

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 3

DATE: October 27, 2009

STAFF: Chuck Seest

### SUBJECT

First Reading of Ordinance No. 105, 2009, Appropriating Prior Year Reserves and Unanticipated Revenue in Various City Funds and Authorizing the Transfer of Appropriated Amounts Between Funds or Projects.

### RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

### FINANCIAL IMPACT

This Ordinance increases total City 2009 appropriations by \$5,289,806. Of that amount, this Ordinance increases General Fund 2009 appropriations by \$468,614. Funding for the total City appropriations is \$1,691,261 from unanticipated revenue, and \$2,953,545 from prior year reserves, and \$645,000 transferred from other funds. In addition, appropriations in the amount of \$2,440,827 are being transferred from one capital project to another capital project or from operating budgets to a project (this item does not increase overall City appropriations).

### EXECUTIVE SUMMARY

This item was pulled from the Consent Agenda by a citizen on October 20, 2009 and Council adjourned that meeting before "Pulled Consent" items were considered.

Following is a list of funds that make up the increase in appropriations:

|                                    |             |
|------------------------------------|-------------|
| General Fund                       |             |
| Unanticipated Revenue              | \$349,494   |
| Prior Year Reserves                |             |
| Traffic Surcharge Reserve          | \$30,000    |
| Camera Radar Reserve               | \$21,620    |
| Other Reserves                     | \$67,500    |
| Transportation Services Fund       | \$222,888   |
| Capital Improvement Expansion Fund | \$1,708,582 |
| Capital Projects Fund              | \$2,104,075 |
| Natural Areas Fund                 | \$20,000    |
| Recreation Fund                    | \$88,638    |
| Data & Communications Fund         | \$99,772    |
| Light & Power Fund                 | \$430,000   |

|                                    |           |
|------------------------------------|-----------|
| Wastewater Fund                    | \$27,800  |
| Stormwater Fund                    | \$3,200   |
| Timberline & Prospect #94 SID Fund | \$116,237 |

The purpose of this annual “clean-up” Ordinance is to combine dedicated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and, therefore, not included in the 2009 budget. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses. Prior year reserves are primarily being appropriated for unanticipated operation expenses from reserves that are set aside for that purpose.

This Ordinance appropriates prior year reserves and unanticipated revenue in various City funds, and authorizes the transfer of appropriated amounts between funds. The City Charter permits the City Council to provide by ordinance for payment of any expense from prior year reserves. The Charter also permits the City Council to appropriate unanticipated revenue received as a result of rate or fee increases or new revenue sources. Additionally, it authorizes the City Council to transfer any unexpended appropriated amounts from one fund to another upon recommendation of the City Manager, provided that the purpose for which the transferred funds are to be expended remains unchanged; the purpose for which they were initially appropriated no longer exists; or the proposed transfer is from a fund or capital project account in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

If these appropriations are not approved, the City will have to reduce expenditures even though revenue and reimbursements have been received to cover those expenditures.

## BACKGROUND

### A. GENERAL FUND

1. Fort Collins Police Services (“FCPS”) has received revenue from various sources which needs to be appropriated to cover the related expenditures. A listing of these items follows:
  - a. \$30,221 - Police Report Fees - Police reports purchased by the public and insurance agencies generate revenue of approximately \$7.50 a report. This fee is collected to help offset processing costs for copy machine rental.
  - b. \$6,300 - FCPS charges a testing fee for Emergency Services Dispatcher and Police Officer positions. This fee is assessed to offset the cost of testing materials.
  - c. \$65,687 - CSU Football - Contract pricing with CSU to cover overtime costs associated with providing security during football season.
  - d. \$12,255 - During 2009, for cancellation of services, classes, and merchandise returns FCPS received this revenue that directly offsets/refunds the cost of the original expenses.

- e. \$30,000 - Traffic Surcharge Reserve - Traffic department costs associated with traffic calming radio ads. This appropriation repays the funds transferred from the Patrol Division to Traffic Operations since the funds were not included in the 2009 budget.
- f. \$7,000 - Seatbelt Enforcement Grant - FCPS has been awarded a grant from the State of Colorado Department of Transportation to be used for seatbelt compliance enforcement.
- g. \$8,500 - DUI Enforcement Grant - FCPS was approved for a grant for "Checkpoint Colorado" for 2009 checkpoint expenses. The grant pays for officer overtime, on site phlebotomist service and traffic flow engineering services.
- h. \$5,168 - The DBA reimbursed FCPS for overtime incurred to patrol the Brew Fest.
- i. \$117,023 -FCPS, in cooperation with Larimer County Sheriff's Office, pays the ongoing maintenance for the shared CAD system. Larimer County pays 1/3 of the total invoice.
- j. \$14,316 - A pilot combined Crime Lab partnership program has been formed and is operating from FCPS headquarters. Each participating agency has contributed money towards shared computer and other logistical expenses. These funds received from other agencies need to be appropriated to pay back the partners share of those costs.
- k. \$9,880 - A weather satellite subscription is being shared between the Thompson School District, the Loveland School District, PFA, City of Fort Collins Stormwater, City Transfort, the Poudre School District, the Poudre Valley Hospital and FCPS. FCPS pays the total cost and invoices the partners for their portion.
- l. \$21,620 - At the end of the lease cycle, FCPS opted to purchase motorcycles being used for traffic enforcement. This appropriation from Camera Radar revenue will cover almost 50% of the cost of that purchase and save over subsequent years lease costs. The remainder of the purchase was paid for from existing funds within the Police budget.

|   |           |
|---|-----------|
| FROM: Unanticipated Revenue (Miscellaneous Police)  | \$260,850 |
| FROM: Prior Year Reserve (Traffic Surcharge)        | \$30,000  |
| FROM: Prior Year Reserve (Camera Radar)             | \$21,620  |
| FROM: Unanticipated Revenue (Seatbelt Grant)        | \$7,000   |
| FROM: Unanticipated Revenue (DUI Enforcement Grant) | \$8,500   |
|   |           |
| FOR: Police Services                                | \$312,470 |
| FOR: Seatbelt Grant                                 | \$7,000   |
| FOR: DUI Grant                                      | \$8,500   |

- 2. The Natural Resources Department received a grant for \$4,784 fro the Colorado Department of Public Health and Environment for continuing radon education and outreach to encourage radon testing and mitigation through media advertising and low-cost test kit sales. The grant

FROM: Unanticipated Revenue - Grant \$4,784  
 FOR: Grant Expenses \$4,784

TRANSFER FROM: Natural Resources Operations \$4,784  
 TO: Radon Grant \$4,784

3. The City dedicates a portion of the Public, Educational & Governmental (PEG) fees to Fort Collins Public Access Network (FC-PAN) for use in purchasing equipment to provide local access programming. In previous years, FC-PAN did not spend the full amount of their authorized allocation and has been keeping some money in reserve. Participation and demand for FC-PAN services has grown, and additional equipment is needed to support the increased demand. \$7,500 is being requested from the PEG reserve account to cover equipment costs.

FROM: Prior Year Reserves (PEG Reserve) \$ 7,500  
 FOR: Cable 14 Expenses \$ 7,500

4. Cable 14 services are in need of "mission critical" equipment in 2009. Due to budget constraints, General Fund monies will not be utilized and PEG reserves will be used to cover the equipment purchase.

FROM: Prior Year Reserves (PEG Reserve) \$ 35,000  
 FOR: Cable 14 Expenses \$ 35,000

5. Cable 14 services has been in increased demand, and will exceed its projected revenue from billable work. From the excess revenue, \$12,000 needs to be recovered to cover increased salary and equipment costs.

FROM: Unanticipated Revenue \$ 12,000  
 FOR: Cable 14 Expenses \$ 12,000

6. The Gardens on Spring Creek have received unanticipated revenue beyond the original revenue budget. This additional funding will go towards hourly and seasonal staff, as well as the Harvest Festival and Garden of Lights events.

FROM: Unanticipated Revenue \$33,000  
 FOR: Gardens on Spring Creek expenses \$33,000

7. The Gardens on Spring Creek would like to appropriate funds from Horticulture Reserves to fund hourly and seasonal staffing needs not designated in the budget process.

FROM: Horticulture Reserves \$25,000  
 FOR: Gardens on Spring Creek expenses \$25,000

8. The Gardens on Spring Creek has received a grant from Poudre Valley Health System Foundation to fund a parttime Community Garden Coordinator position at the Gardens.

|                                       |          |
|---------------------------------------|----------|
| FROM: Unanticipated Revenue           | \$15,200 |
| FOR: Gardens on Spring Creek expenses | \$15,200 |

9. The City of Fort Collins entered into an Intergovernmental Agreement (IGA) with the Library District in 2007. The terms of the IGA include reimbursement for administrative services associated with the Library operations incurred from December 2008 through December 2009. Human Resources incurred these expenses through basic administrative services and access to the registration system (ITMS).

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|-------------------------------|---------|
| FROM: Unanticipated Revenue   | \$8,160 |
| FOR: Human Resources Expenses | \$8,160 |

**B. RECREATION FUND**

The Recreation Division administers several restricted revenue accounts for various programs. Revenues for these programs include grants, fund-raising events and activities, and sponsorships. The following items appropriate specific expenditures from unanticipated revenue and restricted reserves established for these special revenue accounts.

1. Prior year reserves associated with the Youth special revenue account, in the Recreation Fund, will be appropriated through this item and used to continue to run after school tutoring, Toys for Kids, and Northside programs.

|                            |          |
|----------------------------|----------|
| FROM: Prior Year Reserves  | \$10,000 |
| FOR: Youth Special Revenue | \$10,000 |

2. Unanticipated revenue associated with the Youth Sports special revenue account will be appropriated through this item and used to purchase youth sports equipment:

|                             |          |
|-----------------------------|----------|
| FROM: Unanticipated Revenue | \$13,000 |
| FOR: Youth Sports           | \$13,000 |

3. Unanticipated revenue associated with the Vida Sana grant will be appropriated through this item and used to fulfill the requirements of the grant. This grant is through the Larimer County Department of Health and Environment. The Vida Sana project will address health disparities among Latino/Hispanics by increasing access to physical activity at the Northside Aztlan Community Center.

|                             |          |
|-----------------------------|----------|
| FROM: Unanticipated Revenue | \$34,150 |
| FOR: Vida Sana              | \$34,150 |

- 4. Additional grant funding received in association with the Youth Football Hub Grant will be appropriated through this item and used to purchase youth football equipment.

FROM: Unanticipated Revenue \$3,000  
 FOR: Youth Football \$3,000

- 5. Prior year reserves associated with the Ice & Aquatics special revenue account will be appropriated through this item and used to purchase ice and aquatics equipment and supplies.

FROM: Prior Year Reserves \$20,000  
 FOR: Ice & Aquatics \$20,000

- 6. Prior year reserves associated with the Adult Sports special revenue account will be appropriated through this item and used to purchase sports equipment.

FROM: Prior Year Reserves \$5,488  
 FOR: Adult Sports \$5,488

- 7. Unanticipated revenue associated with the alternative programs special revenue account will be appropriated through this item and used to purchase adaptive recreation equipment.

FROM: Unanticipated Revenue \$3,000  
 FOR: Alternative Programs \$3,000

**C. DATA & COMMUNICATIONS FUND**

- 1. The City's Development Tracking System (DTS) is funded through Building Permit fees. DTS Building Permit fee revenue is tracking 80% below budget. Revenue from this source will not cover basic DTS services. The Applications Services Department in Management Information Service is requesting prior year reserves to cover the gap.

FROM: Prior Year Reserves \$99,772  
 FOR: Development Tracking System \$99,772

**D. LIGHT & POWER FUND**

- 1. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$86,000 relating to security improvements to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

TRANSFER FROM: Material Control - Operations \$86,000  
 TO: Service Center - Capital Project \$86,000

- 2. The Renewable Distributed System Integration project, a part of FortZed, is a three year project which will be reimbursed in large part by the federal Department of Energy (DOE). The total match required from the Light & Power Fund is \$200,801. The match includes staff support for the project and engineering studies. These matching funds were appropriated in the 2009 Light and Power operating budget. For proper grant accounting,

the appropriation should be transferred into the DOE FortZed Grant Project. To accomplish the above, City Council is requested to approve a budget transfer from the Utilities Light & Power Fund's 2009 operating budget to the DOE Grant project.

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|--|-----------|
| TRANSFER FROM: Light & Power Distribution - Operations | \$200,801 |
| TO: DOE Grant Project - Capital Project                | \$200,801 |

3. The City of Fort Collins has a \$1.3 million grant project to facilitate a number of energy efficiency, retro-commissioning and renewable energy projects in the community. The cost of the project will be reimbursed, in large part, by funding by a grant from the Department of Local Affairs (DOLA) and by the Bohemian Foundation via the Community Foundation of Northern Colorado (CFNC). Several other entities are participating in this project in addition to the City of Fort Collins. Ordinance No. 023, 2009, approved by the City Council in March 2009, appropriated the unanticipated grant revenue from DOLA (\$778,000). At that time it was projected that the funding from the CFNC could go directly from CFNC to the participants. It would be more fiscally accountable for the City to have the CFNC grant funds flow through the City prior to distribution to the other participants.

To accomplish the above, City Council is requested to approve the appropriation of \$430,000 in unanticipated CFNC grant revenue for expenditure in the Utilities Light & Power Fund's DOLA Grant project.

|                             |           |
|-----------------------------|-----------|
| FROM: Unanticipated Revenue | \$430,000 |
| TO: DOLA Grant Project      | \$430,000 |

**E. WATER FUND**

1. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$28,000 relating to security improvements to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget the capital projects budget.

|   |          |
|---|----------|
| TRANSFER FROM: Water Quality - Operations         | \$28,000 |
| TO: Service Center Improvements - Capital Project | \$28,000 |

2. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$531 relating to fuel expenses to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget the capital projects budget.

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| TRANSFER FROM: Water Quality - Operations           | \$531 |
| TO: Southwest System Improvements - Capital Project | \$531 |

**F. WASTEWATER FUND**

1. The 2009 Budget Ordinance (Ord. No. 127, 2008) under-appropriated \$27,800 relating to security improvements. An appropriation in this amount is being requested from prior year reserves.

|                                  |          |
|----------------------------------|----------|
| FROM: Prior Year Reserves        | \$27,800 |
| FOR: Service Center Improvements | \$27,800 |

2. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$26,200 relating to security improvements to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

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| TRANSFER FROM: Pollution Control Laboratory - Operations | \$26,200 |
| TO: Service Center Improvements - Capital Project        | \$26,200 |

3. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$177 relating to fuel expenses to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

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| TRANSFER FROM: Pollution Control Laboratory - Operations | \$177 |
| TO: Harmony Lift Station - Capital Project               | \$177 |

4. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$915 relating to fuel expenses to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

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| TRANSFER FROM: Pollution Control Laboratory - Operations            | \$915 |
| TO: Drake Water Reclamation Facility Improvements - Capital Project | \$915 |

#### **G. STORMWATER FUND**

1. The 2009 Budget Ordinance (Ord. No. 127, 2008) under-appropriated \$3,200 relating to security improvements. An appropriation in this amount is being requested from prior year reserves.

|                                     |         |
|-------------------------------------|---------|
| FROM: Prior Year Reserves           | \$3,200 |
| FOR: Utility Service Center Phase 2 | \$3,200 |

2. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$28,800 relating to security improvements to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

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| TRANSFER FROM: Drainage & Detention - Operations     | \$28,800 |
| TO: Utility Service Center Phase 2 - Capital Project | \$28,800 |

3. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$257 relating to fuel expenses to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

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| TRANSFER FROM: Drainage & Detention - Operations  | \$257 |
| TO: Old Town Basin Improvements - Capital Project | \$257 |



4. The 2009 Budget Ordinance (Ord. No. 127, 2008) incorrectly appropriated \$1,362 relating to fuel expenses to an operations budget vs. a capital projects budget. This will be corrected by moving those funds from the operations budget to the capital projects budget.

|  |         |
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| TRANSFER FROM: Drainage & Detention - Operations           | \$1,362 |
| TO: Canal Importation Basin Improvements - Capital Project | \$1,362 |

**H. UTILITY CUSTOMER SERVICE & ADMINISTRATION FUND**

1. The 2009 annual appropriation ordinance for the Utilities Customer Service & Administration Fund did not separate the capital project appropriation from the operating appropriation. \$150,000 should have been appropriated for the System Additions and Replacements capital project but this \$150,000 was included as part of the operating appropriation. This will be corrected by moving those funds from the operations budget to the capital projects budget. The funds will be used for the relocation of the Utilities Customer Service Office.

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|---|-----------|
| TRANSFER FROM: Regulatory & Government Affairs - Operations | \$150,000 |
| TO: System Additions & Replacements - Capital Project       | \$150,000 |

**I. TIMBERLINE/PROSPECT SID #94 FUND**

1. Improvements on Prospect and Timberline were completed in 2007. Property owners were assessed in December 2007. Initial financing was provided by a developer who agreed to be paid back by Special Improvement District #94 Timberline and Prospect. The City collects from the property owners and remits them to the developer after withholding an agreed upon collection fee. The estimated amount to be remitted to the developer in 2009 is \$116,237. In the future, this item will be included in the biennial budget.

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|--|-----------|
| FROM: Unanticipated Revenue (special assessment) | \$116,237 |
| FOR: Repay Developer                             | \$116,237 |

**J. TRANSPORTATION SERVICES FUND**

1. This item appropriates unanticipated revenue for the 2008/2009 Bike Library Program. Become Fit LLC donated \$300 in one-time funds to support operation of the Bike Library. The Bike Library also received revenue for scrap metal from unusable bike parts in the amount of \$875. These funds will be appropriated for the operation of the Bike Library.

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| FROM: Unanticipated Revenue (Miscellaneous) | \$1,175 |
| FOR: Bike Library Program                   | \$1,175 |

2. This item appropriates unanticipated revenue for the 2008/2009 FCBikes program. The FCBikes program runs the annual Bike Camp. Camp registrations totaled \$2,664 which pays for the intern supervising the camp, camp T-shirts and supplies. Become Fit LLC donated \$309 for support of Bike Camp. The Bike Prom event raised \$400 for support of bike camp. Citizens also contributed donations totaling \$90 in support of the FCBikes Co-Exist Campaign.

|   |         |
|---|---------|
| FROM: Unanticipated Revenue (Miscellaneous) | \$3,463 |
| FOR: 2009 Bike Camp Expenses                | \$3,463 |

3. The lights in the Civic Center Parking Structure are at the end of their useful life. This appropriation will replace the lights with new, high-efficiency, low-energy lights. The new lights will save enough electricity to provide a complete payback of these funds in 4-5 years. These funds will also pay for partial painting of the lower levels of the parking structure to enhance the lighting capacity of the new lights, and to give the structure a safer, cleaner appearance. These funds are being appropriated from reserves that have been designated specifically for use in the Civic Center Parking Structure.

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| FROM: Prior Year Reserves (Civic Center Parking) | \$108,250 |
| FOR: Civic Center Parking Structure              | \$108,250 |

4. Transportation Fund revenues have declined significantly since 2008, causing reductions to the 2009 budget. An assessment of the City streets pavement condition must be made to complete required year-end information for the Comprehensive Annual Financial Report. The cost of the Street Assessment is \$110,000. To fund this assessment a transfer will be made from the Capital Projects fund prior year reserves. See item K.12.

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| FROM: Transfer from Capital Projects Fund | \$110,000 |
| FOR: Transportation Fund Expenses         | \$110,000 |

**K. CAPITAL PROJECTS FUND**

1. The State Engineer has condemned the Pelican Marsh Natural Area - Benson Reservoir Dam and it needs to be repaired. The scope of this project is to design and construct a new dam, spillway and outlet structure for the Benson Reservoir as required by the State Engineer. The actual costs of replacing the Benson Reservoir Dam came in \$80,000 higher than originally estimated for a number of reasons. Construction of the spillway required more earthwork do to a change in the alignment of the spillway; the Corps of Engineers required changes in the design and restoration that were not anticipated; and final quantities for riprap were greater than the preliminary estimates.

The Soapstone project is essentially done with a few remaining items to complete. There is revenue available to transfer from the Soapstone project to the Robert Benson Dam project. Natural Areas would like to transfer \$80,000 of the available balance (approximately \$400,000) from the Soapstone project to the Robert Benson Dam Project to cover the additional dam expenses.

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|---|-----------|
| TRANSFER FROM: Soapstone Public Improv. Project | \$ 80,000 |
| TO: Robert Benson Dam Project                   | \$ 80,000 |

2. The City purchased 4913 South College Avenue, the future site of the South Transit Center, in December 2002. Prior to plans for construction of the future facility, the property has been rented. Rental revenue received in 2009 will be \$5,850. This item appropriates the unanticipated revenue from rental income to be used for expenses for the Mason Corridor Project.

|                                    |         |
|------------------------------------|---------|
| FROM: Unanticipated Revenue (Rent) | \$5,850 |
| FOR: Mason Corridor Project        | \$5,850 |

3. CMAQ funds of \$600,000 for the Mason Corridor - Troutman Crossing Project were approved thru the 2008/2009 budget process, but were not included in the 2009 appropriation ordinance. This item does not increase or change the funds previously approved in the budget process for this project; it only corrects the omission of the funds that were to be appropriated into the project. Local matching funds of \$300,000 were also identified and approved by Resolution 2008-016. This item also transfers these local matching funds of \$300,000 from the Pedestrian Plan/ADA project into the Mason Corridor - Troutman Crossing project which consolidates the funds for this grant funded project.

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| FROM: Unanticipated Revenue (CMAQ grant)      | \$600,000 |
| FOR: Mason Corridor Project-Troutman Crossing | \$600,000 |

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| TRANSFER FROM: BOB Pedestrian Plan & ADA Project | \$300,000 |
| TO: Mason Corridor Project-Troutman Crossing     | \$300,000 |

4. This action transfers local matching funds, previously identified in the Pedestrian Plan/ADA project and approved by Council Resolution 2008-093, to the North College Improvements project account. It does not change or increase the previously approved project budget.

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| TRANSFER FROM: BOB Pedestrian Plan & ADA Project | \$83,000 |
| TO: BOB North College Ave. Improvements Project  | \$83,000 |

5. In the 2008/2009 budget process which approved the budget for the Mason Corridor BRT Project, \$1,200,000 was identified as local matching funds to be provided by the BOB Intersections Project. This item is not adding or changing the funds previously approved for the Mason Corridor BRT project; it only transfers the local matching funds into the Mason Corridor BRT Project account from the BOB Intersections project account to combine the project costs. This item also moves the revenues and appropriations identified as part of the local matching funds for the Mason Corridor BRT project from the Transportation Fund to the Mason Corridor BRT project account (\$35,000).

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|--|-------------|
| TRANSFER FROM: BOB Intersection Improvements Project | \$1,200,000 |
| TO: Mason Corridor Project - BRT                     | \$1,200,000 |

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|---|----------|
| FROM: Transfer from Transportation Fund | \$35,000 |
| FOR: Mason Corridor Project - BRT       | \$35,000 |

- 6. Additional funding is required to move forward on the Mason Corridor-Natural Resources Research (NRRC) Center Crossing project. Available funds have been identified in the BOB Pedestrian Plan/ADA Project (\$150,000) and the BOB Bike Plan project (\$100,000). This item transfers these available funds into the Mason Corridor – NRRC Crossing Project account. Funding from the North Fort Range Metropolitan Planning Organization, Colorado Department of Transportation and City matching funds totaling \$1,345,000 have previously been approved and appropriated into this project.

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|--|-----------|
| TRANSFER FROM: BOB Pedestrian Plan & ADA Project       | \$150,000 |
| TRANSFER FROM: BOB Bicycle Plan Implementation Project | \$100,000 |
| TO: Mason Corridor Project-NRRC Crossing               | \$250,000 |

- 7. This item appropriates miscellaneous unanticipated revenue into the Pedestrian Plan (BCC) project. Transportation Planning received a contribution of \$350 from Become Fit LLC in support of the City’s Safe Route to School Program. Colorado State University contributed \$150 for their portion of a sidewalk improvement next to the CSU campus.

|   |        |
|---|--------|
| FROM: Unanticipated Revenue (Miscellaneous) | \$ 500 |
| FOR: BCC Pedestrian Plan Project            | \$ 500 |

- 8. The Fort Collins Museum requests the appropriation of \$500,000 in unanticipated revenues. This revenue was received from the City of Fort Collins Natural Areas Fund in support of the New Facility and the partnership with the Fort Collins Museum and Discovery Science Center. Funds will be used to support research and development of exhibits and programs for the new Joint Museum Facility.

|   |           |
|---|-----------|
| FROM: Unanticipated Revenue (Transfer from Natural Resources) | \$500,000 |
| FOR: Ft Collins Museum/Discovery Science Center Project       | \$500,000 |

- 9. The Light and Power Fund Renewable Distributed System Integration (RDSI) project, a part of Fort Zed, is a three year project which will be reimbursed in large part by the federal Department of Energy (DOE). In addition to the grant match required from the Light and Power Fund the Operations Services department is required to contribute \$241,797 in matching funds. These funds will be appropriated from Capital Projects Fund prior year reserves accumulated from unappropriated interest earnings.

|   |           |
|---|-----------|
| FROM: Prior Year Reserves (Capital Projects Fund) | \$241,797 |
| FOR: Department of Energy - RDSI Project          | \$241,797 |

- 10. The City of Fort Collins has received a \$1.3 million grant to facilitate a number of energy efficiency, retro-commissioning and renewable energy projects in the community. The federal grant was approved by Ordinance No. 023, 2009, which appropriated \$778,000 from the Department of Local Affairs (DOLA). This ordinance (See item D.3.) appropriates the Bohemian Foundation contribution via the Community Foundation of Northern Colorado in the amount of \$430,000. In addition, the Operations Services department is required to contribute \$110,928 in matching funds. These funds will be appropriated from Capital Projects Fund prior year reserves accumulated from unappropriated interest earnings.

FROM: Prior Year Reserves (Capital Projects Fund) \$110,928  
 FOR: Department of Local Affairs - NEC Project \$110,928

- 11. Transportation Fund revenues have declined significantly since 2008 causing reductions to the 2009 budget. To help mitigate the loss of revenue the City has agreed to transfer \$500,000 to the Transportation Fund from the Capital Projects Fund. These funds will be appropriated from Capital Projects Fund prior year reserves accumulated from unappropriated interest earnings. No appropriations are needed in the Transportation Fund.

FROM: Prior Year Reserves (Capital Projects Fund) \$500,000  
 FOR: Transfer to Transportation Fund \$500,000

- 12. An assessment of the City streets pavement condition must be made to complete required year-end information for the Comprehensive Annual Financial Report. The cost of the Street Assessment is \$110,000. To fund this assessment a transfer will be made from the Capital Projects fund prior year reserves accumulated from unappropriated interest earnings. See item J.4.

FROM: Prior Year Reserves (Capital Projects Fund) \$110,000  
 FOR: Transfer to Transportation Fund \$110,000

**L. NATURAL AREAS FUND**

- 1. The Natural Areas Program received a grant from the US Fish and Wildlife Service to offer education about the prairie ecosystem and endangered black-footed ferrets. The U.S. Fish and Wildlife Service will provide \$20,000 the first year and \$10,000 a year for 4 years afterwards (subject to availability and appropriations) to provide field trips to natural areas and to offer other prairie education for the public. Resolution 2009-077 approved a Memorandum of Understanding (MOU) outlining the grant.

FROM: Unanticipated Revenue (Grant) \$ 20,000  
 FOR: Natural Areas Program \$ 20,000

**M. CAPITAL IMPROVEMENT EXPANSION FUND**

- 1. In 2007, Council authorized the appropriation of available library impact fees for the design and construction of the New Branch Library, now known as Council Tree Library, and \$990,000 for the library opening day books and materials. An estimate of the unspent amount for the library collection was included in the 2009 budget. The budgeted amount varied from the actual amount available by \$21,883. This item requests the appropriation of the remaining \$21,883 so the entire \$990,000 can be spent for books and materials.

FROM: Prior Year Reserves (Library Expansion) \$ 21,883  
 FOR: New Branch Library Books and Materials \$ 21,883

2. In accordance with the Intergovernmental Agreement between the City and the Poudre River Public Library District "Any revenue remaining from the City Impact Fee following completion of the Southeast Branch Library will be transferred to the Public Library Fund". The Southeast Branch Library, now known as the Council Tree Library, has been completed. This item appropriates all unspent library impact fee revenue received in 2009 and prior years, less \$100,000, for transfer to the Poudre River Library District. The amount of \$100,000 is being held by the City to cover any unanticipated project expenses.

|   |             |
|---|-------------|
| FROM: Prior Year Reserves (Library Impact)        | \$1,575,307 |
| FROM: Unanticipated Revenue (Library Impact Fees) | \$ 111,392  |
| FOR: Poudre River Library District                | \$1,686,699 |

ORDINANCE NO. 105, 2009  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES AND  
UNANTICIPATED REVENUE IN VARIOUS CITY FUNDS  
AND AUTHORIZING THE TRANSFER OF APPROPRIATED  
AMOUNTS BETWEEN FUNDS OR PROJECTS

WHEREAS, the City has prior year reserves, excess revenue, and unanticipated revenue available to appropriate; and

WHEREAS, in accordance with Article V, Section 8(b) of the City Charter, any expense or liability entered into by an agent of the City, on behalf of the City, shall not be made unless an appropriation therefor shall have been made by the City Council; 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 9, of the City Charter also 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, Article V, Section 10, of the City Charter authorizes the City Council to transfer by ordinance any unexpended and unencumbered amount or portion thereof from one fund or capital project to another fund or capital project, provided the purpose for which the transferred funds are to be expended remains unchanged; and

WHEREAS, the City wishes to provide for the expenditures listed below and the City Manager recommends that these expenditures be made.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the following funds are hereby authorized for transfer and appropriated for expenditure for the purposes stated below:

**A. GENERAL FUND**

- |    |   |            |
|----|---|------------|
| 1. | APP. FROM: Unanticipated Revenue (Miscellaneous Police) | \$ 260,850 |
|    | APP. FROM: Prior Year Reserves (Traffic Surcharge)      | \$ 30,000  |
|    | APP. FROM: Prior Year Reserves (Camera Radar)           | \$ 21,620  |
|    | APP. FROM: Unanticipated Revenue (Seatbelt Grant)       | \$ 7,000   |
|    | APP. FROM: Unanticipated Revenue (DUI Grant)            | \$ 8,500   |

|           |   |            |
|-----------|---|------------|
|           | FOR: Police Services                          | \$ 312,470 |
|           | FOR: Seatbelt Grant                           | \$ 7,000   |
|           | FOR: DUI Grant                                | \$ 8,500   |
| 2.        | APP. FROM: Unanticipated Revenue (Grant)      | \$ 4,784   |
|           | FOR: Radon Grant Expenses                     | \$ 4,784   |
|           | TRANSFER FROM: Natural Resources Operations   | \$ 4,784   |
|           | TO: Radon Grant Expenses                      | \$ 4,784   |
| 3.        | APP. FROM: Prior Year Reserves (PEG Reserve)  | \$ 7,500   |
|           | FOR: Cable 14 Expenses                        | \$ 7,500   |
| 4.        | APP. FROM: Prior Year Reserves (PEG Reserve)  | \$ 35,000  |
|           | FOR: Cable 14 Expenses                        | \$ 35,000  |
| 5.        | APP. FROM: Unanticipated Revenue              | \$ 12,000  |
|           | FOR: Cable 14 Expenses                        | \$ 12,000  |
| 6.        | APP. FROM: Unanticipated Revenue              | \$ 33,000  |
|           | FOR: Gardens on Spring Creek Expenses         | \$ 33,000  |
| 7.        | APP. FROM: Prior Year Reserves (Horticulture) | \$ 25,000  |
|           | FOR: Gardens on Spring Creek Expenses         | \$ 25,000  |
| 8.        | APP. FROM: Unanticipated Revenue (Grant)      | \$15,200   |
|           | FOR: Gardens on Spring Creek Expenses         | \$15,200   |
| 9.        | APP. FROM: Unanticipated Revenue              | \$ 8,160   |
|           | FOR: Human Resources Expenses                 | \$ 8,160   |
| <b>B.</b> | <b><u>RECREATION FUND</u></b>                 |            |
| 1.        | APP. FROM: Prior Year Reserves                | \$ 10,000  |
|           | FOR: Youth Special Revenue                    | \$ 10,000  |
| 2.        | APP. FROM: Unanticipated Revenue              | \$ 13,000  |
|           | FOR: Youth Sports                             | \$ 13,000  |
| 3.        | APP. FROM: Unanticipated Revenue              | \$ 34,150  |
|           | FOR: Vida Sana                                | \$ 34,150  |
| 4.        | APP. FROM: Unanticipated Revenue              | \$ 3,000   |
|           | FOR: Youth Football                           | \$ 3,000   |



|    |                                  |           |
|----|----------------------------------|-----------|
| 5. | APP. FROM: Prior Year Reserves   | \$ 20,000 |
|    | FOR: Ice & Aquatics              | \$ 20,000 |
| 6. | APP. FROM: Prior Year Reserves   | \$ 5,488  |
|    | FOR: Adult Sports                | \$ 5,488  |
| 7. | APP. FROM: Unanticipated Revenue | \$ 3,000  |
|    | FOR: Alternative Programs        | \$ 3,000  |

**C. DATA & COMMUNICATIONS FUND**

|    |                                  |          |
|----|----------------------------------|----------|
| 1. | APP. FROM: Prior Year Reserves   | \$99,772 |
|    | FOR: Development Tracking System | \$99,772 |

**D. LIGHT & POWER FUND**

|    |  |           |
|----|--|-----------|
| 1. | TRANSFER FROM: Material Control - Operations           | \$86,000  |
|    | TO: Service Center - Capital Project                   | \$86,000  |
| 2. | TRANSFER FROM: Light & Power Distribution - Operations | \$200,801 |
|    | TO: DOE Grant Project                                  | \$200,801 |
| 3. | APP. FROM: Unanticipated Revenue (Grant)               | \$430,000 |
|    | FOR: DOLA Grant Project                                | \$430,000 |

**E. WATER FUND**

|    |   |           |
|----|---|-----------|
| 1. | TRANSFER FROM: Water Quality - Operations           | \$ 28,000 |
|    | TO: Service Center Improvements - Capital Project   | \$ 28,000 |
| 2. | TRANSFER FROM: Water Quality - Operations           | \$ 531    |
|    | TO: Southwest System Improvements - Capital Project | \$ 531    |

**F. WASTEWATER FUND**

|    |   |           |
|----|---|-----------|
| 1. | APP. FROM: Prior Year Reserves                    | \$ 27,800 |
|    | FOR: Service Center Improvements                  | \$ 27,800 |
| 2. | TRANSFER FROM: Pollution Control Lab - Operations | \$ 26,200 |
|    | TO: Service Center Improvements - Capital Project | \$ 26,200 |
| 3. | TRANSFER FROM: Pollution Control Lab - Operations | \$ 177    |
|    | TO: Harmony Lift Station - Capital Project        | \$ 177    |

|    |  |        |
|----|--|--------|
| 4. | TRANSFER FROM: Pollution Control Lab - Operations              | \$ 915 |
|    | TO: Drake Water Reclamation Facility Improve - Capital Project | \$ 915 |

**G. STORMWATER FUND**

|    |  |           |
|----|--|-----------|
| 1. | APP. FROM: Prior Year Reserves                             | \$ 3,200  |
|    | FOR: Utility Service Center Phase 2                        | \$ 3,200  |
| 2. | TRANSFER FROM: Drainage & Detention - Operations           | \$ 28,800 |
|    | TO: Utility Service Center Phase 2 - Capital Project       | \$ 28,800 |
| 3. | TRANSFER FROM: Drainage & Detention - Operations           | \$ 257    |
|    | TO: Old Town Basin Improvements - Capital Project          | \$ 257    |
| 4. | TRANSFER FROM: Drainage & Detention - Operations           | \$ 1,362  |
|    | TO: Canal Importation Basin Improvements - Capital Project | \$ 1,362  |

**H. UTILITY CUSTOMER SERVICE & ADMIN FUND**

|    |   |            |
|----|---|------------|
| 1. | TRANSFER FROM: Regulatory & Government Affairs - Ops  | \$ 150,000 |
|    | TO: System Additions & Replacements - Capital Project | \$ 150,000 |

**I. TIMBERLINE / PROSPECT SID #94 FUND**

|    |   |            |
|----|---|------------|
| 1. | APP. FROM: Unanticipated Revenue (Special Assessment) | \$ 116,237 |
|    | FOR: Developer Repayment                              | \$ 116,237 |

**J. TRANSPORTATION SERVICES FUND**

|    |   |            |
|----|---|------------|
| 1. | APP. FROM: Unanticipated Revenue (Misc.)              | \$ 1,175   |
|    | FOR: Bike Library Program                             | \$ 1,175   |
| 2. | APP. FROM: Unanticipated Revenue (Misc.)              | \$ 3,463   |
|    | FOR: 2009 Bike Camp Expenses                          | \$ 3,463   |
| 3. | APP. FROM: Prior Year Reserves (Civic Center Parking) | \$ 108,250 |
|    | FOR: Civic Center Parking Structure                   | \$ 108,250 |
| 4. | APP. FROM: Transfer from Capital Projects Fund        | \$110,000  |
|    | FOR: Transportation Fund Expenses                     | \$110,000  |

**K. CAPITAL PROJECTS FUND**

|     |  |  |
|-----|--|--|
| 1.  | TRANSFER FROM: Soapstone Public Improve. Project<br>TO: Robert Benson Dam Project  | \$ 80,000<br>\$ 80,000                 |
| 2.  | APP. FROM: Unanticipated Revenue (Rent)<br>TO: Mason Corridor Project  | \$ 5,850<br>\$ 5,850                   |
| 3.  | APP. FROM: Unanticipated Revenue (CMAQ Grant)<br>FOR: Mason Corridor Project - Troutman Crossing   | \$600,000<br>\$600,000                 |
|     | TRANSFER FROM: BOB Pedestrian Plan & ADA Project<br>TO: Mason Corridor Project - Troutman Crossing   | \$300,000<br>\$300,000                 |
| 4.  | TRANSFER FROM: BOB Pedestrian Plan & ADA Project<br>TO: BOB North College Ave. Improvement Project   | \$ 83,000<br>\$ 83,000                 |
| 5.  | TRANSFER FROM: BOB Intersection Improvements Project<br>TO: Mason Corridor Project - BRT   | \$1,200,000<br>\$1,200,000             |
|     | APP. FROM: Transfer from Transportation Fund<br>FOR: Mason Corridor Project  | \$ 35,000<br>\$ 35,000                 |
| 6.  | TRANSFER FROM: BOB Pedestrian Plan & ADA Project<br>TRANSFER FROM: BOB Bicycle Plan Implementation<br>TO: Mason Corridor Project - NRRC Crossing | \$ 150,000<br>\$ 150,000<br>\$ 250,000 |
| 7.  | APP. FROM: Unanticipated Revenue (Misc.)<br>FOR: BCC Pedestrian Plan Project   | \$ 500<br>\$ 500                       |
| 8.  | APP. FROM: Unanticipated Revenue (Natural Resources Fund)<br>FOR: Fort Collins / Discovery Science Center Project                                | \$ 500,000<br>\$ 500,000               |
| 9.  | APP. FROM: Prior Year Reserves (Capital Projects)<br>FOR: Department of Energy - RDSI Project  | \$ 241,797<br>\$ 241,797               |
| 10. | APP. FROM: Prior Year Reserves (Capital Projects)<br>FOR: Department of Local Affairs - NEC Project  | \$ 110,928<br>\$ 110,928               |
| 11. | APP. FROM: Prior Year Reserves (Capital Projects)<br>FOR: Transfer to Transportation Fund  | \$ 500,000<br>\$ 500,000               |
| 12. | APP. FROM: Prior Year Reserves (Capital Projects)<br>FOR: Transfer to Transportation Fund  | \$ 110,000<br>\$ 110,000               |

**L. NATURAL AREAS FUND**

|    |  |           |
|----|--|-----------|
| 1. | APP. FROM: Unanticipated Revenue (Grant) | \$ 20,000 |
|    | FOR: Natural Areas Program               | \$ 20,000 |

**M. CAPITAL IMPROVEMENT EXPANSION FUND**

|    |  |             |
|----|--|-------------|
| 1. | APP. FROM: Prior Year Reserves (Library Expansion)     | \$ 21,883   |
|    | FOR: New Branch Library Books & Materials              | \$ 21,883   |
| 2. | APP. FROM: Prior Year Reserves (Library Impact)        | \$1,575,307 |
|    | APP. FROM: Unanticipated Revenue (Library Impact Fees) | \$ 111,392  |
|    | FOR: Poudre River Library District                     | \$1,686,699 |

Introduced, considered favorably on first reading, and ordered published this 27th day of October, A.D. 2009, and to be presented for final passage on the 3rd day of November, A.D. 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

Passed and adopted on final reading on the 3rd day of November, A.D. 2009.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk