

ORDINANCE NO. 012, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING A SUPPLEMENTAL APPROPRIATION FROM THE
COLORADO DIVISION OF CRIMINAL JUSTICE SYNTHETIC
OPIATE POISONING INVESTIGATION AND DISTRIBUTION
INTERDICTION GRANT FOR THE FORT COLLINS POLICE
SERVICES FORENSIC SERVICES UNIT

A. Like many law enforcement agencies across the nation, over the last few years Fort Collins Police Services (FCPS) has seen a significant rise in the use, addiction, distribution, poisoning and deaths involving fentanyl and other highly addictive synthetic opiate narcotics.

B. The Colorado Department of Public Safety, Division of Criminal Justice (DCJ), Office of Adult and Juvenile Justice Assistance, 2023 - Synthetic Opiate Poisoning Investigation and Distribution Interdiction Grant Program provides grant funding across Colorado to support local law enforcement agencies work in prevention, disruption of distribution, and investigation of serious injuries and deaths caused by fentanyl and other illegal synthetic opiate poisoning.

C. The purpose of this item is to appropriate \$40,000 of unanticipated grant revenue from the DCJ to support FCPS Forensic Services Unit work on fentanyl and other synthetic opiate investigations, and any other criminal investigations as needed.

D. Cellebrite, is a software product that can unlock a cell phone and extract data which may be used as evidence in a criminal case.

E. The \$40,000 unanticipated grant funding will be used to purchase a 1-year license for Cellebrite Premium ES, three (3) adapters, and training for the use of the Cellebrite software.

F. With proper legal authority FCPS Forensic Services Unit Forensic Examiners will utilize Cellebrite to assist in obtaining evidence from locked and unlocked cell phones to further investigations related to fentanyl and opiate poisoning and distribution, and any other criminal investigation as needed.

G. This appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves a public purpose of the prevention and investigation of serious injuries and deaths caused by fentanyl and other illegal synthetic opiates to protect our community and hold offenders accountable.

H. 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.

I. 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.

J. 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.

K. The City Council wishes to designate the appropriation herein for the Colorado Division of Criminal Justice Synthetic Opiate Poisoning Investigation and Distribution Interdiction 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 FORTY THOUSAND DOLLARS (\$40,000) to be expended in the General Fund for the Fort Collins Police Services Forensic Services Unit.

Section 2. The appropriation herein for the Colorado Division of Criminal Justice Synthetic Opiate Poisoning Investigation and Distribution Interdiction 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 February 6, 2024, and approved on second reading for final passage on February 20, 2024.

Mayor

ATTEST:

Interim City Clerk

Effective Date: March 1, 2024

Approving Attorney: Dawn Downs