

ORDINANCE NO. 118, 2018  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE  
TRANSPORTATION FUND WORK FOR OTHERS PROGRAM FOR  
THE FOSSIL CREEK MEADOWS ASPHALT PAVING PROJECT

WHEREAS, the City annexed the neighborhood known as Fossil Creek Meadows from Larimer County in 2010 as part of Phase 3 of the Southwest Enclave Annexation; and

WHEREAS, pursuant to City Code Section 24-97, the City is obligated to maintain and upgrade the streets within Fossil Creek Meadows in accordance with the Larimer County Urban Area Street Standards, which would require only limited maintenance such as chip seals on existing asphalt surface; and

WHEREAS, the streets within Fossil Creek Meadows are deteriorated and in need of a new asphalt overlay, which maintenance service is not included in the City's limited maintenance obligations under City Code Section 24-97; and

WHEREAS, the City is currently scheduled to perform chip seal maintenance on the existing streets located in Fossil Creek Meadows in 2018, which maintenance would not be effective given the current condition of the streets; and

WHEREAS, the Fossil Creek Meadows Home Owner's Association (the "HOA") has requested that the City provide the amount required for the originally planned chip seal to the streets within Fossil Creek Meadows, which is approximately \$345,000, towards a new asphalt overlay and the HOA will contribute the remaining \$400,000 towards the overlay, which overlay work will be performed by City personnel and is currently estimated to cost \$745,000; and

WHEREAS, the City's obligation for the streets within Fossil Creek Meadows will continue to be governed pursuant to City Code Section 24-97 after the overlay work and the City is not taking on any additional maintenance obligations with respect to the streets within Fossil Creek Meadows; and

WHEREAS, after approval of this appropriation, the City Manager will negotiate and execute an agreement with the HOA to effectuate the asphalt overlay work; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of improving the condition of street infrastructure located within the City; and

WHEREAS, Article V, Section 9, of the City Charter permits the City Council to make supplemental appropriations by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriations, in combination with all previous appropriations for that fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and


WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Transportation Work for Others Fund and will not cause the total amount appropriated in the Transportation Work for Others Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:


Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated for expenditure from unanticipated revenue in the Transportation Fund Work for Others Program the sum of FOUR HUNDRED THOUSAND DOLLARS (\$400,000) for the Fossil Creek Meadows Asphalt Paving Project and appropriated therein.

Introduced, considered favorably on first reading, and ordered published this 18th day of September, A.D. 2018, and to be presented for final passage on the 2nd day of October, A.D. 2018.


  
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Mayor

ATTEST:

  
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City Clerk



Passed and adopted on final reading on the 2nd day of October, A.D. 2018.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

