

AGENDA ITEM SUMMARY

City Council



STAFF

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SUBJECT

Second Reading of Ordinance No. 039, 2023, Making Supplemental Appropriations, Appropriating Prior Year Reserves and Authorizing Transfers of Appropriations for the Timberline Mulberry Lincoln Intersection Project and Related Art in Public Places.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on March 21, 2023, enables the City to receive and expend Colorado Department of Transportation (CDOT) funds and to appropriate development payment-in-lieu funds for the Timberline Mulberry Lincoln Intersection Project (the Project). The funds will be used for design, right-of-way acquisition, and construction of improvements at the intersection of Timberline Road, Mulberry Street, and Lincoln Avenue. If approved, the item will: (1) authorize the Mayor to execute an Intergovernmental Agreement for the Project with CDOT; (2) appropriate \$1,523,915 of Highway Safety Improvement Program (HSIP) grant funds for the Project; (3) appropriate \$23,651 from the Capital Funds Reserve received in 2020 as a development payment-in-lieu contributed to this Project by an adjacent development; and (4) appropriate \$237 (1% of the development payment-in-lieu amount) to the Art in Public Places Program.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

The intersection of Timberline Road, Mulberry Street, and Lincoln Avenue experiences significant congestion for northbound Timberline traffic turning onto westbound Lincoln. This congestion causes traffic to back up onto westbound Mulberry, east of Timberline. Southbound Timberline traffic also experiences congestion at the intersection with Mulberry that causes traffic to block the intersection with Lincoln. The proximity of these two intersections creates significant conflicts and crash problems. The intersection of Timberline and Lincoln is of particular concern as vehicles attempt to cross or turn from eastbound Lincoln through the congestion of queued vehicles on southbound Timberline with limited visibility of oncoming traffic. There have been 49 accidents reported from 2014 through April of 2019 at the intersection of Timberline and Lincoln.

The goal of the Project is to eliminate most of the conflicts that result in traffic accidents at this intersection. The proposed improvements will reconfigure medians on Timberline. The median modifications will create

space for double left turn lanes for southbound Timberline onto eastbound Mulberry, as well as create space for a channelized “T intersection” at Timberline and Lincoln. The Project will also install an innovative “P-Turn” (also referred to as a “Michigan Left Turn”) on the northwest corner of the Timberline and Lincoln intersection. The P-Turn is necessary to accommodate westbound through traffic and northbound left turns at the Timberline and Lincoln intersection.

Community Capital Improvement Program (CCIP) Arterial Intersection Improvement funds were appropriated to this Project in 2018 (\$50,000) and in 2021 (\$176,349). A portion of this funding was used to complete a feasibility study and conceptual design. In 2020, the City sought and was awarded fiscal year 2023 HSIP funds through the North Front Range Metropolitan Planning Organization (NFRMPO) and CDOT for the design, right-of-way acquisition, and construction of the Project. Local development also contributed \$23,651 in 2020 via payment-in-lieu funds towards this Project. The Project was then placed on hold during a portion of the pandemic due to staffing issues.

The HSIP funding became available to the City in the State fiscal year 2023 (July 2022). HSIP funding involves a 90%/10% (Federal/Local) match. The funding split for this award is \$1,523,915 Federal and \$169,324 Local. The remaining CCIP Arterial Intersection Improvement funds and development payment-in-lieu funds will fulfill the City’s Local funding obligation for this HSIP award.

Per Chapter 23 of the City Code, Article XII (addressing Art in Public Places), Section 23-304, all appropriations for construction projects estimated to a total cost of over \$250,000 shall include an amount equal to one percent of eligible funds for works of art. This appropriation includes a contribution of \$237 to the Art in Public Places Program which is 1% of the development payment-in-lieu contribution of \$23,651. The HSIP grant funds appropriated via this action are ineligible for use toward public art and, as such, are not subject to the 1% set aside. The previously appropriated CCIP Arterial Intersection Improvement funds already have satisfied the required contribution to the Art in Public Places Program.

The Project will require additional right-of-way acquisition for construction of the Project. Federal HSIP funds require the City to follow the Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970, as amended (the Uniform Act) when acquiring right-of-way. Staff will bring a request before City Council seeking authorization for acquisition and the potential use of eminent domain, as required by the Uniform Act, once the Project design is finalized.

CITY FINANCIAL IMPACTS

The following is a summary of the funding anticipated for design, right-of-way acquisition, and construction for the Timberline Mulberry Lincoln Intersection Project:

Funds Appropriated in Prior Actions	
CCIP Arterial Intersection Improvement Funds (2018)	\$50,000.00
CCIP Arterial Intersection Improvement Funds (2021)	\$176,349.00
Total Appropriations in Prior Actions	\$226,349.00

Funds to be Appropriated with this Action	
Development Payment-In-Lieu	\$23,651.00
HSIP Grant Award	\$1,523,915.00
Total Appropriations with this Action	\$1,547,566.00
Transfer to Art in Public Places	(\$237.00)

The total fund amount projected for this Project is \$1,773,678.49, composed of funds appropriated with prior actions and with this action.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

City staff will present this project to the Transportation Board as well as the Bicycle Advisory Committee in 2023 as the plans are developed.

PUBLIC OUTREACH

City staff will seek public input and present Project details via open house meetings as the Project moves forward. City staff will develop a Project web page in conjunction with a comprehensive communication plan.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration