

ORDINANCE NO. 2021-__

**AN ORDINANCE APPROVING THE THIRD AMENDMENT TO THE
TOWN OF CASTLE ROCK 2021 BUDGET BY MAKING
SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2021, AND
PROVIDING FOR THE EMERGENCY ADOPTION OF THIS
ORDINANCE ON SECOND AND FINAL READING**

WHEREAS, by Ordinance No. 2020-016, the Town Council for the Town of Castle Rock, Colorado (the “Town”), approved and appropriated revenues and expenditures for the fiscal year 2021 (the “2021 Budget”); and

WHEREAS, by Ordinance No. 2021-009, the Town Council approved the First Amendment to the 2021 Budget; and

WHEREAS, by Ordinance No. 2021-013, the Town Council approved the Second Amendment to the 2021 Budget; and

WHEREAS, upon certification of the Town Manager and availability of revenue, supplemental appropriation of revenues is authorized under Article IX of the Town Charter and Section 9.10 of the Castle Rock Municipal Code; and

WHEREAS, revenues collected in prior years are available to accommodate the additional authorized expenditures as set forth in this Third Amendment to the 2021 Budget; and

WHEREAS, upon review, Town Council is prepared to adopt the Third Amendment to the 2021 Budget without amendment; and

WHEREAS, Section 9-6(b) of the Town Charter provides that no amendment to the budget shall increase the authorized expenditures to any amount greater than the total of estimated revenue; and

WHEREAS, to ensure that all revenues and expenditures identified in this Third Amendment are accounted for in the 2021 fiscal year as required by the Town Charter, the Town Council hereby finds and determines that an emergency exists and, as such, it is necessary for the preservation of the immediate public health and safety for this Ordinance to take effect upon its adoption.

**NOW THEREFORE, IT IS ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF CASTLE ROCK, COLORADO:**

Section 1. Adoption. The Third Amendment to the 2021 Budget, which amendment reflects the following budgeting and appropriation of aggregate 2021 revenues and expenditures to the respective Town funds, is hereby adopted:

		2021 Adopted Budget	2021 Budget Revisions	2021 Revised Budget
Transportation Fund	Revenues	\$24,655,314	-	\$24,655,314
	Expenditures	30,398,204	25,000	30,423,204
	Net Change	(\$5,742,890)	(25,000)	(\$5,767,890)
Philip S. Miller Trust Fund	Revenues	\$667,037	\$335,000	\$1,002,037
	Expenditures	654,260	335,000.00	989,260
	Net Change	\$12,777	\$-	\$12,777
Police Capital Fund	Revenues	\$493,539	-	\$493,539
	Expenditures	679,218	225,278	904,496
	Net Change	(\$185,679)	(225,278)	(\$410,957)
Transportation Capital Fund	Revenues	\$12,230,051	-	\$12,230,051
	Expenditures	17,740,752	400,000	18,140,752
	Net Change	(\$5,510,701)	(400,000)	(\$5,910,701)
Water Resources Fund	Revenues	\$32,519,972	-	\$32,519,972
	Expenditures	42,136,233	2,718,155	44,854,388
	Net Change	(\$9,616,261)	(2,718,155)	(\$12,334,416)
Golf Course Fund	Revenues	\$3,573,816	-	\$3,573,816
	Expenditures	3,776,016	541,500	4,317,516
	Net Change	(\$202,200)	(541,500)	(\$743,700)
Employee Benefits Fund	Revenues	\$10,137,759	\$-	\$10,137,759
	Expenditures	9,490,370	650,000.00	10,140,370
	Net Change	\$647,389	\$(650,000)	(\$2,611)
Fleet Services Fund	Revenues	\$5,293,494	25,000	\$5,318,494
	Expenditures	5,083,014	25,000	5,108,014
	Net Change	\$210,480	-	\$210,480
Total	Revenues	\$89,570,982	360,000	\$89,930,982
	Expenditures	109,958,067	4,919,933	114,878,000
	Net Change	(\$20,387,085)	(4,559,933)	(\$24,947,018)

Section 2. Compliance. The Third Amendment to the 2021 Budget, as adopted, complies with Article IX of the Town Charter, and the total authorized expenditures and provisions for contingencies do not exceed the total estimated revenues available for appropriation.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect the remaining provisions of this Ordinance.

Section 4. Safety Clause. The Town Council finds and declares that this Ordinance is promulgated and adopted for the public health, safety and welfare and this Ordinance bears a rational relation to the legislative object sought to be obtained.

Section 5. Emergency Clause. For the reasons stated in the recitals to this Ordinance, it is declared that an emergency exists and it is necessary for the preservation of the immediate

public health and safety for this Ordinance to take effect upon its adoption on second and final reading.

APPROVED ON FIRST READING this 16th day of November, 2021 by a vote of 7 for and 0 against, after publication in compliance with Section 2.02.100.C of the Castle Rock Municipal Code; and

PASSED, APPROVED AND ADOPTED AS AN EMERGENCY ORDINANCE this 7th day of December, 2021 by the Town Council of the Town of Castle Rock by a vote of ____ for and ____ against, constituting the extraordinary majority required by Section 2.02.100.E of the Castle Rock Municipal Code.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to Content:

Michael J. Hyman, Town Attorney

Trish Muller, CPA, Finance Director