

**EMERGENCY ORDINANCE NO. 5992**

**AN ORDINANCE ENACTING AN EMERGENCY SUPPLEMENTAL BUDGET AND APPROPRIATION TO THE 2016 CITY OF LOVELAND BUDGET FOR A FEMA SOLAR FACILITY ALTERNATE PROJECT**

**WHEREAS**, the City's 2015 budget included an appropriation for the FEMA Solar Facility project that was not completed or closed out by the end of 2015, when the 2015 budget appropriations expired in accordance with the City of Loveland Charter and state law, requiring re-appropriation in 2016 to permit expenditure of such funds to continue with respect to ongoing projects; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) delayed necessary approvals for the solar project until the end of 2015 and in order to receive FEMA funds the solar project and substation must be complete by September 17, 2017; and

**WHEREAS**, the State of Colorado's Renewable Energy Standard requires a municipally owned utility's solar electric generation facility to be in operation no later than December 30, 2016 to qualify for the extension of incentives found at C.R.S. § 40-2-124(c). This incentive counts each kilowatt-hour of solar electric generation as three kilowatt-hours; and in order to complete the project by December 30, 2016, funds must be appropriated, the contract executed, and work begin immediately;

**WHEREAS**, the City has received and reserved funds not anticipated or appropriated at the time of the adoption of the 2016 City budget for a FEMA Solar Facility alternate project; and

**WHEREAS**, the City Council desires to authorize the expenditure of these funds by enacting an emergency supplemental budget and appropriation to the 2016 City budget for a FEMA Solar Facility alternate project, as authorized by Section 11-6(a) of the Loveland City Charter.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO:**

**Section 1.** That revenues in the amount of \$4,434,516 from a Federal grant in the Power Plant Investment Fee Fund are available for appropriation. That reserves in the amount of \$633,502 from fund balance in the Power Plant Investment Fee Fund are available for appropriation. Such revenues in the total amount of \$5,068,018 are hereby appropriated to the 2016 City budget for a FEMA Solar Facility alternate project. The spending agencies and funds that shall be spending the monies supplementally budgeted and appropriated are as follows:

**Supplemental Budget  
Power Plant Investment Fee Fund 331**

**Revenues**

Fund Balance		633,502
331-00-000-0000-32000	Federal Grant	4,434,516
<b>Total Revenue</b>		<b>5,068,018</b>

**Appropriations**

331-47-334-2903-49399	FLD922	Other Capital	5,068,018
<b>Total Appropriations</b>			<b>5,068,018</b>

**Section 2.** That the City Council finds and determines that an emergency exists requiring immediate passage of this Ordinance in order to execute the contract and begin construction as quickly as possible for the preservation of the health, safety, and welfare of the citizens of the City of Loveland.

**Section 3.** This Ordinance shall be in full force and effect upon final adoption and shall be published in full after adoption, as provided in City Charter Section 4-10(b).

ADOPTED this 19<sup>th</sup> day of January, 2016.

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Cecil A. Gutierrez, Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM:

  
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Assistant City Attorney