

ORDINANCE NO. 005, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AUTHORIZING TRANSFERS OF APPROPRIATIONS AND  
APPROPRIATING RELATED FUNDS FOR THE  
TIMBERLINE RECYCLING CENTER INFRASTRUCTURE  
AND EFFICIENCY IMPROVEMENTS

A. The Colorado Department of Public Health and Environment (“CDPHE”) administers the Front Range Waste Diversion grant program, which is available to communities on Colorado’s Front Range to support recycling and composting.

B. CDPHE has awarded the City of Fort Collins a Front Range Waste Diversion grant of \$294,853, in reimbursement funding, with a City match of \$28,393, to support the City’s Timberline Recycling Center (the “Grant”). The City will use the Grant to procure and install: a new cardboard compactor; three new roll-off bins; an internet fiber connection; security cameras; an equipment storage shed; a battery storage container; new platforms for accessing recycling containers; and accessibility improvements to the recycling containers.

C. The City Council supports the goals of the Grant, including to improve the capacity of the Timberline Recycling Center, and through this Ordinance seeks to appropriate sufficient funds to reach those goals as detailed in the City’s agreement with CDPHE, which has been executed by the City Manager on behalf of the City.

D. All of the funds appropriated in this Ordinance for the Project are ineligible for use in the APP Program due to restrictions placed on them by the Front Range Waste Diversion grant program.

E. The funds being transferred from the Capital Projects Fund to the Grants Business Unit in the General Fund are ineligible for use in the APP Program due to previously being used for the contribution in a prior appropriation.

F. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of improving public recycling facilities.

G. 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.

H. 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.

I. Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

J. The City Manager has recommended the transfer of \$28,393 from the Integrated Recycling Facility project in the Capital Projects Fund to the General Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged.

K. 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 donation or the City's expenditure of all funds received from such grant or donation.

L. The City Council wishes to designate the appropriation herein for the Front Range Waste Diversion 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 TWO HUNDRED NINETY-FOUR THOUSAND EIGHT HUNDRED FIFTY-THREE DOLLARS (\$294,853) to be expended in the General Fund for the Timberline Recycling Center Infrastructure and Efficiency Improvements.

Section 2. The unexpended and unencumbered appropriated amount of TWENTY-EIGHT THOUSAND THREE HUNDRED NINETY-THREE DOLLARS (\$28,393) is authorized for transfer from the Integrated Recycling Facility project in the Capital Projects Fund to the Timberline Recycling Center Infrastructure and Efficiency Improvements project in the General Fund and appropriated therein to be expended for improvements at the Timberline Recycling Center.

Section 3. The appropriation herein for the Front Range Waste Diversion 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 January 16, 2024, and approved on second reading for final passage on February 6, 2024.

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Mayor

ATTEST:

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City Clerk

Effective Date: February 16, 2024

Approving Attorney: Ted Hewitt