

ORDINANCE NO. 053, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE NATURAL AREAS
FUND AND THE SALES AND USE TAX FUND FOR THE PURPOSE OF
LAND CONSERVATION, VISITOR AMENITIES, RESTORATION AND
OTHER RELATED NATURAL AREAS STEWARDSHIP ACTIVITIES NOT
INCLUDED IN THE 2024 ADOPTED CITY BUDGET

A. The City is committed to preserving natural areas and providing educational, interpretive and appropriate recreational opportunities to the public.

B. Natural Areas programming implements open land conservation priorities identified in the City's Comprehensive Plan by purchasing conservation easement interests in key natural areas, community separators, or other open lands; providing stewardship for lands purchased; public engagement and educational programs; and developing trails and interpretive features and other amenities for public use.

C. The Natural Areas Department is funded primarily through the collection of City Open Space – Yes! sales and use tax revenue, as well as revenues from the Larimer County Help Preserve Open Space sales and use tax, investment earnings, and other miscellaneous revenues deposited in the Natural Areas Fund.

D. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations 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.

E. Article V, Section 11 of the City Charter requires all appropriations unexpended or unencumbered at the end of the fiscal year lapse to the applicable general or special revenue fund, except appropriations for capital projects and federal or state grants do not lapse until completion of the capital project or expiration of the respective grant.

F. The City Manager has recommended the appropriation from prior year reserves in the Natural Areas Fund of a total of \$7,924,969, comprised of unspent and unencumbered appropriations from 2023.

G. The City Manager has recommended this appropriation and determined that this appropriation is available and previously unappropriated from the Natural Areas Fund and will not cause the total amount appropriated in the Natural Areas Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

H. 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.

I. The City Manager has recommended the transfer of \$269,466 from the Sales and Use Tax Fund to the Natural Areas Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

J. The appropriations described herein shall be used for land conservation, resource management, planning, construction of trails and other visitor amenities, restoration of wildlife habitat, and other Natural Areas Department programs and activities to benefit the residents of the City, in accordance with the Natural Areas Master Plan.

K. The appropriations described herein benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of providing funding for preserving natural areas, conserving viewsheds, and providing recreational opportunities to the public.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. There is hereby appropriated from prior year reserves in the Natural Areas Fund the sum of SEVEN MILLION NINE HUNDRED TWENTY-FOUR THOUSAND NINE HUNDRED SIXTY-NINE DOLLARS (\$7,924,969) to be expended in the Natural Areas Fund for land conservation, resource management, planning, construction of trails and other visitor amenities, restoration of wildlife habitat, and other Natural Areas Department programs and activities to benefit the residents of the City, in accordance with the Natural Areas Master Plan.

Section 2. There is hereby appropriated from prior year reserves in the Sales and Use Tax Fund for transfer to the Natural Areas Fund the sum of TWO HUNDRED SIXTY-NINE THOUSAND FOUR HUNDRED SIXTY-SIX DOLLARS (\$269,466) and appropriated therein to be expended in the Natural Areas Fund for land conservation, resource management, planning, construction of trails and other visitor amenities, restoration of wildlife habitat, and other Natural Areas Department programs and activities to benefit the residents of the City, in accordance with the Natural Areas Master Plan.

Introduced, considered favorably on first reading on April 16, 2024, and approved on second reading for final passage on May 7, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: May 17, 2024

Approving Attorney: Sara Arfmann