

**Fountain Creek Watershed, Flood Control, and Greenway District
Board of Directors
MEETING MINUTES
May 20, 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 1:08 pm. In attendance were the following duly designated members of the Board of Directors of the District:

Name:

Richard Skorman
Dennis Hisey
Jack Goble
Larry Atencio
Terry Hart
Gabriel Ortega
Coreen Toll
Jill Gaebler

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 APRIL 22, 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 - PUEBLO DEMONSTRATION PROJECTS STATUS

Jeff Bailey, City of Pueblo Assistant Manager for Stormwater, presented the status of the Side Detention and Sediment Collector Demonstration Projects completed in 2011. He stated that the Side Detention facility has had damage from recent storms. The access road that runs along the top of the detention wall was washed out by the June 2015 storms making access to the northern

portion of the facility impossible. Debris in the creek has diverted the stream flow toward the bank and has created problems with the intake pipe. The pipe regularly gets clogged with sediment and must be cleaned on a regular basis. Sediment deposition in the facility cannot be removed because the USACE has declared the facility a wetland so the vegetation cannot be disturbed.

The sediment collector has not been operated recently and is clogged with sediment. Issues with the collector centered on the intake grate design and installation of the delivery pipe to the separator on the bank and the water return pipe. The delivery pipe clogs and it is very difficult to

Remove the clogs because of access issues. The water return pipe is undersized causing the water to spill from the separator rather than returning to the creek. Sediment collects on the grate and requires someone get into the creek and shovel the sediment from the grate so sediment can fall into the collector.

Mr. Bailey stated that there will be an effort made later this year when creek flows subside to repair the side detention access road and return the sediment collector to operation. The Board discussed the two projects with Mr. Bailey and encouraged him to continue his efforts with the two projects.

6. BOARD MEMBER COMMENTS

Director Toll stated that she would like to host the July Board meeting in Manitou Springs. She stated that the Manitou Springs staff would give a short tour of some of Manitou's storm restoration projects and host a lunch before the meeting. She stated that she would invite all the elected officials from the Represented Public Bodies to attend the meeting and have the Executive Director give a presentation about the District for their information. Larry Small stated that he would assist Director Toll in preparing for the meeting. The Board agreed by consensus to have the July meeting in Manitou Springs.

7. PUBLIC COMMENT - None

8. REGULAR REPORTS

8. A TECHNICAL ADVISORY COMMITTEE REPORT

Larry Small reported that Dennis Maroney and Mark Shea could not attend the Board meeting so he would present the TAC report on their behalf. He reported that the TAC met May 4, 2016 at 1:00 pm at the Fountain City Hall. He reported that the TAC received a presentation on the Stormwater IGA from Larry Small. He reported that there would be a presentation at the June TAC meeting on Arkansas River water quality from a CSU professor to discuss the impacts of agricultural uses on water quality.

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

8. B CITIZENS ADVISORY GROUP REPORT

Irene Kornelly reported that the CAG met May 13, 2016 at 9:30 am at Fountain City Hall. She reported that the CAG received a briefing on the Stormwater IGA from Larry Small. She reported that the CAG also received a briefing on El Paso County Parks Fountain Creek Projects from Elaine Kleckner.

She reported that the Outreach Committee participated in the CSU Pueblo Children's Water Festival. She reported that 175 fifth grade children and 13 adults received the District's demonstration on water quality. She reported that the Outreach Committee supported the CSU fishing derby on May 14. She reported that upcoming events include the El Paso County Fair and the Fountain Library Summer reading Program.

The next CAG meeting will be June 10, 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 April 30, 2016. The District had total assets of \$221,060.31 and no liabilities. Profit and Loss Budget vs. Actual report for the period January 1, 2016 through April 30, 2016 indicated total revenues were \$85,612.56 and total expenses were \$182,445.79 for a net negative income of \$96,833.23 resulting in a District total equity of \$221,060.31. The General Fund cash on hand as of April 30, 2016 was \$128,782 and the Restricted Fund cash on hand was \$74,121. The total cash on hand was \$202,903.

8. D LEGAL REPORT - None

8. E EXECUTIVE DIRECTOR'S REPORT

Larry Small reported that he attended the Pueblo County Board of County Commissioners meeting on June 25, 2016 where the Commissioners approved the Stormwater IGA with Colorado Springs. He reported that he met on May 5, 2016 with the City of Colorado Springs Stormwater Department and other Stakeholders to review the Monument Branch Restoration Project. He reported that on May 10, 2016 he participated in the Source Selection Committee to assist the City of Colorado Springs Stormwater Department in selecting the contractor for the monument Branch Restoration Project. He reported that he attended the Arkansas Basin Roundtable meeting on May 11, 2016. He reported that he attended the City of Pueblo Skate Park grand opening on May 14, 2016. He reported that he attended the El Paso County Watershed Collaborative meeting on May 16, 2016. He reported that he attended the Colorado Springs Utilities Board meeting on May 18, 2016 where he was presented a facsimile check for \$9,578,817 for the first payment to the District of the \$50 million monetary mitigation payments under the Pueblo County 1041 permit for SDS. He reported that he held the Monument Creek Watershed Restoration Master Plan Stakeholders meeting on May 19, 2016. He reported that the project is on schedule and budget for completion in November 2016. He reported that he received a check from Colorado Springs Utilities for \$125,000 payment under the Stormwater IGA on June 16, 2016 for deposit to the General Fund for District operations. . He reported that

he received a check from Colorado Springs Utilities for \$9,578,817 payable to the Fountain Creek Watershed Water Activity Enterprise as the first payment of the \$50 million monetary mitigation under the Pueblo County 1041 permit for SDS. He reported that he was in the process of opening a bank account for the Enterprise funds.

8. F MONETARY MITIGATION FUND ADVISORY COMMITTEE REPORT

Irene Kornelly reported that the Monetary Mitigation Fund Advisory Committee met May 19, 2016 at 1:00 pm at the Pueblo County Public Works Facility. She reported that the Committee received notification that its pre-qualification submittal for an NCRS Regional Conservation Program Grant had been received and is under evaluation. She reported that the Committee decided that it would be desirable to start one project this year and discussed three potential projects that had been previously identified. The Committee decided to evaluate the Masciantonio Phase I project using the Project Evaluation Checklist. The project scored high in the evaluation and was recommended to move forward. The project will cost approximately \$2.5 million and will take between twelve and eighteen months to complete. It was recommended that the engineering work be started as soon as possible.

The next Committee meeting will be June 16, 2016, 1:00 pm at the Pueblo County Public Works Facility, 33601 United Way, Pueblo, Co.

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

10. NEW BUSINESS (Board Action Required)

10. A SELECTION OF EQUITABLE ALLOCATION FORMULA FOR FUNDING THE DISTRICT BY CONTRIBUTIONS FROM REPRESENTED PUBLIC BODIES

Larry Small presented the three alternatives for funding the District in 2017 by contributions from the Represented Public Bodies that were discussed at the April 2016 Board meeting

Upon motion duly made, seconded, and unanimously carried, the Board selected the alternative for funding based on Discrete Entity Population.

10. B STATE GRANT CONTRACT FOR EVALUATION OF FLOOD CONTROL ALTERNATIVES

Larry Small presented the purchase order from CWCB for the Evaluation of Flood Control Alternatives Grant in the amount of \$41,800. The term of the purchase order is May 1, 2016 to January 31, 2017.

Upon motion duly made, seconded, and unanimously carried, the Board accepted the Purchase Order

10. C CONSULTING CONTRACT FOR EVALUATION OF FLOOD CONTROL ALTERNATIVES

Larry Small presented the terms of the contract to MWH Global for \$67,300 for the Evaluation of Flood Control Alternatives Grant Project. Contract funding consists of \$41,800 from the CWCB grant and \$25,500 matching funds from the District. The term of the contract is 1 June 2016 to 31 January 2017. He stated that MWH was evaluate and selected on the basis of qualifications and experience with similar projects.

Upon motion duly made, seconded, and unanimously carried, the Board approved the Contract to MWH Global.

10. D STATE GRANT CONTRACT FOR FOUNTAIN CREEK CORRIDOR WARSSS ASSESSMENT

Larry Small presented the purchase order from CWCB for the Fountain Creek Corridor WARSSS Assessment Grant in the amount of \$30,000. The term of the purchase order is June 1, 2016 to June 30, 2017.

Upon motion duly made, seconded, and unanimously carried, the Board accepted the Purchase Order

10. E MATRIX DESIGN GROUP TASK ORDER FOR FOUNTAIN CREEK CORRIDOR WARSSS ASSESSMENT

Larry Small presented the terms of the Task Order under the Engineering Services Contract with Matrix Design Group for \$60,000 for the Fountain Creek Corridor WARSSS Assessment Grant Project. Task Order funding consists of \$30,000 from the CWCB grant and \$30,000 matching funds from the District. The term of the contract is 1 June 2016 to 30 June 2017.

Upon motion duly made, seconded, and unanimously carried, the Board approved the Task Order to Matrix Design Group.

11. OTHER BUSINESS

11. A APPROVAL OF INVOICES

**Presented for Payment
5/20/2016**

General Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Larry Small				
	05/12/16	153	\$2,500.00	Monument Ck Grant Proj Mgmt
			\$4,500.00	Executive Director
Matrix Design Group				
	05/13/16	18304	\$43,920.95	Monument Creek MP

				Engineering
Larry Small				
	05/14/16	154	\$326.60	District Expenses - April 2016
TOTAL - General Fund			\$51,247.55	

Master Plan Fund				
<u>Vendor</u>	<u>Date</u>	<u>Num</u>	<u>Amount</u>	<u>For</u>
Berg,Hill,Greenleaf,Ruscitti LLP				
	04/01/16	77582	\$1,228.00	Greenview Trust Due Diligence
TOTAL - Master Plan Fund			\$1,228.00	

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

12. EXECUTIVE SESSION (IF REQUIRED) - None

13. CONFIRM NEXT MEETING TIME AND LOCATION

The next Board meeting will be held June 24, 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.