

ORDINANCE NO. 079, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING 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

WHEREAS, 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; and

WHEREAS, the Colorado Department of Public Safety, Division of Criminal Justice (DCJ), Office of Adult and Juvenile Justice Assistance, HB22-1326 - 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; and

WHEREAS, the purpose of this item is to appropriate \$255,833 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; and

WHEREAS, GrayKey, is a software product that can unlock a cell phone and extract data which may be used as evidence in a criminal case; and

WHEREAS, the \$255,833 unanticipated grant funding will be used to purchase a 5-year license for GrayKey Premier, four 5-year licenses for GrayKey Reveal and two GrayKey units.

WHEREAS, the FCPS Forensic Services Unit Forensic Examiners will utilize GrayKey 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; and

WHEREAS, 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; and

WHEREAS, 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; 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 this 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 or donation; and

WHEREAS, the City Council wishes to designate the appropriation herein from the Colorado Division of Criminal Justice 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 TWO HUNDRED FIFTY-FIVE THOUSAND EIGHT HUNDRED THIRTY-THREE DOLLARS (\$255,833) to be expended in the General Fund for the Fort Collins Police Services Forensic Services Unit.

Section 3. That the appropriation herein of grant revenues received from the Colorado Division of Criminal Justice 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 6th day of June, 2023, and to be presented for final passage on the 20th day of June, 2023.

Mayor

ATTEST:

Chief Deputy City Clerk

Passed and adopted on final reading on the 20th day of June, 2023.

Mayor

ATTEST:

Chief Deputy City Clerk