

ORDINANCE NO. 063, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING AN INTERGOVERNMENTAL AGREEMENT AND
APPROPRIATING PRIOR YEAR RESERVES AND UNANTICIPATED GRANT
REVENUE FROM THE COLORADO ENERGY OFFICE FOR THE FLEET ZERO
GRANT PROGRAM

A. The Colorado Energy Office has awarded the City \$245,000 in Community Access Enterprise grant funding through the competitive Colorado Energy Office Fleet Zero Grant Program (the "Grant"). The Grant will help pay for eligible costs to install electric vehicle ("EV") charging infrastructure for City fleet vehicles at five City locations (the "Project"). The Colorado Energy Office will provide the Grant funding through a Purchase Order, a copy of which is attached hereto as Exhibit A.

B. Of the total Grant funding of \$245,000, the Grant provides \$58,000 toward the Project for five planned EV charging stations at 700 Wood Street. This Ordinance appropriates an additional \$145,300 from the Utility Customer Service and Administration Fund to pay for installation of these EV charging stations. Each of the City Utilities groups will benefit from use of the EV charging stations at 700 Wood Street.

C. Of the total Grant funding of \$245,000, the Grant provides \$187,000 toward the Project for planned EV charging stations at 625 Ninth Street, 300 Laporte Avenue, 303 Cherry Street, and 2221 South Timberline. This Ordinance appropriates an additional \$150,000 from the Equipment Fund to pay for installation of these EV charging stations.

D. The Grant requires the City to complete installation of the EV charging stations by April 30, 2027.

E. These appropriations benefit the public health, safety, and welfare of the residents of Fort Collins and serve the public purpose of funding infrastructure that will power City vehicles in a way that aligns with City sustainability goals, including infrastructure that will benefit the City's various utility systems.

F. Article V, Section 9 of the City Charter permits 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 appropriations described herein and determined that these appropriations are available and previously unappropriated from the Utility Customer Service and Administration Fund and the Equipment Fund, and that these appropriations will not cause the total amount appropriated in the Utility Customer Service and Administration Fund and the Equipment Fund as applicable, to

exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during this fiscal year.

H. Article V, Section 9 of the City Charter permits 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.

I. The City Manager has recommended the appropriations described herein and determined that these appropriations are available and previously unappropriated from the Utility Customer Service and Administration Fund and the Equipment Fund, and that these appropriations will not cause the total amount appropriated in the Utility Customer Service and Administration Fund and the Equipment Fund, as applicable, to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during this fiscal year.

J. Article V, Section 11 of the City Charter authorizes 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 donation or the City's expenditure of all funds received from such grant or donation.

K. City Council wishes to designate the appropriations herein for Colorado Energy Office Fleet Zero Grant Program Project as appropriations that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from the Grant.

L. Colorado Revised Statutes Section 29-1-203 provides that governments may cooperate or contract with one another to provide certain services or facilities when the cooperation or contracts are authorized by each party thereto with the approval of its legislative body or other authority having the power to so approve.

M. City Charter Article II, Section 16 empowers City Council, by ordinance or resolution, to enter into contracts with governmental bodies to furnish governmental services and make charges for such services or enter into cooperative or joint activities with other governmental bodies.

N. Section 1-22 of the City Code requires that, with some exceptions, intergovernmental agreements or cooperative activities between the City and other governmental entities be submitted to City Council for review and approval by ordinance or resolution.

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 Utility Customer and Administration Fund the sum of FIFTY-EIGHT THOUSAND DOLLARS (\$58,000) to be expended in the Customer and Administration Fund for the Colorado Energy Office Fleet Zero Grant Program Project.

Section 2. There is hereby appropriated from new revenue or other funds in the Equipment Fund the sum of ONE HUNDRED EIGHTY-SEVEN THOUSAND DOLLARS (\$187,000) to be expended in the Equipment Fund for the Colorado Energy Office Fleet Zero Grant Program Project.

Section 3. There is hereby appropriated from prior year reserves in the Utility Customer Service and Administration Fund the sum of ONE HUNDRED FORTY-FIVE THOUSAND THREE HUNDRED DOLLARS (\$145,300) to be expended in the Customer Service and Administration Fund for the Colorado Energy Office Fleet Zero Grant Program Project.

Section 4. There is hereby appropriated from prior year reserves in the Equipment Fund the sum of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) to be expended in the Equipment Fund for the Colorado Energy Office Fleet Zero Grant Program Project.

Section 5. The appropriations herein for Colorado Energy Office Fleet Zero Grant Program Project are hereby designated, as authorized in Article V, Section 11 of the City Charter, as appropriations 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.

Section 6. City Council authorizes the City Manager to take all appropriate action to enable the City to access the Grant funding provided through the Community Access Enterprise Purchase Order attached hereto as Exhibit A. City Council authorizes the City Manager, in consultation with the City Attorney, to negotiate such terms and conditions of the Purchase Order consistent with the terms of this Ordinance, as necessary to protect the interests of the City or effectuate the purposes of this Ordinance as set forth above.

Introduced, considered favorably on first reading on June 2, 2026, and approved on second reading for final passage on June 16, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: June 26, 2026
Approving Attorney: Ted Hewitt

Exhibit: Exhibit A – Community Access Enterprise Purchase Order