

**ORDINANCE NO. 5
SERIES 2012**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012.

WHEREAS, the City of Gunnison desires to transfer unexpended funds from travel/mileage/meals/lodging in the Municipal Court (\$100), City Clerk (\$100), Finance (\$300) and Community Development (\$440) budgets, and from dues/meetings/memberships/tuitions in the Finance budget (\$345) to the City Council budget to assist with paying for the City Christmas Party; and

WHEREAS, the City of Gunnison did not anticipate hosting its annual "City Fest" due to budget constraints in the 2012 budget; and

WHEREAS, \$3,602 was unexpectedly received for the sponsorship of the annual City Fest and the City of Gunnison desires to appropriate \$3,602 from General Fund additional revenues for the City Fest expenses; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$14,000 for expenses associated with the Gunnison County Persistent Drunk Driving Prevention Initiative; and

WHEREAS, the City of Gunnison received \$16,382, of which \$2,382 was unanticipated, through the Colorado Alcohol and Drug Abuse Division (ADAD) to continue the Gunnison County Persistent Drunk Driving Prevention Initiative; and

WHEREAS, the City of Gunnison, being the governmental entity identified as the fiscal agent of the grant, anticipates \$16,382 of expenses related to the Persistent Drunk Driving Prevention Initiative and desires to appropriate the additional \$2,382; and

WHEREAS, City Council approved a motion at the April 24, 2012 regular council meeting to authorize the expenditure from the General Fund Cash Reserves for \$1,059,168 to complete additional street improvements over and above the \$339,800 budgeted, to repave portions of Arthur Avenue, Denver Avenues, Wisconsin Street, Boulevard Street and Reed Street; and to authorize the expenditure from the Wastewater Fund Cash Reserves for \$141,297 to complete the storm water drainage project on Reed Street prior to the street being repaved; and

WHEREAS, City Council approved a motion at the June 26, 2012 regular council meeting to authorize the expenditure from the General Fund Cash Reserves for \$115,690 to pave Escalante Drive and enter into an expense reimbursement agreement with Western State Colorado University in order to complete the project prior to the US Pro Cycling Challenge bike race; and

WHEREAS, Ordinance No 13, Series 2011, adopting the 2012 budget included \$10,000 in the General Fund and \$10,000 in the Conservation Trust Fund for matching funds towards a GOCO grant for the purpose of expanding the City's skate park; and

WHEREAS, the City of Gunnison did receive said GOCO grant in the amount of \$193,501 along with \$17,750 in unanticipated local grants for additional revenues of \$211,751; and

WHEREAS, the City of Gunnison anticipates \$231,751 of expenses related to the expanded skate park and desires to appropriate the \$211,751 from additional General Fund revenues; and

WHEREAS, the City of Gunnison desires to transfer the \$10,000 budgeted in the Conservation Trust Fund for the skate park to the General Fund; and

WHEREAS, Ordinance No 13, Series 2011, adopting the 2012 budget included \$20,000 in the General Fund for matching funds towards a GOCO grant for the purpose of renovating the Teller Baseball Field; and

WHEREAS, the City of Gunnison received \$77,300 for an interim payment in fiscal year 2011 and anticipates receiving the final payment on said GOCO grant in the amount of \$77,315 in fiscal year 2012, along with \$2,000 in unanticipated local grants for additional 2012 fiscal year revenues of \$79,315; and

WHEREAS, the City of Gunnison anticipates \$50,027 of expenses related to the Teller Baseball Field renovation and desires to appropriate the additional \$30,027 from additional General Fund revenues; and

WHEREAS, the City of Gunnison received \$42,728 in unanticipated Mineral Leasing revenues, of which \$26,037 was posted to the General Fund and \$16,691 was posted to the Ditch Division of the Special Revenues Fund, and \$84,363 in unanticipated Severance Tax revenues which was posted to the General Fund for total additional revenues to the General Fund in the amount of \$110,400 and total additional revenues to the Ditch Division in the amount of \$16,691; and

WHEREAS, City Council approved a motion at the September 25, 2012 regular council meeting to authorize the General fund expenditure of \$70,000 from additional Severance Tax and Mineral Leasing revenues to fund a fiber network project in order to connect the Community Center to an efficient internet pathway and create a redundant internet pathway in the City; and

WHEREAS, Resolution No.7, Series 2012 authorized the expenditure of funds necessary to purchase Lots 3 through 12, Block 51, along with the east-west alley lying between Lot 7 on the North and Lots 8 through 12 on the South, City of Gunnison and, to cover the closing costs and expenditures accrued for related due diligent work; and

WHEREAS, the City of Gunnison anticipates the costs related to the purchase of the property to be \$219,430 and desires to appropriate \$201,860 out of General Fund Cash Reserves and \$17,570 out of Enterprise Find-Communications Division Cash Reserves; and

WHEREAS, Ordinance No 13, Series 2011, adopting the 2012 budget included \$7,000 in the General Fund for repairs and maintenance to City Hall; and

WHEREAS, in December, 2011, the heating system in City Hall failed, requiring unanticipated emergency repairs to the boiler system during fiscal year 2012 in the amount of \$12,754 and the City of Gunnison desires to appropriate \$12,754 out of General Fund Cash Reserves for the City Hall repairs; and

WHEREAS, City Council approved a motion at the July 24, 2012 regular council meeting to authorize the Annexation Reimbursement Agreement with Gunnison Valley Properties, LLC; and

WHEREAS, the City of Gunnison has received funds in the amount of \$123,688 from Gunnison Rising; and

WHEREAS, the City of Gunnison anticipates 2012 fiscal year expenses for the Highway Access Plan to total \$37,100 and desires to appropriate \$37,100 out of additional General Fund revenues; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$135,000 for Recreation Program Revenue in the General Fund; and

WHEREAS, the City of Gunnison anticipates receiving unexpected recreation program revenues of \$15,000 additional programming requests and desires to appropriate \$15,000 out of additional General Fund revenues for the additional programming; and

WHEREAS, City Council approved a motion at the August 28, 2012 regular council meeting to authorize the expenditure of up to \$803 from Additional Contracts for Service to assist with the funding of Ana's Pledge Bike Safety for Kids Event; and

WHEREAS, the City of Gunnison received \$1,704 for unanticipated sponsorships of Ana's Pledge Bike Safety for Kids Event and desires to appropriate \$1,704 out of additional General Fund revenues for the event; and

WHEREAS, the City of Gunnison was selected for a host community for the US Pro Cycling Challenge; and

WHEREAS, the City of Gunnison received unanticipated sponsorships and sales in the amount of \$54,114 to cover expenses associated with the event; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$20,000 for Economic Development under the Grants & Contracts for Service Department; and

WHEREAS, City Council approved a motion at the July 24, 2012 regular council meeting authorizing the transfer of \$20,000 from Economic Development funding to the US Pro Cycling Challenge funding; and

WHEREAS, the City of Gunnison desires to transfer \$20,000 from Economic Development to US Pro Cycling Challenge and appropriate \$54,114 from additional General Fund revenues for the US Pro Cycling Challenge event; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included payments for retired firefighters in the amount of \$235 per month for 33 retirees and partial benefits for one surviving spouse totaling \$94,470; and

WHEREAS, the Gunnison Firemen's Pension Board approved a motion at the January 28th, 2012 meeting to set the monthly pension payments at \$250, with the surviving spouse benefit being ½ of that amount; and

WHEREAS, the City of Gunnison desires to appropriate an additional \$4,523 out of the Firemen's Pension Fund Cash Reserves to fund the additional retirement amounts; and

WHEREAS, the City of Gunnison self-funded unpaid health insurance claims for its employees in 2011, resulting from the filing of bankruptcy by Rural Health Plans Initiative; and

WHEREAS, \$1,459 in health insurance claim expenses for 2010 and 2011 have been submitted for payment in 2012 and the City of Gunnison desires to appropriate \$1,459 from Insurance Cash Reserves; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included expenses for bad debt write-offs in the Enterprise Fund-Electric Division (\$10,000), Water Division (\$2,000), Wastewater Division (\$2,000), and Refuse Division (\$3,000); and

WHEREAS, due to the local economy and home foreclosures, the City of Gunnison anticipates bad debt write offs will be \$26,680 for the Electric Division; \$1,620 for the Water Division; \$3,314 for the Wastewater Division; and \$4,720 for the Refuse Division and desires to appropriate additional funds out of the Enterprise Fund Cash Reserves to fund the bad-debt write offs in the Electric Division (\$16,680), Wastewater Division (\$1,314), and Refuse Division (\$1,720); and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$3,517,731 for purchased power; and

WHEREAS, the unanticipated low availability of hydro generated power and the unanticipated higher costs of both coal and wind generated power have created unanticipated

expenses for purchased power in the amount of \$134,474 and the City of Gunnison desires to appropriate an additional \$134,474 out of the Electric Division Cash Reserves; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$9,000 for anticipated repairs at the City of Gunnison's electrical substations; and

WHEREAS, critical equipment at the substations failed or needed to be replaced to prevent future failures at a cost of \$42,225 and the City of Gunnison desires to appropriate an additional \$33,225 out of the Electric Division Cash Reserves for these emergency repairs; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$14,500 for anticipated repairs at the City of Gunnison's water wells; and

WHEREAS, critical equipment in two of the wells failed or needed to be replaced to prevent future failures at a cost of \$27,354 and the City of Gunnison desires to appropriate an additional \$12,854 out of the Water Division Cash Reserves for these emergency repairs; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$7,000 for anticipated repairs at the City of Gunnison's pool; and

WHEREAS, critical equipment associated with the heating and ventilation system, the pool heaters and solar system, and the ultraviolet lighting system failed or needed to be replaced to prevent future failures at a cost of \$22,780 and the City of Gunnison desires to appropriate an additional \$15,780 out of the Pool Division Cash Reserves for these emergency repairs; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$27,050 for anticipated upgrades to the lights in the pool; and

WHEREAS, the completed bid to replace the lights totaled \$31,695 and the City of Gunnison felt for safety of patrons and cost savings due to the energy efficient lighting, the project should be completed; and

WHEREAS, the City of Gunnison desires to appropriate an additional \$4,645 out of the Pool Division Cash Reserves; and

WHEREAS, Time Warner unexpectedly advised the City of Gunnison in 2012 they would no longer provide internet service to the Community Center under a previous agreement and annual internet access fees under a new agreement would cost \$10,000 per year; and

WHEREAS, the City of Gunnison felt it was more fiscally responsible to invest in hardware for an upgraded phone system that would provide voice over internet protocol phone access for all departments of the City of Gunnison and desires to appropriate an additional \$12,904 out of the Pool Division Cash Reserves; and

WHEREAS, Ordinance No.10, Series 2010 adopting the 2011 budget included \$45,000 for the purchase of an additional zamboni; and

WHEREAS, the Jorgensen Event Center had an emergency issue with carbon monoxide emissions in 2011, bringing to light the importance of a newer ice reconditioning machine to be ordered in 2011 for an amount of \$81,191, but not delivered until 2012; and

WHEREAS, the City of Gunnison desires to appropriate funds in the amount of \$81,191 out of the Rink Division Cash Reserves; and

WHEREAS, Ordinance No. 13, Series 2011, adopting the 2012 budget included \$110,000 for development and fencing of trails in and around the City of Gunnison, and

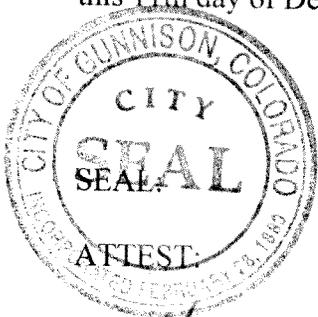
WHEREAS, for the safety of trail users, additional construction and fencing were undertaken on the Van Tuyl Ranch to provide separation from trail users and livestock housed on

the Ranch totaling \$25,852 and the City of Gunnison desires to appropriate funds in the amount of \$25,852 out of the Trail Division Cash Reserves.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, THAT:

- 1) Funds in the amount of \$21,285 be transferred within the General fund - \$1,285 transferred to the City Council Department from the Municipal Court (\$100), City Clerk (\$100), Finance (\$645), and Community Development (\$440) Departments; \$20,000 transferred to the Events Department from the Grants and Contracts for Service Department.
- 2) Funds in the amount of \$10,000 be transferred to the General Fund from the Conservation Trust Fund.
- 3) Additional funds in the amount of \$1,815,152 be appropriated in the General Fund to cover the City Fest expenses (\$3,602), ADAD expenses (\$2,382), street improvement expenses (\$1,174,858), skate park expenses (\$211,751), Teller Ball Field renovation expenses (\$30,027), fiber network expenses (\$70,000), Lots 3 through 12, Block 51, purchase (\$201,860), City Hall repairs expenses (\$12,754), Highway Access Plan expenses (\$37,100), recreation programming expenses (\$15,000), Bike Safety for Kids expenses (\$1,704), and US Pro Cycling Challenge expenses (\$54,114).
- 4) Funds in the amount of \$4,523 be appropriated in the Firemen's Pension Fund to cover retirement benefit expenses.
- 5) Funds in the amount of \$1,459 be appropriated in the Insurance Reserve Fund to cover insurance claims.
- 6) Additional funds in the amount of \$359,134 be appropriated in the Enterprise Fund to cover Electric Division expenses for bad-debt write offs (\$16,680), purchased power (\$134,474) and substation repairs (\$33,225); Water Division expenses for well repairs (\$12,854), Wastewater Division expenses for storm water drainage (\$141,297), and bad-debt write offs (\$1,314); Refuse Division for bad-debt write offs (\$1,720), and the Communications Division for architect and engineering studies (\$17,570).
- 7) Additional funds in the amount of \$140,372 be appropriated in the Park & Recreation Fund to cover Pool Division expenses for pool repairs (\$15,780); energy efficient lighting (\$4,645) and telephone hardware upgrades (\$12,904); Rink Division expenses for a new ice resurfacing machine (\$81,191); and Trail Division expenses for trails construction and fencing (\$25,852).

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 27th day of November, 2012, on first reading, and introduced, read, and adopted on second and final reading this 11th day of December, 2012.




Mayor


City Clerk

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