

ORDINANCE NO. 070, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
CORRECTING ORDINANCE NO. 003, 2024, AUTHORIZING  
TRANSFERS AND REAPPROPRIATING FUNDS PREVIOUSLY  
APPROVED FOR THE UTILITIES' GRID FLEXIBILITY PROGRAMS

A. City Council authorized expenditures in the 2023/2024 City Budget for purposes in the Light and Power Fund, portions of which were not spent or encumbered in 2023 and are not anticipated to be spent in 2024 due to changes in technology related to certain projects.

B. Utilities staff determined that unspent and unencumbered amounts applied to ongoing grid flexibility efforts described in approved 2023/2024 Budget Offers could be more effectively repurposed to pursue use of similar technologies and result in similar outcomes as described in the subject Offers.

C. On February 6, 2024, City Council adopted on second reading Ordinance No. 003, 2024, reappropriating and redeploying certain amounts Utilities staff determined were available and unencumbered.

D. Since Council's adoption of Ordinance No. 003, 2024, City Budget staff identified that Section 1 of the Ordinance incorrectly indicated the total unexpended and unencumbered amount of Three Hundred Ninety-Eight Thousand Nine Hundred Eighty-five dollars (\$398,985), was authorized for transfer from the Light and Power Fund Water Heater and Communication Protocol Project Budgets.

E. Budget staff identified a project budget within the Water Heater and Communication Protocol Project Budgets in the amount of Two Hundred Thousand dollars (\$200,000) lapsed at the end of fiscal year 2023, and therefore was not available for transfer directly from the identified project fund.

F. The purpose of this Ordinance is to split the amounts described in Section 1 of Ordinance No. 003, 2024, into separate fund allocations: items referencing the use of prior-year funds in the Light and Power Fund Water Heater and Communication Protocol Project Budgets, and another referencing the use of prior-year reserves in the Light and Power Fund.

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. Section 1 of Ordinance No. 003, 2024, is hereby replaced in its entirety to read as follows:

Section 1. The unexpended and unencumbered appropriated amount of ONE HUNDRED FORTY-EIGHT THOUSAND NINE HUNDRED EIGHTY-FIVE

DOLLARS (148,985) and FIFTY THOUSAND DOLLARS (\$50,000) respectively, totaling ONE HUNDRED NINETY-EIGHT THOUSAND NINE HUNDRED EIGHTY FIVE DOLLARS (\$198,985), is authorized for transfer from the Light and Power Fund Water Heater and Communication Protocol Project Budgets, and for the following purposes and appropriated therein to be expended for Utilities Grid Flexibility programs projects as follows:

- Light and Power Fund Ongoing Demand Response     \$ 91,202
  - Thermostat Program   \$ 107,783
- GRID FLEXIBILITY PROGRAM TOTAL: \$ 198,985

Section 2. Section 2 of Ordinance No. 003, 2024, is hereby replaced in its entirety to read as follows:

Section 2. There is hereby appropriated from prior year reserves in the Light and Power Fund the sum of TWO HUNDRED THOUSAND DOLLARS (\$200,000) to be expended in the Light and Power Fund for Utilities Grid Flexibility programs projects.

Section 3. A new Section is hereby added to Ordinance No. 003, 2024, to read as follows:

Section 3. The appropriation herein for Grid Flexibility Program projects 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 completion of the projects.

Introduced, considered favorably on first reading on May 21, 2024, and approved on second reading for final passage on June 4, 2024.

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Mayor

ATTEST:

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Interim City Clerk

Effective Date: June 14, 2024

Approving Attorney: Cyril Vidergar