

ORDINANCE NO. 123, 2026
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION FROM THE COLORADO
DEPARTMENT OF LOCAL AFFAIRS ENERGY AND MINERAL IMPACT ASSISTANCE
FUND AND APPROPRIATING WASTEWATER FUND RESERVES FOR THE
SEPTAGE RECEIVING FACILITY PROJECT

A. Fort Collins Wastewater Utility has developed a Capital Improvement Plan (“Wastewater Utility CIP”), which identifies capital needs and assists in the planning, budgeting, and execution of necessary projects.

B. One of the critical projects identified in the Wastewater Utility CIP is the Septage Receiving Facility Project intended to relocate the septage receiving station at the Drake Reclamation Facility (the “Septage Receiving Facility Project”).

C. In pursuit of funding opportunities, the City applied for and was awarded a partial grant of \$500,000 for the Project from the Energy/Mineral Assistance Impact Fund (“EIAF”), administered by the Colorado Department of Local Affairs (“DOLA”).

D. This appropriation benefits the public health, safety, and welfare of the residents of Fort Collins and serves the public purpose of providing funding for the Septage Receiving Facility Project, which will protect public health and the environment by safely continuing to provide septage receiving services to the greater Northern Colorado region.

E. 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.

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. 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.

H. 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.

I. 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.

J. City Council wishes to designate the appropriation herein for EIAF grant and Wastewater Fund reserves, in support of the Septage Receiving Facility Project, 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. The award from DOLA is a reimbursement type award, meaning Wastewater Fund expenses will be reimbursed up to \$500,000. The \$500,000 is contingent upon execution of the associated Intergovernmental Grant Agreement for the EIAF 26-241 Fort Collins Septage Receiving Station Construction Project, approved by Council by its adoption of Resolution 2026-107, with details and specifics to be completed in the final presented by DOLA for execution by the City Manager. In the event the grant agreement is not executed, this appropriation will sunset on December 31, 2026.

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 Wastewater Fund the sum of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) to be expended in the Wastewater Fund for the DOLA Energy and Mineral Impact Assistance Fund grant in support of the Septage Receiving Facility Project.

Section 2. There is hereby appropriated from prior year reserves in the Wastewater Fund the sum of TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000) to be expended in the Wastewater Fund for the Septage Receiving Facility Project.

Section 3. The appropriation herein for the DOLA Energy and Mineral Impact Assistance Fund grant and Wastewater Fund reserves, in support of the Septage Receiving Facility 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 earlier of the expiration of the grant or the City's expenditure of all funds received from such grant. In the event the grant agreement is not executed, the

appropriation of FIVE HUNDRED THOUSAND DOLLARS (\$500,000) of new revenue from unanticipated grant funds will sunset on December 31, 2026.

Introduced, considered favorably on first reading on September 1, 2026, and approved on second reading for final passage on September 15, 2026.

Mayor

ATTEST:

City Clerk

Effective Date: September 25, 2026

Approving Attorney: Dianne Criswell

Exhibit: None