

ORDINANCE NO. 059, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES FOR THE PURPOSE OF
PROVIDING NATURAL AREAS PROGRAMMING NOT INCLUDED IN
THE 2018 ADOPTED CITY BUDGET AND AUTHORIZING THE
TRANSFER OF APPROPRIATIONS FROM THE NATURAL AREAS
FUND INTO THE CAPITAL PROJECT FUND FOR THE WHITEWATER PARK PROJECT

WHEREAS, the City is committed to preserving natural areas and providing educational, interpretive and appropriate recreational opportunities to the public; and

WHEREAS, Natural Areas programming implements open land conservation priorities identified in the City's Comprehensive Plan by purchasing conservation easement interests in key natural areas, community separators, or other open lands; providing stewardship for lands purchased; and developing trails and interpretive features for public use; and

WHEREAS, the Natural Areas Department is funded primarily through the collection of City Open Space – Yes! sales and use tax revenue, as well as revenues from the Larimer County Help Preserve Open Space sales and use tax, investment earnings, and other miscellaneous revenues deposited in the Natural Areas Fund; and

WHEREAS, funds for the City's Natural Area Department come from City – Open Space Yes!, ¼ Cent sales tax; the Larimer County – Help Preserve Open Space ¼ cent sales tax; and, miscellaneous anticipated and unanticipated revenues, which funds are restricted to the purpose of the Natural Areas Department; and

WHEREAS, the purpose of this item is to appropriate \$10,000,000 in prior year reserves and unanticipated revenues in the Natural Areas Fund for land conservation, restoration of wildlife habitats, and Natural Area Department programs; and

WHEREAS, \$7,905,019 of these funds will be used to acquire land for conservation and other conservation efforts in accordance with the Natural Areas Master Plan; and

WHEREAS, the remaining funds will be used for restoration of the Udall and Kingfisher Natural Areas (\$1,197,550), water augmentation infrastructure for Arapahoe Bend bank restoration (\$268,619), facility operations (\$210,000), land management (\$100,000), river health (\$45,000), and restoration of the Poudre River at Whitewater Park (\$273,812); and

WHEREAS, this appropriation benefits public health, safety, and welfare of the citizens of Fort Collins and serves the public purpose of conserving land and restoring wildlife habitats; 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, Article V, Section 11 of the City Charter requires all appropriations unexpended or unencumbered at the end of the fiscal year lapse to the applicable general or special revenue fund, except appropriations for capital projects and federal or state grants do not lapse until completion of the capital project or expiration of the respective grant; and

WHEREAS, the City Manager has recommended the appropriation described herein and has determined that this appropriation is available and previously unappropriated from the Natural Areas Fund and will not cause the total amount appropriated in the Natural Areas Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year; and

WHEREAS, Article V, Section 10 of the City Charter authorizes the City Council 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; and

WHEREAS, the City Manager has recommended the appropriation from prior year reserves in the Natural Areas Fund of a total of \$10,000,000, comprised of \$8,828,340 in unspent and unencumbered appropriations from 2017 and \$1,171,660 in unanticipated revenue, to be used for acquisition, construction, enhancement and maintenance of trail systems, wildlife habitat and other natural areas to benefit the citizens of the City.

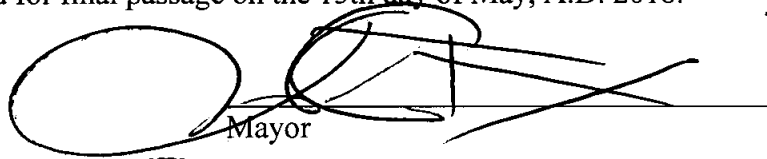
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

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 Natural Areas Fund the sum of TEN MILLION DOLLARS (\$10,000,000) to be used for acquisition, construction, enhancement and maintenance of trail systems, wildlife habitat and other natural areas to benefit the citizens of the City.

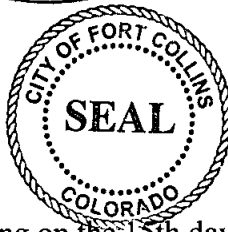
Section 3. That the unexpended appropriated amount of TWO HUNDRED SEVENTY-THREE THOUSAND EIGHT HUNDRED TWELVE DOLLARS (\$273,812) in the Natural Areas Fund is authorized for transfer to the Capital Projects Fund and appropriated therein for the Whitewater Park Project.

Introduced, considered favorably on first reading, and ordered published this 1st day of May, A.D. 2018, and to be presented for final passage on the 15th day of May, A.D. 2018.

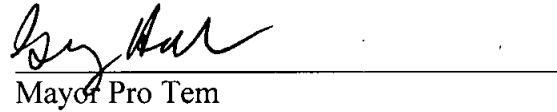

Mayor

ATTEST:


City Clerk



Passed and adopted on final reading on the 15th day of May, A.D. 2018.


Mayor Pro Tem

ATTEST:


City Clerk

