

ORDINANCE NO. 063, 2020  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES FOR NATURAL AREAS  
LAND CONSERVATION, LEGALLY REQUIRED WATER RIGHTS  
INFRASTRUCTURE AND URGENT TRAIL CONSTRUCTION  
NOT INCLUDED IN THE 2020 ADOPTED CITY BUDGET

WHEREAS, the City is committed to preserving natural areas and providing educational, interpretive and appropriate recreational opportunities to the public; and

WHEREAS, Natural Areas Department programming implements open land conservation priorities identified in the City's Comprehensive Plan by purchasing conservation easements and fee interests in key natural areas, community separators, or other open lands; providing stewardship for lands purchased; and developing trails and interpretive features for public use; and

WHEREAS, the Natural Areas Department is funded primarily through the collection of City Open Space - Yes sales and use tax revenue, as well as revenues from the Larimer County Help Preserve Open Space sales and use tax, investment earnings, and other miscellaneous revenues deposited in the Natural Areas Fund; and

WHEREAS, Article V, Section 11 of the City Charter requires all appropriations unexpended or unencumbered at the end of the fiscal year to lapse to the applicable general or special revenue fund, except appropriations for capital projects and federal or state grants, which do not lapse until completion of the capital project or expiration of the respective grant; and

WHEREAS, the City Manager has recommended the appropriation from prior year reserves in the Natural Areas Fund of a total of \$8,770,000, comprised of unspent and unencumbered appropriations from 2019, to be used for land conservation, installation of monitoring equipment for administration of a legally binding and required augmentation plan, repair of riverbank damage to assist in flood control, and reconstruction of the Foothills Trail; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of supporting Natural Areas conservation activities and projects; 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 this appropriation is available and previously unappropriated in the Natural Areas Fund and will not cause the total amount appropriated in the Natural Areas Fund to exceed

the current estimate of actual and anticipated revenues to be received in that fund during this 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 prior year reserves in the Natural Areas Fund the sum of EIGHT MILLION SEVEN HUNDRED SEVENTY THOUSAND DOLLARS (\$8,770,000) to be used for land conservation, special projects, and trail construction, to benefit the residents of the City.

Introduced, considered favorably on first reading, and ordered published this 21st day of April, A.D. 2020, and to be presented for final passage on the 5th day of May, A.D. 2020.

DocuSigned by:  
*Wade Troxell*  
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Mayor

ATTEST:

DocuSigned by:  
*Silvan Calderon*  
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City Clerk

Passed and adopted on final reading on the 5th day of May, A.D. 2020.

DocuSigned by:  
*Wade Troxell*  
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\_\_\_\_\_  
Mayor

ATTEST:

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City Clerk