

ORDINANCE NO. 034, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING A DEVELOPMENT CONTRIBUTION TO
CONSTRUCTION AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE CORDOVA ROAD CORRIDOR
PROJECT AND RELATED ART IN PUBLIC PLACES

A. The purpose of this item is to appropriate development contributions to construction that the City collected in 2025 from the developer of The Landing at Lemay development project to the Cordova Road Corridor capital project (the “Project”).

B. In 2024, TTRES CO Fort Collins Vine, LLC (“Developer”) entered into a Development Agreement (“DA”) with the City. The DA sets forth the requirements and conditions for the development of The Landing at Lemay property bounded by North Lemay Avenue (to the west), Duff Drive (to the south), and the future extension of Cordova Road (to the east). The DA contemplates that the Developer would make development contributions to construction payments for improvements including the future Cordova Road (DA Section II.D.1 and DA Section II.D.2.a).

C. The Landing at Lemay’s development contributions for Cordova Road are proposed to be appropriated to the Project to aid in the design, acquisition, and construction of Cordova Road between Duff Drive and North Link Lane. Cordova Road is classified as a two-lane arterial roadway on the Master Street Plan adopted by City Council on December 5, 2023. The establishment of the alignment and classification of Cordova Road originated with the East Mulberry Corridor Plan adopted by City Council on September 17, 2002.

D. 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.

E. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Transportation Services fund and Capital Projects fund that this appropriation will not cause the total amount appropriated in Transportation Services Fund and 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.

F. 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

G. The City Manager has recommended the transfer of \$226,564 from the Transportation Services fund to the Capital Projects fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

H. 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.

I. The total project cost of \$226,564 has been used to calculate the contribution to the APP program.

J. The amount to be contributed in this Ordinance will be \$2,266.

K. 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.

L. 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.

M. 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 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 in the Transportation Services Fund the sum of TWO HUNDRED TWENTY-SIX THOUSAND FIVE HUNDRED SIXTY-FOUR DOLLARS (\$226,564) to be expended in the Transportation Services fund for Transfer to the Capital Projects fund to be expended therein for the design of the Cordova Road Corridor Project.

Section 2. The unexpended and unencumbered appropriated amount of ONE THOUSAND SEVEN HUNDRED SIXTY-SEVEN DOLLARS (\$1,767) 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 FOUR HUNDRED FIFTY-THREE DOLLARS (\$453) 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 FORTY-FIVE DOLLARS (\$45) 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 Cordova Road Corridor 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 March 4, 2025, and approved on second reading for final passage on March 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: March 28, 2025
Approving Attorney: Heather N. Jarvis