

AGENDA ITEM SUMMARY

City Council



STAFF

Tracy Dyer, Project Manager
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SUBJECT

Second Reading of Ordinance No. 113, 2024, Making Supplemental Appropriations from Prior Year Reserves and Developer Contributions and Authorizing Transfers of Appropriations for the College Avenue-Trilby Road Intersection Improvements Project and Related Art in Public Places.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on August 20, 2024, provides supplemental appropriations for the College Avenue-Trilby Road Intersection Improvements Project (Project). The funds will be used for construction of improvements at the intersection of South College Avenue and Trilby Road. If approved this item will appropriate the following ultimate amounts as designated: 1) \$11,781 from a payment-in-lieu (PIL) to the City from a development contribution to construction; 2) \$900,000 from Transportation Capital Expansion Fee (TCEF) reserves; 3) \$600,000 from Community Capital Improvement Program (CCIP) Arterial Intersection Improvements reserves; 4) \$119 (1% of PIL) from a PIL to the City from a development contribution to construction to the Art in Public Places (APP) program; 5) \$8,820 (0.8% of TCEF Project contribution) from TCEF reserves to the APP program; and 6) \$180 (0.2% of TCEF Project contribution) for maintenance of art from the Transportation Services fund reserves to the APP program.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

In 2020, the City's Arterial Intersection Prioritization Study identified the intersection of Trilby Road and South College Avenue (also known as State Highway 287) as a high priority due to traffic safety and congestion issues, as well as a lack of active modes infrastructure. The Colorado Department of Transportation (CDOT) has also identified this intersection as a high priority to address serious injury crashes.

Engineering, Traffic Operations and FC Moves staff identified the following safety and operational concerns with the current intersection: 1) high frequencies of approach turn crashes and rear-end crashes; 2) a lack of bicycle and pedestrian accessibility and infrastructure; 3) high volumes of motorists on the north-south legs of South College Avenue; and 4) increasing volumes on the east-west approach legs of Trilby Road. The Project design effort began in 2020.

The reconstructed intersection will improve safety for current and future traffic levels as growth continues in the region and will create a safer intersection for all users. The new 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. Pedestrians and bicycles will benefit from shared use paths on South College Avenue (10-foot wide detached) and Trilby Road (8-foot wide attached). Transit users will benefit from new bus stops on the south side of the intersection on South College Avenue.

The real property acquisition phase (right-of-way, permanent utility easements, and temporary construction easements) began in 2022 after CDOT approval and has involved over 24 different land parcels. The Project has included more real property acquisition than the City has seen in recent intersection projects like the College/Prospect and College/Horsetooth intersections. The amount of redevelopment around those intersections meant that a large amount of the right-of-way had been dedicated prior to those projects. The College/Trilby area has not experienced as much redevelopment in advance of this Project and as a result, there is significantly more acquisition needed to complete the Project. Local funding is used for acquisition costs directly related to real property, relocation costs, and property transfer fees. Acquisition costs to develop right-of-way plans, real estate consulting services, and outside legal representation are eligible grant expenses. This is standard practice on CDOT local agency projects.

Acquisition has taken longer than anticipated and has been significantly more expensive (~\$4.5M) than originally estimated (~\$3.0M). The additional cost of this phase has been attributed to 1) significant escalation in property values during the process, 2) increased use of settlements to minimize delays in some acquisitions, 3) increased consulting needs (land appraisal and real estate services) resulting from updated CDOT right-of-way processes, and 4) the need to use eminent domain proceedings to acquire needed right-of-way.

The City engaged a regional Construction Manager/General Contractor (CM/GC), with CDOT approval, in early 2023 to assist in the final design to improve efficiency in constructability and identify potential construction cost savings. Due to the lengthy acquisition phase, the construction phase was divided into packages to commence early work in areas where right-of-way had been secured while remaining right-of-way was secured. Construction package one (earthwork and walls) is currently underway and nearing completion. The City is currently negotiating construction packages two and three with the CM/GC. Staff anticipates starting package two later this month. The overall Project is anticipated to be completed in 2025.

Funds that were appropriated to the Project before this action were used primarily for design, acquisition, and construction package one. Additional appropriations totaling \$1,520,900 are sought to cover the unanticipated additional cost of real property acquisition. A PIL to the City (\$11,900) from a development contribution to construction is included in this appropriation. The PIL was required by redevelopment occurring on a small parcel with frontage included in the Project area limits. The other amounts included in this appropriation are identified under "Funds to be Appropriated per this Action" section of the table below.

CITY FINANCIAL IMPACTS

The following is a summary of the funding anticipated for design, right-of-way acquisition, and construction for the College Avenue-Trilby Road Intersection Improvements Project.

Prior Appropriated Funds	
Surface Transportation Block Grant (STBG) Program Funds	\$ 5,272,260
Highway Safety Improvement Program (HSIP) Grant Funds	\$ 2,250,000
Funding Advancements for Surface Transportation and Economic Recovery (FASTER) Act Grant Funds	\$ 2,000,000
Highway Improvement Program (HIP) Grant Funds	\$ 1,870,000
Congestion Mitigation and Air Quality (CMAQ) Improvement Program Grant Funds	\$ 748,732
Funding Advancements for Surface Transportation and Economic Recovery (FASTER) Act Grant Funds	\$ 1,500,000
Transportation Capital Expansion Fee (TCEF) Funds	\$ 599,980
Transportation Services Fund Reserves	\$ 20,570
Development Contributions to Construction	
Contribution in Aid of Construction	\$ 38,163
Community Capital Improvement Program (CCIP) Arterial Intersection Improvements (2021 BFO Offer)	\$ 400,000
Community Capital Improvement Program (CCIP) Arterial Intersection Improvements (2023-2024 BFO Offer)	\$ 1,800,000
Development Contributions to Construction	
Payment in Lieu	\$ 14,800
Total Prior Appropriation	\$ 16,514,505

Funds to be Appropriated per this Action	
Development Contributions to Construction	
Payment in Lieu	\$ 11,900
Transportation Capital Expansion Fee (TCEF) Funds	\$ 908,820
Transportation Services Fund Reserves	\$ 180
Community Capital Improvement Program (CCIP) Arterial Intersection Improvements (2023-2024 BFO Offer)	\$ 600,000
Total Funds to be Appropriated per this Action	\$ 1,520,900
Transfer to Art in Public Places	\$ 9,119
Total Project Funds	\$ 18,035,405

The total fund amount projected for this Project is \$18,035,405 composed of funds appropriated with prior actions and with this action.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Project has received full environmental and historical clearances through CDOT during the design, acquisition, and construction phases. The proposed appropriation was brought before the Council Finance Committee at their August 1, 2024, meeting. The committee supported an off-cycle supplemental appropriation and was in favor of forwarding the appropriation request to City Council. At the time this Agenda Item Summary was prepared, meeting minutes had not been drafted or approved.

PUBLIC OUTREACH

Staff has developed and continues to implement a comprehensive Public Engagement Plan for the Project.

As part of the design and acquisition process, staff has discussed the Project with the adjacent property owners, current business owners, and prospective developers immediately abutting the Project improvements. In addition, staff and an outside acquisition consultant have met or conversed individually with property owners on multiple occasions regarding design and construction details.

Staff has discussed and presented conceptual level drawings at several public outreach events including a virtual neighborhood public meeting on March 3, 2022, and an open house held on November 13, 2023. Project information was shown at the Transportation Projects Fairs in February 2023 and February 2024. A Project website is regularly updated with Project information and upcoming milestones.

City staff continues to engage with local businesses and property owners impacted by ongoing work and traffic patterns that are affected by construction traffic control needs and requirements.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration