

ORDINANCE NO. 001, 2019  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE CAPITAL PROJECT FUND  
AND APPROPRIATING PRIOR YEAR RESERVES IN THE GENERAL FUND AND  
AUTHORIZING THE TRANSFER OF APPROPRIATIONS FROM THE GENERAL FUND  
TO THE CAPITAL PROJECT FUND GARDENS ON SPRING CREEK VISITORS CENTER  
PROJECT AND TRANSFERRING APPROPRIATIONS FROM THE CAPITAL PROJECT  
FUND GARDENS ON SPRING CREEK VISITORS CENTER PROJECT TO  
THE CULTURAL SERVICES AND FACILITIES FUND FOR THE  
ART IN PUBLIC PLACES PROGRAM

WHEREAS, in 2015, the voters approved the Community Capital Improvement Program, which included \$2,000,000 to expand the Visitor's Center at the City's Gardens on Spring Creek (the "Project"); and

WHEREAS, in the 2017-2018 budget cycle the City Council approved \$2,185,000 for the Project; and

WHEREAS, if approved, this Ordinance will appropriate \$315,000 in donations raised by the Friends of the Gardens on Spring Creek for the Project, as well as \$240,000 in reserves the Gardens has built to contribute to capital projects; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of improving the visitor experience at an important City cultural facility; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, 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, the City Manager has recommended the appropriation from the Capital Projects Fund described herein and determined that this appropriation is available and previously unappropriated from the Capital Projects Fund and will not cause the total amount appropriated in the Capital Projects Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund for that project during this fiscal year; and

WHEREAS, Article V, Section 9 of the City Charter also 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 from the General Fund described herein and determined that this appropriation is 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 this fiscal year; and

WHEREAS, Article V, Section 10(b) of the City Charter authorizes the City Council, upon recommendation of the City Manager, to transfer during the fiscal year by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project account, provided that 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 transfer from the Capital Projects Fund – Gardens on Spring Creek Visitor Center Project, as described herein, because it is from a capital project fund in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance; and

WHEREAS, because the Project involves construction estimated to cost more than \$250,000, City Code Section 23-304 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 (APP) program; and

WHEREAS, a portion of the project funds is ineligible for public art purposes, as City Code Section 23-304 otherwise requires, due to grant restriction on the use of the funds.

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 unanticipated revenue in the Capital Projects Fund - Gardens on Spring Creek Visitors Center Project the sum of THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$315,000) for the Project and appropriated therein.

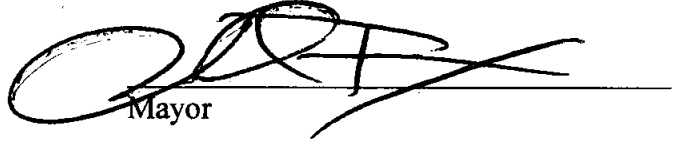
Section 3. That there is hereby appropriated for expenditure from reserves in the General Fund for transfer to the Capital Projects Fund the sum of TWO HUNDRED FORTY THOUSAND DOLLARS (\$240,000) for the Project and appropriated therein.

Section 4. That the unexpended appropriated amount of FOUR THOUSAND THREE HUNDRED TWENTY-NINE DOLLARS (\$4,329) in the Capital Projects Fund - Gardens on Spring Creek Visitors Center Project is authorized for transfer to the Cultural Services and Facilities Fund and appropriated therein for Art in Public Places projects.

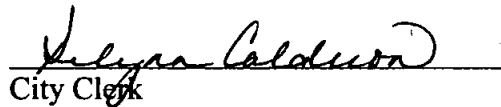
Section 5. That the unexpended appropriated amount of ONE THOUSAND TWO HUNDRED AND TWENTY-ONE DOLLARS (\$1,221) in the Capital Projects Fund - Gardens on Spring Creek Visitors Center Project is authorized for transfer to the Cultural Services and

Facilities Fund and appropriated therein for the Art in Public Places Program Maintenance and Operations.

Introduced, considered favorably on first reading, and ordered published this 2nd day of January, A.D. 2019, and to be presented for final passage on the 15th day of January, A.D. 2019.

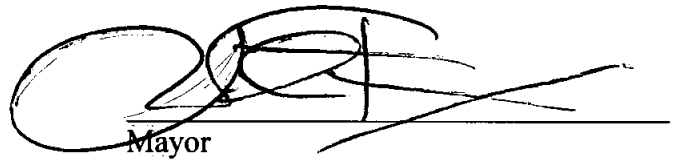
  
Mayor

ATTEST:

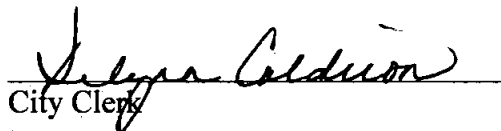
  
City Clerk



Passed and adopted on final reading on the 15th day of January, A.D. 2019.

  
Mayor

ATTEST:

  
City Clerk

