

ORDINANCE NO. 082, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS OF APPROPRIATIONS FOR THE MUNICIPAL
COURT EXPANSION PROJECT AND RELATED ART IN PUBLIC
PLACES

A. In 2007, the Municipal Court moved to its current location on the first floor of the City's office building at 215 North Mason Street when the leased space the Court formerly occupied in the Justice Center at 201 Laporte Avenue was needed for use by the Colorado Judicial Department.

B. From the 2007 until recently, minimal changes were made to the 215 building to address immediate issues, but not to address increased demands on the Court from growth in caseloads and programming.

C. On November 16, 2021, Council adopted Resolution 2021-105, approving the November 10, 2021, Civic Center Master Plan as part of the Downtown Plan and as the capital improvements plan for purposes of Section 7.5-31 of the City Code, regarding use of general government capital expansion fee revenues. The approved Civic Center Master Plan (the "2021 CCMP") indicated the 215 North Mason Street Building as the planned location of the Court and related purposes, including phased renovation and future expansion to address needs driven by caseload growth and attendant increases in City staffing to meet growing demands.

D. On June 21, 2022, Council appropriated \$700,000 from General Fund Reserves, by adoption of Ordinance No. 066, 2022, to address urgent capital needs of the Court in the 215 North Mason Street Building. This appropriation was provided to address immediate safety, security, client, and accessibility needs while larger plans were being developed for the full expansion of the Court within the 215 North Maston Street Building, which was not designed or constructed for the purposes of the administration of the Court nor suitable for the increased demands on the Court.

E. On February 2, 2023, Council appropriated \$1,507,700 from the Capital Expansion Fund, by adoption of Ordinance No. 005, 2023, for the 215 North Mason Municipal Court 15-year buildout design project.

F. On June 6, 2024, staff presented to the Council Finance Committee three options to continue progress on the 215 North Mason Municipal Court 15-year buildout design project, which included the relocation of Parking Services, as per the 2021 CCMP. The Finance Committee supported Option B, which addressed the urgent capital expansion needs of the Court, the City officials and employees working in the Court, and members of the public using the facilities for a five-year period to explore the possibility of partnering with Larimer County to include the Municipal Court as part of a Justice Center expansion.

G. On May 1, 2025, staff presented additional information to the Council Finance Committee on Option B, including the progress on the design and estimated costs to relocate Parking Services from the 215 North Mason Street Building to the Civic Center Parking Structure (the "Parking Services Relocation Project") and the costs of construction and expansion of the Court within the 215 North Mason Street Building (the "Municipal Court Expansion Project"). The Finance Committee supported bringing the recommended appropriations for the projects to the full Council for consideration.

H. The amount requested for the Municipal Court Expansion Project is \$4,300,000.

I. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of providing near-term adequate and necessary space and security for City officials, employees, and public users of the Municipal Court as Court caseloads grow and demands increase.

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 appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Capital Expansion Fund and that this appropriation will not cause the total amount appropriated in the Capital Expansion 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.

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 \$43,000 from the Capital Projects Fund to the Cultural Services and Facilities Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

N. 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 program ("APP Program").

O. The total project cost of \$4,300,000 has been used to calculate the contribution to the APP program.

P. The amount to be contributed to the APP Program through this Ordinance will be \$43,000.

Q. 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.

R. The City Council wishes to designate the appropriation herein for the Municipal Court Expansion Project as an appropriation that shall not lapse until the completion of the project.

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 General Government Reserve within the Capital Expansion Fund the sum of FOUR MILLION THREE HUNDRED THOUSAND DOLLARS (\$4,300,000) to be expended in the Capital Expansion Fund for transfer to the Capital Projects Fund and appropriated therein to be expended for the Municipal Court Expansion Project.

Section 2. The unexpended and unencumbered appropriated amount of THIRTY-THREE THOUSAND FIVE HUNDRED FORTY DOLLARS (\$33,540) 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 3. The unexpended and unencumbered appropriated amount of EIGHT THOUSAND SIX HUNDRED DOLLARS (\$8,600) 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 4. The unexpended and unencumbered appropriated amount of EIGHT HUNDRED SIXTY DOLLARS (\$860) 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 5. The appropriation herein for the Municipal Court Expansion 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 May 20, 2025, and approved on second reading for final passage on June 3, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: June 13, 2025

Approving Attorney: Dianne Criswell

Exhibits: None