

ORDINANCE NO. 190, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES FOR A DEVELOPMENT
CONTRIBUTION TO CONSTRUCTION AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE WEST PROSPECT ROAD AND PROSPECT LANE
PEDESTRIAN INTERSECTION IMPROVEMENT PROJECT AND RELATED ART IN
PUBLIC PLACES

A. This Ordinance appropriates developer contribution funds to the West Prospect Road and Prospect Lane Pedestrian Intersection Improvement project (the "Project").

B. The Active Modes Plan recommends bicycle and pedestrian improvements at locations where they could reduce vehicular-pedestrian crashes. Vehicle-pedestrian crashes and vehicle-cyclist crashes are more likely to result in severe injuries or fatalities.

C. FC Moves staff and Engineering staff evaluated five recommendations where improvements were likely to have a significant impact. The City successfully applied in 2022 and 2023 for Highway Safety Improvement Program ("HSIP") grant funds to make improvements at these locations. The Project is one of these identified locations. City Council appropriated the HSIP grant and local funding in September 2024 (Ordinance No. 132, 2024). Design has begun at all five locations, and construction is anticipated in 2026.

D. A private development project, The Standard at Fort Collins, provided a development contribution according to the terms of its development agreement for pedestrian improvements on Prospect Road in the amount of \$20,000 in 2018. These pedestrian improvements on Prospect Road will be constructed as part of the Project.

E. 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.

F. The City Manager recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transportation Improvements fund and that this appropriation will not cause the total amount appropriated in the Transportation Improvements 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.

G. 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.

H. The City Manager recommended the transfer of \$20,000 from The Standard at Fort Collins Development Contribution account in the Transportation Improvements fund to the Project capital account in the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

I. 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.

J. The Project cost of \$20,000 has been used to calculate the contribution to the APP program.

K. The amount to be contributed in this Ordinance will be \$200 of the development contribution in the Project.

L. 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.

M. 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.

N. The appropriations in this Ordinance benefit public health, safety and welfare of the residents and traveling public of Fort Collins and serve the public purpose of improving transportation infrastructure 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 Improvements fund the sum of TWENTY THOUSAND DOLLARS (\$20,000) to be expended in the Transportation Improvements fund for transfer to the Capital Projects fund for the Project and appropriated therein.

Section 2. The unexpended and unencumbered appropriated amount of ONE HUNDRED FIFTY-SIX DOLLARS (\$156) 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 FORTY DOLLARS (\$40) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated therein for expenditure for the operation costs of the APP program.

Section 4. The unexpended and unencumbered appropriated amount of FOUR DOLLARS (\$4) in the Capital Projects fund is hereby authorized for transfer to the Cultural Services and Facilities fund and appropriated therein for expenditure for the maintenance costs of the APP program.

Section 5. The appropriation herein for the 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 November 18, 2025, and approved on second reading for final passage on December 2, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: December 12, 2025

Approving Attorney: Heather N. Jarvis

Exhibit: None