



## Legislation Text

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**File #:** 18-0366, **Version:** 3

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### **Title**

A Resolution to increase drainage basin fees for the Cottonwood Creek drainage basin to \$16,100 per acre

(Legislative)

### **Presenter:**

Richard Mulledy, P.E., Stormwater Enterprise Manager  
Brian Kelley, P.E., Stormwater Capital Programs Manager

### **Summary:**

At its May 3, 2018 meeting, the City of Colorado Springs / El Paso County Drainage Board approved increasing the fee for the Cottonwood Creek Drainage Basin from \$13,241 per acre to \$16,100.00 per acre. The May 3, 2018 Drainage Board Agenda is attached as Exhibit A and the Drainage Board Meeting Summary is attached as Exhibit B. This increase to the Cottonwood Creek Drainage Fee was precipitated by the Drainage Board action to close the Cottonwood Creek Drainage Basin within the Wolf Ranch Development.

### **Previous Council Action:**

The current Cottonwood Creek Drainage Basin Planning Study ("2000 DBPS") was approved by City Council on July 11, 2000 by Resolution No. 104-00, which set the Drainage Basin Fee based on the unplatted acres and the facilities required. On December 12, 2017 City Council adopted Resolution No. 157-17 approving the 2018 Drainage, Bridge and Pond Fees effective January 1, 2018. On August 13, 2018 City Council postponed this item to the September 25, 2018 meeting at the request of the Water Resources Engineering staff to allow staff to further analyze remaining unplatted acreage, as well as remaining drainage credits within the Cottonwood Basin.

### **Background:**

The authorization and administration of the Drainage Basin fee program is described in the City of Colorado Springs City Code, Chapter 7, Planning, Development and Building, Article 7, Subdivision Regulations, Part 9, Subdivision Drainage Facilities; the Drainage Criteria Manual, and the Engineering Criteria Manual.

The current drainage fee for the Cottonwood Creek Drainage Basin is \$13,241 per acre to be collected from the developer at the time of platting. Based upon the approval of the closure of the portion of the Cottonwood Creek Drainage Basin within the Wolf Ranch Development, the City of Colorado Springs / El Paso County Drainage Board approved setting the Cottonwood Creek Drainage Fee at \$16,100 at its May 3, 2018 meeting. Since all of the infrastructure identified as reimbursable in the Cottonwood Creek Drainage Basin Planning Study dated June 2000 is within the Wolf Ranch Development, the new fee was calculated by dividing the total amount of reimbursable drainage credits on the list as of the May 3, 2018 Drainage Board meeting by the unplatted

developable acreage.

\$4,346,626.72 in Reimbursable Credits  
270 unplatted developable acres  
\$16,098 per acre (\$16,100 rounded)

This adjustment to the Cottonwood Creek Basin Drainage Fee is appropriate so that the cost per acre for the remaining developable unplatted acres will be enough to reimburse the credit holders. The updated 2018 Drainage, Bridge and Pond Fee Schedule is attached as Exhibit C.

This item supports the City's strategic goal relating to investing in infrastructure. Drainage infrastructure is vital to insure the City's ability to protect citizens and property owners from potential damage due to stormwater.

Most recently, the Drainage Board, in its September 6<sup>th</sup> meeting, requested that this fee recommendation be withdrawn from City Council action and referred back to the Drainage Board for reconsideration since the Drainage Board is the recommending board to City Council. The Drainage Board will then provide an updated recommendation to City Council due to new information, provided by City staff, related to the remaining unplatted acres and remaining drainage credits in the Cottonwood Basin.

**Financial Implications:**

Drainage, bridge and detention pond fees are paid by developers and are used to reimburse other developers who construct drainage improvements that cost more than their fee obligation. There are no City financial implications.

**Board/Commission Recommendation:**

The City of Colorado Springs / El Paso County Drainage Board approved setting the Cottonwood Creek Drainage Basin fee at \$16,100 per acre at its May 3, 2018 meeting. The approval was based upon the closure of the Cottonwood Creek Drainage Basin within the Wolf Ranch development.

However, at the September 6<sup>th</sup> Drainage Board meeting, the Board unanimously requested a withdrawal of the resolution in order to update the fee adjustment recommendation due to basin changes since the original May 3<sup>rd</sup> Drainage Board meeting. There is updated information related to unplatted acreage and revised drainage credits.

**Stakeholder Process:**

The City of Colorado Springs / El Paso County Drainage Board approved setting the Cottonwood Creek Drainage Basin fee at \$16,100 per acre fee at its May 3, 2018 meeting. The City of Colorado Springs / El Paso County Drainage Board agendas are published and posted in advance for those interested in attending meetings. There were no comments either for, or against, by attendees for this fee increase.

**Alternatives:**

Do not refer the item back to the Drainage Board.

**Proposed Motion:**

Move to refer the item back to the Drainage Board for consideration and a recommendation to City

Council.

**Summary of Ordinance Language**

N/A