

ORDINANCE NO. 088, 2024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
REPEALING ORDINANCE NO. 075, 2024,
AND MAKING SUPPLEMENTAL APPROPRIATIONS IN THE
HOME INVESTMENTS PARTNERSHIPS GRANT FUND

A. The Home Investment Partnerships Program (the “HOME Program”) was authorized by the National Affordable Housing Act of 1990 to provide funds in the form of Participating Jurisdiction Grants for a variety of housing-related activities that would increase the supply of decent, safe, and affordable housing.

B. On March 1, 1994, the City Council adopted Resolution 1994-092 authorizing the Mayor to submit to the Department of Housing and Urban Development (“HUD”) a notification of intent to participate in the HOME Program.

C. On May 26, 1994, HUD designated the City as a Participating Jurisdiction in the HOME Program, allowing the City to receive an allocation of HOME Program funds as long as Congress re-authorizes and continues to fund the program.

D. The City estimates it will receive in federal fiscal year 2024-2025 unanticipated revenue in the form of Home Investment Partnership Program (“HOME”) funds from Housing and Urban Development (HUD) totaling \$602,015.

E. The City received unanticipated HOME Program income in the amount of \$83,688.

F. Recommendations for the use of these funds were presented to City Council at its regular meeting on June 18, 2024.

G. This appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of providing affordable housing for city residents.

H. 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.

I. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Home Investment Partnerships Grant Fund and will not cause the total amount appropriated in the Home Investment Partnerships Grant 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.

J. Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal 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 grant or the City's expenditure of all funds received from such grant.

K. The City Council wishes to designate the appropriation herein for the Home Investment Partnerships Program 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.

L. The City Council previously made these appropriations in Ordinance No. 075, 2024 ("Ordinance No. 075") 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.

M. It is therefore necessary that the City Council adopt this Ordinance No. 088, 2024, to both repeal Ordinance No. 075 and to authorize and approve these appropriations again.

N. The City has not expended any of the appropriations approved in Ordinance No. 075.

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 from HUD in the HOME Investment Partnerships Grant Fund the sum of SIX HUNDRED TWO THOUSAND FIFTEEN DOLLARS (\$602,015), to be expended in the HOME Investment Partnerships Grant Fund upon receipt from federal fiscal year 2024-2025 HOME Participating Jurisdiction Grant Funds.

Section 2. There is hereby appropriated from new revenue or other funds from program income in the HOME Investment Partnerships Grant Fund the sum of EIGHTY-THREE THOUSAND SIX HUNDRED EIGHTY-EIGHT DOLLARS (\$83,688), to be expended in the HOME Investment Partnerships Grant Fund for approved HOME Program projects.

Section 3. The appropriation herein for HOME Investment Partnerships Grant Entitlement Program 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.

Section 4. Ordinance No. 075, 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: Jenny Lopez Filkins