

**AGENDA ITEM SUMMARY**

City Council

December 3, 2013

**STAFF**

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John Voss, Controller/Assistant Financial Officer  
Mike Beckstead, Chief Financial Officer

**SUBJECT**

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First Reading of Ordinance No. 168, 2013, Appropriating Unanticipated Revenue in the Emergency Recovery Fund to be Used for the "Larimer County Flood of 2013" Costs and Repair Projects.

**EXECUTIVE SUMMARY**

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The purpose of this item is to appropriate \$1,118,000 for the costs associated with the flood that occurred in September 2013. Of that total, \$1,012,000 is for the incremental costs that are eligible under the Federal Emergency Management Agency's (FEMA) Public Assistance Program. In general, FEMA reimburses about 75% of eligible costs. The State of Colorado has agreed to cover half of the portion not paid by FEMA. The other \$106,000 is for City assistance provided to Estes Park. They will reimburse the City 100% and seek reimbursement from FEMA for up to 75%.

**STAFF RECOMMENDATION**

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Staff recommends adoption of the Ordinance on First Reading.

**BACKGROUND / DISCUSSION**

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Over 6 inches of rain fell between Thursday, September 12, 2013 and Saturday, September 14, 2013, leading the President to declare a state of emergency for selected Colorado Counties. The City incurred substantial costs due to the subsequent flood and needs to adopt a cost and repair budget in order to seek reimbursement of these costs by state and federal agencies

Emergency Response - Although many staff hours were involved in the emergency related activities immediately following the flooding, only the incremental additional costs are eligible for reimbursement by FEMA. Staff time redirected from other work is not covered. Overtime and certain other costs totaled \$92,000.

Debris Disposal - Debris cleanup is ongoing and expected to be completed in December 2013. Equipment, land fill tipping fees, recycling fees, and labor costs are estimated to total \$180,000.

Repair Work - There are over 25 repair projects identified that together total \$740,000. They range in size from \$1,000 for a turbidity probe to \$205,000 for Environmental Learning Center Trail and Bank repairs.

FEMA's Public Assistance Program is anticipated to cover 75% of these costs, the State of Colorado is anticipated to cover 12.5%, and City Departments will have to cover the remaining 12.5%.

Mutual Aid Estes Park - Light & Power and Streets provided assistance in the form of staff time, equipment and materials for a total of \$106,000. Per the Mutual Agreement the City will invoice Estes Park. Estes Park will most likely submit our invoice to FEMA as a cost for reimbursement under the Public Assistance Program.

**FINANCIAL / ECONOMIC IMPACT**

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The appropriation of \$1,118,000 will come from four funding sources. The FEMA eligible costs of \$1,012,000 will be funded \$759,000 (75%) from the Public Assistance Program, the State of Colorado 12.5% or \$126,500, and the remaining \$126,500 is to be covered by existing City appropriations by the related Service Area. Reimbursement from the City of Estes Park will total \$106,000.

ORDINANCE NO. 168, 2013  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED REVENUE IN THE EMERGENCY RECOVERY  
FUND TO BE USED FOR THE “LARIMER COUNTY FLOOD OF 2013” COSTS AND  
REPAIR PROJECTS

WHEREAS, the Larimer County Flood of 2013 (“the Flood”), which began on September 12, 2013, required the City to take on emergency actions and remediation projects, including debris management and repairs to infrastructure; and

WHEREAS, on Saturday, September 14, 2013, President Obama declared a state of emergency for selected Colorado counties, including Larimer County, thereby qualifying the City for disaster assistance from the Federal Emergency Management Agency (FEMA); and

WHEREAS, the City has identified \$1,012,000 in costs associated with the Flood that are eligible for reimbursement under the Federal Emergency Management Agency’s Public Assistance Program; and

WHEREAS, over 25 repair projects have been identified which total \$740,000 and the remaining funds will cover emergency response costs, debris cleanup, and debris disposal; and

WHEREAS, with the FEMA Public Assistance Program, FEMA will cover 75% or \$759,000 of the Flood costs; the State of Colorado will cover 12.5% or \$126,500 of the costs; and existing City appropriations from various funds will be transferred to the Emergency Recovery Fund to cover the remaining 12.5% or \$126,500; and

WHEREAS, the City’s Light & Power and Streets departments also provided assistance to Estes Park in the form of staff time, equipment, and materials for a total cost of \$106,000 for which Estes Park will reimburse the City; and

WHEREAS, this Ordinance appropriates the revenue to be received from FEMA (\$759,000), the State of Colorado (\$126,500), various City funds (\$126,500), and the payment to be received from Estes Park (\$106,000) for a total appropriation of \$1,118,000; 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, City staff has determined that the appropriation of the revenue as described herein will not cause the total amount appropriated in the Emergency Recovery 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 there is hereby appropriated from unanticipated revenue in the Emergency Recovery Fund the sum of SEVEN HUNDRED FORTY THOUSAND DOLLARS (\$740,000) for the "Larimer County Flood of 2013" Repair Project.

Section 2. That there is hereby appropriated from unanticipated revenue in the Emergency Recovery Fund the sum of THREE HUNDRED SEVENTY-EIGHT THOUSAND DOLLARS (\$378,000) for the Larimer County Flood of 2013 costs.

Introduced, considered favorably on first reading, and ordered published this 3rd day of December, A.D. 2013, and to be presented for final passage on the 17th day of December, A.D. 2013.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 17th day of December, A.D. 2013.

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Mayor

ATTEST:

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City Clerk