

ORDINANCE NO. 133, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION AND AUTHORIZING TRANSFERS
OF APPROPRIATIONS FOR THE LEMAY AND DRAKE INTERSECTION
IMPROVEMENTS PROJECT AND RELATED ART IN PUBLIC PLACES

A. The purpose of this Ordinance is to appropriate Transportation Capital Expansion Fee funds and Transportation Services Reserve funds for the Lemay Avenue and Drake Road Intersection Improvements project (the "Project"). The funds will be used to acquire private property adjacent to the intersection right-of-way that is needed for the Project and to install a replacement traffic signal at the intersection of Lemay Avenue and Drake Road.

B. The intersection of Lemay Avenue and Drake Road is a crossroads that experiences almost three more injury crashes per year than would be expected given its volumes and geometry and has an excess crash cost of \$460,000 per year compared to a typical four-legged intersection where the roadways meet at right angles. Approach-turn crashes at the intersection occur far more frequently than statistically anticipated and, in particular, the southbound approach is the highest volume approach with the highest propensity for rear-end crashes.

C. The Lemay Avenue and Drake Road intersection is in the top five intersections of safety concerns in the City and registers under Colorado Department of Transportation ("CDOT") Level of Service of Safety ("LOSS") analysis techniques as a LOSS IV—an intersection that has a high potential for crash reduction.

D. The Project has been developed to address the safety concerns presented by this intersection and eliminate most of the conflicts that result in crashes at this location, which is on the City's High Injury Network.

E. The Project's proposed improvements will add a southbound right-turn lane and will convert the signals on all four approaches to flashing yellow arrows that can be operated in protected-only mode by time of day, during which the protected operation provides a green arrow for drivers to have the right-of-way to complete their turns.

F. The proposed improvements require a rebuild of the signal system with new signal poles and mast arms to replace existing "doghouse" style protected/permissive signals, which have both a protected phase with a green arrow and a permissive phase in which the left-turning vehicles must yield to the opposing traffic during the green indication.

G. Based on experience at other locations in Fort Collins where treatments such as the proposed Project improvements have been used, the City anticipates an 80% reduction in approach-turn crashes at the intersection due to the improvements.

H. The Project also involves improvements for active modes users, including expanded refuge islands on the northwest and southeast corners, the replacement of accessible ramps at all four corners to meet current federal guidelines, and a raised pedestrian crossing in the proposed channelized southbound right-turn lane.

I. The City was awarded Highway Safety Improvement Program (“HSIP”) grant funds for the Project, with project delivery oversight pursuant to an Intergovernmental Agreement (the “IGA”) with CDOT that requires a ninety percent to ten percent federal to local funding split. City Council approved and appropriated funds for the Project in Ordinance No. 135, 2023.

J. The Project design effort began in 2024 and is nearing completion, and the City is working to acquire additional right-of-way on the northwest corner of the intersection that is needed to construct the proposed channelized southbound right-turn lane.

K. Since the grant application cost estimate prepared in 2020, the estimated cost for the Project has significantly increased, primarily due to increased acquisition and construction costs. Due to these increased costs, supplemental appropriations for the Project are required.

L. Article V, Section 9 of the City Charter permits 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.

M. The City Manager has recommended the appropriations described in Sections 1 and 2 and determined that the appropriations described in those sections are available and previously unappropriated from the Transportation Capital Expansion Fee fund and the Transportation Services fund, as applicable, and that these appropriations will not cause the total amount appropriated in the Transportation Capital Expansion Fee fund or 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.

N. Article V, Section 10 of the City Charter authorizes 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.

O. The City Manager has recommended the transfer of appropriations in Sections 1 through 5 below, including \$1,549,760 from the Transportation Capital Expansion Fee fund to the Capital Projects fund, \$307 from the Transportation Services fund to the Capital Projects fund, and \$15,347 from the Capital Projects fund to the Arts and Culture fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

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. The total project cost of \$1,534,720 has been used to calculate the contribution to the APP program.

R. The amount to be contributed in this Ordinance will be \$15,347.

S. Article V, Section 11 of the City Charter authorizes City Council to designate in the ordinance when appropriating funds for a capital project, that such appropriations 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. City Council wishes to designate the appropriations herein for the Lemay and Drake Intersection Improvements project as appropriations that shall not lapse until the completion of the Project.

U. The appropriations in this Ordinance benefit the public health, safety, and welfare of the residents of Fort Collins and the travelling public and serve the public purposes of improving multimodal transportation 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 prior year reserves in the Transportation Capital Expansion Fee fund the sum of ONE MILLION FIVE HUNDRED FORTY-NINE THOUSAND SEVEN HUNDRED SIXTY DOLLARS (\$1,549,760) to be expended in the Transportation Capital Expansion Fee fund for transfer to the Capital Projects fund to be expended therein for the Lemay and Drake Intersection Improvements project.

Section 2. There is hereby appropriated from prior year reserves in the Transportation Services fund the sum of THREE HUNDRED SEVEN DOLLARS (\$307) to be expended in the Transportation Services fund for transfer to the Capital Projects fund to be expended therein for the Lemay and Drake Intersection Improvements project.

Section 3. The unexpended and unencumbered appropriated amount of ELEVEN THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS (\$11,971) in the Capital Projects fund is hereby authorized for transfer to the Arts and Culture fund and appropriated and expended therein to fund art projects under the APP program.

Section 4. The unexpended and unencumbered appropriated amount of THREE THOUSAND SIXTY-NINE DOLLARS (\$3,069) in the Capital Projects fund is hereby authorized for transfer to the Arts and Culture fund and appropriated and expended therein for the operation costs of the APP program.

Section 5. The unexpended and unencumbered appropriated amount of THREE HUNDRED SEVEN DOLLARS (\$307) in the Capital Projects fund is hereby authorized for transfer to the Arts and Culture fund and appropriated and expended therein for the maintenance costs of the APP program.

Section 6. The appropriations herein for the Lemay and Drake Intersection Improvements 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 6, 2026, and approved on second reading for final passage on October 20, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: October 30, 2026

Approving Attorneys: Rebecca Bayetti and Heather N. Jarvis

Exhibit: None