



RESOLUTION NO. 25 - 84

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

**RESOLUTION TO APPROVE DISBURSEMENT OF THE SAND CREEK DRAINAGE
BASIN (FOFO4000) BRIDGE FUND TO CENTRAL MARKSHEFFEL
METROPOLITAN DISTRICT**

WHEREAS, the Board of County Commissioners of the County of El Paso ("Board") has the authority granted to it under the provisions of §§30-11-101 (1)(e) and 30-11-107 (1)(e), C.R.S., to represent the County and exercise its further powers to address concerns of the County in all cases where no other provisions are made by law; and

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, on September 13, 1999 the Board adopted Resolution 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, Section 8.5.5 of the El Paso County Land Development Code provides for the assessment of drainage basin and bridge 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, the El Paso County Board of County Commissioners established bridge fund credit for Central Marksheffel Metropolitan District within the Sand Creek Basin (FOFO4000) in the amount of \$922,149.69 in accordance with Resolution No. 18-499 (Reception No. 219015412) and \$2,432,190.30 in accordance with Resolution No. 19-442 (Reception No. 219156066) as recorded in the records of the El Paso County Clerk and Recorder's Office; and

WHEREAS, the El Paso County Board of County Commissioners established that Central Marksheffel Metropolitan District's credits in the Sand Creek Basin bridge funds would have first priority for reimbursement; and

WHEREAS, Central Marksheffel Metropolitan District has previously received partial reimbursement within the Sand Creek Trust Fund in accordance with Resolution No. 19-97 (Reception No. 219031854), Resolution No. 20-36 (Reception No. 220012433), Resolution No. 21-45 (Reception No. 221025692), and Resolution No. 21-313 (Reception No. 221152134), Resolution No. 22-63 (Reception No. 222030633),

Resolution 22-352 (Reception No. 222127557), Resolution 23-262 (Reception No. 223065611) and Resolution 24-265 (Reception No. 224056505) as recorded in the records of the El Paso County Clerk and Recorder's Office; and

WHEREAS, as of December 31, 2024, the available funds in the Sand Creek Basin Bridge Trust fund is \$31,271.25.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of El Paso County, Colorado, having been fully advised in the premises, hereby approves a partial reimbursement to Central Marksheffel Metropolitan District from the Sand Creek Basin Bridge Trust Fund in the amount of \$31,271.25; and

BE IT FURTHER RESOLVED that after the disbursement of available revenue, the remaining credit due to Central Marksheffel Metropolitan District shall be \$1,565,701.46 in the Sand Creek Basin Bridge Trust Fund; and

BE IT FURTHER RESOLVED that Central Marksheffel Metropolitan District shall remain the first on the priority list within the Sand Creek Basin Bridge Trust Fund and shall be paid the remaining credits when revenue funds become available according to the procedures outlined in the City/County Drainage Criteria Manual; and

BE IT FURTHER RESOLVED that the El Paso County Treasurer and/or Finance Office are requested to remit a warrant forthwith payable to Central Marksheffel Metropolitan District at 614 N. Tejon St., Colorado Springs, CO 80903 as indicated herein; and

BE IT FURTHER RESOLVED that Carrie Geitner, duly elected, qualified member and Chair of the Board of County Commissioners, or , duly elected Holly Williams, qualified member and Vice-Chair of the Board of County Commissioners, be and is hereby authorized on behalf of the Board to execute any and all documents necessary to carry out the intent of the Board as described herein.

DONE THIS 18th day of March 2025, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
EL PASO COUNTY, COLORADO

By: Carrie Geitner
Carrie Geitner, Chair

ATTEST:

By: Steve Schleicher
County Clerk and Recorder



Resolution No. 25-84
Attachment

El Paso County Drainage Basin Fee Program
Bridge Fund 201 Reimbursement/Credit Requests

Disbursement Period: December 2018

Based on Treasurer's Balance for January 31, 2025

| Priority | Developer | Subdivision Name | Drainage Basin | Current Credit | Available Basin Trust Funds | Reimbursement/Credit Reduction | Remaining Credit | Comments |
|----------|---|-------------------------|----------------|----------------|-----------------------------|--------------------------------|------------------|--|
| 1 | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$922,149.69 | | | | Resolution No. 18-499 established credit for partial credit for bridge over EFSC-2 at Marksheffel. Full evaluation of reimbursable cost has not yet been completed. |
| 1 | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$922,149.69 | \$251,535.15 | \$251,535.15 | \$670,614.54 | Resolution No. 19-097 Check No. 145939 |
| 1 | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$670,614.54 | | | \$3,102,804.84 | Resolution No. 19-442 established the final credit of \$2,432,190.30 for the bridge over EFSC-2 at Marksheffel. Previous credit of \$922,149.69 was established per Resolution 18-499. The sum of the two credits is \$3,354,339.99. |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$3,102,804.84 | \$66,226.41 | \$66,226.41 | \$3,036,578.43 | Resolution No. 20-36 Check No. 149615 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$3,036,578.43 | \$178,196.92 | \$178,196.92 | \$2,858,381.51 | Resolution No. 21-45 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$2,858,381.51 | \$33,031.40 | \$33,031.40 | \$2,825,350.11 | Check No. 154114 Resolution No. 21-313 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$2,825,350.11 | \$248,718.87 | \$248,718.87 | \$2,576,631.24 | Check No. 156345 Resolution No. 22-63 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$2,576,631.24 | \$680,229.65 | \$680,229.65 | \$1,896,401.59 | Resolution No. 22-352 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$1,896,401.59 | \$223,664.19 | \$223,664.19 | \$1,672,737.40 | Resolution No. 23-262 Reception No. 223065611 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$1,672,737.40 | \$75,764.69 | \$75,764.69 | \$1,596,972.71 | Resolution No. 24-265 |
| | Central Marksheffel Metropolitan District | Claremont Business Park | Sand Creek | \$1,596,972.71 | \$31,271.25 | \$31,271.25 | \$1,565,701.46 | Resolution No. 25-xxx |

Department of Public Works

Engineering Division
719-520-6460
Chuck Brown Transportation Complex
3275 Akers Drive
Colorado Springs, CO 80922
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Bill Wysong, District 3
Cory Applegate, District 4
Cami Bremer, District 5

To: Board of County Commissioners
Carrie Geitner, Chair

From: Gilbert LaForce, Interim Deputy County Engineer

Date: February 24, 2025

Re: Disbursement of available Sand Creek drainage basin bridge fund to Central Marksheffel Metropolitan District

Executive Summary: As of January 31, 2025, the balance in the Sand Creek Drainage Basin Bridge Trust Fund is \$31,271.25. After disbursement of the available revenue, the remaining bridge credit available to Central Marksheffel Metropolitan District will be \$1,565,701.46.

Background: On December 11, 2018 the El Paso County Board of County Commissioners established partial credits for Central Marksheffel Metropolitan District within the Sand Creek Drainage Basin (Resolution No. 18-499) in the amount of \$922,149.69 and established that Central Marksheffel Metropolitan District would have first priority for bridge reimbursement. On December 10, 2019 the El Paso County Board of County Commissioners established an additional bridge credit for Central Marksheffel Metropolitan District (Resolution 19-442) in the amount of \$2,432,190.30, for the balance of the bridge costs approved in 2018. Disbursements have been made to Central Marksheffel Metropolitan District as revenue funds have become available.

Action: Should the Board of County Commissioners approve the request for disbursement, then the available Sand Creek Basin bridge trust fund shall be paid to Central Marksheffel Metropolitan District.

Attachment(s): Resolution
Treasurer Report

| Fund | 800201 EPC ARTERIAL RDWY BRIDGE TRUST | | | | Balance | Estimate / Remaining |
|------|---------------------------------------|-------|-----|-----|--------------|----------------------|
| | 272002 SAND CREEK | Total | .00 | .00 | 31,271.25 ** | |
| | 272006 TEMPLETON GAP | | | | | |
| | 272014 DRY CREEK | Total | .00 | .00 | 160.64 ** | |
| | 272016 COTTONWOOD CREEK | Total | .00 | .00 | 49.04 ** | |
| | 272020 BEAR CREEK | Total | .00 | .00 | 26,812.15 ** | |
| | 272024 JIMMY CAMP CREEK | Total | .00 | .00 | 292.00 ** | |
| | 272026 KETTLE CREEK | Total | .00 | .00 | 53,912.71 ** | |
| | 272030 WINDMILL GULCH | Total | .00 | .00 | 105.00 ** | |
| | 272034 BIG JOHNSON | Total | .00 | .00 | 76,491.59 ** | |
| | 272040 WILLIAMS CANYON | Total | .00 | .00 | 82,843.91 ** | |
| | 272042 BLACK SQUIRREL CREEK | Total | .00 | .00 | 46.00 ** | |
| | 272044 BLACK FOREST DRAINAGE BASIN | Total | .00 | .00 | 82,947.99 ** | |
| | 272046 DIRTY WOMAN CREEK | Total | .00 | .00 | .00 ** | |
| | 272048 CRYSTAL CREEK LITTLE FTN | Total | .00 | .00 | 24,432.39 ** | |
| | 272054 SECURITY CREEK BASIN | Total | .00 | .00 | 4,214.00 ** | |
| | 272056 SMITH CREEK | Total | .00 | .00 | .00 ** | |