

**5-2-1 Drainage Authority
Minutes Of The Board
October 22, 2008**

**5-2-1 Drainage Authority Conference Room
Grand Junction, Colorado**

Board Members present:

Jim Doody, Chairman	City of Grand Junction Representative
Mel Mulder, Vice-Chairman	City of Fruita Representative
Richard Bowman, Secretary	Grand Valley Drainage District Representative
Steve Acquafresca, Asst. Secretary	Mesa County Representative
Dave Walker, Treasurer	Town of Palisade Representative

Technical and Authority Staff present:

Ken Haley	City of Fruita, Engineer
Eileen List	City of Grand Junction, Environmental Svcs Manager
Trent Prall	City of Grand Junction, Engineering Manager
John Ballagh	Grand Valley Drainage District, Manager
Nathan Boody	Town of Palisade, Town Planner
Julie Constan	Mesa County, Engineer
Eric Mende	5-2-1 Drainage Authority, Manager
Janice McDonald	5-2-1 Drainage Authority, Office Administrator

Guests Present:

Gregg Palmer	City of Grand Junction, Mayor
Bill Wilson	WRC Engineering Inc., Principal Engineer

Called to order

Chairman Doody called the meeting to order at 3:00 p.m. and declared a quorum present.

Review and adoption of Agenda:

No changes requested. Chairman Doody asked for a motion to adopt the agenda as presented.

Motion for approval: Director Acquafresca

Seconded: Director Bowman

In favor: All

Review and adoption of September 24, 2008 Board minutes:

No edits requested.

Motion for approval: Director Bowman

Seconded: Director Walker

In Favor: All

Action Item 1 – Financial Reports

Manager Mende states all expense line items are within budget. All required Financial Reports have been reviewed by Bill Baltzell and are in order. We received remaining \$5,574 of the Grand Valley Drainage District's annual contribution, and they are now paid in full. A \$38,000 partial payment from Mesa County was also received this week, which will be reflected on next month's financial reports. All general budget categories are under budget.

Motion to accept: Director Walker

Seconded: Director Acquafresca

In favor: All

Action Item 2 -- Change Order for Ayers Associates for Orchard Mesa Floodplain Study Benefit Cost Analysis

Manager Mende provided the following update: Ayers Associates is under contract for \$154,796 to perform the first four of the seven tasks identified in the original Orchard Mesa Floodplain Study Scope of Services. Only the first four tasks were funded, in order to determine the number of properties in the floodplain before proceeding with a Pre-Disaster Mitigation (PDM) grant application. Based on the 569 structures now mapped by Ayres within the 100-year floodplain, staff feels a PDM grant application for a \$4M project is now justified.

Additional funds will be required to complete the remaining three tasks needed to submit the PDM grant application. Ayers has provided an estimated additional contract cost of \$127,316 to complete the work, which includes an "unconfirmed" but conservative estimate of \$25,000 for the survey work required to establish first floor elevations of affected properties – a necessary task for the PDM grant. Ayers has since received four estimates of the survey work, ranging from \$7,500 to \$23,000, reducing the maximum estimated cost to \$125,316. To minimize the budget impacts, Mesa County is willing to commit \$110,000 as an additional off-budget contribution to the Authority. The initial grant application is due to the State by November 19, 2008, so getting the change order in place is quite time sensitive. Manager Mende requested the Board allow him to execute the Change Order "up to" a maximum value of \$125,316. The remaining \$15,000 will come from the 5-2-1 Drainage Authority's budget as there will be no additional grant money from Colorado Water Conservation Board (CWCB) for this portion of the work.

Director Acquafresca inquired why Mesa County is the only contributor to this portion of the project as it is multi-jurisdictional work. Julie Constan indicated the funds Mesa County is providing were originally budgeted specifically for this work in the Mesa County 2007 budget and carried over into the 2008 budget. Trent Prall added that if the PDM grant is realized, Grand Junction will become active fiscal partners with this project. Manager Mende stated if the PDM grant application is successful, it will require a \$1 million match on a \$4 million project. Manager Mende also state that if this additional contribution was not available from Mesa County, he would recommend postponing this project for a year because of budget constraints, however CWCB indicates this is an optimal time to submit the grant application as FEMA has the dollars

available this year and may not next year. Director Acquafresca asked if the 5-2-1 Drainage Authority is at risk of not receiving the grant. Manager Mende stated, yes, we may not receive the grant, however the current work will not be wasted as the data can be used for local planning and subsequent grant applications.

The Board asked if there is more than the grant amount of \$4 million worth of work to do in the Orchard Mesa Floodplain. Staff response indicated that it is likely, but we will not know the total dollar amount of work needed until the estimates are done. However, the continued work by Ayers will produce a benefits/cost analysis and damage assessment prioritizing improvements and estimated projected costs which again, will not be wasted effort.

Director Walker moved to authorize the Authority Manager to execute a Change Order with Ayers Associates for a maximum amount of \$125,316 to complete tasks five through seven of the Orchard Mesa Floodplain Study Scope of Services to include new services to complete the surveying and PDM grant application paperwork.

Motion for approval: Director Walker

Seconded: Director Acquafresca

In Favor: All

Reports – Manager’s Report

Recruitment: After five interviews, the inspector position was offered to and accepted by Jesse Kirkpatrick. She will start on December 1, 2008.

Permit Services Intergovernmental Agreements: Adoption of the IGA’s with Grand Junction and Mesa County have been postponed one month to allow the City of Grand Junction’s and Mesa County’s elected officials a chance to review and edit, and the attorneys to come to an agreement on indemnification language. Next month, the IGA’s with Palisade and Grand Valley Drainage District should also be ready for adoption. As a result, the review upload date of November 1, 2008, has been changed to December 1, 2008, but the January 1, 2009, upload date for permitting and inspection remains the same.

Adobe Creek Project: Proposals from eleven firms were received on the Adobe Creek Channel Capacity Project. During the proposal review process, we received late word from Kevin Houck at CWCB that the original scope of the project, which did not include full hydrologic analysis of the basin, would not qualify for grant funding under CWCB rules. Kevin apologized profusely for leading us astray on the scope (which he reviewed before we sent it out), but it has forced us to modify the scope to include the required hydrology. Mesa County procurement rules require us to allow all eleven proposers to resubmit based on the revised scope. The addendum and revised scope was sent out on October 13, 2008, with revised proposals due back October 24, 2008. Mesa County had budgeted funds in 2008 to complete a portion of this study and now that the 5-2-1 Drainage Authority is performing the work, Mesa County feels it’s appropriate to provide these funds to the Authority. Mesa County has committed additional funds of \$58,000. CWCB has also committed to a larger grant, with the final grant amount to be

determined after we receive firm cost proposals. Thus, there are no financial impacts on the 5-2-1 Drainage Authority's 2008 or 2009 budgets from the increased scope. Contract approval by the Board will be on next month's agenda.

Policies and Procedures: The TAC is working on the Authority specific policies and procedures needed to support Authority operational activities assigned to the Authority under the IGA's.

Public Education: Eileen List gave an update on the following public education activities.

- Post Construction BMP Selection and Design class held at the Mesa County Fairgrounds September 24 and 25, 2008.
- Two days of stormwater management and two days of stormwater construction inspectors training were held at Grand Junction City Hall October 14-17, 2008.
- Water education was presented by Julie Constan and Eileen List at the Grand Junction Chamber Leadership class on October 16, 2008.
- Stormwater education presentation given by Eileen List to the Colorado Insurance Risk Sharing Association's Annual Industrial Hygienist Conference on October 20, 2008.
- Public education advertisement in Daily Sentinel's Fall Home Improvement magazine October 19, 2008.

John Ballagh requested all training and educational activities by the 5-2-1 Drainage Authority and its contracting parties continue to be reported in the Board minutes.

Discussion Item – Draft Stormwater Permit / Inspection Fee Resolution and Revised Draft Budget

At the September 26, 2008, Board Meeting, the Board expressed concurrence with a \$100 per acre permit fee, and asked for a revised budget analysis based on 30 permits a year instead of 50 permits per year. The budget has also been made more conservative by incorporating the 30 permits per year assumption.

Inspection fee revenue is now \$30,000, reflecting 30 permits at an average of \$1,000 (10 acres). Additional revenue line items have been added to reflect off-budget contributions such as those committed to by the County for the Orchard Mesa floodplain analyses.

Based on the revised 2009 expense estimate and the increased 2008 to 2009 carryover, the estimated carryover from 2009 to 2010 increased from \$9,429 to \$65,989, a significantly more conservative number. A contingency amount of \$20,000, identical to 2008, is also included.

Manager Mende reviewed changes with Board, and reminds them of next month's public meeting for budget review and this fee resolution adoption. The 5-2-1 Drainage Authority will be sending an informational letter out next week, and will be meeting with various groups affected by this fee implementation as we can get them scheduled. Manager Mende is already scheduled with the Home Builders Association on November

6, 2008, as well as a the fall Mesa County Utility Information Luncheon on Thursday, November 6, 2008, as the utility organizations will be affected by this as well.

Director Walker asked if technical staff approve of the \$100 per acre fee. All technical staff present affirmed their support. Director Acquafresa asked staff if \$100 per acre fee is what the industry would expect. Staff indicated they didn't know what the industry was expecting as no fees have been assessed by the municipalities for stormwater construction permits since its implementation. The additional requirements were added at the time a construction permit was acquired but fees were never raised to support the stormwater construction permit.

Manager Mende asked the Board to review the wording for item #2 on the Draft Resolution noting the use of 'and for which a construction stormwater permit is issued by the Authority' wording instead of 'urbanized area'. Manager Mende explained that Mesa County's policy is not to require a stormwater permit for certain projects within the urbanized area that do not require other Mesa County permits, such as a surface alteration permit. The resolution text will be consistent with the policy, because Mesa County will not require these projects to submit a SWMP, thus, no permit. Manager Mende asked if the Board approves of this wording. Board members confirmed their support for the description.

Director Walker asked if there are areas outside of the urbanized area that can impact local water quality. Staff advised the Board there is potential for water quality problems from construction projects located outside the urbanized area even though a State permit is required. The current 5-2-1 Drainage Authority policy is not to have permits outside the urbanized area. Staff also reminded the Board they have the jurisdiction to decide where permits are required. Staff indicated the State of Colorado will be reviewing the urbanized boundaries sometime in 2009 as well.

Discussion Item – Strategic Plan Discussion

Manager Mende facilitated the Board and Staff through a SWOT (strengths, weaknesses, opportunities, threats) exercise to assist with future strategic planning. The information will be summarized and used in future discussions. The Board indicated a desire to have a retreat in late January/early February, 2009.

Chairman Doody adjourned the meeting at 4:55 p.m.

The next 5-2-1 Drainage Authority Board Meeting will be a public meeting on Wednesday, November 19, 2008, at 3:00 p.m. at the Mesa County Courthouse, 544 Rood Avenue, Grand Junction, Colorado, in the annex multi-purpose room.

Jim Doody, Chairman