

CHATFIELD WATERSHED AUTHORITY BYLAWS



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CHATFIELD WATERSHED AUTHORITY BYLAWS

Article I. Definitions

As used in the bylaws, the following terms shall have the meaning hereinafter presented:

- a. **Associates** - Associate members demonstrate vested interest and non-financial support for the Chatfield Watershed Authority and management program. The Authority can designate any number of Associates by majority vote at a regular Authority meeting. The manager will maintain a list of Associate members. Associate members are not subject to an annual fee, but are expected to contribute to data acquisition, review or provide other in-kind support to the Authority or the management program.
- b. **Authority Membership** - The Chatfield Watershed Authority consists of *Membership Entities* and *Associates*. The manager will maintain a list of Authority membership subject to annual review and approval of the Authority.
- c. **Authority Board** – The Authority Board consists of Membership Entities.
- d. **Chatfield Reservoir Control Regulation** - The Authority is responsible for implementing requirements of the *Chatfield Reservoir Control Regulation* (Regulation # 73) as adopted and amended by the Colorado Water Quality Control Commission.
- e. **Chatfield Technical Review Committee** – The Authority maintains a standing technical review committee with open membership to Membership Entities and Associates to assist with program management, monitoring program, water and environmental quality issues, reviews and implementation efforts. The TRC meets at the discretion of the Authority Board.
- f. **Chatfield Watershed** - The watershed boundary is designated in the *Chatfield Reservoir Control Regulation*, and includes tributary drainage to Chatfield Reservoir from Douglas and Jefferson counties. Boundary changes to the watershed are adopted in the *Chatfield Reservoir Control Regulation*.
- g. **Chatfield Watershed Authority** – As defined in regulation (Chatfield Reservoir Control Regulation, #73), the Authority means the organization formed by intergovernmental agreement, consisting of the general purpose local governments and Title 32 Districts, industry, corporations and other entities outside incorporated areas within the Chatfield Watershed to implement point source, nonpoint source discharges and/or stormwater controls powers.
- h. **Contributions** - Membership Entities are responsible for financially supporting the Chatfield Watershed management and water quality monitoring programs through the annual dues structure as annually reviewed and approved by the

Authority.

- i. **Majority Vote** - A majority vote is greater than 50 percent of the Authority Board present once a quorum is established by the chair.
- j. **Membership Entities** - All designated representatives and/or alternatives from:
 - General purpose governments with jurisdiction in the Chatfield Watershed;
 - Special district, which is a provider of municipal wastewater treatment services (>2,000 gallons wastewater per day); and will use reclaimed water or discharge wastewater within the Chatfield Watershed. A Special District owner shall become a member after:
 - Information of the district is completed, and
 - The approved *Denver Regional Council of Governments Clean Water Plan* reflects or has been amended based on a recommendation by the Authority Board to reflect the entity's wastewater treatment facility;
 - Permitted industrial facility with a "wastewater treatment facility" (>2,000 gallons wastewater per day) within the Chatfield Watershed; and will use reclaimed water or discharge wastewater within the Chatfield Watershed. An Industrial Facility owner shall become a member after:
 - Information of the corporate entity is completed, and
 - The approved *Denver Regional Council of Governments Clean Water Plan* reflects or has been amended based on a recommendation by the Authority Board to reflect the entity's wastewater treatment facility.
 - Water providers which divert surface water and uses that water within the Chatfield Watershed; and
 - Recognized special interest groups which focus on water quality, conservation or related-water issues in the Chatfield watershed.

Membership Entities have either entered into the *Memorandum of Understanding for Establishing a Management Agency in the Chatfield Watershed* or are elected as Membership Entities by majority vote of the Authority Board. Membership Entities financially contribute to the Authority and management program. Membership Entities receive a weighted vote based on level of contribution. Membership Entities automatically receive designation as "Authority Board" members. The manager will maintain a list of Membership Entities subject to periodic review and approval of the Authority.

- k. **Quorum** - At all Authority Board meetings, a quorum is fifty percent of the

Membership Entities (rounded down to a whole number). An Authority Co-chair or designated Authority Board representative determines a quorum.

- I. **Wastewater Treatment Facility** - A system or facility for treating, neutralizing, stabilizing, or disposing of domestic wastewater, which system or facility has a designed capacity to receive more than two thousand gallons per day of domestic wastewater. The term *Wastewater Treatment Facility* includes appurtenances to such system or facility, such as outfall sewers and pumping stations, and equipment related to such appurtenances.
- m. **Weighted Vote** – Any Membership Entity (member or alternate) can call for a weighted vote at Chatfield Watershed Authority meetings on matters specifically related to management program, operating agency or general-purpose government responsibilities or as defined by the Authority Board. The weighted votes are determined by the Authority Board and maintained in a separate document from the Authority By-laws, and are subject to periodic Authority Board review and update.

Article II. Authority Management Agency Responsibilities

- a. The Authority is responsible under the *Chatfield Reservoir Control Regulation* for implementation of the Chatfield management and monitoring programs.
- b. The Authority is the designated local management agency for the Chatfield Watershed under the provisions of the Denver Regional Council of Governments *Metro Vision Plan* and consistent with state and federal law.
- c. Authority Board Membership has the power under Colorado law to develop, recommend and adopt provisions for water quality management within the Chatfield Watershed consistent with the current *Metro Vision Plan* and the Chatfield Reservoir Control Regulation (Regulation #73).
- d. The Authority provides an integrated water quality management and implementation program to protect or attain established beneficial uses of waters within the Chatfield Watershed.

Article III. Authority Board Leadership

- a. Elect co-chairs by majority vote of the Authority Board at the first meeting of each year to serve for a term of two-year or at the discretion of the Authority Board. The Authority Board has established a two-year staggered co-chair structure.
- b. Elect Technical Review Committee (TRC) co-chairs by majority vote of the Authority Board to serve a one-year term.
- c. Elect four financial officers by majority vote of the Authority Board to serve three-year terms.

- d. The Authority Board co-chairs and TRC co-chairs serve as advisors to the Authority manager. They may present or represent Authority positions to outside agencies. They identify items that need to be aired, included or excluded on Board or TRC agendas or at meetings. They review Board agendas and/or materials as appropriate. They assist with interim communications with outside agencies, which includes review of documents sent on behalf of the Authority.

Article IV. Authority Board Roles and Responsibilities

The Authority shall have the power or responsibility for:

Program Administration

- a. Appoint an Authority manager, accounting firm, consultant, monitoring agency by majority vote of the Authority Board to serve the Authority at the discretion of the Authority Board.
- b. Enter and execute contracts, accept and utilize financial assistance, raise revenues and incur indebtedness by majority vote of the Authority Board.
- c. Authorize the Authority Manager to prepare and maintain meeting records of Authority meetings and make such records available on request.
- d. Approve additional Membership Entities or Associate membership on the Authority by majority vote of the Authority Board. Authorize the Authority Manager to maintain a list of Authority membership.
- e. Amend the bylaws by a majority vote of the membership entities.
- f. Recognize votes on each issue from a designated representative or alternate from each Membership Entity. Any matter defined under *weighted vote* must be declared by a co-chair prior to calling the vote and tabulated using the weighted votes given to membership entities as maintained by the Authority manager.

Program Management

- a. Adoption of an annual work program and scope of management services within available funding by majority vote of the Authority Board.
- b. Develop and maintain a Chatfield Watershed Plan directed toward implementing the Chatfield Control Regulation, watershed plan, water quality programs, monitoring programs or other such matters as approved by the Authority Board.
- c. Implement trading program guidance consistent with the *Chatfield Reservoir Control Regulation*.

- d. Continue data collection, analysis, reporting and assure there is good science available for decision making.
- e. Establish and maintain a public relations program designed to inform the public and other agencies and increase marketing opportunities.
- f. The Authority is a local referral agency within the Chatfield Watershed on matters deemed appropriate by the Authority Board.

Program Financials

- a. Adopt or amend an annual budget by majority vote of the Authority Board.
- b. Collect dues from Membership Entities subject to annual review and approval of the Authority Board of a dues structure and associated weighted vote.
- c. Solicit additional funding through grants or other funding sources to support management program projects consistent with the Authority watershed plan.
- d. Place all funds under the care of a designated membership entity or create separate accounts at financial institutions selected by the Authority Board.
- e. Designate an accounting firm to conduct an annual financial audit or audit exemption review as necessary or required under state law.
- f. Expend funds in accordance with the annual budget as adopted or amended by the Authority Board. The Authority Board prior to payment shall approve such expenditures or invoices.

Article V. Authority Meetings

- a. All Authority Board meetings are open to any Authority members and interested public.
- b. The Authority has a standing Technical Review Committee (TRC) with open membership of any Authority member. The TRC meets monthly or as requested by the Authority Board. The Authority Manager develops and distributes an agenda for TRC meetings
- c. Authority Board meetings and TRC Meetings are held monthly but no less than once quarterly. The Authority Board annually sets meeting dates and locations for both Board and TRC meetings.
- d. A quorum shall be declared present to hold an Authority Board meeting. A quorum at Authority meetings is fifty percent of the Membership Entities (rounded down to a whole number).
- e. There are no quorum requirements for TRC meetings.

- f. An Authority Board agenda shall be distributed electronically by the Authority Manager for all meetings.
- g. The Authority Board will approve or amend previous meeting records at regularly scheduled Authority Board meetings by majority vote of the Authority Board.
- h. Special meeting notification can be made by fax or e-mail with approval of an Authority co-chair or TRC chair for technical issues.
- i. A co-chair, TRC chair, designated Authority Board member, or Authority Manager presides at Authority Board and Technical Review Committee Meetings.
- j. Absentee or proxy voting is allowed if a representative or an alternate of a Membership Entity can not be present at a meeting and the requested vote is done in writing (including e-mail) and provided to the Authority Manager or Authority Co-chair prior to the meeting, including special designated meetings. The Co-chair will read the vote into the record when votes are cast. Additionally, this written absentee or weighted vote can request a weighted vote be taken.
- k. Public comments shall be allowed at the beginning of each meeting with a time limit of five minutes per speaker on topics of concern not included on the agenda or at the discretion of the presiding Authority chair.