

M&C FILE NUMBER: M&C 25-0373

SUBJECT

RECOMMENDATION:

1. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Capital Projects Fund, by increasing estimated receipts and appropriations in the Lebow Channel Flood Mitigation project (City Project No. 103061) in the amount of \$1,500,000.00 and decreasing the estimated receipts and appropriations in the Large Flood Mitigation Programmable project (City Project No. P00148) by the same amount; and
2. Amend the Fiscal Years 2025-2029 Capital Improvement Program.

DISCUSSION:

The Lebow Channel area is a critical and high priority for flood mitigation. Five fatalities have occurred in the project area, where there are eight hazardous roadway overtopping locations and over 200 structures within the FEMA floodplain. The City developed an overall concept plan for the Lebow watershed and has worked on it since 2001.

Freese and Nichols, Inc. (FNI) is currently performing project development and design of the Upper Lebow flood mitigation improvements between Long Avenue and De Ridder Street. This process has identified properties that need to be acquired by the City to create a detention pond just north of Long Avenue and along Lebow Channel to reduce impacts of flooding in the area.

The original FNI contract was awarded \$1,000,000.00 by M&C 23-0433 on May 23, 2023 (City Secretary Contract (CSC) No. 59575). It was intended to be amended to add additional funds as the project progressed since the Lebow Channel Flood Mitigation project is multi-phase. Additional funds of \$1,000,000.00 were appropriated to the FNI contract through Amendment No. 1 by M&C 24-0646 on August 13, 2024 (CSC No. 59575-A1), which also added \$500,000.00 to the Lebow Channel Flood Mitigation project for property acquisition in support of the proposed detention pond at Long Avenue.

This M&C will appropriate an additional \$1,500,000.00 for property acquisition. In addition to purchasing property needed for the future detention pond, the funding may also be used to begin acquiring additional property needed for channel and culvert improvements associated with the overall Lebow Channel Flood Mitigation project. Additional funding for property acquisition will continue to be added to the project over time, as needed for additional flood mitigation improvements.

The action in this M&C will amend the Fiscal Years 2025-2029 Capital Improvement Program as approved in connection with Ordinance 27107-09-2024.

The following table displays the appropriations history for the project:

<u>Fund</u>	<u>Existing Funding</u>	<u>Additional Funding (this M&C)</u>	<u>Project Funding Total</u>
52002 – Stormwater Capital Projects	\$700,000.00	\$1,500,000.00	\$2,200,000.00
52007 – Stormwater Revenue Bonds 2020	\$860,399.00	\$0.00	\$860,399.00

<u>Fund</u>	<u>Existing Funding</u>	<u>Additional Funding (this M&C)</u>	<u>Project Funding Total</u>
52008 – Drainage Revenue bonds Series 2023	\$1,000,000.00	\$0.00	\$1,000,000.00
Project Total	\$2,560,399.00	\$1,500,000.00	\$4,060,399.00

M&C 23-1058 and 24-0280 provide additional details regarding the Lebow Channel Flood Mitigation project and grant funding that was applied for.

Funding for additional property acquisition is budgeted in the Large Flood Mitigation project (City Project No. P00148) within the Stormwater Capital Projects Fund for the purpose of the Lebow Channel Flood Mitigation project.

This project is located in COUNCIL DISTRICT 2.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Large Flood Mitigation project within the Stormwater Capital Projects Fund, and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the Stormwater Capital Projects Fund for the Lebow Channel Flood Mit project to support the recommendations and award of the contract. Prior to any expenditure being incurred, the Transportation & Public Works Department has the responsibility to validate the availability of funds.

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Expedited