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RESOLUTION NO. 16-093

**BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO**

**RESOLUTION TO APPROVE A 4.8% INFLATIONARY INCREASE TO
DRAINAGE BASIN AND BRIDGE FEES & REMOVE THE \$15,000 CAP ON THE
DRAINAGE FEE**

WHEREAS, Section 30-28-133 (11), C.R.S., authorizes counties to adopt subdivision regulations providing for the payment of a sum of money or proof of a line of credit or other fees in equitable contribution to the total costs of the drainage facilities in the drainage basin in which the subdivision is located; and

WHEREAS, Section 8.5.5 of the El Paso County Land Development Code provides for the assessment of drainage basin fees and for the repayment to a subdivider, from any surplus basin funds available, of any costs the subdivider incurs because of compliance with the plans for the development of drainage basins in excess of the sum of the drainage basin fees assessed against the subdivider's acreage; and

WHEREAS, on September 13, 1999 the El Paso County Board of County Commissioners (Board) adopted Resolution No. 99-383, which Resolution set forth a drainage basin fee schedule based upon impervious acreage and the nature and proportionality of a subdivision's impact on the necessity and extent of drainage improvements in the County; and

WHEREAS, Resolution No. 99-383 calculated new drainage fees using a cap of \$15,000 per impervious acre; and

WHEREAS, Resolution No. 99-383 further provides that changes in a fee for one or more basins based upon inflation in costs or new and technically sound information including, but not limited to, a new Drainage Basin Planning Study (DBPS) or an addendum to a DBPS shall require action by the Board; and

WHEREAS, at their meeting on March 4, 2015, the City/County Drainage Board recommended a 4.8% increase to the Drainage Basin and Bridge Fees; and

WHEREAS, the Board finds that certain new, technically sound research over the last two years of various economic indices for the region and state supports a four point eight percent (4.8%) inflationary increase of Drainage Basin and Bridge Fees, and therefore desires to implement same, as is depicted in the 2016 Fee Study attached hereto and incorporated herein; and

WHEREAS, the Board further finds that cap of \$15,000 per impervious acre on drainage fees can no longer be supported based upon the current costs of drainage improvements.

Chuck Broerman
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El Paso County, CO



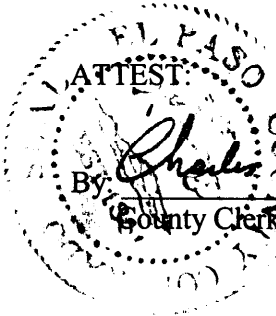
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NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of El Paso County, Colorado, that Drainage Basin and Bridge fees shall be increased by 4.8% based upon new and technically sound research.

BE IT FURTHER RESOLVED that the drainage fee cap of \$15,000 per impervious acre is hereby abolished.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately, and that the provision regarding the increase in Drainage and Bridge fees shall apply to all subdivision development in the County where the County has not accepted a final plat submittal as of the date of the adoption of this Resolution.

DONE THIS 29 day of March, 2016, at Colorado Springs, Colorado.



By: Charles D. Broerman
County Clerk and Recorder,

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: Amy Lathen
Amy Lathen, BoCC Chair

Exhibit A

El Paso County Drainage Basin Fees

Basin Number	Receiving Waters	Year Studied	Drainage Basin Name	2016 Drainage Fee (per Impervious Acre)	2016 Bridge Fee (per Impervious Acre)
<u>Drainage Basins with DBPS's:</u>					
CHMS0200	Chico Creek	2013	Haegler Ranch	\$8,844	\$1,305
CHWS1200	Chico Creek	2001	Bennett Ranch	\$9,901	\$3,798
CHWS1400	Chico Creek	2013	Falcon	\$25,377	\$3,486
FOFO2000	Fountain Creek	2001	West Fork Jimmy Camp Creek	\$10,763	\$3,185
FOFO2600	Fountain Creek	1991*	Big Johnson / Crews Gulch	\$15,720	\$2,030
FOFO2800	Fountain Creek	1988*	Widefield	\$15,720	\$0
FOFO2900	Fountain Creek	1988*	Security	\$15,720	\$0
FOFO3000	Fountain Creek	1991*	Windmill Gulch	\$15,720	\$236
FOFO3100 / FOFO3200	Fountain Creek	1988*	Carson Street / Little Johnson	\$9,588	\$0
FOFO3400	Fountain Creek	1984*	Peterson Field	\$11,338	\$860
FOFO3600	Fountain Creek	1991*	Fisher's Canyon	\$15,720	\$0
FOFO4000	Fountain Creek	1996	Sand Creek	\$15,720	\$4,762
FOFO4200	Fountain Creek	1977	Spring Creek	\$8,153	\$0
FOFO4600	Fountain Creek	1984*	Southwest Area	\$15,720	\$0
FOFO4800	Fountain Creek	1991	Bear Creek	\$15,720	\$860
FOFO5400	Fountain Creek	1977	21st Street	\$4,729	\$0
FOFO5600	Fountain Creek	1964	19th Street	\$3,094	\$0
FOFO5800	Fountain Creek	1964	Camp Creek	\$1,742	\$0
FOMO0400	Monument Creek	1986*	Mesa	\$8,222	\$0
FOMO1000	Monument Creek	1981	Douglas Creek	\$9,886	\$218
FOMO1200	Monument Creek	1977	Templeton Gap	\$10,149	\$236
FOMO1400	Monument Creek	1976	Pope's Bluff	\$3,149	\$537
FOMO1600	Monument Creek	1976	South Rockrimmon	\$3,696	\$0
FOMO1800	Monument Creek	1973	North Rockrimmon	\$4,729	\$0
FOMO2000	Monument Creek	1971	Pulpit Rock	\$5,213	\$0
FOMO2200	Monument Creek	1994	Cottonwood Creek / S. Pine	\$15,720	\$860
FOMO2400	Monument Creek	1966	Dry Creek	\$12,410	\$449
FOMO3600	Monument Creek	1989*	Black Squirrel Creek	\$7,137	\$449
FOMO3700	Monument Creek	1987*	Middle Tributary	\$13,118	\$0
FOMO3800	Monument Creek	1987*	Monument Branch	\$15,720	\$0
FOMO4000	Monument Creek	1996	Smith Creek	\$6,409	\$860
FOMO4200	Monument Creek	1989*	Black Forest	\$15,720	\$428
FOMO5200	Monument Creek	1993*	Dirty Woman Creek	\$15,720	\$860
FOMO5300	Fountain Creek	1993*	Crystal Creek	\$15,720	\$860
<u>Miscellaneous Drainage Basins: ¹</u>					
CHBS0800	Chico Creek		Book Ranch	\$14,750	\$2,135
CHEC0400	Chico Creek		Upper East Chico	\$8,036	\$233
CHWS0200	Chico Creek		Telephone Exchange	\$8,829	\$207
CHWS0400	Chico Creek		Livestock Company	\$14,543	\$173
CHWS0600	Chico Creek		West Squirrel	\$7,581	\$3,146
CHWS0800	Chico Creek		Solberg Ranch	\$15,720	\$0
FOFO1200	Fountain Creek		Crooked Canyon	\$4,746	\$0
FOFO1400	Fountain Creek		Calhan Reservoir	\$3,962	\$231
FOFO1600	Fountain Creek		Sand Canyon	\$2,863	\$0
FOFO2000	Fountain Creek		Jimmy Camp Creek ³	\$15,720	\$735
FOFO2200	Fountain Creek		Fort Carson	\$12,410	\$449
FOFO2700	Fountain Creek		West Little Johnson	\$1,036	\$0
FOFO3800	Fountain Creek		Stratton	\$7,540	\$337
FOFO5000	Fountain Creek		Midland	\$12,410	\$449
FOFO6000	Fountain Creek		Palmer Trail	\$12,410	\$449
FOFO6800	Fountain Creek		Black Canyon	\$12,410	\$449
FOMO4600	Monument Creek		Beaver Creek	\$9,398	\$0
FOMO3000	Monument Creek		Kettle Creek	\$8,489	\$0
FOMO3400	Monument Creek		Elkhorn	\$1,426	\$0
FOMO5000	Monument Creek		Monument Rock	\$6,814	\$0
FOMO5400	Monument Creek		Palmer Lake	\$10,895	\$0
FOMO5600	Monument Creek		Raspberry Mountain	\$3,665	\$0
PLPL0200	Monument Creek		Bald Mountain	\$7,810	\$0
<u>Interim Drainage Basins: ²</u>					
FOFO1800	Fountain Creek		Little Fountain Creek	\$2,010	\$0
FOMO4400	Monument Creek		Jackson Creek	\$6,222	\$0
FOMO4800	Monument Creek		Teachout Creek	\$4,321	\$649

1. The miscellaneous drainage fee previous to September 1999 resolution was the average of all drainage fees for basins with Basin Planning Studies performed within the last 14 years.

2. Interim Drainage Fees are based upon draft Drainage Basin Planning Studies or the Drainage Basin Identification and Fee Estimation Report. (Best available information suitable for setting a fee.)

3. This is an interim fee and will be adjusted when a DBPS is completed. In addition to the Drainage Fee a surety in the amount of \$7,000 per impervious acre shall be provided to secure payment of additional fees in the event that the DBPS results in a fee greater than \$15,000. Fees paid in excess of the future revised fee will be reimbursed. See Resolution 06-326, September 14, 2006.