

**Fountain Creek Watershed, Flood Control and Greenway District
BOARD OF DIRECTORS MEETING MINUTES**

June 26, 2015

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

1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM

Vice Chair Hart called the meeting to order at 1:15 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Terry Hart	Pueblo County
Ferris Frost	CAG Liaison Alternate
Jane Rhodes	Fountain Creek Land Owner
Lorrie Worthey	EPC Small Municipalities Alternate
Greg Lauer	City of Fountain
Dennis Flores	City of Pueblo

Excused:

Dennis Hisey	El Paso County
Jill Gaebler	City of Colorado Springs
Melissa Esquibel	Lower Arkansas

A quorum was noted. Also present was Larry Small, Executive Director and Cole Emmons, Attorney.

2. APPROVAL OF AGENDA

Upon motion duly made, seconded, and unanimously carried, the agenda was approved.

3. APPROVAL OF THE MINUTES OF MAY 22, 2015 BOARD MEETING

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

4. PRESENTATION

4. A SDS PROJECT UPDATE - ALLISON MOSER

Allison Moser, representing Colorado Springs Utilities, presented the SDS Pipeline Project Update to inform the Board of the current status of the SDS project and identify progress made since the last update. She also discussed the status of the SDS Fountain Creek Jurisdictional Wetlands Project and the SDS Fountain Creek Improvement Project at Clear Springs Ranch. Ms. Moser stated that the SDS Pueblo Dam connection is completed and is in the process of being turned over to the Bureau of Reclamation. She stated that all fifty miles of pipeline is installed and significant progress on revegetation has been made. She stated that the treatment plant and three pump stations are 80% complete and will be completed in the Fall of 2015. She

stated that the pipeline installation under I-25, the railroad tracks and Fountain Creek is complete and the tunnel origin site is being revegetated. She stated that the SDS project is on schedule to be in -service in early 2016, ahead of schedule and under budget.

Ms. Moser stated that the SDS Fountain Creek Jurisdictional Wetlands project was released from the USACOE in January 2015, meeting Jurisdiction Wetland Mitigation commitments. She stated the wetlands have a diversified mature plant species planted in 2011 and it is a thriving wildlife habitat.

Ms. Moser stated that the SDS Fountain Creek Improvement project at Clear Springs Ranch is working as designed but was impacted by the storm events in May and June of 2015. She stated that there were nine bankfull events in May 2015 and three bankfull events in June 2015. She stated that the three wetlands ponds were filled with sediment but no bank erosion occurred and no farm land was lost at the site. She stated that the project is currently undergoing engineering evaluation of the storm impacts and the main structural components functioned as designed prior to the June 2015 storm events. Ms. Moser showed a video taken by drone flyover of the project site showing the impact of the storm events.

Ms. Moser stated that upcoming 2015 events for the SDS Pipeline Project are to complete the treatment and pump stations and begin system commissioning and start-up. She stated that water delivery is anticipated to begin in early 2016 and the first monetary mitigation payment to the District is anticipated to be early 2016, rather than January 2017 as originally planned.

4. B POST BURN WATER QUALITY ANALYSIS REPORT - RICH MUZZY

Rich Muzzy, PPACG Environmental Program Manager and member of the TAC, presented an analysis of the Post Burn Water Quality Evaluation data collected by USGS under a joint funding agreement with the District compared to historical data collected prior to the Waldo Canyon and Black Forest fires. The water quality data collected by USGS was collected during significant storms so that the impact of storm flows could be evaluated. The objective of this project was to learn whether water-quality conditions have been impacted in Fountain and Monument Creeks as a result of the Waldo Canyon and Black Forest fires and to see how the level of contamination is transported downstream. The scope of the project, although limited, was to sample six sites one time for selected water-quality constituents during storm events; four sites on Fountain Creek and two sites on Monument Creek. The four collection sites were: 07103970 Monument Creek above Woodmen Road; 07104905 Monument Creek at Bijou Street; 07103700 Fountain Creek near Colorado Springs; 07103707 Fountain Creek below 8th Street; 07105500 Fountain Creek at Colorado Springs; and 07106300 Fountain Creek near Pinon. Organic compounds were included in the sampling list because of frequent observations of oil sheens on Fountain and Monument Creeks during storm events that were not observed prior to the two fires. As a result of the analysis it was determined that with respect to dissolved selenium, there was no difference between pre-fire and post -fire conditions; with respect to total metals, concentrations were higher post-fire at sampling sites closer to the burn areas and continued to reduce going downstream where there is little difference from pre-fire conditions at the Pinon site; with respect to e-coli, post-fire concentrations were higher at all sites compared to pre-fire conditions; with respect to Uranium, post-fire concentrations were slightly higher than pre-fire concentrations; and with respect to B-TEX organic compounds associated with oil and

gas, there was little difference in concentrations pre-fire to post fire. Mr. Muzzey stated that the conclusion reached from the analysis is that stormwater runoff from fire affected areas into streams do impact water quality in the streams. Further data collection and analyses are required to identify the specific sources of the contaminants. He stated that PPACG, AFCURE and the City of Pueblo are continuing to collect and analyze data associated with nutrients and metals.

5. BOARD MEMBER COMMENTS

Larry Small introduced Lorrie Worthey, Small Municipalities Alternate Representative and Mayor of Green Mountain Falls. Mayor Worthey stated that she is excited to be involved with the District.

Director Rhodes stated that she saw a story on TV about Colorado Springs getting a GOCO grant for parks and trail construction and stated that that is a need in Pueblo and Pueblo County. Director Hart responded that the Greenview Trust grant application had been turned down by GOGO in this round of funding but it was still being pursued for inclusion in the next round. Allison Plute stated that the Colorado Springs grant was for \$1 million to develop the legacy loop. She stated that grant had been turned down by GOCO in a previous cycle but was successful in this cycle. Director Rhodes stated that she was notified by Colorado Springs Utilities that there had been a sewage spill of 130,000 gallons raw sewage into Fountain Creek.

Ferris Frost, an Alternate Board Member, showed photographs of the damage to the Frost Ranch property and to the District's Frost Ranch Bank Stabilization Demonstration Project that was damaged by the June 2015 storms. She stated that the project had been washed away and the bank had eroded further into the property. She stated that the Frost Ranch Great Wall, which stands approximately fifty feet above Fountain Creek, had suffered serious erosion from 2011 to present and a great deal of the vegetation had been destroyed. She showed photographs of the Jane Green property and adjacent properties that had been damage by the May and June 2015 storms. The photographs showed that concrete rip rap had been completely washed away on both properties and serious bank erosion had occurred.

6. PUBLIC COMMENT

Frank Masantonio, representing the Masantonio Trust in Pueblo County, reported on the storm damage to his property by showing a series of photographs and asked for help in protecting his property from storm water in Fountain Creek. He stated that his and a number of other adjacent properties had lost their headgates and was looking for help in restoring them. Director Hart asked Mr. Masantonio to provide his information to Pueblo County staff so it could be included in their disaster declaration.

Ken Weber, a land owner on Fountain Creek in El Paso County asked what efforts were being made to slow the flow of Fountain Creek to prevent erosion and sedimentation. Director Hart stated that the District was working to identify locations where projects were required and to identify methods to implement the projects in a sustainable way but project work could not begin until funding was available.

Sue Miels, a resident on Upper Fountain Creek in El Paso County, stated that there were serious issues on Upper Fountain Creek that needed to be addressed. She stated that the County and CDOT had built some facilities to deal with stormwater runoff from the Waldo Canyon burn scar but that those facilities had been inundated by the May and June storms. Mayor Worthey suggested that the Board might want to take a tour of Upper Fountain Creek to see the issues. Larry Small stated that the Upper Fountain Creek and Cheyenne Creek Flood Restoration Master Plan was complete and ready for delivery to CWCB and the Represented Governments in those watersheds. He stated that there was 92 projects identified, conceptually design and costed that would alleviate many of the problems on Upper Fountain Creek from Woodland park to the confluence with Monument Creek in Colorado Springs. He stated the District would be happy to assist the Represented Governments with implementation of the projects.

7. REGULAR REPORTS

7. A TECHNICAL ADVISORY COMMITTEE REPORT

Nancy Keller reported that the TAC met June 3, 2015 at 1:00 pm at Fountain City Hall. She reported that Steve Gardner gave a presentation on the Colorado Springs Design Criteria Manual. She stated that the criteria was directed at new development and redevelopment of properties over one acre. She stated that the criteria would help alleviate the impact of future development but would not address impact from existing development. She stated that the TAC was evaluating the DCM for application to the District as its criteria for evaluating land use applications. She stated that there were four spin-off projects that needed to be accomplished to make the manual complete but at this time there was no funding available for the projects. She suggested that since the funding would be raised by Colorado Springs and provided by the Represented Governments that the Board encourage the Represented Governments to support the funding for the projects. Director Hart sated that he believes that would be a good idea and asked the TAC to provide their recommendations in writing to the Board so they could take it back to their governments. She reported that Duane Greenwood gave a presentation on a Fountain Creek bank stabilization improvement project that the City of Fountain had received grant funding for. She stated that the project was adjacent to the trailer park in Fountain. She stated that since most of the property was in El Paso County the project would be turned over to the County for future consideration. She reported that Mark Shea gave a presentation on Senate Bill 212 and discussed why the Fountain Creek Watershed had been excluded from the bill except for facilities required by MS4 permits.

The next TAC meeting will be July 1, 2015 at 1:00 pm at Fountain City Hall.

7. B CITIZENS ADVISORY GROUP REPORT

Allison Plute reported that the CAG meet June 12, 2015 at 9:30 am at the Fountain City Hall. She reported that the CAG received briefings from Ferris Frost on recent storm damage to Fountain Creek, from Duane Greenwood on a Fountain Creek bank stabilization improvement project that the City of Fountain had received grant funding for, and from Nancy Keller on water quality.

The next CAG meeting will be July 10, 2015 at 9:30 am at the Fountain City Hall.

She reported that the Outreach Subcommittee met June 10, 2015 at 2:00 pm at Fountain City Hall. She reported that Creek Week received contributions from MWH, CH2M, Matrix, McDonalds and Walmart, several breweries, Ent, and Home Depot. She reported that the City of Fountain was establishing an Adopt a Creek program based on the one in Colorado Springs and that Manitou Springs and Pueblo were also considering a similar program. She reported that there would be a Scoop the Poop event held on September 12, 2015 in Stratton Meadows Open Space. She reported that the Outreach Subcommittee would have a booth at the El Paso County Fair on July 22, 2015 and needed volunteers to man the booth. She reported that there had been some improvements made to the web site to make it more user friendly. She reported the Outreach Subcommittee was planning an annual report for the District.

The next Outreach Subcommittee meeting will be July 8, 2015 at 2:00 pm at Fountain City Hall.

7. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of May 31, 2015. The District had total assets of \$99,183.23 and liabilities of \$32,962.51. Profit and Loss Budget vs. Actual report for the period January 1, 2015 through May 31, 2015 indicated total revenues were \$62,168.79 and total expenses were \$206,161.60 for a net negative income of \$143,992.81 resulting in a District total equity of \$66,220.72. The General Fund cash on hand as of May 31, 2015 was \$54,756 and the Restricted Fund cash on hand was \$50,850. The total cash on hand was \$105,606.

7. D LEGAL REPORT - None

7. E EXECUTIVE DIRECTOR'S REPORT

He reported that he had received the contract for the Monument Creek Watershed Restoration Master Plan project. He stated that he and Cole Emmons had reviewed the contract and had no issues. He stated that the contract would be presented to the Board for action under agenda item 9.A. He stated that in order to meet the HUD requirements the District would be required to compete any contract for the project and he had received three responses to the Sources Sought advertisement posted in the Fountain Valley News, the Colorado Tribune and the Gazette by the required date of June 5, 2015. He stated that he would proceed to develop and issue an RFP.

He reported that review by the stakeholders of the draft Upper Fountain Creek and Cheyenne Creek Flood Restoration Master Plan was completed and the document is now final. Delivery to CWCB will be made on June 29, 2015. The contract would be completed on June 30, 2015.

He reported that he attended a meeting with CDOT on June 18, 2015 to discuss the design of the Fountain Creek channel between 8th Street and the confluence with Monument Creek that would be built as part of the I-25/Cimarron Interchange project to be sure the design was consistent with the floodplain criteria.

He reported that he attended a meeting with the St. Vrain/Left Hand Water Conservancy District in Longmont, CO and gave a presentation on the District. He stated that they were looking at establishing a Title 32 Flood Control Special District and wanted to consider following our model.

He reported that he attended the Waldo Recovery Group meetings on May 28, 2015 and June 22, 2015.

7. F IGA COMMITTEE REPORT

Director Hart reported that the IGA Committee did not meet since all the IGA funds had been obligated.

8. OLD BUSINESS (Board Action May Be Required) - None

9. NEW BUSINESS (Board Action Required)

9.A APPROVAL OF DOLA CONTRACT FOR MONUMENT CREEK WATERSHED RESTORATION MASTER PLAN

Larry Small presented the contract for the Monument Creek Watershed Restoration Master Plan grant received from DOLA on June 17, 2015. He stated that the grant amount was \$300,000 and the period of performance was from the date the contract is signed by the State Control to December 31, 2016. He stated that the grant is funded by federal CDBG-DR funds and is subject to HUD rules and regulations and federal law. He stated that the contract is consistent with the grant application and recommended acceptance by the Board. He stated that the District is requested to sign and return three copies to DOLA and when executed by the State Controller one signed copy will be returned to the District. He stated that he expects that it will take three weeks to have a signed copy returned to the district so that work can begin.

Upon motion duly made, seconded, and unanimously carried, the contract was approved and the Chair was authorized to sign on behalf of the District.

10. OTHER BUSINESS

10. A APPROVAL OF INVOICES

Presented for Payment 6/26/2015

General Fund				
Vendor	Date	Num	Amount	For
Larry Small				
	06/04/15	142	\$2,500.00	Executive Director
Allison Plute				
	05/22/15		\$158.48	CAG Outreach supplies
Colorado Tribune				
	05/23/15		\$84.00	Sources Sought Notice - Monument

				CK
Shopper Press Inc				
	05/27/15	1319	\$42.12	Sources Sought Notice - Monument CK
Matrix Design Group				
	05/15/15	16479	\$32,836.39	Upper Fountain Ck/Cheyenne Ck MP
TOTAL - General Fund			\$35,620.99	

Upon motion duly made, seconded, and unanimously carried, the invoices were approved for payment as presented.

10.B PROPOSED AMENDMENT TO THE MINUTES OF THE APRIL 24, 2015 BOARD MEETING

Larry Small presented the proposed amendment to paragraph 6, Public Comments, of the April 24, 2015 Board meeting minutes. He stated that the amendment was requested by Gene Michael on behalf of Director Flores, amending the comments made by Mr. Michael at the April 24, 2015 meeting. The amendment added additional information to Mr. Michael's comments made during Public Comment. He stated that Mr. Michael had requested the amendment at the May 22, 2015 board meeting but had made the request during Public Comment, which occurred after the Board had approved the minutes. Mr. Small advised at that time that the appropriate action would be to put the proposed amendment on the June 26, 2015 agenda for action by the Board.

Upon motion duly made, seconded, and unanimously carried, the proposed amendment to 6. Public Comment of the April 24, 2015 Board meeting minutes concerning Mr. Michael's comments was approved.

11. EXECUTIVE SESSION (IF REQUIRED) - None

12. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held July 24, 2015 at 1:00 pm at the City of Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, CO 80817

13. ADJOURN

Upon motion duly made, seconded, and unanimously carried, the meeting was adjourned.