

**Fountain Creek Watershed, Flood Control, and Greenway District
Board of Directors
MEETING MINUTES
April 22, 2016**

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 Hart called the meeting to order at 1:17 pm following the celebration of the District's seventh anniversary. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Ferris Frost
Dennis Hisey
Jack Goble
Larry Atencio
Terry Hart
Michael Fink
Coreen Toll
Andy Pico

CAG Liaison
El Paso County
Lower Arkansas
City of Pueblo
Pueblo County
City of Fountain
EPC Small Municipalities
City of Colorado Springs

Absent

Jane Rhodes

Fountain Creek Land Owner

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 THE MARCH 25, 2016 BOARD MEETING

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

4. INTRODUCTION OF GUESTS

Chair Hart asked the guests in the audience to introduce themselves.

5. PRESENTATION - NORTH LA JUNTA FLOODING MITIGATION AND FLOW MANAGEMENT PROJECT

Gary Barber presented the North La Junta Flooding Mitigation and Flow Management Project. The project is located on the Arkansas River between La Junta and North La Junta. The project

is a two phase project that will remove sand bars in the river to increase flow capacity and remove a berm that was placed near the river between the river and a berm that had been breached in prior flood events. The purpose of the project is to reconnect the floodplain to the area cut off by the construction of the second berm and to extend the old berm to provide protection to residential communities in North La Junta. The sand bars were removed using a drag line that allowed removal of the sand bars with placing equipment in the river. The total cost of the project was \$85,000 funded by the City of La Junta and a CWCB grant. The project is being done in two phases to allow time for permitting and funding.

6. BOARD MEMBER COMMENTS

Director Atensio stated that the City of Pueblo will celebrate the opening of the wheel park at 10:00 am on May 14, 2016. He stated that the event will include a wheel completion and will be the first competitive event at the park. He stated that the park will be one of many parks in the State that will have competitions and expects the park to draw visitors to the City. Director Hart stated that the wheel park was partially funded by \$1.2 million from a regional GOCO Grant obtained by the District. Larry Small stated that the CAG Outreach Subcommittee will have a booth at the event.

Director Hart commented on the Stormwater IGA between Pueblo County, the City of Colorado Springs and Colorado Springs Utilities. He stated that Pueblo County had a public hearing for the IGA on April 18, 2016. He stated that the public comments were supportive of the IGA and some comments were incorporated into the IGA. He stated that the Pueblo Board of County Commissioners will act on the IGA at the regular meeting April 25, 2016 at 9:30 am. He stated that he felt the IGA would reestablish communications between Colorado Springs and Pueblo County and would be very beneficial to both entities.

Director Pico stated that the Colorado Springs City Council approved the IGA at a special Council meeting on April 20, 2016. He stated that the public comments were supportive of the IGA. He stated that the City has already begun building projects identified in the IGA project list and is looking forward to working with Pueblo County in the execution of the IGA.

7. PUBLIC COMMENT - None

8. REGULAR REPORTS

8. A TECHNICAL ADVISORY COMMITTEE REPORT

Dennis Maroney reported that the TAC met April 6, 2016 at 1:00 pm at the Fountain City Hall. He reported that the TAC received a presentation on the Pueblo Conservation District from Bud O'Hare.. He provided the Board with a short history and purpose of the Pueblo Conservation District and its projects and funding.

The next TAC meeting will be May 4, 2016 at 1:00 pm at the Fountain City Hall.

8. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG met April 8, 2016 at 9:30 am at Fountain City Hall. She reported that the Outreach Subcommittee had a full calendar of events for April and May and expressed appreciation for all those who had signed up to support the events. She reported that the CAG will receive a briefing on the Stormwater IGA at its May meeting and will receive a briefing on IGA projects from Richard Mulledy at its June meeting.

The next CAG meeting will be May 13, 2016 at 9:30 am at the Fountain City Hall.

8. C FINANCIAL REPORT

Larry Small presented the Fountain Creek District Balance Sheet as of March 31, 2016. The District had total assets of \$241,296.89 and liabilities of \$1,068.75. Profit and Loss Budget vs. Actual report for the period January 1, 2016 through March 31, 2016 indicated total revenues were \$67,425.33 and total expenses were \$145,091.13 for a net negative income of \$77,665.40 resulting in a District total equity of \$240,228.14. The General Fund cash on hand as of March 31, 2016 was \$194,048 and the Restricted Fund cash on hand was \$75,183. The total cash on hand was \$269,231.

8. D LEGAL REPORT - None

8. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended the PPRWA Water Conference at the El Paso County Centennial Hall on February 29, 2016. He stated that in addition to a very good panel discussion the movie "Great Divide" was shown which detailed the history of water in Colorado from 1860. He reported that he met with DOLA representatives in March 3, 2016 to review the District's compliance with the DOLA CDBG-DR Grant requirements for the Monument Creek Watershed Restoration Master Plan Grant. He reported that they also reviewed all the outstanding Reimbursement Requests and resolved all questions so the Reimbursement Requests could be paid. He reported that he attended the Arkansas Basin Roundtable meeting in Pueblo on March 9, 2016 as the District representative. He reported that he attended the CWCB Board meeting in LaJunta on March 16, 2016. He stated that the Board approved the Evaluation of Flood Control Alternatives Grant for the full amount of funding requested. He reported that the Monument Creek Master Plan Stakeholders meeting was held on March 17, 2016. He stated that the project was on schedule.

8. F MONETARY MITIGATION FUND ADVISORY COMMITTEE REPORT

Irene Kornelly reported that the Monetary Mitigation Fund Advisory Committee met April 21, 2016 at 1:00 pm at the pueblo County Public Works Facility. She reported that the committee discussed the funding that would be coming from the Stormwater IGA and that it is expected to be received in May. The committee reviewed the 2016 budget to evaluate how the budget might be used considering the funding is coming five months into the year. She reported that the committee reviewed a pre-qualification submittal for an NCRS national grant program that can fund planning and projects over a five year period. If our pre-qualification package is accepted we would have to submit a full grant proposal in September 2016. Any grant funds received

would support projects done with the monetary mitigation funds. We will be asking for \$10 million in the pre-qualification submittal. The submittal will be made electronically in May.

The next Committee meeting will be May 19, 2016, 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Co.

8. E IGA COMMITTEE REPORT

Terry Hart reported that the IGA Committee met May 19, 2016 to discuss the status of the litigation concerning the Greenview Trust water rights and the prospect of resubmitting the GOCO grant for acquisition of the Greenview Trust property and water rights. The IGA committee also discussed providing matching funds for the Pueblo Channel Debris Removal and Habitat Restoration Project grant sponsored by the lower Arkansas Water Conservancy District.. He reported that as a result of the water rights litigation and the reduction in GOCO open space funding in 2016 it was improbable that the grant application could be resubmitted in 2016. He reported that the committee determined supporting the match request for the Pueblo Channel Debris Removal and Habitat restoration Project would be a better use of IGA funds. The committee voted to recommend to the Board that the Board deobligate \$49,025.01 of IGA funds from the Greenview Trust Due Diligence account and obligate \$50,000 of IGA funds as matching funds for the Pueblo Channel Debris Removal and Habitat Restoration Project grant.

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

10. NEW BUSINESS (Board Action Required)

10. A IGA COMMITTEE REQUEST FOR \$50,000 MATCH FUNDING FOR THE PUEBLO CHANNEL DEBRIS REMOVAL AND HABITAT RESTORATION PROJECT GRANT

Larry Small stated that the Lower Arkansas Water Conservancy District presented a grant application to the Arkansas Basin Roundtable for a Pueblo Channel Debris Removal and Habitat Restoration Project. He stated that the project was proposed to be funded by a grant of \$5000 from basin funds and matched by \$100,000 from the Lower Ark, \$100,000 from Pueblo County and \$50,000 from the District. He stated that the IGA Committee recommended deobligation the funds for the Greenview Trust GOCO Grant due diligence and obligation those funds to match this grant. Upon discussion, it was recommended to the Board that the balance the District's match be increased to \$74,000 from the restricted funds.

Upon motion duly made, seconded, and unanimously carried, \$49,025.01 was deobligated from the Greenview Trust project funds in the Restricted Funds account and \$74,000 was obligated for match funding for the Pueblo Channel Debris Removal and Habitat Restoration Project grant from the Restricted Funds account.

11. OTHER BUSINESS

11. A APPROVAL OF INVOICES

Presented for Payment 4/22/2016

General Fund				
Vendor	Date	Num	Amount	For
Larry Small				
	04/08/16	152	\$2,500.00	Monument Ck Grant Proj Mgmt
Matrix Design Group				
	04/11/16	18112	\$34,854.66	Monument Creek MP Engineering
TOTAL - General Fund			\$37,354.66	

Master Plan Fund				
Vendor	Date	Num	Amount	For
Berg,Hill,Greenleaf,Ruscitti LLP				
	03/28/16	76962	\$1,068.75	Greenview Trust Due Diligence
TOTAL - Master Plan Fund			\$1,068.75	

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

11. B DISCUSSION ON FUNDING THE DISTRICT

The Board discussed the five funding scenarios presented at the last meeting. Larry Small read C.R.S. 32-11.5-205 (2)(i)(I) and (II) which stated the conditions under which Represented Public Bodies may be asked to contribute to the District and what actions the Represented public Bodies may take to contribute to the District. He stated that the contributions are subject to annual appropriations by the Represented Public Bodies. He stated that the request should be made to the Represented public Bodies by September 2016 to permit them time to include the contribution in their respective budgets for 2017. He recommended the Board consider the \$200,000 column in the spread sheets as the column that would be used to establish the 2017 contributions. Upon discussion, the Board determined that the scenario based on discrete entity population was the fairest scenario to base the requested contributions on.

It was the consensus of the Board that this item be placed on the May 2016 agenda for action.

12. EXECUTIVE SESSION (IF REQUIRED) - None

13. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held May 20, 2016 at 1:00 pm at City of Fountain City Hall, 116 S. Main Street, 2nd Floor, Fountain, CO 80817

14. ADJOURN

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