



City of Broken Arrow

Request for Action

File #: 21-489, Version: 1

**Broken Arrow City Council
Meeting of: 04-20-2021**

Title:

Consideration, discussion and possible approval of the Drainage Advisory Committee's recommendation to reject additional expenditures of 2018 General Obligation Bond, Proposition 6 funds for construction of erosion control improvements on a private pond in the Pembroke Park subdivision

Background:

Pembroke Park subdivision is located along the south bank of the East Branch of Haikey Creek. The subdivision has a privately-owned pond that abuts the creek. The pond embankments and surrounding property is experiencing moderately severe erosion. Some of this erosion may have been caused by undermining of a large tree that fell into the creek and forced high waters into the west bank of the pond. In addition, the tree dammed up the creek and was trapping other debris. The fallen tree was located in close proximity to the roadway culvert underneath Olive Avenue. The standing water as a result of the fallen tree was reducing the conveyance capacity of the roadway culvert.

On October 28, 2019, the Drainage Advisory Committee recommended to Council that an amount of \$10,000.00 be applied towards the removal of the fallen tree and any subsequent debris that was damming up the creek and creating a potential erosion issue. The recommendation included that any excess funds remaining after the tree and debris removal be applied towards placing riprap along the western embankment of the pond. City Council approved these funds on November 18, 2019.

Tree and debris removal has been completed at a cost of \$3,000.00 leaving \$7,000.00 remaining for riprap placement. The Pembroke Park Homeowners Association hired Keithline Engineering Group, PLLC, to design a set of construction documents for erosion control along the western embankment of the pond. The plans were scheduled to open February 15, 2021.

The construction cost estimate is \$31,355.00. The portion of the project associated with the riprap is \$15,770.00. Pembroke Park HOA has requested additional funds in excess of the remaining \$7,000.00 be used for the construction of the erosion control.

On February 22, 2021, the Drainage Advisory Committee entertained the request from the Pembroke Park HOA for additional funds. Staff made a recommendation to reject the request because it lacked an overall public benefit. The Committee agreed with Staff's position and approved a recommendation to reject the request.

On March 16, 2021, the City Council entertained the Drainage Advisory Committees' recommendation to reject the additional expenditure. At the request of the HOA, the City Council directed that the Committee rehear the item in order to allow the HOA to present its position.

On March 29, 2021 the Drainage Advisory Committee along with staff re-evaluated the construction plans prepared by the HOA for the improvements to its pond. The HOA made an hour and half presentation

concerning its position regarding requested additional funds. After the detailed presentation, it remains the Committee's position that the subsequent request for additional funds above and beyond the initial funds approved to remove the fallen tree and associated debris provides no additional benefit.

Therefore, the Drainage Advisory Committee recommends rejecting Pembroke Park's request for additional funds.

Cost: \$0.00

Funding Source: 2018 GO Bond, Proposition 6

Requested By: Ethan J.L. Edwards, P.E., Director of Engineering and Construction

Approved By: City Manager's Office

Attachments: Drainage Advisory Committee Packet

Recommendation:

Accept the Drainage Advisory Committee's recommendation to reject additional expenditures of 2018 GO Bond, Proposition 6 funds for construction of erosion control improvements on a private pond in the Pembroke Park subdivision.