

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

**ITEM NUMBER: 8**

**DATE: July 7, 2009**

**STAFF: John Stokes**

**SUBJECT**

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Second Reading of Ordinance No. 064, 2009, Appropriating Prior Year Reserves in the Natural Areas Fund for the Purpose of Providing Natural Areas Programming Not Included in the 2009 Adopted City Budget and Authorizing the Transfer of Appropriations to the Capital Projects Fund.

**RECOMMENDATION**

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Staff recommends adoption of this Ordinance on Second Reading.

**EXECUTIVE SUMMARY**

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This Ordinance, unanimously adopted on First Reading on June 2, 2009, appropriates prior year reserves in the Natural Areas Fund for the purpose of 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.

**ATTACHMENTS**

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1. Copy of First Reading Agenda Item Summary - June 2, 2009.  
(w/o original attachments)

**AGENDA ITEM SUMMARY**  
**FORT COLLINS CITY COUNCIL**

ITEM NUMBER: 17

DATE: June 2, 2009

STAFF: John Stokes

COPY

**SUBJECT**

First Reading of Ordinance No. 064, 2009, Appropriating Prior Year Reserves in the Natural Areas Fund for the Purpose of Providing Natural Areas Programming Not Included in the 2009 Adopted City Budget and Authorizing the Transfer of Appropriations to the Capital Projects Fund.

**RECOMMENDATION**

Staff recommends adoption of the Ordinance on First Reading.

**FINANCIAL IMPACT**

This Ordinance increases 2009 appropriations in the City's Natural Areas Fund by \$4,705,000. The requested appropriation from prior-year reserves in the Natural Areas Fund includes \$4,705,000 representing 2008 appropriations that were unspent and unencumbered at the end of 2008.

**EXECUTIVE SUMMARY**

The purpose of the previously appropriated funds is for land conservation, construction of public improvements, 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, funds did not lapse from year to year. During 2004, in order to comply with the Governmental Accounting Standards Board, Natural Areas appropriations and funding sources were all moved into the Natural Areas Fund, a lapsing fund.

The Natural Areas Fund is funded from several sources of revenue, including Open Space - Yes sales tax, Larimer County - Help Preserve Open Space sales tax, and miscellaneous unanticipated revenues.

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

- Land Conservation - \$2,808,181. The balance of unspent Open Space Yes! and County Help Preserve Open Space appropriations totaling \$2,808,181, is to be used for natural area land conservation.
- Program Management - \$25,000. This amount will be used to purchase a Hybrid staff Vehicle to reduce staff use of their own vehicles and to reduce emissions.
- Resource Management - \$91,500. This amount is being appropriated into the capital project fund for additional cost to the design and reconstruction of the Benson Reservoir Dam at Pelican Marsh.
- Resource Management - \$139,815. This amount represents unspent funds and grant funds received for resource management projects that will be spent on resource management projects in 2009 including: consultants for the Poudre River Plan, assessment of the NISP project, a BioBlitz at Soapstone Prairie, a utility vehicle for Soapstone Prairie, and the demolition of several buildings.
- Public Improvements - \$997,941. This amount represents amounts for improvements started in 2008 and continuing into 2009. The scope of improvements include: finalize construction of picnic shelters at several sites; GIS Database update, Picnic Rock design and improvements, ADA improvements; the parking lot at Red Fox Meadows; and the majority of the amount is unspent contributions to Parks for paved trail construction.
- Facility Operations - \$588,000. Represents amounts budgeted in 2008 for facility operations that were not completed in 2008. Improvements include: completion of the Ranger house at Bobcat Ridge; repairs to the caretaker house at Reservoir Ridge; repairs to the operations and maintenance center at Soapstone; and the design and remodeling of an historic farm house at Nix for additional office space.
- Education - \$19,563. The unspent 2008 funds and grant funds received in 2008 will be used in Education to fund: an education program at Bobcat Ridge using the Pulliam grant funds; remaining Pulliam grant funds used for student transportation to Natural Areas as well as educational supplies; and to fund an education program for Soapstone Prairie Natural Area.
- Land Management - \$30,000. These unspent 2008 funds will be used to fund a Water Augmentation Plan for the Resource Recovery Farm Gravel Mine on Running Deer Natural Area.
- Enforcement - \$5,000. These unspent 2008 funds will be used to fund an hourly employee to staff the entrance station on weekends during the summer at Soapstone Prairie Natural Area.

ORDINANCE NO. 064, 2009  
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 2009 ADOPTED CITY BUDGET AND AUTHORIZING  
THE TRANSFER OF APPROPRIATIONS TO THE CAPITAL PROJECTS FUND

WHEREAS, the City is committed to preserving the integrity of natural areas and 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 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, investment earnings, and other miscellaneous revenues; and

WHEREAS, Natural Areas Fund has unspent and unencumbered appropriations from 2008 in the amount of \$4,705,000; and

WHEREAS, Article V, Section 11 of the City Charter requires that all appropriations unexpended or unencumbered at the end of the fiscal year lapse to the applicable general or special revenue fund, except that appropriations for capital projects and federal or state grants do 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 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 to another fund, provided that the purpose for which the transferred funds are to be expended remains unchanged.

WHEREAS, City staff recommends appropriating from prior year reserves in the Natural Areas Fund the unexpended and unencumbered appropriations totaling \$4,705,000 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

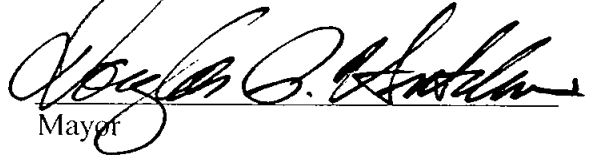
WHEREAS, City staff also recommends that \$91,500 of the unexpended and unencumbered appropriations of \$4,705,000 should be transferred to the Capital Projects Fund - Robert Benson Dam Project for the design and reconstruction of the dam at Pelican Marsh.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

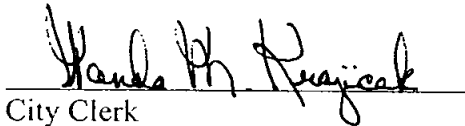
Section 1. That there is hereby appropriated for expenditure from prior year reserves in the Natural Areas Fund the sum of FOUR MILLION SEVEN HUNDRED FIVE THOUSAND DOLLARS (\$4,705,000) to be used for acquisition, construction, enhancement and maintenance of trail systems, wildlife habitat and other natural areas to benefit the citizens of the City.

Section 2. That the unexpended appropriated amount of NINETY-ONE THOUSAND FIVE HUNDRED DOLLARS (\$91,500) is hereby authorized for transfer from the Natural Areas Fund to the Capital Projects Fund – Robert Benson Dam Project for appropriation therein to be used for the design and reconstruction of the Benson Reservoir Dam at Pelican Marsh.

Introduced, considered favorably on first reading, and ordered published this 2nd day of June, A.D. 2009, and to be presented for final passage on the 7th day of July, A.D. 2009.

  
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Mayor

ATTEST:

  
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City Clerk

Passed and adopted on final reading on the 7th day of July, A.D. 2009.

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Mayor

ATTEST:

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City Clerk