

ORDINANCE NO. 045, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATION AND
AUTHORIZING TRANSFER OF APPROPRIATION RELATED TO
FASTER TRANSIT PROGRAM FUNDING FOR THE FLEX
REGIONAL ROUTE OPERATING COSTS

A. Transfort's commuter FLEX regional bus routes contribute greatly to the transportation community in Northern Colorado by serving residents of Fort Collins, Loveland, Longmont, Berthoud, Boulder and smaller population centers along the routes.

B. The Colorado Department of Transportation ("CDOT") awarded the City a \$300,000 grant from the Fiscal Year 2024 Statewide Competitive Pool of the Funding Advancement for Surface Transportation and Economic Recovery Act of 2009 ("FY24 FASTER") Transit Program (the "Grant"), which requires a local match of \$300,000.

C. Transfort will utilize the total project funds of \$600,000, including the Grant and local match, to contribute toward the overall operating costs of approximately \$2,250,000 for FLEX service in 2025, which annual operating costs are paid by contributions from the regional partner agencies (Fort Collins, Loveland, Berthoud, Longmont, City of Boulder, and Boulder County).

D. The local match is being transferred from the Transit Services Fund Operating Budget in the amount of \$300,000 and will specifically contribute toward Transfort's share of the annual operating costs for FLEX service.

E. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and the traveling public and serves the public purpose of facilitating transit service for residents and others among surrounding communities.

F. 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.

G. 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.

H. 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.

I. The City Manager has recommended the transfer of \$300,000 from the Transit Services Operating Budget Fund to the Transit Services Fund Grant Budget and determined that the purpose for which the transferred funds are to be expended remains unchanged.

J. 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.

K. The City Council wishes to designate the appropriation herein for FASTER Grant funds as an appropriation that shall not lapse or 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 THREE HUNDRED THOUSAND DOLLARS (\$300,000) to be expended in the Transit Services Fund for FLEX Regional Route Operating Costs.

Section 2. The unexpended and unencumbered appropriated amount of THREE HUNDRED THOUSAND DOLLARS (\$300,000) is authorized for transfer from the Transit Services Fund Operating Budget to the Transit Services Fund Grant Budget and appropriated therein to be expended for Local Match for the FLEX Regional Route Operating Costs.

Section 3. The appropriation herein for FASTER Grant 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