

ORDINANCE NO. 123, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING APPROPRIATIONS AND AUTHORIZING TRANSFERS OF
APPROPRIATIONS FOR THE SPRING CREEK SANITARY TRUNK
SEWER PROJECT AND RELATED ART IN PUBLIC PLACES

WHEREAS, the City owns and operates Fort Collins Utilities (“Utilities”), which includes a Wastewater Utility that provides wastewater service; and

WHEREAS, the Wastewater Utility includes a wastewater collection system, which includes the Spring Creek Trunk Sanitary Sewer, a 24-inch pipe that conveys wastewater; and

WHEREAS, Utilities completed emergency repairs on a portion of the Spring Creek Trunk Sanitary Sewer in July 2019, and subsequent analyses have identified nearby sections of the Spring Creek Trunk Sanitary Sewer between Stover Street and Ukiah Lane that are at risk of imminent failure; and

WHEREAS, Utilities staff has recommended that such repairs be made as soon as practicable and before the winter, rather than waiting for the next budgetary cycle; and

WHEREAS, this appropriation benefits public health, safety, and welfare of the citizens of Fort Collins and serves the public purpose of controlling wastewater in a sanitary manner and in compliance with all applicable laws and rules and regulations; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Wastewater Fund and 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 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 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 SIX HUNDRED FIFTY-SIX THOUSAND FIVE HUNDRED DOLLARS (\$656,500) for the Spring Creek Sanitary Trunk Sewer Project and appropriated therein as follows:

| | |
|---|-----------|
| • Spring Creek Sanitary Trunk Sewer Project | \$650,000 |
| • Art in Public Places Project (Artwork) | 5,070 |
| • Art in Public Places Project (transfer to Cultural Services Fund for APP Operations) | 1,300 |
| • Art in Public Places Project (transfer to Cultural Services Fund for APP Maintenance) | 130 |
| TOTAL | \$656,500 |

Section 3. That the unexpended appropriated amount of ONE THOUSAND THREE HUNDRED DOLLARS (\$1,300) 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 ONE HUNDRED THIRTY DOLLARS (\$130) 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 15th day of October, A.D. 2019, and to be presented for final passage on the 5th day of November, A.D. 2019.



Mayor

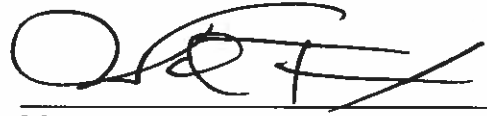
ATTEST:



City Clerk



Passed and adopted on final reading on the 5th day of November, A.D. 2019.



Mayor

ATTEST:



City Clerk

