

# COUNCIL COMMUNICATION

<b>Meeting Date:</b> October 26, 2021	<b>Agenda Item:</b> 12G	<b>Agenda Location:</b> Action Items	<b>Goal(s):</b>	<b>Legal Review:</b> <i>TY</i>	<input checked="" type="checkbox"/> 1 <sup>st</sup> Reading <input type="checkbox"/> 2 <sup>nd</sup> Reading
<b>Subject:</b> An ordinance adopting the fifth amendment to the 2021 Budget amending section one of Ordinance 3569, making appropriations for the City of Thornton, Colorado for the fiscal year 2021 for all funds except that appropriations for certain individual projects shall not lapse at year end but continue until the project is completed or cancelled (Additional Funding for Approved Incentive and Revenue Sharing Agreements).					
<b>Recommended by:</b> Robb Kolstad <i>RK</i>				<b>Approved by:</b> Kevin S. Woods <i>KW</i>	
<b>Presenter(s):</b> Erika Senna, Budget Manager				<b>Ordinance previously introduced by:</b> _____	

**SYNOPSIS:**

This ordinance is for the fifth amendment to the 2021 Budget and authorizes funding for approved incentive and revenue sharing agreements. This includes agreements with the following entities: King Soopers, Meati, Brennan, Highpointe, and Murphy, as well as funding for the Westminster Revenue Sharing Intergovernmental Agreement.

**RECOMMENDATION:**

Staff recommends Alternative No. 1, approval of the ordinance amending the 2021 Budget.

The 2021 Budget, which authorizes expenditures of \$448,553,461, is proposed to increase by \$2,288,000. The amended Budget will be \$450,841,461 and accomplish the following:

1. Appropriate \$2,288,000 in the Governmental Capital Fund to fund approved incentive and revenue sharing agreements. These agreements have all previously been approved by Council, but require additional funding in 2021 as the timing of the incentive has moved up or because more revenue was earned than previously anticipated in the case of the revenue sharing agreement.

**BUDGET/STAFF IMPLICATIONS:**

Funding for the incentive and revenue sharing agreements will come from unappropriated fund balance in the Governmental Capital Fund.

**ALTERNATIVES:**

1. Approve the ordinance amending the 2021 Budget.
2. Do not approve the ordinance amending the 2021 Budget.

**BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):** (includes previous City Council action)

City Council approved Ordinance 3569 making appropriations for the 2021 Budget on October 27, 2020.

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City Council approved Ordinance 3577 on second reading adopting the first amendment to the 2021 Budget on February 23, 2021.

City Council approved Ordinance 3583 on second reading adopting the second amendment to the 2021 Budget on April 27, 2021.

City Council approved Ordinance 3592 on second reading adopting the third amendment to the 2021 Budget on August 10, 2021.

City Council approved the fourth amendment to the 2021 Budget earlier this evening.

INTRODUCED BY: \_\_\_\_\_

AN ORDINANCE ADOPTING THE FIFTH AMENDMENT TO THE 2021 BUDGET AMENDING SECTION ONE OF ORDINANCE 3569, MAKING APPROPRIATIONS FOR THE CITY OF THORNTON, COLORADO FOR THE FISCAL YEAR 2021 FOR ALL FUNDS EXCEPT THAT APPROPRIATIONS FOR CERTAIN INDIVIDUAL PROJECTS SHALL NOT LAPSE AT YEAR END BUT CONTINUE UNTIL THE PROJECT IS COMPLETED OR CANCELLED (ADDITIONAL FUNDING FOR APPROVED INCENTIVE AND REVENUE SHARING AGREEMENTS).

WHEREAS, the City Council is required to adopt a budget for fiscal year 2021; and

WHEREAS, the City Council adopted a budget for fiscal year 2021; and

WHEREAS, on February 23, 2021, the City Council adopted a First Amendment to the Budget for the fiscal year 2021 and appropriated additional funds; and

WHEREAS, on April 27, 2021, the City Council adopted a Second Amendment to the Budget for the fiscal year 2021 and appropriated additional funds; and

WHEREAS, on August 10, 2021, the City Council adopted a Third Amendment to the Budget for the fiscal year 2021 and appropriated additional funds; and

WHEREAS, on October 26, 2021, the City Council adopted a Fourth Amendment to the Budget for the fiscal year 2021 and appropriated additional funds; and

WHEREAS, the City Council desires to adopt a Fifth amendment to the Budget for fiscal year 2021 and appropriate additional funds; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. That Section 1 of Ordinance 3569 is hereby amended as follows:

Fund	2021 Amended Budget	Change	2021 Fifth Amended Budget
<b>General Governmental Funds</b>			
General Fund	\$ 151,086,750	\$ -	\$ 151,086,750
Governmental Capital Fund	30,147,167	2,288,000	32,435,167
<b>Subtotal</b>	<b>\$ 181,233,917</b>	<b>\$ 2,288,000</b>	<b>\$ 183,521,917</b>
<b>Internal Service Funds</b>			
Risk Management Fund	\$ 7,625,032	\$ -	\$ 7,625,032
<b>Subtotal</b>	<b>\$ 7,625,032</b>	<b>\$ -</b>	<b>\$ 7,625,032</b>
<b>Special Revenue Funds</b>			
Adams County Road and Bridge	\$4,615,858	\$ -	\$4,615,858
Adams County Open Space	2,533,030	-	2,533,030
Conservation Trust	1,803,800	-	1,803,800
Parks	-	-	-
Open Space	3,796,771	-	3,796,771
Parks and Open Space	17,120,896	-	17,120,896
Cash In Lieu	-	-	-
<b>Subtotal</b>	<b>\$29,870,355</b>	<b>\$ -</b>	<b>\$29,870,355</b>

<b>Enterprise Funds</b>			
Water Fund	\$ 203,861,328	\$ -	\$ 203,861,328
Sewer Fund	15,861,547	-	15,861,547
Environmental Services Fund	6,274,586	-	6,274,586
Storm Water Fund	3,826,696	-	3,826,696
<b>Subtotal</b>	<b>\$ 229,824,157</b>	<b>\$ -</b>	<b>\$ 229,824,157</b>
<b>Total All Funds</b>	<b>\$ 448,553,461</b>	<b>\$ 2,288,000</b>	<b>\$ 450,841,461</b>

2. That there is hereby appropriated for the provision of services and capital projects for the City for the fiscal year beginning January 1, 2021 and ending December 31, 2021 the additional amount of \$2,288,000.
3. That appropriations for individual capital projects in the above mentioned funds for fiscal year 2021 shall not lapse at year end but continue until the project is completed or cancelled.
4. If any portion of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this ordinance. City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared unconstitutional or invalid.
5. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.
6. The repeal or amendment of any provision of the Code by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.
7. This ordinance shall take effect upon final passage.

INTRODUCED, READ, PASSED on first reading, ordered posted in full, and title ordered published by the City Council of the City of Thornton, Colorado, on \_\_\_\_\_, 2021.

PASSED AND ADOPTED on second and final reading on \_\_\_\_\_, 2021.

CITY OF THORNTON, COLORADO

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Jan Kulmann, Mayor

ATTEST:

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Kristen N. Rosenbaum, City Clerk

THIS ORDINANCE IS ON FILE IN THE CITY CLERK'S OFFICE FOR PUBLIC INSPECTION.

APPROVED AS TO LEGAL FORM:

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Tami Yellico, City Attorney

PUBLICATION:

Posted at City Hall, Margaret W. Carpenter Recreation Center, and Thornton Active Adult Center after first and second readings.

Published on the City's official website after first reading on \_\_\_\_\_, 2021, and after second and final reading on \_\_\_\_\_, 2021.