

ORDINANCE NO. 042, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS RELATED TO 49 U.S.C. § 5339(b) PROGRAM
FUNDING FOR ACCESSIBILITY ENHANCEMENTS TO THE
TRANSIT SYSTEM

A. Transfort and Colorado State University (“CSU”) provide coordinated public transit services within the City’s municipal boundaries and growth management area, including constructing and maintaining bus stop facilities for the public and students of CSU.

B. Transfort is working to upgrade bus stops throughout its service area to improve Americans with Disabilities Act of 1990 (“ADA”) accessibility and purchase new transit amenities, creating a more inclusive and welcoming environment for all riders of public transit (the “Project”).

C. To support the Project, Transfort applied for and was awarded \$2,411,550 in Fiscal Year 2024 grant funding (the “Grant”) through the Federal Transit Administration’s (“FTA”) Grants for Buses and Bus Facilities Competitive Program (49 U.S.C. § 5339(b)), which requires a local match of \$415,450.

D. Transfort will utilize the award and local match to upgrade concrete pads at existing bus stops, purchase and install transit amenities, improve the concrete infrastructure at the Downtown Transit Center, and construct new ADA-compliant bus stops to accommodate future northward expansion of the Transfort system.

E. A portion of the local match is being transferred from the Community Capital Improvement Program Fund in the amount of \$222,450.

F. Transfort also anticipates receiving a \$193,000 contribution for the local match from CSU pursuant to an IGA, which will reimburse the appropriated local matching funds for the portion of the Grant that has been committed to the improvement of nineteen existing bus stops within CSU’s jurisdiction as well as the purchase and installation of shelters. This portion of the local match is being appropriated as new and unanticipated revenue, to be provided by CSU’s Alternative Transportation Fee Advisory Board (“ATFAB”).

G. This appropriation benefits public health, safety, and welfare of the residents of Fort Collins and the traveling public and serves the public purpose by improving accessibility of the public transit system, removing systemic barriers, investing in equitable access to sustainable modes of travel and essential services, and ensuring individuals of all ages and abilities can engage in the community.

H. 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.

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

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

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 \$222,450 from the Community Capital Improvement Program Fund to the Transit Services Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

M. All 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 the Federal Transit Authority and Colorado State University Funds, the source of these funds.

N. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or donation or the City's expenditure of all funds received from such grant or donation.

O. The City Council wishes to designate the appropriation herein for Accessibility Enhancements to the Transit System as an appropriation that shall not lapse

until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

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 Transit Services Fund the sum of TWO MILLION FOUR HUNDRED ELEVEN THOUSAND FIVE HUNDRED FIFTY DOLLARS (\$2,411,550) to be expended in the Transit Services Fund for Accessibility Enhancements to the Transit System.

Section 2. There is hereby appropriated from new revenue or other funds in the Transit Services Fund the sum of ONE HUNDRED NINETY-THREE THOUSAND DOLLARS (\$193,000) to be expended in the Transit Services Fund for Accessibility Enhancements to the Transit System.

Section 3. There is hereby appropriated from prior year reserves in the Community Capital Improvement Program Fund the sum of TWO HUNDRED TWENTY-TWO THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$222,450) to be expended in the Community Capital Improvement Program Fund for transfer to the Transit Services Fund for Accessibility Enhancements to the Transit System.

Section 4. The appropriation herein for Accessibility Enhancements to the Transit System 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 earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on March 18, 2025, and approved on second reading for final passage on April 1, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: April 11, 2025
Approving Attorney: Madelene Shehan