



City of Olathe

COUNCIL AGENDA ITEM

MEETING DATE: 4/7/2020

DEPARTMENT: Public Works

STAFF CONTACT: Mary Jaeger / Beth Wright

SUBJECT: Mitigation Credit Reservation and Purchase Agreement for the Lake Side Acres Street Reconstruction Project, PN 3-R-002-20; the Lake Side Acres Sanitary Sewer Rehabilitation Project, PN 1-R-104-17; and the Stevenson Street Stormwater Improvements Project, PN 2-C-014-18.

ITEM DESCRIPTION:

Consideration of a Mitigation Credit Reservation and Purchase Agreement with Swallow Tail LLC for the construction of the Lake Side Acres Street Reconstruction Project, PN 3-R-002-20; the Lake Side Acres Sanitary Sewer Rehabilitation Project, PN 1-R-104-17; and the Stevenson Street Stormwater Improvements Project, PN 2-C-014-18.

SUMMARY:

As part of the federal permitting requirements with the United States Army Corps of Engineers (USACE), the City applied for a permit under Section 404 of the Clean Water Act due to the project impacting an open drainage channel (unnamed tributary to Mill Creek). The USACE conducted a review of the proposed improvements and the condition of the channel and determined the City must purchase stream mitigation credits from an approved mitigation bank. Purchase of the credits is required prior to the USACE release a permit for the modifications to the Mill Creek tributary.

The Mitigation Credit Reservation and Purchase Agreement allows the City to purchase 1301.23 stream credits from Swallow Tail LLC at \$50 per credit for a total of \$65,061. This purchase will allow the project to gain the necessary permit from the USACE. In 2012, the City purchased \$71,155 of mitigation credits from Swallow Tail LLC for the Community Center project, and in 2017, the City purchased \$61,100 of mitigation credits from Swallow Tail LLC for the Indian Creek (Albervan St. to Pflumm Rd.) Stormwater Improvements Project.

This project will provide full street reconstruction of E. Sheridan Street, S. Stevenson Street, E. Oak Street, S. Hamilton Street, S. Hamilton Circle, and S. Curtis Street; rehabilitate structurally failing sanitary sewers in the Lake Side Acres neighborhood which were identified in the Neighborhood Rehabilitation Program as requiring replacement; and address street and house flooding along S. Stevenson Street near E. Sheridan Street, alleviating flood risk to eight (8) homes.

The stormwater portion of this project is the first of six identified neighborhood flood control projects located outside the FEMA regulated floodplain.

Construction has begun and is tentatively scheduled to be completed in Spring 2021.

FINANCIAL IMPACT:

The design and construction of the Lake Side Acres Street Reconstruction Project, the Lake Side Acres Sanitary Sewer Rehabilitation Project, and the Stevenson Street Stormwater Improvements

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Project is funded from the following sources:

Street Reconstruction Program	\$1,600,000
Water & Sewer Funds	\$ 526,350
Johnson County SMAC Program	\$1,606,902
Revenue Bonds (Stormwater)	\$ 659,100
<u>Stormwater Fund</u>	<u>\$ 111,248</u>
Total	\$4,503,600

ACTION NEEDED:

Approval of a Mitigation Credit Reservation and Purchase Agreement with Swallow Tail LLC for the construction of the Lake Side Acres Street Reconstruction Project, PN 3-R-002-20; the Lake Side Acres Sanitary Sewer Rehabilitation Project, PN 1-R-104-17; and the Stevenson Street Stormwater Improvements Project, PN 2-C-014-18.

ATTACHMENT(S):

- A. Project Location Map
- B. Project Fact Sheet
- C. Mitigation Credit Agreement