

ORDINANCE NO. 093, 2022
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS IN THE GENERAL FUND FOR THE
ENVIRONMENTAL SERVICES AIR QUALITY PROGRAM FROM THE
US ENVIRONMENTAL PROTECTION AGENCY GRANT

WHEREAS, the City of Fort Collins has been awarded a grant in the amount of \$108,200 (the “Grant”) by the U.S. Environmental Protection Agency (EPA) associated with the American Rescue Plan Act to support local monitoring of national air quality standard (NAAQS) pollutants in and near communities with environmental justice concerns who face disproportionate exposure to such pollutants and resulting health risks, as well as increased vulnerability to COVID-19; and

WHEREAS, the City Manager or their designee is authorized under City Code Section 1-22 to execute an agreement between the City and the EPA required in connection with the award of the Grant; and

WHEREAS the Grant will fund the purchase of new air quality monitoring equipment (“Equipment”) to be installed in a new criteria pollutant monitoring site (“Site”) to supplement the two existing regulatory ozone monitors currently operated by the City’s Environmental Services Air Quality Program; and

WHEREAS, while no matching funds are required under the Grant, installation of the Site in which the Equipment will be located will be completed using appropriated funds made available under the 2022 enhancements to the City’s Air Quality Monitoring budget (BFO Offer 48.15); and

WHEREAS, the purchase and installation of the Equipment and the Site directly supports Council Priority #17, Improved Air Quality, protects the health, safety and welfare of Fort Collins’ residents and is in the best interest the City and its residents; and

WHEREAS, this appropriation benefits public health, safety and welfare of the residents of Fort Collins and serves the public purpose of improving air quality for City residents; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year; and

WHEREAS, 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 that Fund during this fiscal year; and

WHEREAS, 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, 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; and

WHEREAS, the City Council wishes to designate the appropriation herein from the US Environmental Protection Agency Grant for the Environmental Services Air Quality Program 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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from new revenue or other funds in the General Fund the sum of ONE HUNDRED EIGHT THOUSAND TWO HUNDRED DOLLARS (\$108,200) for the Environmental Services Indoor Air Quality Program.

Section 3. That the appropriation herein for the US Environmental Protection Agency Grant for the Environmental Services Air Quality Program 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 and ordered published this 16th day of August, A.D. 2022, and to be presented for final passage on the 6th day of September, A.D. 2022.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 6th day of September, A.D. 2022.

Mayor

ATTEST:

City Clerk