

AGENDA ITEM SUMMARY

April 18, 2017

City Council

STAFF

Jon Haukaas, Operations Mgr-Water Engineer & Field Svc
Lance Smith, Utilities Strategic Finance Director
Kurt Friesen, Director of Park Planning & Development
Ken Sampley, Water Systems Engineering Manager

SUBJECT

First Reading of Ordinance No. 055, 2017, Appropriating Prior Year Reserves in the Storm Drainage Fund to Perform Stream Rehabilitation Improvements on McClellands Creek in Connection with the Twin Silo Park Development Project and Transferring Appropriations to the Cultural Services and Facilities Fund for the Art in Public Places Program

EXECUTIVE SUMMARY

The purpose of this item is to appropriate \$454,500 from prior year reserves in the Storm Drainage Fund to perform stream rehabilitation improvements on McClellands Creek and authorizing transfers to the Cultural Services Fund for the Art in Public Places (APP) program in connection with the Twin Silos Park project.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The City of Fort Collins has been constructing stream rehabilitation activities along McClellands Creek in southeast Fort Collins as a joint effort between the Stormwater Utility and Parks Planning. The latest phase includes approximately 2,200 linear feet of McClellands Creek within the new Twin Silo Park. The project includes channel modifications to stabilize the channel and banks and improve the quality of the aquatic and riparian habitat within McClellands Creek and its associated floodplain. The channel improvement activities will realign portions of the channel, installing three riffle grade-control structures and bank protection, and grading and stabilizing the channel banks.

Local development and the construction of Lady Moon Drive has increased flows and affected McClellands Creek, resulting in increased sinuosity and severe degradation of the stream channel and banks between Ziegler Road and Lady Moon Drive. Within the project area, erosion and undercutting is prevalent along the channel banks.

McClellands Creek in the project area consists typically of a 3- to 10-foot-wide channel. Within the project area, portions of the channel banks are eroded from 1 to 6 feet. Wetland vegetation has become limited to narrow fringes along the channel edge or shallow terraces immediately adjacent to the active channel. The vegetation along McClellands Creek primarily consists of dense stands of reed canarygrass, narrowleaf cattail wetlands, and other prevalent herbaceous wetland vegetation. Scattered crack willow and cottonwood trees are also present along the creek channel. Several of the trees in the project area are damaged or hollow. An abandoned ditch lateral, the Dixon Canyon Lateral, branches off from McClellands Creek at the west end of the project area on the north side of the creek. The ditch lateral consists of a dry upland vegetated swale.

The Park's proposed recreation facility enhancements and site amenities were to be constructed concurrently with the stream work under a single contract. The proposed enhancements and amenities include constructing a designated creek play area, relocating two pedestrian bridges and constructing one raised pedestrian bridge and one at-grade creek crossing, and installing three stormwater outfall structures at a total cost of \$450,000. The stream improvements and recreation facility enhancements address separate issues, but can be constructed more economically and with less overall impact if designed and constructed concurrently.

In addition to committing reserves for the stream restoration, funds in the amount of \$3,510 will be set aside in the Storm Drainage Fund for the APP program for acquisition of artwork and \$990 will be transferred to the Cultural Services Fund to the APP program for ongoing maintenance of the art per §23-304 of the Code.

CITY FINANCIAL IMPACTS

As of December 31, 2015, available reserves in the Storm Drainage fund were \$4.1M and are estimated to increase slightly; therefore, adequate funding is available for this appropriation and required transfers to the Cultural Services Fund for the APP program.

BOARD / COMMISSION RECOMMENDATION

The Water Board previously approved the Stream Rehabilitation Program. This reach of McClelland's Creek was prioritized for design and construction with the Twin Silos (previously referred to as Southeast Community) Park in advance of the Stream Rehabilitation Program prioritization process. The project was a high priority due to the necessity to construct it in coordination with the City Capital Improvement Project, the Twin Silos Park.

ORDINANCE NO. 055, 2017
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES IN THE STORM DRAINAGE FUND TO
PERFORM STREAM RESTORATION WORK ON MCCLELLANDS CREEK IN
CONNECTION WITH THE TWIN SILO PARK DEVELOPMENT PROJECT AND
TRANSFERRING APPROPRIATIONS TO THE CULTURAL SERVICES
AND FACILITIES FUND FOR THE ART IN PUBLIC PLACES PROGRAM

WHEREAS, local development and the construction of Lady Moon Drive has increased flows and affected McClellands Creek, resulting in severe degradation of the stream channel and banks between Ziegler Road and Lady Moon Drive, causing erosion and undercutting along the channel banks within the project area; and

WHEREAS, the City of Fort Collins has been constructing stream rehabilitation activities along McClellands Creek in southeast Fort Collins as a joint effort between the Stormwater Utility and Parks Planning; and

WHEREAS, City staff has recommended stream rehabilitation activities along approximately 2,200 linear feet of McClellands Creek in the new Twin Silo Park (the “Park”), including channel modifications to stabilize the channel and banks, and improve the quality of the aquatic and riparian habitat within McClellands Creek and its associated floodplain, and to mitigate storm drainage impacts and enhance stormwater management (collectively, the “McClellands Creek Stream Restoration Project”); and

WHEREAS, the Park's proposed recreation facility enhancements and site amenities, which will be constructed concurrently with the Project under a single contract, include constructing a designated creek play area, relocating two pedestrian bridges, installing stormwater outfall structures, and constructing one raised pedestrian bridge and one at-grade creek crossing (the “Twin Silo Park Development Project”); and

WHEREAS, the McClellands Creek Stream Restoration Project and Twin Silo Park Development Project address separate issues, but can be constructed more economically and with less overall impact if designed and constructed concurrently; and

WHEREAS, the Water Board previously approved the Stream Restoration Program and the Project has been prioritized due to the ability to construct it in coordination with the Park Improvements Project; and

WHEREAS, Utilities is requesting \$454,500 from the Storm Drainage Fund Reserves to cover costs of the Project (\$450,000) in conjunction with the Twin Silo Park Development Project and the one percent (1%) required for the Art in Public Places Program (“APP”) under City Code Section 23-304(a) (\$4,500); and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council to appropriate by ordinance at any time during the fiscal year such funds for expenditure as may be

available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

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

WHEREAS, in accordance with Article XII, Section 6 of the City Charter, the appropriation of reserves for the Project from the Storm Drainage Fund and the transfer of a portion of those unexpended and unencumbered appropriated funds to the APP program established by City Code Section 23-304(a) will be used for stormwater purposes and improvements in connection with the Park Improvements Project.

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 prior year reserves in the Storm Drainage Fund the sum of FOUR HUNDRED FIFTY FOUR THOUSAND FIVE HUNDRED DOLLARS (\$454,500) as follows:

• Twin Silo Park Development Project (stream restoration work on McClellands Creek)	\$450,000
• Art in Public Places Project (Artwork)	3,510
• Art in Public Places Project (transfer to Cultural Services Fund for APP Maintenance & Operations)	990
TOTAL	<hr/> \$454,500

Section 3. That the unexpended appropriated amount of NINE HUNDRED AND NINETY DOLLARS (\$990) is authorized for transfer to the Art in Public Places Projects from the Storm Drainage Fund to the Cultural Services and Facilities Fund and appropriated therein for the Art in Public Places Program Maintenance and Operations

Introduced, considered favorably on first reading, and ordered published this 18th day of April, A.D. 2017, and to be presented for final passage on the 2nd day of May, A.D. 2017.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 2nd day of May, A.D. 2017.

Mayor

ATTEST:

City Clerk