

Fountain Creek Watershed, Flood Control and Greenway District
Citizens Advisory Group
Meeting Minutes
December 10, 2010

The meeting was held at:
City of Fountain, City Hall
116 S. Main Street, 2nd Floor
Fountain, CO 80817

1. Call to Order, Establish Quorum and Introductions

The December 10, 2010, meeting of the Fountain Creek Watershed Citizens Advisory Group (“CAG”) was called to order by Chairperson, Ms Ferris Frost, at approximately 9:40am. In attendance were the following designated members of the CAG:

Ferris Frost – Chairperson
Tom Evans – Vice Chairperson
Carol Baker
Dennis Maroney
Tom Ready
Ross Vincent
David Kinnischtzke
Irene Kornelly
Terry Hart
Mary Barber
Dan Henrichs

Members not present:

Chris Yuan-Farrell	Eva Montoya
Richard Skorman	Jay Winner
Jack Johnston	

Mr Gary Barber, Interim Executive Director, Fountain Creek Watershed, Flood Control and Greenway District (“FCWD”), was also present.

A quorum was noted.

2. Approve Agenda of December 10, 2010 Meeting

Upon motion duly made, seconded and unanimously carried, the agenda for the December 10, 2010 meeting was approved.

3. Approve Minutes of Prior Meeting(s)

Upon motion duly made, seconded and unanimously carried, the August 13, 2010 minutes were approved.

Upon motion duly made, seconded and unanimously carried, the October 8, 2010 minutes were approved.

Upon motion duly made, seconded and unanimously carried future minutes will summarize presentations, issues, key points and decisions.

4. Reports

a. Governing Board Meeting

No report; no District Board meeting has been held since the last CAG meeting.

b. TAC Meeting

Mr Maroney reported the proposed Summit Office Park project, Fountain, CO was reviewed. Technical Advisory Committee (“TAC”) recommendations were:

- don't fill within the 100-year floodplain
- redefine the floodplain based on elevation and topography

Mr Barber clarified, the FCWD advises against filling within the 100-year floodplain (all projects) because of its adverse cumulative impacts on the watershed.

Ms Baker remarked that regional drainage policy and criteria for land use considerations which prohibits fill in the 100-year floodplain throughout the watershed would be desirable.

Mr Hart proposed the CAG consider recommending that filling in the 100-year floodplain be disallowed in order to avoid cumulative negative impacts and to preserve the floodplain; the floodplain be redefined; and recommend the City of Fountain disapprove the project as presented.

A suggestion was made by Mr Evans that the FCWD should address the potential to offset negative cumulative impacts from projects with other projects in the watershed similar to other watershed district policies.

Mr Barber gave the “District Standard Briefing” clarifying the watershed management area and other FCWD authorities inside the watershed. The watershed management area is the limit in which a fee can be imposed. The counties of El Paso and Pueblo ceded their authority within the Fountain Creek corridor identified by statute. The FCWD has full land use authority in the corridor. The FCWD has an advisory role within the entire watershed. Projects are referred to the TAC and CAG who each make recommendations to the District.

The Summit Office Park is not in the corridor (south of Fountain to Pueblo). It is in the watershed so the FCWD may make recommendations to Fountain (land use authority) who requested District input.

Mr Barber suggested the roles of planning directors, project engineers, the FCWD Executive Director (and staff), TAC, CAG and Board may need to be better defined. Ms Frost stated and all agreed District review procedures will also be needed.

County/City land use authorities have time limitations in their procedures which we may not be organized to support (e.g. 21 day response). Multiple jurisdictions are a challenge. Special meetings may be needed to address procedural timelines.

The biggest changes in impervious surface and future impacts will be in the watershed. We have been focused on the corridor because all water flows downhill and because of historic damage along the Fountain. Of primary concern should be Sand and Jimmy Camp Creeks to the Pinon Bridge with the TAC providing technical review and the CAG providing the community voice on things such as trails and aesthetics. Even though we don't have jurisdiction relative to the Summit Office Park, it is an area of high interest and the CAG may wish to recommend to Fountain that a trail easement be included in the development plan.

Mr Hart pointed out there are limitations (timeliness factors and not having everything in front of us), but it is proper that we make recommendations caveated on what we have, whether it is a referral from another jurisdiction or brought to the CAG and whether it is in the corridor, in the floodplain or in the watershed.

Ms Barber suggested while we may wish to confirm support of TAC recommendations, it may be appropriate for the CAG to comment on projects relative to the Corridor Master Plan, Watershed Master Plan, and other plans and projects we know about relative to community, recreational or other aspects of interest to the District. Even so, Ms Frost pointed out we may not have sufficient information about proposals on which to make recommendations. The CAG needs to decide what we will base our recommendations on and a process to address citizen interests.

Possible options:

- work with jurisdictions to give us more flexibility on time if it's an issue within the floodplain
- try to react as best we can in light of the time limitations of the jurisdictions, which may require special meetings
- don't weigh in at all if it doesn't fit with our meeting schedule
- focus on critical areas of the watershed and request planning department referrals in these areas
- call upon smaller groups from the TAC and CAG with the Executive Director to review and comment on projects and/or referrals (may not be doable)
- telephone conferencing

The District needs to determine by what process they wish to come up with some solutions for developing interim land use approval procedures. The Board needs to give us direction to come back with some alternatives. This is an item for discussion at the combined Board – TAC - CAG meeting today.

Mr Evans expressed he thinks land use is important in the future but we need to prioritize what the CAG does in the next couple of years towards ensuring the District is a funded entity that can meet its vision. We should be very selective in addressing land use issues/projects in all parts of the watershed that will impress upon voters the value in funding the District in the future.

Interim Executive Director Barber stated that current funding would allow the Watershed Master Plan to be completed in 2011. The most important thing beyond that is keeping the District going. The way to stay in front of the community may be through advocacy around land use and outreach. The role of the interim Executive Director would then shift to keeping the presence of the District out there, keeping the CAG full of enthusiasm about the mission and vision, and figuring out how to keep the District going short of voter approved funding. A ballot proposal may not be desirable in 2012 given the economy. He will be presenting a revised funding approach to the Board this afternoon with a proposal for funding by the District entities, which would stretch the budget to 2016.

Upon motion duly made, seconded and carried, consistent with the TAC recommendations, recognizing our function is to preserve the floodplain and based on the information received, the CAG recommends the Summit Office Park proposal not go forward until concerns with the accuracy of the currently defined floodplain, preservation of the riparian nature of the area, and the potential impact on the floodplain and negative cumulative effect on the Creek have been better addressed. (8 For, 2 Against, 1 Abstain).

c. Outreach Group

Ms Baker reported the group has been putting together a presentation for the Board on what has been accomplished over the last year or so and outlining a way ahead. After approval the Group will start presenting to Homeowners Associations, city councils, county commissions, etc. The Group will also be publishing a newsletter. A blog and Google calendar will be developed. The Group will be meeting with colleges in late January/early February to figure out how they will contribute to get the word out, in partnership with Catamount Institute. A logo has been approved.

The Arkansas River Basin Forum will host a 1 1/2 day event to be held in south Colorado Springs during spring 2011. Fountain Creek will be a focus. An evening reception will be conducted at the Wells Property Trailhead.

5. Current Business

a. Summit Office Park Project: Addressed under item 4.b

b. 21 day review process: Addressed under item 4.b

c. Re-appointment of CAG members

Members of the CAG need to be re-appointed in January. Members should self-identify if they wish to continue to serve. We also need to think about election of officers; Ms Frost does not wish to continue as the Chair. We need to get more people interested in being on the CAG such as a business representative, e.g. homebuilder. We may wish to recommend the Board advertise for CAG positions in the future.

6. Other Business: There was an announcement in the newspaper that the Wells Trailhead project received \$200,000 of Great Outdoors Colorado funding.

7. Public Comment: None

8. Executive Session: None Required

9. Next Meeting Date, Time, Location

The next regularly scheduled CAG meeting will be January 14, 2011, 9:30am, Pueblo.

10. Adjourn

The meeting was adjourned at approximately 11:40am