

ORDINANCE NO. 075, 2019  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
MAKING APPROPRIATIONS AND AUTHORIZING TRANSFERS OF  
APPROPRIATIONS FOR THE DRAKE WATER RECLAMATION FACILITY  
SIDESTREAM TREATMENT PROJECT AND RELATED ART IN PUBLIC PLACES

WHEREAS, the City is pursuing the Drake Water Reclamation Facility Sidestream Treatment Project ("Project") in order to meet anticipated future water quality standards under regulations promulgated by the Water Quality Control Commission of the Colorado Department of Public Health and Environment; and

WHEREAS, a conceptual cost estimate of \$4.3 million for the Project was developed for the 2017-2018 Budgeting for Outcomes cycle based on capacity, modeling, analogous projects, and available sidestream treatment technologies; and

WHEREAS, the total cost for the Project has since increased as design progressed, requiring an additional appropriation in order to complete the Project; and

WHEREAS, there are unappropriated prior year reserves in the Wastewater Fund that are available to be appropriated for the Project; 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, the City Manager has recommended the appropriation described herein and determined that funds for this appropriation are available and previously unappropriated from the Wastewater Fund and that this appropriation will not cause the total amount appropriated in the Wastewater 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, this Project involves construction estimated to cost more than \$250,000, as such, Section 23-304 of the City Code requires one percent of these qualified appropriations to be transferred to the Cultural Services and Facilities Fund for a contribution to the Art in Public Places program; and

WHEREAS, in accordance with Article V, Section 10 of the City Charter, the appropriation of reserves for the Project from the Wastewater Fund and the transfer of a portion of those unexpended and unencumbered appropriated funds to the Art in Public Places program established by City Code Section 23-304(a) will be used for Wastewater purposes and improvements in connection with the Project.

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 for expenditure from prior year reserves in the Wastewater Fund the sum of ONE MILLION ONE HUNDRED ELEVEN THOUSAND DOLLARS (\$1,111,000) for the Drake Water Reclamation Facility Sidestream Treatment Project as follows:

Drake Water Reclamation Facility Sidestream Treatment Project	\$1,100,000
Art in Public Places Project (Artwork)	8,580
Art in Public Places Project (transfer to Cultural Services Fund for APP Operations)	2,200
Art in Public Places Project (transfer to Cultural Services Fund for APP Maintenance)	220
TOTAL	<hr/> \$1,111,000

Section 3. That the unexpended appropriated amount of TWO THOUSAND TWO HUNDRED DOLLARS (\$2,200) in the Wastewater Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Operations.

Section 4. That the unexpended appropriated amount of TWO HUNDRED TWENTY DOLLARS (\$220) in the Wastewater Fund is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Maintenance.

Introduced, considered favorably on first reading, and ordered published this 4th day of June, A.D. 2019, and to be presented for final passage on the 2nd day of July, A.D. 2019.

*Justin Stephens*  
Mayor Pro Tem

ATTEST:

*Juliana Calderon*  
City Clerk



Passed and adopted on final reading on the 2nd day of July, A.D. 2019.

*[Signature]*  
Mayor

ATTEST:

*Juliana Calderon*  
City Clerk

