

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 14

DATE: March 4, 2008

STAFF: John Stokes

SUBJECT

First Reading of Ordinance No. 024, 2008, Appropriating Prior Year Reserves in the Natural Areas Fund for the Purpose of Providing Natural Areas Programming Not Included in the 2008 Adopted City Budget.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT

This Ordinance increases 2008 appropriations in the City's Natural Areas Fund by \$4,001,500. The requested appropriation from prior year reserves in the Natural Areas Fund includes \$3,468,758, representing 2007 appropriations that were unspent and unencumbered at year-end 2007, and \$532,742 from prior year revenues that were not included in 2007 appropriations.

EXECUTIVE SUMMARY

The purpose of the previously appropriated funds remains the same: land conservation, construction of public improvements, fences and trails, restoration of wildlife habitat and other natural areas program needs to benefit the citizens of Fort Collins.

BACKGROUND

Prior to 2004, the Natural Areas Program was housed within the Capital Projects Fund and therefore did not lapse from year to year. During 2004, in order to comply with the Governmental Accounting Standards Board, Natural Area appropriations and funding sources were all moved into the Natural Area Fund, a lapsing fund.

The Natural Areas Fund is funded from several sources of revenue, including Open Space - Yes sales and use tax, Larimer County - Help Preserve Open Space sales tax proceeds, and the issuance of the 2004 Certificates of Participation (COP).

The anticipated use of the funds being appropriated will be as follows:

- Land Conservation - \$794,242. The balance of unspent Building Community Choices (BCC) and County Help Preserve Open Space appropriations, totaling \$794,242, is to be used for natural area land conservation.
- 2004 COPs - \$1,133,361. This amount represents the remaining amount of the 2004 COP proceeds as well as the investment earnings to date. These funds will be used for land conservation.
- Resource Management - \$594,000. This amount is being re-appropriated into a capital project fund for the design and reconstruction of the Benson Reservoir dam at Pelican Marsh.
- Resource Management - \$132,000. This amount represents unspent funds and grant funds received for resource management projects that will be spent of resource management projects in 2008 including: restoration work at several sites, assessment of the NISP project, and the demolition of several buildings.
- Public Improvements - \$702,843. This amount represents amounts for improvements started in 2007 and continuing into 2008. The scope of improvements include: construction of shelters at several sites; cleanup at Bobcat Ridge; restoration of historic structures and trail construction at Bobcat Ridge funded by a grant from the Pulliam family; design of trails and parking lot at Red Fox Meadows; and the majority of the amount is unspent contributions to Parks for paved trail construction.
- Facility Operations - \$456,139. Represents amounts budgeted in 2007 for facility operations that were not completed in 2007. Improvements include: completion of the Ranger house at Bobcat Ridge; restoration of the Nix Barn; repairs to the caretaker house at Reservoir Ridge; repairs to an operations building at Soapstone; and the design and remodeling of an historic farm house at Nix for additional office space.
- Education - \$56,885. The unspent 2007 funds and grant funds received in 2007 will be used in Education to fund: an education program and historical building assessments at Bobcat Ridge using the Pulliam grant funds; provide funding assistance for the Children in Nature Network; and to acquire volunteer coordination database and reservation software.
- Land Management - \$128,030. These unspent 2007 funds will be used to fund: an outfall pipe to drain ground water from the reclaimed gravel mine pit at Running Deer to avoid extensive water augmentation costs; replace fencing at Reservoir Ridge and Bobcat Ridge; and remodeling of the ranch manager house at Soapstone.
- Enforcement - \$4,000. These unspent 2007 funds will be used to fund an hourly employee to collect parking fees on the weekends during the summer at Gateway Natural Area.

ORDINANCE NO. 024, 2008
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE
NATURAL AREAS FUND FOR THE PURPOSE OF PROVIDING
NATURAL AREAS PROGRAMMING NOT INCLUDED
IN THE 2008 ADOPTED CITY BUDGET

WHEREAS, the City is committed to conserving natural areas in a manner that protects their integrity, while providing educational, interpretive and appropriate recreational opportunities to the public; and

WHEREAS, Natural Areas programming implements open land conservation priorities identified in the City's Comprehensive Plan by purchasing fee simple or conservation easement 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 City's Natural Areas program is funded primarily through the collection of Open Space - YES sales and use tax revenue, revenues from the Larimer County Help Preserve Open Spaces Initiative, proceeds from the issuance of Certificates of Participation in 2004, fees from royalties, investment earnings, and other miscellaneous revenues; and

WHEREAS, Natural Areas Fund 2007 operating appropriations totaled \$20,664,781 and expenditures/encumbrances totaled \$17,196,023, leaving a balance of unspent and unencumbered appropriations totaling \$3,468,758; and

WHEREAS, prior year reserves in the Natural Areas Fund at year-end 2007 included revenues that were not appropriated in 2007, totaling \$532,742; and

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

WHEREAS, Article V, Section 9 of the 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, City staff recommends appropriating from prior year reserves in the Natural Areas Fund the unexpended and unencumbered appropriations totaling \$3,468,758 and unappropriated revenues totaling \$532,742, to be used for acquisition, construction, enhancement and maintenance of trail systems, wildlife habitat and other natural areas to benefit the citizens of the City; and

WHEREAS, it is the desire of the Council to appropriate the total of \$4,001,500 from prior year reserves in the Natural Areas Fund to be used for acquisition, construction, enhancement and maintenance of trail systems, wildlife habitat and other natural areas to benefit the citizens of the city.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated for expenditure from prior year reserves in the Natural Areas Fund the sum of FOUR MILLION ONE THOUSAND FIVE HUNDRED DOLLARS (\$4,001,500) to be used for acquisition, construction, enhancement and maintenance of trail systems, wildlife habitat and other natural areas to benefit the citizens of the city.

Introduced, considered favorably on first reading, and ordered published this 4th day of March, A.D. 2008, and to be presented for final passage on the 18th day of March, A.D. 2008.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 18th day of March, A.D. 2008.

Mayor

ATTEST:

City Clerk