

ORDINANCE NO. 129, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE
WASTEWATER UTILITY FUND FOR THE BLOWER
REPLACEMENT PROJECT AND RELATED ART IN PUBLIC
PLACES

A. The City owns and operates a Wastewater Utility, which includes the Drake Water Reclamation Facility ("Drake Facility"). The Blower Replacement Project ("Project") resulted from an unexpected operational failure.

B. The Drake Facility has two secondary process treatment trains, each of which have six aeration basin zones that are supported by four blowers. In one of the secondary process treatment trains, one of the two turbo blowers stopped working. Because the turbo blowers are no longer supported by the manufacturer and are at the end of their useful life, both need to be replaced to ensure efficient operations and compliance with applicable water quality regulations and permits. The Project is for the replacement of these two blowers.

C. Total Project costs for design and construction are estimated at \$2,350,000. To date, \$650,000 has been allocated from existing replacement program capital funds for design up to 60 percent. The requested appropriation of \$1,700,000 would fund the remainder of the Project.

D. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of: properly treating wastewater from the service area of the City's Wastewater Utility before it is discharged into the Cache la Poudre River; ensuring that such treatment is done in an efficient manner for the benefit of the Wastewater Utility's ratepayers; and ensuring that such treatment is done pursuant to all applicable water quality regulations and permits so as to protect the health, safety, and welfare of Fort Collins and its residents.

E. 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 from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

F. The City Manager has recommended the appropriation described herein and determined that the funds to be appropriated are available and previously unappropriated from the Wastewater Fund and that this appropriation will not cause the total amount appropriated in the Wastewater 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.

G. This Project involves construction estimated to cost more than \$250,000 and, as such, City Code Section 23-304 requires one percent of these appropriations to be transferred to the Cultural Services and Facilities Fund for a contribution to the Art in Public Places program ("APP Program").

H. The total Project cost of \$1,700,000 for this appropriation has been used to calculate the contribution to the APP Program.

I. The amount to be contributed in this Ordinance to the APP Program will be \$17,000.

J. In accordance with Article V, Section 10 of the City Charter, the appropriation for the Project from the Wastewater Fund and the transfer of a portion of those unexpended and unencumbered appropriated funds to the APP Program as provided in City Code Section 23-304(a) will be used for Wastewater Fund purposes and improvements in connection with the Project that provide a betterment to the Utility and provide a specific utility purpose that is beneficial to the Utility's ratepayers.

K. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a capital project, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the completion of the capital project.

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 Wastewater Fund the sum of ONE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$1,700,000) to be expended in the Wastewater Fund for the Blower Replacement Project.

Section 2. The unexpended and unencumbered appropriated amount of THIRTEEN THOUSAND TWO HUNDRED SIXTY DOLLARS (\$13,260) in the Wastewater Fund is hereby authorized for transfer to the Wastewater Utility APP Artwork Account and appropriated and expended therein to fund art projects under the APP Program.

Section 3. The unexpended and unencumbered appropriated amount of THREE THOUSAND FOUR HUNDRED DOLLARS (\$3,400) in the Wastewater Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein for the operation costs of the APP Program.

Section 4. The unexpended and unencumbered appropriated amount of THREE HUNDRED FORTY DOLLARS (\$340) in the Wastewater Fund is hereby

authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein for the maintenance costs of the APP Program.

Section 5. The appropriation herein for Blower Replacement Project 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 completion of the Project.

Introduced, considered favorably on first reading on August 19, 2025, and approved on second reading for final passage on September 2, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: September 12, 2025

Approving Attorney: Eric Potyondy

Exhibit: None