

ORDINANCE NO. 187, 2025
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION AND
APPROPRIATING PRIOR YEAR RESERVES AND AUTHORIZING
TRANSFERS FOR THE CONSTRUCTION OF THE SOUTHEAST
COMMUNITY CENTER AND RELATED ART IN PUBLIC PLACES

A. 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.

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

C. 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.

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

E. 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.

F. On April 7, 2015, City voters approved Ballot Issue No. 1, and Ordinance No. 013, 2015, extending an existing twenty-five hundredths percent (0.25%) sales and

use tax for the purpose of raising revenue for the “Community Capital Improvement Program (the “2015 CCIP Tax”).” Ordinance No. 013, 2015, includes a requirement that the City construct a Community Center in southeast Fort Collins focused on innovation, technology, art, recreation and the creative process, including a large outdoor leisure pool and meeting spaces dedicated to innovation and creativity (the “SECC”).

G. Poudre School District (“PSD”) uses swim lanes at existing City recreation facilities for high school swim team practices and meets, but access to lanes for both PSD and the general public is constrained by the current capacity of the City’s recreation system. Because PSD had approximately 10 acres of land available next to Fossil Ridge High School that was identified as a suitable site for an indoor aquatics facility (the “Land”) to serve the Fort Collins community and allow PSD access to indoor lanes for its swim programs (the “Aquatics Facility”).

H. The City, Poudre School and the Poudre River Public Library District, which was interested in co-locating a southeast branch library within the SECC, negotiated an intergovernmental agreement governing the City’s acquisition of the Land from PSD for the SECC, the construction of the SECC (including the Aquatics Facility) and the ownership, maintenance and use of an indoor aquatics facility (the “SECC IGA”). On December 19, 2023, the City Council adopted Resolution 2023-112, authorizing the Mayor to execute the SECC IGA, which was executed by the parties and effective December 20, 2023.

I. On April 16, 2024, by adoption of Resolution 2024-026, and pursuant to the SECC IGA and Resolution 2023-112, Council authorized the City Manager to execute the Purchase and Sale Agreement with PSD for the Land, which was signed on April 30, 2024.

J. To move forward with the SECC project (the “SECC Project”), staff presented project scope and funding options for its construction to Council at a Work Session on February 25, 2025, to the Finance Committee on October 2, 2025, and to Council at a second Work Session on October 14, 2025.

K. On November 3, 2025, by adoption of Resolution 2025-101, Council directed staff to take such efforts and actions which may be required for the funding, financing, and construction of the SECC and, further, by the resolution, memorialized a project scope, estimated project cost, and proposed sources of funding as the most optimal approach to achieve the important project goals while efficiently and effectively managing project costs in order to balance the many demands on the City’s public resources.

L. The City Manager has recommended, pursuant to Resolution 2025-101, the transfer of \$9,500,000 from the Community Capital Improvement Project Fund (the “CCIP Fund”) and determined that the purpose for which the transferred funds are to be expended remains unchanged.

M. The SECC 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").

N. A project cost of \$9,500,000 has been used to calculate the contribution to the APP program.

O. The amount to be contributed to the APP Program in this Ordinance will be \$95,000.

P. 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.

Q. The City Council wishes to designate the appropriation herein for SECC Project as an appropriation that shall not lapse until the completion of the project.

R. The City Council finds and determines that the adoption of this Ordinance is necessary for the public's health, safety, and welfare, and therefore, wishes to authorize the expenditures described in this Ordinance.

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 the revenue generated for the purposes specified in Section 2(b) of Ordinance No. 013, 2015, in prior year reserves in the Community Capital Improvement Project Fund the sum of NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000) to be expended in the Community Capital Improvement Project Fund for transfer to the Capital Project Fund for the SECC Project and appropriated therein.

Section 2. The unexpended and unencumbered appropriated amount of SEVENTY-FOUR THOUSAND ONE HUNDRED DOLLARS (\$74,100) in the Capital Project Fund is hereby authorized for transfer to the Cultural Services and Facilities Fund and appropriated and expended therein to fund art projects under the APP Program.

Section 3. The unexpended and unencumbered appropriated amount of NINETEEN THOUSAND DOLLARS (\$19,000) in the Capital Project 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 ONE THOUSAND NINE HUNDRED DOLLARS (\$1,900) in the Capital Project 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 the SECC 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 November 3, 2025, and approved on second reading for final passage on November 18, 2025.

Mayor

ATTEST:

City Clerk

Effective Date: November 28, 2025
Approving Attorney: Dianne Criswell

Exhibit: None