

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

**July 24, 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**

Chair Hisey called the meeting to order at 1:08 pm. In attendance were the following duly designated members of the Board of Directors of the District:

**Name:**

Terry Hart	Pueblo County
Richard Skorman	CAG Liaison
Jane Rhodes	Fountain Creek Land Owner
Coreen Toll	EPC Small Municipalities
Greg Lauer	City of Fountain
Dennis Hisey	El Paso County
Jill Gaebler	City of Colorado Springs

**Excused:**

Melissa Esquibel	Lower Arkansas
Dennis Flores	City of Pueblo

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 JUNE 26, 2015 BOARD MEETING**

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

**4. PRESENTATION - None**

**5. BOARD MEMBER COMMENTS**

Coreen Toll stated that Manitou Springs' staff had reviewed the Upper Fountain Creek/Cheyenne Creek Flood Restoration Master Plan and considers it an excellent document. Manitou Springs intends to use it as a foundation for future drainage planning. She stated that as a result of the May and June, 2015 storms, Manitou Springs had determined that it had experienced \$25 million of disaster impact.

Dennis Hisey stated that El Paso County and the City of Fountain had received CDBG-DR funding to mitigate the eroding Fountain Creek bank at the Fountain trailer park.

## **6. PUBLIC COMMENT - None**

## **7. REGULAR REPORTS**

### **7. A TECHNICAL ADVISORY COMMITTEE REPORT**

Nancy Keller reported that the TAC met July 1, 2015 at 1:00 pm at Fountain City Hall. She reported that Allison Moser gave a presentation on the progress of the Southern Delivery System. She reported that the Standards and Checklist Subcommittee is developing a check list in the form of a questionnaire that can be completed by Land Use Applicants to demonstrate compliance with the Corridor Restoration master plan and the Strategic Plan. She reported that the Design Criteria Subcommittee is looking at tailoring the Colorado Springs Design Criteria Manual to be the Design Criteria Manual for the District. She reported that the Subcommittee was also evaluating two DCM Spinoff Projects, Watershed Wide Criteria and Flood Plain Administration Criteria, originally estimated to cost \$160,000, to determine how those projects could be re-scoped to reduce the cost so a recommendation could be made to the Board on scope and funding requirements. Director Hart stated that he believed that it would be beneficial to the District to adopt a Drainage Criteria Manual as soon as possible since drainage management is a primary mission of the District. Director Toll asked if the SDS Monetary Mitigation Funds could be used to pay for the development of the manual. Larry Small responded that the Monetary Mitigation Fund Advisory Committee would need to consider that and make a recommendation to the Board. Director Hart stated that the consideration would need to consider both appropriateness and priority.

The next TAC meeting will be August 5, 2015 at 1:00 pm at Fountain City Hall.

### **7. B CITIZENS ADVISORY GROUP REPORT**

Irene Kornelly reported that the CAG meet July 10, 2015 at 9:30 am at the Fountain City Hall. She reported that the CAG received a presentation from Allison Moser briefings on the progress of the Southern Delivery System.

The next CAG meeting will be August 14, 2015 at 9:30 am at the Fountain City Hall.

She reported that the Outreach Subcommittee's booth at the El Paso County Fair was cancelled because of a mix-up on scheduling by the Fair organizers. She reported that the Subcommittee would share a booth with the Pueblo City/County Health Department at the state Fair. She reported that the Creek Week Fund had \$4000 in the account and was expecting more contributions.

Allison Plute reported that the Save the Date for Creek Week was posted on the District's web site and on Twitter under #Creekweek 2015. She reported that a number of advance events were scheduled in El Paso County and Pueblo over the next two months.

The next Outreach Subcommittee meeting will be August 12, 2015 at 2:00 pm at Fountain City Hall.

### **7. C FINANCIAL REPORT**

Larry Small presented the Fountain Creek District Balance Sheet as of June 30, 2015. The District had total assets of \$80,967.25 and liabilities of \$13,572.97. Profit and Loss Budget vs. Actual report for the period January 1, 2015 through June 30, 2015 indicated total revenues were \$79,573.80 and total expenses were \$222,393.05 for a net negative income of \$142,819.25 resulting in a District total equity of \$67394.28. The General Fund cash on hand as of June 30, 2015 was \$45,836 and the Restricted Fund cash on hand was \$50,855. The total cash on hand was \$96,691.

### **7. D LEGAL REPORT**

Cole Emmons stated that since there were a number of new members on the Board that he was going to give a brief presentation on the District Statute and would also give another presentation at the August Board meeting. His presentation focused on the creation of the District, the establishing IGA of December 2008, and how the terms of that IGA became a part of the Statute. He discussed the boundaries of the District, the Watershed management Area and the Corridor. He discussed the makeup of the Board. He discussed funding of the District, emphasizing contributions from Represented Governments, the authorized Mil Levy, fees and special assessments. He discussed the Super Majority voting requirements.

### **7. E EXECUTIVE DIRECTOR'S REPORT**

Larry Small reported that the Upper Fountain Creek/Cheyenne Creek Flood Restoration Master Plan had been completed and delivered to the CWCB on June 26, 2015. He stated that the contract was completed and the final project report and final invoice had been delivered on June 30, 2015.

He reported that he had received the letter of award for the Cheyenne Boulevard Drainage Improvement Demonstration Project grant from DOLA. The grant was in the requested amount of \$290,000. The City of Colorado Springs would provide \$25,000 matching funds and \$52,380 of in-kind work would be provided by the Coalition, for a total project of \$367,380. He reported that the project would require an Environmental Assessment and that he had contacted Ageiss, who is the State's contractor, to do the assessment at no cost to the District.

He reported that he had received a letter from the state Auditor approving the District's Exemption from Audit report and advising that the Legislature had raised the level for exemption from audit from \$500,000 revenue to \$750,000 revenue beginning Fiscal Year 2015.

He reported that he had received a contract executed by the state for the Monument Creek Watershed Restoration Master Plan grant on July 21, 2015. The contract effective date was July 18, 2015.

He reported that he issued an RFP for the consulting contract for the Monument Creek Watershed Restoration Master Plan project on July 16, 2015 and proposals were due July 31, 2015. He reported that selection of the contractor would be done by the Source Selection Committee on August 14, 2015 and a contract would be presented to the Board at the August 28, 2015 meeting. The contract period of performance would be September 1, 2015 through December 31, 2016.

He reported that he met with CDOT to review the 30% design for Fountain Creek from 8<sup>th</sup> Street to the confluence with Monument Creek that would be built as part of the I-25/Cimarron Interchange project. The purpose of the review was to evaluate the design against the recently completed Upper Fountain Creek/Cheyenne Creek Flood Restoration master Plan.

## **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 EL PASO COUNTY IGA FOR MONUMENT CREEK WATERSHED RESTORATION MASTER PLAN GRANT MATCHING FUNDS**

Larry Small presented the El Paso County IGA for the Monument Creek Watershed Restoration Master Plan grant matching funds approved by the El Paso County Board of County Commissioners on July 7, 2015. He stated that the grant matching funds amount was \$50,000. He stated that the IGA is consistent with the grant application and recommended acceptance by the Board. He stated that the District is requested to sign and return one copy to El Paso County and payment of the funds by El Paso County would be 30 days after receipt of the executed agreement.

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

#### **9. B APPOINTMENT OF IAN HARTLEY TO THE CAG**

Larry Small stated that the CAG, at its meeting on July 10, 2015, had approved recommending the appointment of Ian Hartley to the CAG for the remainder of Fiscal Year 2015 by the Board.

**Upon motion duly made, seconded, and unanimously carried, Ian Hartley was appointed to the CAG for the remainder of Fiscal Year 2015.**

**10. OTHER BUSINESS**

**10. A APPROVAL OF INVOICES**

**Presented for Payment 7/24/2015**

<b>General Fund</b>				
<b>Vendor</b>	<b>Date</b>	<b>Num</b>	<b>Amount</b>	<b>For</b>
Larry Small				
	07/08/15	143	\$2,500.00	Upper Ft Ck/Cheyenne Ck PM - May
Matrix Design Group				
	06/26/15	16636	\$13,572.97	Upper Ft CK/Cheyenne CK Engrg
<b>TOTAL - General Fund</b>			<b>\$16,072.97</b>	

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

**11. EXECUTIVE SESSION (IF REQUIRED) - None**

**12. CONFIRM NEXT MEETING TIME AND LOCATION**

The next Board meeting will be held August 28, 2015 at 1:00 pm at the Pueblo County Building, Commissioners Meeting Room, 215 West 10<sup>th</sup> Street, Pueblo, CO 81003.

**13. ADJOURN**

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