

Exhibit 17 Hearing on City of Fort Collins  
Motion for Attorney Fees

ORDINANCE NO. 083, 2017  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES IN THE GENERAL FUND AND  
APPROPRIATING PRIOR YEAR RESERVES IN THE LIGHT AND POWER  
FUND FOR BROADBAND STRATEGIC SUPPORT SERVICES

DATE FILED: MAR 15, 2019  
CASE NUMBER: 2018CV149

WHEREAS, at the May 9, 2017 City Council Work Session discussion concerning the City's Broadband efforts, staff highlighted the need to dedicate resources to support further development and detailed plans associated with a Municipal Retail Broadband model; and

WHEREAS, in pursuit of that plan development, staff is requesting an appropriation of one-time funding of \$160,000, which will be split equally with \$80,000 coming from General Fund reserves and \$80,000 coming from Light and Power Fund reserves; and

WHEREAS, costs estimates are based on billing rates for two consultants and travel expenses for one consultant; and

WHEREAS, in addition to this appropriation request, there are \$70,000 in currently available budget appropriations for strategic broadband support; and

WHEREAS, staff and consultants will be developing a launch plan that will allow the City to move into implementation mode shortly after the November 2017 election, with the understanding that voter approval is a prerequisite to launching this effort; and

WHEREAS, without this advanced work, several months of implementation planning will be required after the election before the City may begin service implementation; and

WHEREAS, this Ordinance appropriates Electric Utility enterprise funds and Council finds that evaluating broadband service delivery plans by the City's Electric Utility serves utility purposes and benefits ratepayers consistent with Article XII, Section 6 of the City Charter, including but not limited to advancing potential expansion of the Electric Utility to deliver coordinated telecommunication and electric services in furtherance of current City strategic objectives and outcomes; 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 have determined that the appropriations as described herein are available and previously unappropriated in the General Fund and the Light and Power Fund.

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 General Fund the sum of EIGHTY THOUSAND DOLLARS (\$80,000) for Broadband Strategic Support.

Section 3. That there is hereby appropriated from prior year reserves in the Light and Power Fund the sum of EIGHTY THOUSAND DOLLARS (\$80,000) for Broadband Strategic Support.

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 this 5th day of July, A.D. 2017.



  
Mayor

ATTEST:

  
City Clerk