

ORDINANCE NO. 133, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS AND
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS OF APPROPRIATIONS FOR THE MULBERRY
STREET TRAFFIC SIGNAL SYNCHORIZATION PROJECT AND
RELATED ART IN PUBLIC PLACES

A. This Ordinance concerns the evaluation and design, purchase, and installation of synchronized traffic signal equipment along the East Mulberry Street corridor.

B. The East Mulberry Street (State Highway 14) corridor between College Avenue (US 287) and Greenfields Court includes nine signalized intersections: College Avenue, Remington Street, Whedbee Street, Riverside Avenue, Lemay Avenue, Link Lane, Timberline Road, Summit View Drive, and Greenfields Court.

C. Daily traffic volumes through this East Mulberry corridor range from approximately 27,000 vehicles per day (“VPD”) to approximately 46,000 VPD as determined City of Fort Collins traffic count data.

D. In 2021, Traffic Operations Department staff determined that synchronizing the traffic signals in this corridor would provide significant benefits and applied to the North Front Range Metropolitan Planning Organization (“NFRMPO”) for federal Congestion Mitigation and Air Quality (“CMAQ”) Improvement Program grant funds in that year’s call for projects. The application was successful, and the grant funds are now available.

E. The Mulberry Street Traffic Signal Synchronization Project (the “Project”) has been developed to gather and evaluate data for existing conditions and install adaptive signal timing equipment at appropriate intersections on East Mulberry Street between College Avenue and Greenfields Court.

F. The Project involves purchasing and installing new signal and system equipment to implement the synchronization plan. It is anticipated that synchronization of traffic signals along the Project corridor will have significant benefits by reducing traffic congestion at signalized intersections and throughout the corridor with the overall result of improving air quality.

G. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

H. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Capital Projects fund and will not cause the total amount appropriated in the Capital Projects 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.

I. 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.

J. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Transportation Services fund and will not cause the total amount appropriated in the Transportation Services 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.

K. 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.

L. The City Manager has recommended the transfer of \$93,144 from the Transportation Services fund reserves to the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

M. 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.

N. The total project cost of \$92,222 has been used to calculate the contribution to the APP program.

O. The amount to be contributed in this Ordinance will be \$922.

P. A portion of the funds appropriated in this Ordinance for the Project are ineligible for use in the APP program due to restrictions placed on them by Colorado Department of Transportation.

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.

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

S. The appropriations in this Ordinance benefit public health, safety and welfare of the residents of Fort Collins and serve the public purpose of improving transportation infrastructure 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 new revenue or other funds in the Capital Project fund the sum of FOUR HUNDRED FORTY THOUSAND DOLLARS (\$440,000) to be expended in the Capital Projects fund for the Mulberry Street Traffic Signal Synchronization Project.

Section 2. There is hereby appropriated from prior year reserves in the Transportation Services fund the sum of NINETY-THREE THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$93,144) to be expended in the Transportation Services fund for transfer to the Capital Projects fund and appropriated therein for expenditure for the Mulberry Street Traffic Signal Synchronization Project.

Section 3. The unexpended and unencumbered appropriated amount of SEVEN HUNDRED NINETEEN DOLLARS (\$719) 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 4. The unexpended and unencumbered appropriated amount of ONE HUNDRED EIGHTY-FOUR DOLLARS (\$184) 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 5. The unexpended and unencumbered appropriated amount of NINETEEN DOLLARS (\$19) 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 6. The appropriation herein for the Mulberry Street Traffic Signal Synchronization 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 September 3, 2024, and approved on second reading for final passage on September 17, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: September 27, 2024
Approving Attorney: Heather N. Jarvis