

ORDINANCE NO. 089, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING ORDINANCE NO. 076, 2024,
AND MAKING A SUPPLEMENTAL APPROPRIATION FOR THE CHARTER
REVIEW COUNCIL PRIORITY FROM GENERAL FUND RESERVES

A. On February 27, 2024, the City Council adopted Resolution 2024-024, adopting a 2024-2026 Council Priority to modernize and update the City Charter.

B. The Resolution sets out the goals of this work as follows:

Modernize and Update the City Charter: Although small parts of the Charter get reviewed and updated on a regular basis, due to changes in state laws and election procedures, there is a need to modernize and update the City Charter, which has not been done in a comprehensive way in over 25 years.

C. The Council further discussed this Priority at the May 14 Council Work Session, identifying as the objectives for this work:

1. Comprehensive review of City Charter to align with state law and legal developments;
2. Update language in Charter to be inclusive;
3. Focus on cleanup and modernization rather than policy changes;
4. Evaluate form and timing options for presenting updates to voters; and
5. Fresh look at how Charter language is presented for ease of reading and clarity.

D. While staff continues to monitor for legal developments that impact Charter language and identify changes that may be needed or beneficial, retaining a special legal counsel with expertise and experience working with municipal charters throughout Colorado will add a new perspective to the review and focus resources more intentionally and systematically.

E. With this appropriation it is expected that initial work on the review would begin in July 2024.

F. Election-related Charter amendments have been considered by the Council Election Code Committee and are expected to be presented to Council for consideration and referred to the voters at a special election to be called for November 2024. Updating and modernizing the language of the provisions coming forward as part of that effort will be part of those proposed amendments.

G. This appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of improving and updating the City's Charter.

H. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from

reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

I. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated the General Fund and will not cause the total amount appropriated in the General Fund, as applicable, to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during this fiscal year.

J. The City Council previously made these appropriations in Ordinance No. 076, 2024 (“Ordinance No. 076”) adopted at final reading on June 18, 2024, but Ordinance No. 075 was not published after such adoption as required by Section 7 in City Charter Article II.

K. It is therefore necessary that the City Council adopt this Ordinance No. 089, 2024, to both repeal Ordinance No. 076 and to authorize and approve these appropriations again.

L. The City has not expended any of the appropriations approved in Ordinance No. 076.

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 prior year reserves in the General Fund the sum of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) to be expended in the General Fund for the Charter Review Council Priority.

Section 2. Ordinance No. 076, 2024, is hereby repealed.

Introduced, considered favorably on first reading on July 2, 2024, and approved on second reading for final passage on July 16, 2024.

Mayor

ATTEST:

City Clerk

Effective Date: July 26, 2024

Approving Attorney: Carrie Daggett