

# AGENDA ITEM SUMMARY

July 17, 2018

City Council

---

## STAFF

Jennifer Shanahan, Watershed Planner  
Jody Hurst, Legal

---

## SUBJECT

First Reading of Ordinance No. 094, 2018, Appropriating Unanticipated Grant Revenue From the Colorado Water Conservation Board and Great Outdoors Colorado in the Natural Areas Fund.

---

## EXECUTIVE SUMMARY

The purpose of this item is to appropriate two grants totaling \$300,000 into the Natural Areas 2018 budget. The first grant of \$200,000 was awarded by the Colorado Water Conservation Board (CWCB) through its Watershed Restoration grant program, and the second is a \$100,000 grant awarded by Great Outdoors Colorado (GOCO) through its Habitat Restoration grant program. The CWCB grant was awarded to support two related initiatives focused on improving the health of the Poudre River fish communities. Half the grant (\$100,000) will fund the installation of a fish ladder on the Timnath Reservoir Inlet Ditch diversion dam. The second half of the CWCB funds (\$100,000) will enable a fish movement monitoring study on the Poudre to better understand the efficacy of fish ladders. The GOCO grant will support Poudre River and floodplain habitat restoration at Kingfisher Point Natural Area.

---

## STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

---

## BACKGROUND / DISCUSSION

The City's 2017 Poudre Report Card noted that aquatic habitat connectivity and native fish populations are in poor condition, thus the CWCB grant was sought to support Natural Areas efforts related to improving vulnerable populations of native plains fishes and the recreational trout fishery.

### **Grant project #1: Fish passage installation in the Timnath Inlet Ditch diversion dam**

The Timnath Reservoir Inlet Ditch (aka Cache la Poudre Reservoir Inlet Ditch), owned by the Cache la Poudre Reservoir Company (CLPRC) and located downstream of Lemay Avenue, is a major barrier to aquatic habitat connectivity on the Poudre. The structure is impassable many months of the year due to the structure's size and the timing and type of CLPRC's water right. The City has been working in collaboration with CLPRC for the past two years to design fish passage on this structure. The design is complete and permits are pending. The City is working to secure funding beyond this grant for the construction/installation of fish passage in the Timnath Reservoir Inlet diversion in the fall/winter of 2018/2019.

### **Grant project #2: Evaluating effectiveness of fish passage - a fish movement monitoring program**

Many diversion structures impede upstream movements of fish, and flow fluctuations are sometimes extreme, especially in base flow periods such as November to March. Fish movements may be restricted by several in-channel diversion structures that are barriers to fish passage, which ultimately may affect the health of the fish community. To that end, fish passage structures are proposed to remedy the issue of upstream fish passage,

but the best placement of new structures and efficacy of existing ones are largely unknown.

With significant effort needed to improve the numerous structures on the Poudre, it would be helpful to better understand their effectiveness. To that end, \$100,000 of these funds will go towards a 3-year monitoring program to monitor the makeup of the fish community, background fish movement rates in various habitat types, and passage rates of fish over existing diversion dams via fish passage devices.

**Grant project #3: Poudre River and floodplain habitat restoration at Kingfisher Point Natural Area**

As a part of its 2015 Natural Areas Restoration Master Plan, the Natural Areas Department (NAD) is planning to restore river and floodplain habitat along a one half-mile stretch of the Poudre River through Kingfisher Point Natural Area (between Lemay Avenue and Timberline Road). The project is intended to provide restored in-river aquatic habitat, naturalized riverbanks, expanded floodplain cottonwood forests, improved floodwater retention, and create high-quality wetlands. Along with the investment generated from the City's Open Space Yes tax and the County's Help Preserve Open Space tax, GOCO's matching grant award will support the procurement of materials and restoration services to bring the project to fruition. The GOCO grant was awarded in December 2016, the grant agreement was executed with City Council Resolution 2017-002.

**CITY FINANCIAL IMPACTS**

---

The City will provide a 100% local match for both grants. Funds are appropriated and available in the Natural Areas budget for this purpose.

This action has a net positive impact on the City's financial resources by \$300,000 and the ability to make progress in the goal of improving and sustaining the health of the Cache la Poudre River.

**BOARD / COMMISSION RECOMMENDATION**

---

At its March 8, 2018, meeting, the Land Conservation and Stewardship Board unanimously voted to recommend City Council appropriate the CWCB grant funds of \$200,000 into the Natural Areas budget.

At its June 13, 2018, meeting, the Land Conservation and Stewardship Board unanimously voted to recommend City Council appropriate the GOCO grant funds of \$100,000 into the Natural Areas budget.

**ATTACHMENTS**

---

1. Land Conservation and Stewardship Board minutes, March 8, 2018 (PDF)
2. Land Conservation and Stewardship Board minutes, June 13, 2018 (PDF)

**Land Conservation & Stewardship Board**  
**March 8, 2018**  
**Minutes Excerpt**

**Appropriation of Grant Revenues**

**Jennifer Shanahan, Natural Resource Watershed Planner**, reminded the board of the 2017 River Health Report Card for the Cache la Poudre River. The Report Card indicates two elements of the river ecosystem in poorest conditions on the river are connectivity of aquatic habitat and native fish.

Jennifer is requesting to appropriate a recently awarded grant totaling \$200,000 from the Colorado Water Conservation Board to support work to improve the health of the fisheries in the Poudre River. This grant would fund two projects. The first project is at Timnath Inlet Ditch diversion dam which is currently a major barrier to aquatic habitat connectivity on the Poudre. The grant would fund design of a fish passage (ie. a fish ladder) on this structure. The second project is a fish movement monitoring program to better understand the effectiveness of and need for fish passage structures in the river.

*David Tweedale made a motion that City Council appropriate the recently awarded grant funds of \$200,000 into the Natural Areas Budget for use towards two projects that work to improve the health of Poudre River fish communities. The LCSB would like to commend NAD staff for seeking grant funding for this important project.*

*Marcia Patton-Mallory seconded the motion.*

*The motion was unanimously approved.*

**Land Conservation & Stewardship Board  
Minutes Excerpt  
June 13, 2018**

**Kingfisher Restoration Plan Update**

**Rachel Steeves, NAD Environmental Planner**, offered a couple of maps and pictures of the restoration at Kingfisher Natural Area. Rachel explained the primary purpose of the restoration is to improve the hydrologic function and aquatic connectivity of the Poudre River. The second purpose is to create wetlands and restoration of habitat in and around the open water of Gadwall Pond. The project includes preparation for future visitor amenities such as a parking lot, a loop trail off Mulberry and possible pedestrian bridge connection to the Poudre Trail.

**Discussion:**

Joe asked where the funding for the restoration project was coming from. Rachel reported funding from Natural Areas Capital restoration, and \$100,000 to come from a GOCO Habitat Restoration grant.

Rachel provided a timeline for the restoration project. In mid-July we will work on the increase of wetland acreage at Gadwall Pond by 2.4 acres. Provided the FEMA permit application goes through, we can start a little earlier, otherwise it will be September or October before the floodplain and river channel grading will take place. Planting of riparian areas will take place in the winter and spring of 2019. The pedestrian bridge is 2020 and the parking lot is slated for 2019.

Joe suggested the LCSB do a walking tour of the McMurry Natural Area and N. Shields Street Access to get a better idea of progress of those restored areas. Rachel offered a future tour.

**DAVID TWEEDALE MADE A MOTION THAT THE LCSB RECOMMENDS THAT CITY COUNCIL APPROVE AN ORDINANCE TO APPROPRIATE THE RECENTLY AWARDED GOCO GRANT FUNDS OF \$100,000 INTO THE NATURAL AREAS BUDGET FOR USE TOWARDS THE RIPARIAN RESTORATION PROJECT AT KINGFISHER POINT NATURAL AREA.**

**MARCIA PATTON-MALLORY SECONDED THE MOTION**

**THE MOTION WAS UNANIMOUSLY APPROVED 8-0**

ORDINANCE NO. 094, 2018  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPROPRIATING UNANTICIPATED GRANT REVENUE FROM THE  
COLORADO WATER CONSERVATION BOARD AND GREAT  
OUTDOORS COLORADO IN THE NATURAL AREAS FUND

WHEREAS, the City has been awarded a Colorado Water Conservation Board (“CWCB”) grant in the amount of \$200,000 that will be used to improve the health of the Poudre River fish communities; and

WHEREAS, the CWCB grant will be used to install a fish ladder on the Timnath Reservoir Inlet Ditch diversion dam and a fish movement monitoring study on the Poudre River; and

WHEREAS, the City has also been awarded a Great Outdoors Colorado (“GOCO”) grant in the amount of \$100,000 that will support Poudre River and floodplain habitat restoration at Kingfisher Point Natural Area; and

WHEREAS, the GOCO grant requires \$100,000 of matching funds and the CWCB Grant requires \$200,000 of matching funds, which have been appropriated and are available in the Natural Areas budget for this purpose; and

WHEREAS, the Land Conservation and Stewardship Board at its regular meeting in March 2018 voted unanimously to recommend approval of the CWCB grant funds; and

WHEREAS, this appropriation benefits public health, safety, and welfare of the citizens of Fort Collins and serves the public purpose of conserving land and restoring wildlife habitats; 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 General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year; and; 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 or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged; the purpose for which the funds were initially appropriated no longer exists; or the proposed transfer is from a fund or

capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance.

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 from unanticipated revenue in the Natural Areas Fund the sum of TWO HUNDRED THOUSAND DOLLARS (\$200,000) for expenditure in the Natural Areas Fund for the installation of a fish ladder on the Timnath Reservoir Inlet Ditch diversion dam and a fish movement monitoring study on the Poudre river.

Section 3. That there is hereby appropriated from unanticipated revenue in the Natural Areas Fund the sum of ONE HUNDRED THOUSAND DOLLARS (\$100,000) for expenditure in the Natural Areas Fund for Poudre River and floodplain habitat restoration at the Kingfisher Point Natural Area.

Introduced, considered favorably on first reading, and ordered published this 17th day of July, A.D. 2018, and to be presented for final passage on the 21st day of August, A.D. 2018.

---

Mayor Pro Tem

ATTEST:

---

City Clerk

Passed and adopted on final reading on the 21st day of August, A.D. 2018.

---

Mayor

ATTEST:

---

City Clerk