

ORDINANCE NO. 017, 2021
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED REVENUE IN THE GENERAL FUND FOR A
SMALL BUSINESS RELIEF PROGRAM TO BE ADMINISTERED AND DISTRIBUTED BY
THE ECONOMIC HEALTH OFFICE

WHEREAS, the City of Fort Collins is threatened with serious injury and damage, consisting of widespread human and economic impact caused by the Novel Coronavirus 2019 (COVID-19); and

WHEREAS, on March 13, 2020, in order to undertake emergency measures to protect the life, health, safety and property of the citizens of the City and persons conducting business therein, and in order to attempt to minimize the loss of human life and the preservation of property, the City Manager, as the Director of the City's Office of Emergency Management, proclaimed a "local emergency" in accordance with Section 2-671(a)(1) of the City Code and activated the Emergency Operations Plan established pursuant to Section 2-673 of the City Code; and

WHEREAS, the COVID-19 pandemic has had an unexpected and substantial impact on health risks for City residents, the social structures in the community, the economic wellbeing of the business community, and the services provided by the City in response; and

WHEREAS, the prevention and management of exposure to COVID-19 and mitigation of related social, economic, and other impacts of all kinds continue to require emergency action by the City; and

WHEREAS, the City Council has, with the adoption of Resolution 2020-030, extended the City Manager's proclamation of local emergency; and

WHEREAS, the State of Colorado declared its first Emergency Disaster Declaration related to COVID-19 on March 11, 2020; and

WHEREAS, the Colorado General Assembly, as part of a special session in December 2020, approved Senate Bill 20B-001 ("SB20B-001"), authorizing monetary relief for small and minority businesses as well as arts organizations, which Bill was signed by the Governor on December 7, 2020; and

WHEREAS, SB20B-001 provides \$37 million in state funds for direct relief payments to small businesses located in a county that is subject to, and in compliance with, severe capacity restrictions pursuant to a public health order, with payments allocated to the counties for distribution to eligible small businesses, including restaurants, bars, movie theaters, and fitness and recreational sports centers; and

WHEREAS, Larimer County (the "County") is eligible to receive funding and submitted the required application for consideration of allocation on January 4, 2021; and

WHEREAS, the County has asked the City, the City of Loveland, and Town of Estes Park to each act as a "hub" to distribute funds to their community, adjacent communities, and adjacent portions of the unincorporated county, which means the City will receive unanticipated revenue to

distribute and administer a Small Business Relief (SBR) program for its defined “hub” geography; and

WHEREAS, SB20B-001 requires that all funds be distributed to businesses by no later than February 12, 2021; and

WHEREAS, the precise amount of funds the City will need to receive, appropriate and distribute will not be known until January 29, 2021, but in order to meet the February 12 deadline for distribution of funds the City cannot wait until the funding amount is known to begin the process of appropriating the funds for expenditure; therefore, staff is requesting that the Council appropriate up to \$1.5 million in unanticipated revenue, recognizing that the actual amount of funds available for appropriation will depend on the amount of funds received from the County; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of assisting the overall community recovery from the COVID-19 pandemic; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council 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 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 any 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 upon receipt from unanticipated revenue in the General Fund the sum of ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000), subject to receipt from Larimer County, for distribution by the Economic Health Office to eligible and certified small businesses as part of the Small Business Relief Program and for use by the Economic Health Office to offset administrative costs driven by the Program.

Introduced, considered favorably on first reading, and ordered published this 12th day of January, A.D. 2021, and to be presented for final passage on the 19th day of January, A.D. 2021.



Mayor

ATTEST:



City Clerk



Passed and adopted on final reading on the 19th day of January, A.D. 2021.



Mayor

ATTEST:



City Clerk

