



Legislation Details (With Text)

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File created:	10/28/2020	In control:		Town Council	
On agenda:	11/10/2020	Final action:			
Title:	A Resolution of the Board of Trustees of the Town of Erie Approving an Amendment to the Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Coal Creek from County Line Road to Kenosha Road, with Urban Drainage and Flood Control District d/b/a Mile High Flood District				
Sponsors:	Public Works				
Indexes:					
Code sections:					
Attachments:	1. Amendment, 2. Resolution				

Date	Ver.	Action By	Action	Result
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SUBJECT: CONSENT AGENDA

A Resolution of the Board of Trustees of the Town of Erie Approving an Amendment to the Agreement Regarding Final Design, Right-of-Way Acquisition and Construction of Drainage and Flood Control Improvements for Coal Creek from County Line Road to Kenosha Road, with Urban Drainage and Flood Control District d/b/a Mile High Flood District

DEPARTMENT: Public Works

PRESENTER/PREPARER: Todd Fessenden, Public Works Director
Wendi Palmer, Civil Engineer

FISCAL SUMMARY:

Cost as Recommended: \$3,600,000 in total
Balance Available: \$2,500,000 and
\$1,431,000
Budget Line Item Numbers: 520-70-110-605000-100181 and
520-70-110-605000-100225
New Appropriation Required: No

STAFF RECOMMENDATION:

Approve the Resolution to amend Agreement No. 15-02-10B

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

This amendment would provide for the allocation of a total of \$6.0 million for the design and construction of flood control improvements on Coal Creek from Cheesman Street to Kenosha Road. The funding includes \$4.7 million in Town funds and \$1.3 million from the Mile High Flood District

(MHFD). The Town funds have already been budgeted and consist of \$3.6 million in the Storm Drainage Fund, and \$1.1 million already held by MHFD for another project that would be transferred to this project.

The MHFD assists local governments in the Denver metropolitan area with multi-jurisdictional drainage and flood control problems. The Boulder County portion of Erie is within MHFD boundaries. The Weld County portion currently is not included.

Town staff requested project management and construction assistance from MHFD for improvements to Coal Creek between County Line Road and Kenosha Road which is within MHFD's boundaries. Depending upon available funding, MHFD will fund up to 50% of the design, right-of-way acquisition and construction of drainage and flood control improvements.

At the August 25, 2015 Board of Trustees meeting, the Board approved the first agreement and \$50,000 to begin the funding for improvements to Coal Creek for this segment. At that time, MHFD also budgeted and approved \$50,000 to put towards this project.

At the April 11, 2017 Board meeting, the Board approved the first amendment which added an additional \$500,000 from both Erie and MHFD to fund the design and begin the funding for construction. Erie also added \$275,000 for the design for the section of Coal Creek between Cheesman Street and County Line Road which is to be 100% funded by Erie as it lies outside of the MHFD boundaries.

The Town selected ICON Engineering to design the improvements to Coal Creek. The first phase was to prepare a conceptual design for the entire section between Cheesman Street and Kenosha Road. The section was divided into three reaches, Reach 1 is between Cheesman Street and just north of the Briggs Street Bridge, Reach 2 continues to County Line Road, and Reach 3 is between County Line Road and Kenosha Road. Final design is nearing completion on Reach 1 and Reach 3. Since the majority of Coal Creek in Reach 2 is not owned by Erie, it was not chosen for final design. During the final design phase of Reach 1 and 3, MHFD contracted with CEI Constructors to provide construction guidance and cost estimating throughout the final design phase. They have also been selected for constructing the project once funding and permitting is complete. Construction is anticipated to begin after the first of the year.

Reach 1 is a critical section to improve. While FEMA was updating the mapping in Erie, it was discovered that with the updated flows in Coal Creek, the levee protecting Old Town from Coal Creek no longer had the required 3-foot of freeboard. Without the 3-foot of freeboard, FEMA would have to disqualify the levee, placing a much larger population of Old Town within the Flood Hazard zone. This would have negatively impacted the residence and businesses in Erie. Town Staff requested that FEMA postpone the adoption of the map that included the Levee. At that time the Town's 5-year Capital Improvement Plan included funding the design and construction of improvements to this section of Coal Creek. With improvements planned, FEMA agreed to postpone the adoption of the new mapping.

Reach 2 will provide an improved experience to Erie residents. Not only will the conveyance of Coal Creek be improved, the improvements include a trail and pedestrian crossings of Coal Creek. Once

this section of Coal Creek is improved, it will qualify for maintenance assistance from MHFD.

Fiscal Impact:

By working with MHFD, the Town benefits from their expertise managing drainage and flood control projects, in addition to their contribution to the funding of the portion within MHFD boundaries. Also, by combining the two reaches into one project, the Town benefits from economy of the scale of the project.

The funding for this project includes transferring funding for the Prince Lake No. 2 flood control project along 111th Street, that has been delayed to allow for proper coordination with Boulder County.

The following is a summary of the past and current funding for this project:

	% Share	Previous Contribution	Additional Contribution	Total Contribution
MHFD	25.7%	\$550,000	\$ 300,000	
Transfer from 111 th Street project			\$1,038,495	\$1,888,495
Town	74.3%	\$825,000	\$3,600,000	
Transfer from 111 th Street project			\$1,047,604	\$5,472,604
Total Funding	100%	\$1,375,000	\$5,986,099	\$7,361,099

Board Priority(s) Addressed:

- ✓ Attractive Community Amenities
- ✓ Small Town Feel
- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Environmentally Sustainable
- ✓ Fiscally Responsible

ATTACHMENTS:

1. Resolution
2. Amendment