

ORDINANCE NO. 033, 2024  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING PRIOR YEAR RESERVES IN THE  
CONSERVATION TRUST FUND FOR THE FUTURE DESIGN  
AND CONSTRUCTION OF THE FOSSIL CREEK TRAIL SPUR

A. In July 2022, the City's Planning and Zoning Commission approved a Project Development Plan by Fort Collins Nissan-Kia (the "Developer") and the Final Development Plan was recorded on May 5, 2023.

B. During that development review process, the City secured an easement from the Developer, located in the South College Corridor Subarea Plan, for the future construction of the Fossil Creek Trail spur.

C. The Fossil Creek Trail offers over 8 miles of paved pathway on the south side of the City. This trail is of regional significance and the Developer agreed to contribute their proportional share of the public access trail project in the amount of \$35,000.

D. In December 2023 the City received those funds from the Developer and the funds were deposited into the Conservation Trust Fund.

E. This appropriation benefits public health and welfare of the citizens of Fort Collins and serves the public purpose and strategic objective of continuing the planned buildout of the paved trail system.

F. Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year from such revenues and funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated.

G. The City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Conservation Trust Fund and will not cause the total amount appropriated in the Conservation Trust Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

In light of the foregoing recitals, which the Council hereby makes and adopts as determinations and findings, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from prior year reserves in the Conservation Trust Fund the sum of THIRTY-FIVE THOUSAND DOLLARS (\$35,000) to be expended in the Conservation Trust Fund for the future design and construction of the Fossil Creek Trail Spur as identified in the South College Corridor Plan.

Introduced, considered favorably on first reading on February 20, 2024, and approved on second reading for final passage on March 5, 2024.

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Mayor

ATTEST:

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Interim City Clerk

Effective Date: March 15, 2024

Approving Attorney: Sara Arfmann