

AGENDA ITEM SUMMARY

December 3, 2019

City Council

STAFF

Theresa Connor, Water Engineering Field Operations Mgr
Lance Smith, Utilities Strategic Finance Director
Shane Boyle, Civil Engineer III
Ingrid Decker, Legal

SUBJECT

Second Reading of Ordinance No. 139, 2019, Appropriating Prior Year Reserves for the Purchase of Property on West Vine Drive.

EXECUTIVE SUMMARY

This Ordinance, unanimously adopted on First Reading on November 19, 2019, appropriates prior year reserves in the Storm Drainage Fund to purchase a portion of the property at 1337 West Vine Drive. This parcel is needed in order to construct the West Vine Outfall, which is part of the approved West Vine Basin Master Drainage Plan.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, November 19, 2019 (w/o attachments) (PDF)
2. Ordinance No. 139, 2019 (PDF)

AGENDA ITEM SUMMARY

City Council

November 19, 2019

STAFF

Theresa Connor, Water Engineering Field Operations Mgr
Lance Smith, Utilities Strategic Finance Director
Shane Boyle, Civil Engineer III
Ingrid Decker, Legal

SUBJECT

First Reading of Ordinance No. 139, 2019, Appropriating Prior Year Reserves for the Purchase of Property on West Vine Drive.

EXECUTIVE SUMMARY

The purpose of this item is to appropriate prior year reserves in the Storm Drainage Fund to purchase a portion of the property at 1337 West Vine Drive. This parcel is needed in order to construct the West Vine Outfall, which is part of the approved West Vine Basin Master Drainage Plan.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

Much of the West Vine Basin, located in western Fort Collins generally along West Vine Drive and Laporte Avenue, was developed in the County prior to stormwater and floodplain regulations being adopted. For this reason, there is significant potential for flooding in the basin during a large rainstorm event. The City's Stormwater Master Drainage Plan for the West Vine Basin identifies improvements that would help to mitigate and convey flood flows through the basin to the Poudre River while minimizing the flooding potential to residents, businesses, and major roadways. The West Vine Outfall project is a vital component of that master plan and would limit the extents of the mapped floodplain to the proposed outfall channel and regional detention pond.

A portion of the property at 1337 West Vine Drive lies within the proposed alignment for the West Vine Outfall project and is currently for sale. (**Attachment 1**) The purpose of this Ordinance is to appropriate funds for the purchase of the portion of the property that is needed in order to construct the West Vine Outfall project. If the City does not purchase the property, it may be sold to a third party and developed, which would hinder the City's ability to construct this important Stormwater project. The approach to flood mitigation in the West Vine Basin would need to be altered to utilize large culverts under Vine Drive and would not allow an opportunity to create a connective trail and greenway.

Recent projects and property acquisition in the area that are part of the West Vine Outfall include construction of a portion of the West Vine Outfall from Vine Drive to the Poudre River in 2013-2014 and acquisition of the future regional detention pond property in 2012.

CITY FINANCIAL IMPACTS

This off-cycle request is for \$255,000 from Stormwater Reserves. Current balance in Stormwater Reserves is \$3,800,000.

BOARD / COMMISSION RECOMMENDATION

At its September 19, 2019 meeting, the Water Board voted unanimously (8-0) to recommend approval of the off-cycle budget offer not to exceed \$280,000 for the acquisition of a portion of the property at 1337 West Vine Drive for the West Vine Basin Master Drainage Plan.

ATTACHMENTS

1. Location Map (PDF)
2. Water Board minutes, September 19, 2019 (PDF)

COPY

ORDINANCE NO. 139, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES FOR THE
PURCHASE OF PROPERTY ON WEST VINE DRIVE

WHEREAS, the City's Stormwater Master Drainage Plan for the West Vine Basin identifies improvements needed to mitigate and convey flood flows through that basin to the Poudre River, reducing the flooding potential to residents, businesses and major roadways; and

WHEREAS, the West Vine Outfall Project (the "Project") is a major component of the Master Drainage Plan; and

WHEREAS, the City has entered into an agreement to purchase approximately 1.5 acres of a larger parcel of land located at 1337 West Vine Drive for the Project, contingent on appropriation by the City Council of sufficient funds to purchase the property by January 29, 2020; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of helping to protect lives and public and private property from flood hazards; 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, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Storm Drainage Fund and will not cause the total amount appropriated in the Storm Drainage 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 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 prior year reserves in the Storm Drainage Fund the sum of TWO HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$255,000) for expenditure in the Storm Drainage Fund for the purchase of a portion of the property at 1337 West Vine Drive.

Introduced, considered favorably on first reading, and ordered published this 19th day of November, A.D. 2019, and to be presented for final passage on the 3rd day of December, A.D. 2019.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 3rd day of December, A.D. 2019.

Mayor

ATTEST:

City Clerk