

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

**April 25, 2014**

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

**1. CALL TO ORDER AND ESTABLISHMENT OF A QUORUM**

Chair Montoya called the meeting to order at 1:06 pm. In attendance were the following duly designated members of the Board of Directors of the District:

**Name:**

Terry Hart	Pueblo County
Dennis Hisey	El Paso County
Richard Skorman	CAG Liaison
Gabriel Ortega	City of Fountain
Val Snider	City of Colorado Springs
Jane Rhodes	Fountain Creek Land Owner
Eva Montoya	City of Pueblo

**Excused:**

Michael Maddox	EPC Small Municipalities
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 MARCH 28, 2014 BOARD MEETING**

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

**4. PRESENTATION**

**4. A EL PASO COUNTY REGIONAL STORMWATER CITIZENS COMMITTEE**

Dave Munger presented the results of the polling that was conducted in March 2014 regarding the potential for a ballot question supporting the establishment of an El Paso County Regional Stormwater Authority. Mr. Munger stated that the public acceptance had increased from a 51% level to a 65% level based on the further definition of the terms of the question relating to applying a sunset to the capital portion of the fee. He stated that a 20 year sunset was preferred and a maximum fee of \$10 per month was the consensus of those polled. He stated that other factors associated with the issue such as a dedicated revenue source and a regional approach was

preferred. He stated that the Stormwater Citizens Committee was moving ahead to have a question on the El Paso County ballot in November 2014 and that if the voters approved the question the Authority would be formed and effective in January 2015. Dave Munger introduced Kevin Walker who presented the structure of the proposed Authority. Mr. Walker said that the Authority would be governed by a Board of Directors made up of elected officials from the represented governments in El Paso County. He stated that the initial structure would be defined in an Intergovernmental Agreement between the El Paso County Governments who wanted to be a part of the Authority. He stated that Governments outside El Paso County, such as Pueblo or Pueblo County could also join the Authority by being a signatory to the IGA. He stated that definition of the Authority was still ongoing and that the IGA should be available in the near future. Director Hart asked if the Authority was designed to handle structures on Fountain Creek for flood control or just drainage associated with the urbanized areas of El Paso County. Mr. Walker responded that that would be determined by the master planning effort. Director Hart asked if the new authority, if created, would work with the District and provide the District funding for projects. Mr. Walker stated that was a possibility.

## **5. BOARD MEMBER COMMENTS**

Director Montoya reported on the Pueblo Wheelpark Project was progressing and would start construction in Fall 2014 and completed in 2015. She stated that a sandy beach on Fountain Creek was part of the design because they wanted more interaction between the park and the creek.. She stated that it will be a world-class facility on the bank of Fountain Creek.

Director Hisey stated that Saturday, April 26, 2014 was County-Wide Cleanup Day and that the Fountain, CO event would kick off at 9:00 am at the Fountain Creek Regional park. He hoped everyone could participate.

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

## **7. REGULAR REPORTS**

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

John Chavez reported that the TAC met April 2, 2014 at Fountain City Hall. He reported that the TAC received a briefing on the progress of the Frost Ranch Bank Stabilization Project. He reported that the TAC discussed the need for alternate members. He reported that the TAC received an update on the El Paso County Regional Stormwater Citizen Committee activities

The next TAC meeting is scheduled for May 7, 2014 at 1:00 PM at Fountain City Hall.

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

Irene Cornelly reported that the CAG met April 11, 2014 at the Fountain Creek Nature Center. She reported that the CAG took a tour of the grounds and saw the improvements to the nature Center. She stated that the CAG discussed the storm recovery efforts in El Paso County and the progress being made by the El Paso County Regional Stormwater Citizens Committee.

Ms. Kornelly reported that the Outreach Subcommittee met April 14, 2014. She stated the committee members attended the Arkansas River Water Forum in La Junta. She stated that the Outreach Subcommittee submitted the CDPHE grant application. She stated that the Subcommittee practiced the aluminum foil watershed demonstration that would be given to children at the Fountain Nature Center Family Fun Day on May 3, 2014 and at the CSU-Pueblo Water Festival on May 6, 2014. She stated that the Subcommittee supported the Pikeview Reservoir cleanup sponsored by Colorado Springs Utilities on April 19, 2014. Jerry Cordova gave a presentation to the Board demonstrating the Google Earth flyover of Fountain Creek showing the District projects

The next CAG meeting will be May 9, 2014 at 9:30 am at the Fountain City Hall.

The next Outreach Subcommittee meeting will be May 19, 2014 at 10:00 am at Fountain City Hall.

## **7. C FINANCIAL REPORT**

Larry Small presented the Fountain Creek District Balance Sheet as of March 31, 2014. The District had total assets of \$246,372.98 and total liabilities of \$6,049.00. Profit and Loss Budget vs. Actual report for the period January 1, 2014 through March 31, 2014 indicated total revenues were \$67,172.59 and total expenses were \$19,292.30 for a net income of \$47,880.29 resulting in a District total equity of \$240,323.98. The General Fund cash on hand as of March 31, 2014 was \$101,826 and the Restricted Fund cash on hand was \$129,498. The total cash on hand was \$231,324. Mr. Small reported that as of April 25, 2014 \$46,400 had been received as Represented Government Contributions and \$2,500 was still pending..

## **7. D LEGAL REPORT - None**

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

Larry Small reported that he attended a meeting of the Upper Arkansas Watershed Association on April 3, 2014 and gave a presentation on the District. He stated that he met with representatives of the USACOE on April 3, 2014 to discuss the application for funding of Fountain Creek improvements in Pueblo from 8<sup>th</sup> street to the Arkansas River confluence. He stated that he held the initial Upper Fountain Creek and Cheyenne Creek Watershed Restoration Master Plan Grant stakeholders meeting on April 4, 2014 and the second meeting on April 24, 2014. He stated that he attended the El Paso County Regional Stormwater Citizens Committee meetings on April 7 and April 21, 2014. He stated that he attended the CDOT Cimmaron/I-25 meetings on April 8 and April 22, 2014. He stated that he attended the Waldo Canyon Regional Recovery Group meeting on April 14, 2014. He stated that he met with Pueblo City staff members on April 16, 2014 to discuss the USACOE application for funding and present the Flood Control Study Future Actions briefing. He stated he supported the Pikeview Reservoir Earth Day cleanup on April 19, 2014 and had a table showing District materials. He presented the Board a slide show of the Frost Ranch bank restoration project showing progress to date in the construction activities. He showed a picture of the log pile CDOT had created on Fountain

Creek just south of the Highway 85 Bridge and stated that he had requested CDOT remove the logs. He stated that CDOT had agreed and would remove the logs in the near future

**8.0 OLD BUSINESS (BOARD ACTION MAY BE REQUIRED) - None**

**9. NEW BUSINESS (Board Action Required)**

**9.A FLOOD CONTROL STUDY FUTURE ACTIONS**

Larry Small presented a briefing on future actions that needed to be taken to evaluate the options presented in the Flood Control Study . He presented a seven Phase approach from Evaluation to construction of Flood Control facilities on the Fountain Creek Corridor. He presented a work plan for the first phase, Evaluation of Alternatives with a cost of \$60,000 and a six month schedule. That effort would focus on Flood Control Study scenarios 10 and 12 and a variation to scenario 12. Director hart asked how the evaluation would be paid for. Mr. Small stated that no funds were available at this time. Director Hart asked if the requested early payment of SDS Mitigation funding could be used for this activity. Mr. Small responded that it could if that funding was received and this purpose had been included in the budget he provided for the requested funds. Director Hart stated that the Pueblo Board of County Commissioners would hear the resolution to approve the advance payment of the SDS Condition 6 mitigation funds and would hope that Colorado Springs Utilities would support the request. He stated that he did not want to wait four more years to begin work on Fountain Creek. Director Snider stated that he would verify CSU’s response.

No Board action was taken on this item.

**9.B RESOLUTION 2014-03, AMENDING THE DISTRICT BYLAWS TO PERMIT ALTERNATE MEMBERS TO THE TAC AND CAG**

Cole Emmons presented Resolution 2014-03 amending the District Bylaws Article VII (TAC) and VIII (CAG) to permit the TAC and CAG to have alternate members. He stated that if approved the amended bylaws would replace the original bylaws.

**Upon motion duly made, seconded, and unanimously carried, Resolution 2014-03 was approved.**

**10. OTHER BUSINESS**

**10.A APPROVAL OF INVOICES**

**Presented for Payment 4/25/2014**

<b>General Fund</b>				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	04/10/14	112	\$2,500.00	Executive Director

Lois Illick				
	04/09/14		\$46.00	CSU Pueblo Water Day Supplies
Matrix Design Group				
	03/07/14	14561	\$6,049.00	Frost Ranch Bank Restoration
<b>TOTAL - General Fund</b>			<b>\$8,595.00</b>	

<b>Post Burn Analysis Fund</b>				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
USGS				
	4/10/14	90247855	\$3,000.00	Post Burn Analysis JFA
<b>TOTAL - Master Plan Fund</b>			<b>\$3,000.00</b>	

<b>Master Plan Fund</b>				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Aztec General Contractors, LLC				
	4/17/2014	AZ14-03A-1	\$4,353.00	Frost Ranch Bank Reconstruction
<b>TOTAL - Master Plan Fund</b>			<b>\$4,353.00</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 May 23, 2014 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.**