

ORDINANCE NO. 076, 2020
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE LIGHT AND POWER FUND, THE
WATER FUND, THE WASTEWATER FUND, AND THE STORMWATER FUND, AND
AUTHORIZING THE TRANSFER OF PREVIOUSLY APPROPRIATED FUNDS IN THE
BROADBAND FUND FOR THE UTILITIES CUSTOMER INFORMATION AND
BILLING SYSTEM PROJECT

WHEREAS, in August 2018, the City of Fort Collins signed a Master Professional Services Agreement (MPSA) and Software License Agreement with Open International LLC (“Open”) to develop and implement the Open SmartFlex (OSF) integrated utility customer billing software system and web portal (“CIS/OSF project”); and

WHEREAS, contemporaneous with Open’s development, the City began building a city-wide broadband utility system to deliver high-speed data, video, and telecommunication services, as previously approved by City voters in general elections; and

WHEREAS, in late 2019, the City began offering city-wide broadband utility services, branded as “Fort Collins Connexion”, and agreed with Open to adjust CIS/OSF project delivery requirements to accommodate the functionality needed for Fort Collins Connexion services and other unanticipated project requirements; and

WHEREAS, thereafter, the City and Open documented the adjusted CIS/OSF project requirements and schedule in a change order to the MPSA, including updating contract pricing and extending the final CIS/OSF project go-live date from June 2020 to October 2020 (the “Change Order”); and

WHEREAS, the City and Open agreed to divide the CIS/OSF project costs described in the Change Order, totaling \$3,300,000, 55% and 45%, respectively; and

WHEREAS, Utility Services staff recommends allocation of the City’s portion of the Change Order costs among the benefited utility enterprises, including appropriating the amount of \$950,000 from prior year reserves in the Light & Power Fund, Water Fund, Wastewater Fund, and Stormwater Fund, as applicable, for expenditure from the Utilities Customer Information & Billing System capital project fund; and

WHEREAS, the City Manager recommends the appropriation described herein and determines that this appropriation is available and previously unappropriated from the Light & Power Fund, Water Fund, Wastewater Fund, and Stormwater Fund, as applicable, and will not cause the total amount appropriated in the Light & Power Fund, Water Fund, Wastewater Fund, or Stormwater Fund, as applicable, to exceed the current estimate of actual and anticipated revenues to be received in these funds during this fiscal year; and

WHEREAS, the City Manager further recommends the transfer of \$950,000 from the Fort Collins Connexion Fiber Feeder & Distribution Network capital account to the Utilities Customer Information & Billing System capital project, with the purpose for which the transferred funds are to be expended remaining unchanged; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, 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, upon recommendation by the City Manager, 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, the proposed appropriation and transfer benefit the public's health, safety and welfare and serve utility rate payers by providing funding to timely complete integrated billing system enhancements designed to automate billing processes, simplify customer bills, and thereby increase collections and reduce billing operation expenses for all utility rate payers.

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 Light & Power Fund the sum of THREE HUNDRED SIXTY-SIX THOUSAND TWO HUNDRED SIXTY-FIVE DOLLARS (\$366,265) for expenditure from the Light & Power Fund for the Utilities Customer Information & Billing System project.

Section 3. That there is hereby appropriated from prior year reserves in the Water Fund the sum of TWO HUNDRED FORTY-SIX THOUSAND EIGHTY-FOUR DOLLARS (\$246,084) for expenditure from the Water Fund for the Utilities Customer Information & Billing System project.

Section 4. That there is hereby appropriated from prior year reserves in the Wastewater Fund the sum of ONE HUNDRED SEVENTY-SEVEN THOUSAND FOUR HUNDRED TEN DOLLARS (\$177,410) for expenditure from the Wastewater Fund for the Utilities Customer Information & Billing System project.

Section 5. That there is hereby appropriated from prior year reserves in the Stormwater Fund the sum of ONE HUNDRED SIXTY THOUSAND TWO HUNDRED FORTY-ONE DOLLARS (\$160,241) for expenditure from the Stormwater Fund for the Utilities Customer Information & Billing System project.

Section 6. That the unexpended and unencumbered appropriated amount of NINE HUNDRED FIFTY THOUSAND DOLLARS (\$950,000) is hereby authorized for transfer from the Fiber Feeder & Distribution Network capital account to the Utilities Customer Information &

Billing System capital project.

Introduced, considered favorably on first reading, and ordered published this 2nd day of June, A.D. 2020, and to be presented for final passage on the 16th day of June, A.D. 2020.



Mayor


ATTEST:



City Clerk



Passed and adopted on final reading on the 16th day of June, A.D. 2020.



Mayor

ATTEST:



City Clerk

