

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 13

DATE: February 16, 1999

STAFF: Bob Smith

SUBJECT:

First Reading of Ordinance No. 22, 1999, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations Between the Storm Drainage Fund Dry Creek Improvements Project and the Storm Drainage Fund Colorado Water Conservation Board Grant.

RECOMMENDATION:

Staff recommends adoption of the Ordinance on First Reading.

FINANCIAL IMPACT:

This Ordinance appropriates a grant in the amount of \$52,689 from the Colorado Water Conservation Board to be used for engineering services for the design of the Dry Creek Flood Diversion Project. Matching funds for the grant will be transferred from existing appropriations in the Stormwater Fund in the amount of \$17,562.

EXECUTIVE SUMMARY:

This Ordinance will appropriate a \$52,689 grant from the Colorado Water Conservation Board (CWCB). The grant will be used for engineering services for the joint project with Larimer County on the Dry Creek Flood Diversion Project. Staff applied for funds from the CWCB to assist in designing the project. Recently staff learned that the grant had been awarded. In order to utilize the grant, the City must first expend the funds for the project and then be reimbursed. Without the grant, funds would have been used from the Dry Creek Project budget.

An Intergovernmental Agreement (IGA) with Larimer County entitled "Intergovernmental Agreement for Stormwater Cooperation" provides for the City and Larimer County to share equally in the costs to form a Local Improvement District (LID) to intercept flood flows north of the city and divert those flows to the Poudre River west of College Avenue. This diversion would eliminate existing flood hazards in the area, and eliminate the necessity for floodplain regulations since the floodplain would be eliminated from the area and contained in the diversion.

The County will take the lead in the formation of the LID. After formation, the LID will reimburse both the City and the County for the Dry Creek improvements. The funds from the grant and from the County will be used to determine accurate estimates for the costs of the improvements. These costs will then be used to calculate assessments for the properties in the Dry Creek floodplain. The

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property assessments will ultimately finance the LID after it is formed and will reimburse both the City and County for monies each has expended in the formation of the LID. The County is planning on presenting the LID to the Dry Creek floodplain voters at the November 1999 election.

ORDINANCE NO. 22, 1999
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED REVENUE
AND AUTHORIZING THE TRANSFER OF APPROPRIATIONS
BETWEEN THE STORM DRAINAGE FUND DRY CREEK
IMPROVEMENTS PROJECT AND THE STORM DRAINAGE FUND
COLORADO WATER CONSERVATION BOARD GRANT

WHEREAS, an Intergovernmental Agreement ("IGA") with Larimer County entitled "Intergovernmental Agreement for Stormwater Cooperation" provides for the City and the County to share in the costs to form a Local Improvement District ("LID") within the Dry Creek Basin to intercept flood flows north of the City and divert those flows to the Poudre River west of College Avenue; and

WHEREAS, pursuant to the IGA, the County intends to form the LID for the purpose of paying for Dry Creek Flood Diversion Project Improvements (the "Improvements"); and

WHEREAS, staff applied for a grant from the Colorado Water Conservation Board ("CWCB") to be used for engineering services to determine accurate estimates for the cost of the Improvements; and

WHEREAS, the CWCB recently awarded the grant amounting to \$52,689 to the City to be used for this purpose; and

WHEREAS, the amount required for matching funds for the grant is \$17,562; and

WHEREAS, when the LID is formed, monies expended by the City and County in the formation of the LID will be reimbursed by the LID; and

WHEREAS, Article V, Section 9, of the Charter of the City of Fort Collins (the "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 conjunction with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, Article V, Section 10, of the Charter authorizes the City Council to transfer by ordinance any unexpended and unencumbered amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged.

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

Section 1. That there is hereby appropriated for expenditure from unanticipated revenue the sum of FIFTY TWO THOUSAND SIX HUNDRED EIGHTY NINE DOLLARS (\$52,689) from the CWCB in the Storm Drainage Fund - Colorado Water Conservation Board Grant to be used for the Dry Creek Flood Diversion Project.

Section 2. That previously appropriated funds in the amount of SEVENTEEN THOUSAND FIVE-HUNDRED SIXTY-TWO DOLLARS (\$17,562) are hereby authorized for transfer from the Storm Drainage Fund - Dry Creek Basin Improvements Project to the Colorado Water Conservation Board Grant for the Dry Creek Flood Diversion Project.

Introduced, considered favorably on first reading, and ordered published this 16th day of February, A.D. 1999, and to be presented on final passage on the 2nd day of March, A.D. 1999.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 2nd day of March, A.D. 1999.

Mayor

ATTEST:

City Clerk