

ORDINANCE NO. 070, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE CAPITAL
EXPANSION FEE FUND AND IN THE KEEP FORT COLLINS GREAT
TAX FUND FOR DISBURSEMENT TO THE POUUDRE FIRE AUTHORITY

WHEREAS, City Code § 7.5-30 imposes on new development within the City a fire protection capital expansion fee to be used to fund capital improvements related to the provision of fire protection services (the "Fire CEF"); and

WHEREAS, all revenues collected from the Fire CEF are deposited into the fire protection capital expansion fee account established in Code § 8-97 (the "Fire CEF Account"); and

WHEREAS, the Fire CEF Account is a separate account in the City's capital expansion fee fund established in Code § 8-92 (the "CEF Fund"); and

WHEREAS, in 2008, the Poudre Fire Authority ("PFA") entered into a lease/purchase transaction to fund the construction of a replacement fire station for PFA's Station 4, which has been built at 1945 West Drake Road, Fort Collins (the "Lease-Purchase"); and

WHEREAS, the Lease-Purchase requires PFA to make twenty (20) annual payments of \$234,354 each to be paid with funds from the Fire CEF Account; and

WHEREAS, PFA's remaining principal amount as of December 19, 2017, under the Lease-Purchase will be \$1.9 million and under the Lease-Purchase, PFA may prepay any or all of this remaining principal at any time after December 19, 2017; and

WHEREAS, PFA's Board has directed staff to begin the process needed to pay in full the remaining principal balance owed under the Lease-Purchase when it is possible to do so after December 19, 2017, which prepayment will result in a long-term savings of \$451,000 in interest payments; and

WHEREAS, PFA is therefore requesting that the City Council appropriate \$1,392,000 from the Fire CEF Account in the CEF Fund to be disbursed to PFA for it to use in paying the remaining principal balance owed under the Lease-Purchase; and

WHEREAS, at the end of 2016, the fund reserve in the Fire CEF Account was \$1,720,596, and a payment from it of \$1,392,000 to PFA would leave a remaining balance of \$328,596; and

WHEREAS, in 2010 the City's voters approved the 0.85% Keep Fort Collins Great Sales and Use Tax ("KFCG Tax"); and

WHEREAS, pursuant to Ordinance No. 126, 2010, 11% of the KFCG Tax collected is to be used for fire protection and other emergency services; and

WHEREAS, at the end of 2016, the City's KFCG Tax reserve fund available for fire protection and other emergency services in the KFCG fund ("KFCG Fund") was \$557,607; and

WHEREAS, PFA has that requested \$557,607 be disbursed from the KFCG Fund to the PFA to be appropriated by the PFA Board within PFA's capital budget for a new station alerting system, replacement of mobile data terminals, and a new records management system; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council to appropriate by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, City staff has determined that sufficient, unappropriated funds are available in the Fire CEF Account of the CEF Fund and in the KFCG Fund for the appropriations requested by PFA as described above.

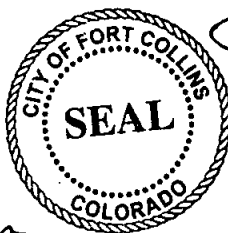
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

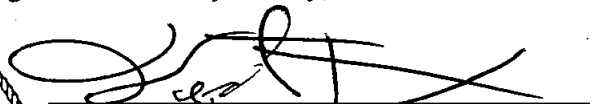
Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from prior year reserves in the Fire CEF Account of the CEF Fund the sum of ONE MILLION THREE HUNDRED NINETY-TWO THOUSAND DOLLARS (\$1,392,000) for disbursement to the PFA for PFA to use to pay the remaining principal balance it owes under the Lease-Purchase.

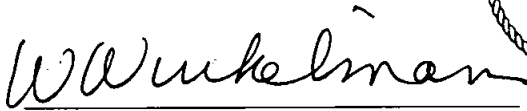
Section 3. That there is hereby appropriated from prior year reserves in the KFCG Fund the sum of FIVE HUNDRED FIFTY-SEVEN THOUSAND SIX HUNDRED SEVEN DOLLARS (\$557,607) to be disbursed to PFA for it to use for a new station alerting system, the replacement of mobile data terminals, and a new records management system.

Introduced, considered favorably on first reading, and ordered published this 6th day of June, A.D. 2017, and to be presented for final passage on the 5th day of July, A.D. 2017.



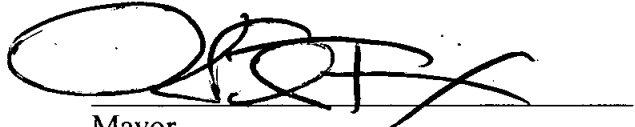

Mayor

ATTEST:


City Clerk

Passed and adopted on final reading on the 5th day of July, A.D. 2017.




Mayor

ATTEST:


City Clerk