

ORDINANCE NO. 023, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATION AND
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS FOR THE COLLEGE AVENUE–TRILBY ROAD
INTERSECTION IMPROVEMENTS PROJECT AND RELATED
ART IN PUBLIC PLACES

A. The Ordinance appropriates supplemental funding for the College Avenue–Trilby Road Intersection Improvements Project (the “Project”).

B. In 2020, the City’s Arterial Intersection Prioritization Study identified improvement of the intersection of Trilby Road and South College Avenue (also known as State Highway 287) as a high priority due to traffic safety and congestion issues, and due to a lack of active modes infrastructure. The Colorado Department of Transportation has also identified improvement of this intersection as a high priority to address serious injury crashes.

C. Engineering, Traffic Operations and FC Moves staff further identified safety and operational concerns with the current intersection, including high frequencies of approach turn crashes and rear-end crashes; a lack of bicycle and pedestrian accessibility and infrastructure; high volumes of motorists on the north-south legs of South College Avenue; and increasing volumes of traffic on the east-west approach legs of Trilby Road.

D. In 2020, design of the Project began, aimed at addressing the issues identified, reconstructing the intersection, improving safety for current and future traffic levels as growth continues in the region, and creating a safer intersection for all users. The new intersection will feature dual left turn lanes from South College Avenue to Trilby Road, right turn lanes for each direction of travel, and a widened Trilby Road approach to South College Avenue. Pedestrians and bicycles will benefit from shared use paths on South College Avenue (ten-foot wide detached) and Trilby Road (eight-foot wide attached). Transit users will benefit from new bus stops on the south side of the intersection on South College Avenue.

E. Funds that were appropriated to the Project before this action were used primarily for design, acquisition, and construction. Most recently, City Council adopted Ordinance No. 113, 2024, appropriating supplemental funding to cover right-of-way and easement acquisition costs over and above the estimated cost for that phase of the Project. Since that appropriation ordinance, right-of-way acquisition has been completed.

F. The Project team divided construction into packages based on the estimated acquisition dates for specific parcel locations. This allowed construction to begin in areas where acquisition was complete. Project earthwork and wall building on some parcels has been completed, and the remaining construction includes new

stormwater infrastructure, utility relocation, and installing new paving, sidewalks, signals, signing, striping, landscaping, irrigation, and urban design elements.

G. The Project team has undertaken value engineering efforts to help bring the remaining construction cost within the City's budget and has brought the estimated remaining construction cost to within approximately \$1.3 million of the City's available funding. Staff has identified traditional transportation capital project funding sources that can be used to cover the shortfall.

H. The Project includes significant water line replacement work for the Fort Collins-Loveland Water District and limited sewer work for the South Fort Collins Sanitation District. Including this work in the Project will minimize disruption to the traveling public. The City has entered into intergovernmental agreements with the districts and will be reimbursed for this work as it is constructed and accepted by district staff. This is a routine partnership practice on transportation capital projects.

I. The Project also includes significant new stormwater infrastructure. This includes normal surface water collection inlets and pipes associated with intersection improvement projects. It also includes significant stormwater outfall infrastructure that is not typically included in this type of transportation work. The cost of establishing adequate stormwater outfalls was seen as above and beyond the typical costs associated with transportation capital improvement projects, and Fort Collins Utilities has agreed and is prepared to contribute Stormwater Reserves funding to the Project to cover the construction costs associated with establishing these outfalls. This work will allow for future development and redevelopment in and around the intersection of South College Avenue and Trilby Road.

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 Storm Water Fund and Transportation Capital Expansion Fee fund, and that this appropriation will not cause the total amount appropriated in Stormwater fund and Transportation Capital Expansion Fee fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during this fiscal year.

L. 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.

M. 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 Projects fund and that this appropriation 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.

N. 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.

O. The City Manager has recommended the transfer of \$352,854 from the Transportation Services fund and \$1,294,934 from the Stormwater fund and \$293,212 from the Transportation Capital Expansion Fee fund and \$400,000 from the Community Capital Intersection Improvements budget in the Capital Projects fund and \$246,503 from the Suniga Improvements Project budget in the Capital Projects fund to the College Avenue–Trilby Road Intersection Improvements Project budget in the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged the proposed transfer is from a capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

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 Project cost of \$3,078,900 has been used to calculate the contribution to the APP program.

R. The amount to be contributed by this Ordinance will be \$30,789.

S. 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 shall continue until the completion of the capital project.

T. 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.

U. The appropriations in this Ordinance benefit public health, safety, and welfare of the residents of Fort Collins and the traveling public and serve the public purpose of improving multimodal transportation infrastructure, safety, and accessibility 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 Stormwater fund the sum of ONE MILLION TWO HUNDRED NINETY-FOUR THOUSAND NINE HUNDRED THIRTY-FOUR DOLLARS (\$1,294,934) to be expended in the Stormwater fund for transfer to and expended therein the Capital Projects fund for the College Avenue–Trilby Road Intersection Improvements Project.

Section 2. There is hereby appropriated from new revenue or other funds in the Capital Projects Fund the sum of ONE MILLION ONE HUNDRED THIRTY-NINE THOUSAND EIGHT HUNDRED TWENTY-FOUR DOLLARS (\$1,139,824) to be expended in the Capital Projects fund for College Avenue–Trilby Road Intersection Improvements Project.

Section 3. There is hereby appropriated from new revenue or other funds in the Capital Projects Fund the sum of TWENTY-EIGHT THOUSAND EIGHT HUNDRED THIRTY-EIGHT DOLLARS (\$28,838) to be expended in the Capital Projects fund for College Avenue–Trilby Road Intersection Improvements Project.

Section 4. There is hereby appropriated from new revenue or other funds in the Transportation Services Fund the sum of THREE HUNDRED FIFTY-TWO THOUSAND EIGHT HUNDRED FIFTY-FOUR DOLLARS (\$352,854) to be expended in the Transportation Services fund for transfer to and expended therein the Capital Projects fund for the College Avenue–Trilby Road Intersection Improvements Project.

Section 5. The unexpended and unencumbered appropriated amount FOUR HUNDRED THOUSAND DOLLARS (\$400,000) is authorized for transfer from the Community Capital Improvement Program Arterial Intersection Improvements capital project account in the Capital Projects fund to the College Avenue–Trilby Road Intersection Improvements Project capital project account in the Capital Projects fund and appropriated therein to be expended for the College Avenue–Trilby Road Intersection Improvements Project.

Section 6. The unexpended and unencumbered appropriated amount TWO HUNDRED FORTY-SIX THOUSAND FIVE HUNDRED THREE DOLLARS (\$246,503) is authorized for transfer from the Suniga Improvements Projects capital project account in

the Capital Projects fund to the College Avenue–Trilby Road Intersection Improvements Project capital project account in the Capital Projects fund and appropriated therein to be expended for the College Avenue–Trilby Road Intersection Improvements Project.

Section 7. There is hereby appropriated from prior year reserves in the Transportation Capital Expansion Fee Fund the sum of TWO HUNDRED NINETY-THREE TWO HUNDRED TWELVE DOLLARS (\$293,212) to be expended in the Transportation Capital Expansion Fee fund for transfer to and expended therein the Capital Projects fund for the College Avenue–Trilby Road Intersection Improvements Project.

Section 8. The unexpended and unencumbered appropriated amount of TWENTY-FOUR THOUSAND FIFTEEN DOLLARS (\$24,015) 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 9. The unexpended and unencumbered appropriated amount of SIX THOUSAND ONE HUNDRED FIFTY-EIGHT DOLLARS (\$6,158) 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 10. The unexpended and unencumbered appropriated amount of SIX HUNDRED SIXTEEN DOLLARS (\$616) 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 11. The appropriations herein for the College Avenue–Trilby Road 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 shall continue until the completion of the Project.

Introduced, considered favorably on first reading on February 18, 2025, and approved on second reading for final passage on March 4, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 14, 2025
Approving Attorney: Heather N. Jarvis