

## **2A Stormwater Advisory Committee (SAC) Meeting Agenda**

### **2-4 p.m., May 18, 2023 Location: 401 Large and Teams**

The meeting was called to order at 2:04 p.m. Attendees included Doug Conlon, Bobby Ingels, Brenda Roy, Richard Mulledy, David Havlick, Tim Biolchini, Sam Acosta, Matthew Johnson, Mayor John Suthers, City Councilmember David Leinweber, Travis Easton, and Maren McDowell.

New SAC Committee member Doug Conlon was introduced to the group.

In a unanimous decision, Matthew Johnson was voted in as the Chair of the SAC. Vice Chair will be voted upon at the next meeting.

Richard Mulledy then provided a refresher on the Stormwater Advisory Committee's purpose and responsibilities. The SAC is a committee that oversees and provides oversight, advice, and recommendations for the stormwater enterprise. It oversees the expenditures and finances of how SWENT (Stormwater Enterprise) operates. It represents the public having the opportunity to have this level of oversight for the purposes of ethical and wise spending and decisions.

Mayor Suthers added: we tell the public we will have an oversight group to oversee how we will be spending the fees collected. This idea has been brought up other ballot initiatives with similar oversight groups. SWENT is an important endeavor we have been involved in; a lot of people may not know how critical our situation was last year. We were previously the largest city in America without a designated stormwater fee. We had actual litigation from the EPA, State of Colorado, Pueblo County, and the Lower Arkansas valley because our stormwater system was insufficient. Mayor Suthers provided additional background on the lawsuit and spoke to the importance of the committee. We have made a huge amount of progress. The mayor thanked Richard Mulledy and his leadership during the Mayor's tenure. We've got to keep our foot to the pedal. We've got the opportunity to create the best stormwater system in Colorado, said Suthers.

Matthew Johnson said he requested the refresher on the SAC because of the new members of the committee and in effort to better determine the group's focus going forward. He gave additional background since Matthew has been on the SAC since it began. He spoke about lawsuits and providing guidance on a significant amount of the green infrastructure manual and requirements in the City. "We've come to a steady place for how everything is going," he said.

Mulledy reminded the committee that if there are specific areas where they would like to focus, please share with the group. Green infrastructure discussions within the SAC went a long way toward reaching a settlement. He reminded the members that please if they have areas of intention or initiatives, they are the community voice on this topic.

Tim Biolchini commented that stormwater is a four-legged stool. MS4 compliance, projects, permits, and development review.

Brenda Roy, Stormwater Business Administrator, then provided the financial overview and update.

She provided a breakdown of original budget at the start of the year. Expenses included operating, maintenance, and capital. There was a rollover of \$236,000 from last year. Roughly 75 percent remains, which is what we would expect at this point in the year.

We have an SLA (service level agreement) with our Ops and Maintenance division. Original budget at the start was \$3.3 million. Also about 75 percent remaining at this point in the year, as well as what they have completed to date. A list of items that Ops handles was provided.

Matthew Johnson asked how recent storms will affect these remaining budget amounts. Richard Mulledy said there will be a bump in maintenance costs as associated with that. Additional expenses, etc. will probably be reflected in the next quarter. A few failures but nothing major (at the time of the meeting). Most likely a bump in maintenance for labor. A lot of maintenance had occurred on ponds last year so they were largely ready for the storm.

One project that was in process exists where the contractor was instructed to pull their equipment, but they did not agree so there was some damage, and this cost will be upon the contractor to repair.

Research and Channel- CDOT project. It was constructed in the City's ROW. But this was part of the CDOT interchange. Waiting on more information. Lanes are still currently closed. This information was requested by the mayor and addressed by Travis Easton.

Stormwater capital improvement funding was then discussed. At the start of the year there was \$35M planned for the year. This is all tracked within the consent decree and reserve funds are tracked as a separate line item. An additional \$1.3 million was spent in April. Remaining funds are all either planned or contracted.

Rich said that the consent decree/reserve line was added because it is a reserve we are building as these funds need to grow before future work. Will need committee input on that soon. Needs to grow to about \$40M over the length of the consent decree. Most of the associated projects must be finished in 10-12 years.

Discussion was then held regarding the amount of money "spent" or encumbered on large projects for the year.

The billing and revenue update was provided, 97 percent collection rate overall. It has been over 100 percent through CLA due to advance payments.

There is still a push to get the bills out from current third-party billing company CLA and shift those accounts to CSU. Many accounts have paid in advance.

There are plans in place transfer overpayments from CLA to Springs Utilites which will save staff the time needed to process 1,700 refunds. However, they will not transfer more than a full year of prepayments. Many of the overpaid accounts are commercial and approximately 100 commercial accounts will get refunds. CSU is currently billing 96 percent of all the accounts billed by the stormwater enterprise. CLA has about four percent of the remaining parcels, but these are varied accounts.

Staff will continue to work with CSU to transfer additional accounts. Once Springs Utilities can bill anyone that is not a utility customer, the remaining bills will be transferred (such as HOAs, HOA common areas, private roadways, parking lots, etc.).

With the recent upgrade to the Springs Utility system, a new stormwater service point has been added. Phase 2 will be a service point that is stormwater, but will not have to be tied to an existing utility customer account. This will hopefully occur within the next six months. There is a significant cost savings to have Springs Utilities handle the billing as opposed to CLA. Roughly \$2.80/bill, whereas CSU is about .04/bill. The stormwater fee will be increased again, the last phased increase previously approved by City Council. The increase goes to effect July 1, which will be \$8/residential unit and \$45/acre for non-residential. Customers will receive notices on their bills next month.

Senior Stormwater Projects Engineer Tim Biolchini then gave a current and future project overview.

Three construction projects were underway at the end of Quarter 1. At the time of the meeting four were underway. This brings the enterprise to the halfway point for the number of required projects as part of the IGA.

Cottonwood Creek at Austin bluffs- will be complete by the end of this month (May)

Cottonwood Creek at Academy- complete by June 30

Cottonwood Creek park- will be complete by Sept 1

He provided a list of construction planned for summer/fall 2023, and each project will cost \$1M plus, in addition to a list of projects currently under design and projects that will be under construction in 2024, along with minor descriptions of each.

He then spoke about the recent projects storm resilience and North Douglas Creek. Showed video of how the conveyance held up. All the energy dissipated downstream. Very successful.

Sand Creek at Platte- also a video. Took major amount of volume from recent storm. Showed how the drops slow and dissipate the energy for slower pace of water downstream.

Cottonwood creek at Austin bluffs held up very well overall with its sculpted concrete drops.

Cottonwood Creek Apartments Project- the contractor lost the entire roadway. That loss will not translate to our bottom line. The contractor knew their access was on them and we would not pay over even if it washed out.

Mayor Suthers inquired if we have a bond if a contractor cannot perform, and the answer is yes. This was a new contractor, and they have a very small window to make this right. Can be a symptom of the fact that there is a tremendous amount of work going on and a very small amount of contractors. Very difficult construction project but we will make sure it is righted.

West Fork Sand Creek at Main Stem suffered a partial failure without a cutoff for the lower drop. We were down to bedrock. We will need to retrofit and add additional drops. Probably built 15-20 years ago.

Recent storms also led to some minor maintenance and the need for some pipe lining.

Mulledy then reiterated that there are always great ideas for initiatives. If the committee has ideas, we are looking for other opportunities to team with other individuals or groups to further initiatives.

Councilman Leinweber spoke of one such initiative. Angler's Covey has Fountain Creek behind it (300 yards or so). No homeless camping has been there in two years. Angler's Covey recently hosted 75 5<sup>th</sup> graders release trout into fountain creek. "This was our goal," Leinweber said. "It was a great moment and a testament to a great project." He said Richard has been a great advocate.

Fountain Creek Watershed was held next. The FCW will be entering a strategic planning process for the entire corridor. Until this point, all the projects done were done in Pueblo. They are trying to get a new vision of what kind of projects can take place in Colorado Springs. They've already met with Rich.

Rich asked the committee: Are there other major things that we would want to address as a program and or as a city? What are the challenges and goals? Let's have more conversation.

Committee members asked if we get a big sign that talks about where your stormwater dollars are going? Discussion of signage and possibilities.

Tim discussed the CRS rating for FEMA, which is a national hazard flood mitigation program. Because the city applied for the CRS rating, that gives residents a 25% discount (with a score of 5/5) to anyone who wants flood insurance. So a couple times a year we have to discuss flood mitigation and do public information with topics related to this.

This was Mayor Suthers' last meeting; he thanked everyone for their participation and willingness to be involved in what has been an important turnaround for Colorado Springs. He said the hiring of Richard Mulledy and Travis Easton was critical to success. "Stormwater is one of our best victories."

Adjournment 3:05 by Matt Johnson after a second by Bobby Ingels.