

EXHIBIT A

CITY OF COLORADO SPRINGS/EL PASO COUNTY DRAINAGE BOARD AGENDA May 3, 2018

The City of Colorado Springs/El Paso County Drainage Board will hold the scheduled meeting at **3:00PM on Thursday, May 3, 2018** in the City Council Chambers at City Hall at 107 N. Nevada Avenue.

Item 1: Call to Order.

Item 2: Approval of the January 25, 2018 Drainage Board minutes

Item 3: Old Business - None

Item 4: New Business

a) Financial Update – (City)

b) Request on behalf of Nor'Wood Development to close the Wolf Ranch portion of the Cottonwood Creek Drainage Basin – (City)

ACTION REQUESTED: This action is a request to close the Wolf Ranch portion of the Cottonwood Creek Drainage Basin. The closing of the Wolf Ranch Development would exempt the developer from paying the per acre drainage fee, erase the developer's credits within the Wolf Ranch portion of Cottonwood Creek and eliminate the opportunity for reimbursement for construction of any facilities. Wolf Ranch would still be required to pay the Bridge Fee and Surcharge Fee associated with the Cottonwood Creek Drainage Basin.

c) Fixed Drainage Fees for Powers Autopark – (City)

ACTION REQUESTED: The City Code referenced above states, *"...The subdivider may determine to build drainage facilities as required by the DBPS prior to subdividing or otherwise developing land. In that event the fees applicable to the land proposed to be subdivided or otherwise developed may, with the approval of the City, be fixed at the time the subdivider contracts for the construction of the drainage facilities in accord with subsections B and C of this section."* This action is requested to fix the fee for the Powers Autopark at the current rate of \$13,241 per acre in the Cottonwood Creek Drainage Basin.

d) Pursuant to City Code 7.7.902, a fee adjustment in the Cottonwood Creek Drainage Basin is necessary in order to balance the fee with credits owed – (City)

ACTION REQUESTED: The Water Resources Engineering Division is requesting a mid-year adjustment to the Cottonwood Creek Drainage Basin per acre drainage fee.

e) Elimination of the Cottonwood Creek Surcharge Fee – (City)

ACTION REQUESTED: This request is to eliminate the Surcharge Fee in the Cottonwood Creek Drainage Basin.

f) Informational

g) Housekeeping

h) Open Discussion

Item 5: Adjournment

For the Public Works Director/City Engineer


Public Works/Water Resources Engineering

C: (with Attachments)

Drainage Board Members
Brian Kelley, City, Public Works/Water Resources Engineering
Elizabeth Nijkamp, El Paso County Engineering
Gilbert LaForce, El Paso County Engineering
Jennifer Irvine, El Paso County Engineering
Lois Ruggera, City Planning
Marla Novak, Director, Government Affairs, HBA
Mary Murray, City Finance
Mike Cartmell, El Paso County Engineering
Richard Mulledy, Public Works/Water Resources Engineering
Steve Rossoll, Public Works/Water Resources Engineering
Tracy Peters, City Finance

C: (w/o Attachments)

Travis Easton, City, Public Works Director
City Clerk (for posting)
Fran St. Germain, County Administration
Henry Yankowski, County Administrator
Marc Smith, City Attorney
Public Communications Department



DATE: May 3, 2018

TO: Brian Kelley, Secretary to the Drainage Board

FROM: Steve Rossoll

SUBJECT: Fixed Drainage Fees for Powers Autopark

RE: Pursuant to City Code 7.7.907.A, a request to fix the drainage fee for Powers Autopark at the current rate of \$13,241 per acre has been made by Nor'Wood Development.

ACTION REQUESTED: The City Code referenced above states, "...*The subdivider may determine to build drainage facilities as required by the DBPS prior to subdividing or otherwise developing land. In that event the fees applicable to the land proposed to be subdivided or otherwise developed may, with the approval of the City, be fixed at the time the subdivider contracts for the construction of the drainage facilities in accord with subsections B and C of this section.*" This action is requested to fix the fee for the Powers Autopark at the current rate of \$13,241 per acre in the Cottonwood Creek Drainage Basin.

BACKGROUND: At the April 15, 2004 Drainage Board meeting the Board unanimously approved a reimbursement to Development Management Inc. for infrastructure along and across Woodmen Road (Attached). The majority of the infrastructure alignment is along the northern boundary of the Powers Autopark. Based on City Code 7.7.907.A a subdivider may "fix" a fee for an undeveloped property if the infrastructure associated with the property is constructed prior to platting of the property. The per acre drainage fee for the property is then held at the fee in place at the time of the fixing. Development Management Inc. is requesting that the remaining unplatted acreage in the Powers Autopark have the per acre drainage fee fixed at the 2018 rate of \$13,241/acre.

RECOMMENDATION: The Water Resources Engineering Division recommends that the Drainage Board approve the request by Development Management Inc. to fix the per acre drainage fee in the Powers Autopark at the current rate of \$13,241/acre in the Cottonwood Creek Drainage Basin.

A recommended motion would be: I move to fix the per acre drainage fee in the Powers Autopark at the current rate of \$13,241/acre in the Cottonwood Creek Drainage Basin.

**CITY OF COLORADO SPRINGS/EL PASO COUNTY
DRAINAGE BOARD MEETING SUMMARY
April 15, 2004**

The City of Colorado Springs, El Paso County Drainage Board held it's regularly scheduled meeting at 2:00 p.m. on April, 2004 in the City Council Chamber, City Hall, 107 North Nevada Avenue.

MEMBERS PRESENT: Samuel Adams, Cheryl Bean, Aaron Egbert, John Radcliffe, Heath Herber

MEMBERS ABSENT: Ed Gonzalez, John Williams

OTHERS PRESENT: Dave Lethbridge, Robert Mack, Ron Mitchell, Tom Bonifas, Rich Riddle, Kelli Patrick (City of Colorado Springs), Andre Bracken, Dino Bakhar (El Paso County), Kent Rockwell (Rockwell Consulting), Clayton Unruh (Affordable Housing Construction), Itzella Rodriguez (Marigold Café and Bakery), B.J. Hybl, Steve Engel (Griffis/Blessing), Steve Schnurr (Rocky Mountain Material and Asphalt), Virgil Sanchez (Classic Consulting).

Item 1

Approval of the minutes of the March 18, 2004 Drainage Board Meeting.

Motion was made by Heath Herber to approve the March 18, 2004 Drainage Board Meeting minutes as written. Motion was seconded by Aaron Egbert.

The motion passed unanimously 5-0

Item 2

Request to adjust the Cottonwood Creek Drainage Fee to include a 100-year system in the Cottonwood Creek Drainage Basin Planning Study and raise the Drainage Fee \$189.08 per acre.

Staff recommends approval of the Fee increase.

Motion was made by Aaron Egbert to approve the adjustment and increase the Drainage Fee by \$189.08 per acre. Motion was seconded by Samuel Adams.

The motion passed unanimously 5-0

Item 3

Request for **CASH** reimbursement for construction of public, reimbursable Drainage Facility costs within the Cottonwood Creek Drainage Basin relating to the Woodmen Road Box Culvert and Woodmen Road Storm Sewer system. Reimbursement to be made to: **Development Management Inc., 4065 N. Sinton Rd., Suite 200, Colorado Springs, CO 80907.**

Total requested	\$850,859.36
Staff recommendation	\$850,859.36

Motion was made by Heath Herber to approve the recommended reimbursement. Motion was seconded by John Radcliffe.

The motion passed unanimously 5-0

Items 4, 5, and 6

Request to adjust the Sand Creek Drainage Basin Bridge Fee.

Dave Lethbridge advised the Board members that errors had been found in the request documentation, and staff was recommending postponing this item along with items 5 and 6 until the May meeting. He stated he had spoken to the applicant and the applicant was agreeable to the postponement.

Motion was made by Cheryl Bean to postpone items 4, 5, and 6 until the May meeting of the Drainage Board. Motion was seconded by Heath Herber.

The motion passed unanimously 5-0

Item 7

Request for **CASH** reimbursement for construction of public, reimbursable Drainage Facility costs within the Templeton Gap Drainage Basin relating to the 72" storm drainage system within the Shadow Mountain Subdivision. Reimbursement to be made to: **Affordable Housing Construction, 5910 North Central Expressway #1145, Dallas, TX 75206.**

Total requested	\$310,803.00
Staff Recommendation	\$310,803.00
Minus 2002 fees	<u>-33,307.97</u>
Total recommended	277,495.03

Motion was made by Cheryl Bean to approve the recommended reimbursement of \$277,495.03. Motion was seconded by John Radcliffe.

The motion passed unanimously 5-0

Item 8

Appeal of staff decision to require payment of drainage fees on Creekside Development (October 16 2003 Drainage Board Meeting).

Robert Mack advised the Board the applicant had exceeded the time limit for appeal, however the Board could vote to reconsider the item from the October 16, 2003 meeting. There was discussion among the Board Members whether to reconsider this item as the applicant had been told by staff this decision could be appealed at this time.

Motion was made by Samuel Adams to reconsider this item at the May meeting of the Drainage Board. Motion was seconded by Aaron Egbert.

The motion passed unanimously 5-0

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Item 9 (County)

Request for reimbursement for channel construction improvements to the East Fork Sand Creek Sub-tributary in the Rocky Mountain Industrial Park Subdivision. Reimbursement to be made to: **Steven Schnurr Living Trust, 2010 Fox Mountain Point, Colorado Springs, CO 80906.**

Total requested	\$82,224.97
Staff recommendation	\$73,422.56

There was discussion between the Board members, the applicant, and Andre Bracken from El Paso County. The Board determined they needed more information regarding the difference in the total amount requested and Staff recommendation, and the amount of the mark up. They felt this item should be postponed until the May 2004 meeting.

Motion was made by Heath Herber to postpone this item until the May Drainage Board meeting. Motion was seconded by Cheryl Bean.

The motion passed unanimously 5-0

Item 10

Housekeeping and open discussion.

Dave Lethbridge advised the Board members that Virgil Sanchez will officially replace Samuel Adams at the next meeting.

Tom Bonifas gave the Board follow-up on the Interest Allocation Policy they had voted on in February 2004. He stated this had gone to City Council Tuesday and had been approved. He said the second reading would be in a couple weeks, and he would then return to Drainage Board with a budget proposal.

Motion was made by Heath Herber to adjourn the meeting. Motion was seconded by Aaron Egbert.

Motion passed unanimously 5-0

The meeting was then adjourned.