

AGENDA ITEM SUMMARY

December 4, 2018

City Council

STAFF

David Pearson, Police Lieutenant
Bronwyn Scurlock, Legal

SUBJECT

Second Reading of Ordinance No. 139, 2018, Appropriating Unanticipated Revenue and Prior Year Reserves in the General Fund Related to the Northern Colorado Drug Task Force.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on November 20, 2018, appropriates reserves and unanticipated revenue for operation of the Northern Colorado Drug Task Force (NCDTF). Management and fiduciary responsibilities for the NCDTF have been transferred from Fort Collins Police Services to the Larimer County Sheriff's Office. The change in management and fiduciary responsibilities requires appropriation of reserves to be transferred to the Larimer County Sheriff's Office (LCSO) and appropriation of unanticipated revenue from LCSO to Fort Collins Police Services for the operations of the NCDTF.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, November 20, 2018 (w/o attachments) (PDF)
2. Ordinance No. 139, 2018 (PDF)

AGENDA ITEM SUMMARY

City Council

November 20, 2018

STAFF

David Pearson, Police Lieutenant
Bronwyn Scurlock, Legal

SUBJECT

First Reading of Ordinance No. 139, 2018, Appropriating Unanticipated Revenue and Prior Year Reserves in the General Fund Related to the Northern Colorado Drug Task Force.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate reserves and unanticipated revenue for operation of the Northern Colorado Drug Task Force (NCDTF). Management and fiduciary responsibilities for the NCDTF have been transferred from Fort Collins Police Services to the Larimer County Sheriff's Office.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The NCDTF currently includes Fort Collins Police Services, the Larimer County Sheriff's Office, the Loveland Police Department, the District Attorney's Office, and Colorado Adult Parole.

In the fall 2017, the Executive Officer Board of the Northern Colorado Drug Task Force (NCDTF) decided to transfer the management of the NCDTF from Fort Collins Police Services (FCPS) to the Larimer County Sheriff's Office (LCSO). That change took effect on January 1, 2018. The fiduciary responsibilities for the NCDTF also changed from FCPS to the LCSO.

The change in management and fiduciary responsibilities requires appropriation of reserves to be transferred to the LCSO and appropriation of unanticipated revenue from LCSO to FCPS for the operations of the NCDTF.

There are four transactions to be completed:

1. **Transactions #1 and #2:**
 - a. Reserves are being held by the City of Fort Collins in a specific balance sheet account, which is comprised of two components.
 - i. The first is federal seizure funds in the amount of \$762,400
 1. Transaction #1: this amount will be transferred to the LCSO for the NCDTF.
 - ii. The second is United States Treasury seizure funds in the amount of \$1,830
 1. Transaction #2: this amount will be appropriated and used in 2018 by FCPS for the purchase of NCDTF equipment and other supplies.
2. **Transaction #3:** The LCSO will give \$25,000 of unanticipated revenue to the FCPS, as a sub-recipient of the 2018 Justice Assistance Grant to be used to off-set overtime costs incurred by FCPS detectives assigned to the NCDTF for 2018.

3. **Transaction #4:** The LCSO will give \$61,782 of unanticipated revenue to the City of Fort Collins in compensation for the use of its facilities for the NCDTF. This will be expensed in 2018 by FCPS for the City's portion of NCDTF expenses.

As a note, a separate allocation in the amount of \$160,241 was submitted through the 2018 Annual Appropriation for transfer to the NCDTF. This allocation was the amount of State Asset Forfeiture funds. This second appropriation request was unable to be submitted with the Annual Appropriation due to a delay in final numbers being calculated and finalized.

CITY FINANCIAL IMPACTS

This action will appropriate:

1. \$762,400 from the NCDTF reserve account to be transferred to the LCSO.
2. \$1,830 from the NCDTF reserve account to be used by FCPS on NCDTF equipment and other supplies.
3. \$25,000 in unanticipated revenue (grant funding) paid to FCPS (from LCSO) to offset overtime costs associated with investigations conducted by detectives assigned to the NCDTF.
4. \$61,782 in unanticipated revenue paid to FCPS (from LCSO) for use of facilities for the NCDTF.

ORDINANCE NO. 139, 2018
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED REVENUE AND PRIOR YEAR RESERVES IN THE
GENERAL FUND RELATED TO THE NORTHERN COLORADO DRUG TASK FORCE

WHEREAS, on January 1, 2018, the Larimer County Sheriff's Office (LCSO) took over the managerial and fiduciary responsibilities of the Northern Colorado Drug Task Force (NCDTF) from Fort Collins Police Services (FCPS); and

WHEREAS, such a shift in responsibilities requires appropriation of reserves to be transferred to the LCSO and appropriation of unanticipated revenue from LCSO to FCPS for the operation of the NCDTF; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins by funding the operations dedicated to identifying, investigating and impacting drug crimes and criminals in the City and throughout Larimer County; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; 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 appropriations described herein and determined that these appropriations are available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year.

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 reserves in the General Fund, NCDTF Federal seizure funds account the sum of SEVEN HUNDRED SIXTY-TWO THOUSAND FOUR HUNDRED DOLLARS (\$762,400) for payment to the LCSO for the NCDTF operation.

Section 3. That there is hereby appropriated from reserves in the General Fund,

NCDTF United States Treasury seizure funds account the sum of ONE THOUSAND EIGHT HUNDRED THIRTY DOLLARS (\$1,830) for expenditure in the General Fund by FCPS for the purchase of NCDTF equipment and other supplies as are necessary for the NCDTF operations.

Section 4. That there is hereby appropriated from unanticipated grant revenue in the General Fund the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for expenditure in the General Fund for FCPS, to reimburse detective overtime costs assigned to the NCDTF.

Section 5. That there is hereby appropriated from unanticipated revenue in the General Fund the sum of SIXTY-ONE THOUSAND SEVEN HUNDRED EIGHTY-TWO DOLLARS (\$61,782) for expenditure in the General Fund for FCPS for the City's portion of the NCDTF facility expense.

Introduced, considered favorably on first reading, and ordered published this 20th day of November, A.D. 2018, and to be presented for final passage on the 4th day of December, A.D. 2018.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 4th day of December, A.D. 2018.

Mayor

ATTEST:

City Clerk