287).

B. Safety concerns with the current intersection include high frequencies of approach turn crashes and rear-end crashes.

C. Operational concerns include high volumes of motorists on the north-south legs of South College Avenue and increasing volumes on the east-west approach legs of Trilby Road.

D. Bicycle and pedestrian safety and accessibility are also concerns at the intersection, because very little infrastructure is established for either mode of travel.

E. The College Avenue-Trilby Road Intersection Improvements Project (the "Project") has been developed to reconstruct the intersection to improve vehicular, bicycle, and pedestrian safety in and around the intersection.

F. The Project, with the assistance of design professionals, will improve safety for current and future traffic levels as growth continues in the region and will create a safer intersection for all users. After construction, the intersection will feature dual left turn lanes from South College Avenue to Trilby Road, right turn lanes for each direction of travel, and a widened Trilby Road approach to South College Avenue.

G. In 2020, via Resolution 2020-046, the City Council authorized execution of an intergovernmental agreement ("IGA") with the Colorado Department of Transportation ("CDOT"), which administers the grant funds for the Project. Initial funds were appropriated via Ordinance No. 071, 2020. Design and right-of-way acquisition has progressed since the initial authorization and appropriations.

H. In early 2023 the Project Team, with CDOT approval, engaged a regional general contractor to assist in the final design to improve efficiency in constructability. Due to a longer than anticipated rights of way acquisition phase, that has involved over twenty-four different land parcels, the project team divided the project into packages to commence early work in areas where rights of way have been secured while remaining rights of way were continued to be secured.

I. Construction is currently underway with package one, and the schedule anticipates starting package two at the beginning of the third quarter of 2024.

J. The overall Project is anticipated to be completed sometime in early 2025.

K. Funds that were appropriated to the Project before this action were used primarily for design and acquisition. To secure the remaining funds needed to construct the Project, staff actively explored and applied for multiple opportunities in 2022 and 2023. CDOT has also made significant additional commitments to the Project in this timeframe.

L. CDOT has proposed an amendment to the IGA to enable the City to receive and expend the additional grant funds to continue the Project.

M. Colorado Revised Statutes Section 29-1-203 provides that governments may cooperate or contract with one another to provide certain services or facilities when the cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve.

N. Article II, Section 16 of the City Charter empowers the City Council, by ordinance or resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services, or enter into cooperative or joint activities with other governmental bodies.

O. City Code Section 1-22 requires the City Council to approve IGAs that require the City to make a direct, monetary payment over \$50,000, and the proposed amendment requires the City to provide matching funds in the amount of \$1,640,343.

P. The City Council has determined that this amendment to the IGA with CDOT is in the best interests of the City and that the Mayor be authorized to execute the amendment to the IGA between the City and CDOT in support thereof.

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

Section 1. The City Council authorizes the Mayor to execute, on behalf of the City, an amendment to the intergovernmental agreement with the Colorado Department of Transportation relating to the College Avenue-Trilby Road Intersection Improvements Project, in substantially the form attached hereto as Exhibit A, with such additional or modified terms and conditions as the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to protect the interests of the City or effectuate the purposes of this Resolution.

Section 2. The City Council hereby authorizes the City Manager to approve and execute future amendments to the intergovernmental agreement with the Colorado Department of Transportation relating to the College Avenue-Trilby Road Intersection

Improvements Project that the City Manager, in consultation with the City Attorney, determines to be necessary and appropriate to facilitate completion of the College Avenue-Trilby Road Intersection Improvements Project, so long as such amendments do not increase the cost of the Project, substantially modify the purposes of the intergovernmental agreement, increase the allocation or amount of funding for the Project funded by the City, or otherwise increase the obligations and responsibilities of the City as set forth in this amendment to the intergovernmental agreement.

Passed and adopted on May 7, 2024.

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Mayor

ATTEST:

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Interim City Clerk

Effective Date: May 7, 2024

Approving Attorney: Heather N. Jarvis