ORDINANCE NO. 156, 2013
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING UNANTICIPATED REVENUE IN THE STORMWATER FUND
FROM LARIMER COUNTY FOR CONSTRUCTION OF CERTAIN
STORMWATER IMPROVEMENTS IN THE WEST VINE BASIN

WHEREAS, in 1997, the City and Larimer County entered into an intergovernmental agreement for stormwater cooperation (the "IGA"), assigning responsibilities to each entity related to certain stormwater improvements in the West Vine Basin; and

WHEREAS, in 2004, the City Council approved the West Vine Basin Master Drainage Plan, including areas located in the northwest portion and in Larimer County; and

WHEREAS, the West Vine Basin Master Drainage Plan includes the future reduction of the existing 100-year floodplain that crosses Shields Street; and

WHEREAS, City staff and Larimer County representatives have determined that certain stormwater improvements are needed in the West Vine Basin in light of existing circumstances; and

WHEREAS, in 2011, Larimer County initiated its North Shields Street widening project, which affects a portion of the West Vine Basin north of the Shields Street bridge; and

WHEREAS, in conjunction with the County project, City staff identified stormwater improvements that needed analysis and design under the City and County plans, including construction of an outfall channel and a regional detention pond; and

WHEREAS, in 2012, the City and the County entered into an amendment to the IGA to share the analysis and design costs for the outfall channel, with the understanding that a further amendment would occur prior to construction; and

WHEREAS, a new IGA amendment has been prepared now that initial design of the outfall channel is complete, and final construction plans are anticipated in December, 2013; and

WHEREAS, estimated construction costs for the outfall channel are $2,301,000, of which the City will fund up to $1,201,000, with Larimer County paying the remainder; and

WHEREAS, upon execution of the IGA amendment, the County will pay the City $612,500 toward its portion of the construction costs, which funds will be deposited into the City's Stormwater Fund; and

WHEREAS, upon receipt of the County's payment, the City will record a credit in favor of the County toward its funding obligations under the IGA amendment, in recognition of extra design costs previously advanced by the County under the 2012 IGA amendment; and

WHEREAS, the funds required for the City's portion of the construction costs were included in the 2013-14 Budget; and

WHEREAS, Article V, Section 9, of the City Charter authorizes 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 the fiscal year, does not exceed the current estimate of actual and anticipated revenues to be received during the fiscal year; and

WHEREAS, City staff have determined that the appropriation of revenue as described herein will not cause the total amount appropriated in the Stormwater Fund to exceed the current estimate of actual and anticipated revenues to be received in that fund during any fiscal year; 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.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that there is hereby appropriated from unanticipated revenue in the Stormwater Fund the sum of ONE MILLION TWO HUNDRED ONE THOUSAND DOLLARS ($1,201,000) for construction of specific West Vine Basin stormwater improvements.

Introduced, considered favorably on first reading, and ordered published this 5th day of November, A.D. 2013, and to be presented for final passage on the 19th day of November, A.D. 2013.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading on the 19th day of November, A.D. 2013.

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Mayor

ATTEST:

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City Clerk