

ORDINANCE NO. 063, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION FROM THE
COLORADO DEPARTMENT OF LOCAL AFFAIRS GRAY AND
BLACK-MARKET MARIJUANA ENFORCEMENT GRANT
PROGRAM FOR THE FORT COLLINS POLICE SERVICES
MARIJUANA ENFORCEMENT PROGRAM

A. For the past five years, the State has made grant funding available to help address unlicensed and illegal marijuana activity in Colorado.

B. In 2023, Fort Collins Police Services (FCPS) received \$32,339 from the Department of Local Affairs (“DOLA”) and continues to investigate complaints of illegal residential cultivation operations and unlicensed smoke shops selling synthetic marijuana to minors.

C. On January 25, 2024, City of Fort Collins was awarded \$39,641 through the DOLA Gray and Black-Market Marijuana Enforcement Grant Program for the purpose of investigating cases of illegal marijuana cultivation and distribution outside the legal, licensing framework.

D. Use of this grant funding and investigations has not only addressed criminal activity but also improved neighborhood livability and provided insight into the level of unlicensed/illegal marijuana activity in the community. With additional insight and knowledge, Police Services can address community priorities and emerging trends in a proactive manner.

E. These grant funds help provide additional financial resources to supplement overtime costs, equipment, and storage expenses without having a direct impact on the City budget.

F. This item appropriates \$39,641 to FCPS Marijuana Enforcement Program from unanticipated grant revenue from DOLA by advancing the funds to the City of Fort Collins so overtime and equipment purchases may be authorized and any unused funds will be returned at the end of the grant period.

F. Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year.

G. 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 and all other funds to be received in this Fund during this fiscal year.

H. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant or donation, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or the City's expenditure of all funds received from such grant.

I. The City Council wishes to designate the appropriation herein for the DOLA Gray and Black-Market Enforcement Grant as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

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 new revenue or other funds in the General Fund the sum of THIRTY-NINE THOUSAND SIX HUNDRED FORTY-ONE DOLLARS (\$39,641) to be expended in the General Fund for the FCPS Marijuana Enforcement Program.

Section 2. The appropriation herein for the DOLA Gray and Black-Market Enforcement Grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading on May 7, 2024, and approved on second reading for final passage on May 21, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: May 31, 2024

Approving Attorney: Ethan Doak