

ORDINANCE NO. 061, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING ORDINANCE NO. 031, 2023, AND APPROPRIATING PRIOR YEAR
RESERVES FOR A CAPITAL CONTRIBUTION OF \$1,000,000 FOR
CONSTRUCTION OF A NEW PUBLIC TERMINAL FACILITY AT THE
NORTHERN COLORADO REGIONAL AIRPORT

WHEREAS, the City of Fort Collins (the “City”) and the City of Loveland (“Loveland”) jointly own the Northern Colorado Regional Airport (the “Airport”); and

WHEREAS, the Airport is currently undertaking a project to construct a new public terminal facility (the “Project”) for the purpose of growing multi-modal transportation, charters, and future airline services; and

WHEREAS, the Project is estimated to have a total cost \$25,000,000, with \$21,000,000 from federal funding, of which \$1,590,000 is contingent upon a local match of \$175,000; and

WHEREAS, the Project is dependent upon a local contribution obligation of \$4,000,000, of which \$2,000,000 will come from the Airport’s capital reserves and \$1,000,000 is proposed to be contributed each by the City and Loveland; and

WHEREAS, City Council’s Finance Committee recommended that City staff collaborate with Airport staff to develop a series of performance indicators for the Project; and

WHEREAS, City staff has identified the following performance indicators: (i) no later than March 31, 2025, the Project shall achieve LEED Silver building certification; the Project shall include a public art commitment at 1% of non-federal funding contributions to the Project; and the carbon footprint of the building shall be no greater than 198 metric tons of carbon dioxide equivalent; and enhanced accessibility to the building will be provided; and (ii) by year-end 2028, the Airport shall achieve no less than 33,000 bus or air passengers annually that directly utilize the new terminal facility (collectively, the “Performance Indicators”); and

WHEREAS, this Ordinance directs the City Manager to negotiate and execute an intergovernmental agreement with Loveland for this capital contribution that addresses the Performance Indicators, but leaves to the City Manager the discretion as to how they will be addressed in the intergovernmental agreement with the goal being the timely funding of the Project; and

WHEREAS, in addition to appropriating the identified funds, this Ordinance is intended to provide a public position of support for the Project to allow for the release of federal funding; and

WHEREAS, this appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of providing funding for the construction of a new public terminal facility at the Airport with the intent of growing multi-modal transportation, charters, and future airline services that Fort Collins residents will be able to access; and

WHEREAS, 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; 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, the City Council adopted Ordinance No. 031, 2023 (“Ordinance No. 031”) to appropriate the prior year reserves described herein, but Ordinance No. 031 was not published after adoption as required by the City Charter; and

WHEREAS, it is necessary that the City Council repeal Ordinance No. 031 and adopt this Ordinance to make the appropriation again; and

WHEREAS, the City has taken no action on the appropriation or related agreement under Ordinance No. 031.

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 prior year reserves in the General Fund the sum of ONE MILLION DOLLARS (\$1,000,000) to be expended in the General Fund for a capital contribution for the Project, the construction of a new public terminal facility at the Northern Colorado Regional Airport.

Section 3. That the City Manager is directed to negotiate an intergovernmental agreement with Loveland for this capital contribution and is authorized to enter into and sign it on the City’s behalf. The City Manager is further authorized to enter into the agreement on such terms and conditions concerning the Performance Indicators as the City Manager determines are in the best interest of the City for the timely funding of the Project.

Section 4. Ordinance No. 031, 2023, is hereby repealed.

Introduced, considered favorably on first reading, and ordered published this 4th day of April, 2023, and to be presented for final passage on the 18th day of April, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 18th day of April, 2023.

Mayor

ATTEST:

City Clerk