

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

January 17, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, and Linda Dillon.
Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison, and Woodruff, P.C..

Upon motion by Director Thomas, seconded by Director Dillon and unanimously approved, the Board excused Directors Kasaris and Bandaries.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held December 20, 2018; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated January 16, 2019, approval of checks 20747 through 20781 listed on the revised check register provided at the meeting, ratification of electronic payments to Xcel Energy, Century Link, CH2M, ADP and the Colorado Water Conservation Board, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no Director Items for discussion.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. The JWPP BTS project continues to progress. He provided a brief presentation showing

pictures of the progress of the BTS construction. Luis reviewed the bid on the sewer line repair on Jordan Road with C&L Water Solutions. Following staff due diligence of the contractor and District requirements, staff recommends acceptance of bid and issuing the contract. The District has begun trading water with the Pinery through the CCPWA membership to supplement the drought water supply.

ACTION ITEMS

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the bid contract for C&L Water Solutions for the Jordan Road Sewer Repair in the amount of \$119,900.

Consider 2019 Garden in a Box program

REPORTS

Hughes & Stuart – The monthly report was provided in the Board packet. There was no discussion.

Financial Discussion – Randy Warren discussed the Colorado Water Resources and Power Development Authority Loan agreement. The District was informed prior to the meeting that the Authority is refinancing underlying bonds that would not allow the District to prepay the loan balance without penalty but would provide a payment savings to the District. They provided a letter requesting the District's intent by January 25th. Following board discussion on the District's financial position, the Board directed staff to accept the bond refinancing and not prepay the loan.

Operations Report – Randy provided the report for review. There was some pumping to waste for testing that skewed production numbers.

Legal Report – Carolyn reported that the District filed the diligence application on its conditional water rights of exchange by the end of 2018.

EXECUTIVE SESSION

At 7:10 pm, upon motion duly made by Director Thomas, seconded by Director Dillon and unanimously approved, the Board moved into executive session pursuant to C.R.S. 24-6-402(4)(e) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding specific service contracts with independent contractors, including Hughes and Stuart.

The Board moved out of exec session at 7:53 pm.

Director Wasiecko asked for an update on the meter reading upgrade. Luis provided update on the results of the propagation study with Dana Kepner. They propose that the District share antennas with ACWWA and Inverness Water to provide more coverage due to the line of sight study completed. Dana Kepner will evaluate the further antenna locations to optimize readings.

Following Board discussion of the marketing contract with Hughes & Stuart, staff was directed to obtain a price schedule for review at the February meeting. Staff is to also provide a 30 day notice of cancellation if required by contract, and make sure website maintenance is not dropped. Staff was provided flexibility to pay for services to transfer website information.

The Board discussed the Garden in a Box contract for 2019 in the amount of \$1,500 for 25 gardens with a \$25 discount to District residents. Hughes & Stuart also provided a promotion plan for \$2,000. Director Dillon supported the overall program. In an effort of cost savings, staff suggested that the District promote the program as a rebate on their water bill as an alternative. Following Board discussion, the contract was not approved nor was it approved as a rebate request. The Board would like to discuss at the next meeting.

Director Wasiecko addressed matters related to the trash program. He would like to move forward with the proposed draft bill rather than wait for the next session. He does not want a professional lobbyist as discussed at the December meeting which would incur large costs. He would like staff to use the draft bill prepared by legal counsel and contact legislative representatives on sponsorship of a late submittal. The Board was in agreement with staff direction.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for February 21, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: February 21, 2019
READ AND APPROVED BY THE BOARD:

William C. Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

February 21, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, Nathan Bandaries and Linda Dillon. Others present: Randy Warren, Luis Tovar, and Kelly Conover, Mulhern MRE, Inc.; Richard Meheren; Moses, Wittemyer, Harrison, and Woodruff, P.C.

Upon motion by Director Thomas, seconded by Director Bandaries and unanimously approved, the Board excused Director Kasaris.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held January 17, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated February 18, 2019, approval of checks 20793 through 20827 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link, CH2M, ADP, and disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

Upon motion duly made by Director Thomas, seconded by Director Bandaries, upon vote, the Board approved check #20828 to the JWPP for January Operations to be paid in full to avoid late fees while costs are verified by staff and ACWWA.

DIRECTOR ITEMS

Randy Warren provided a memo in the packet regarding the trash legislation. Randy and Luis met with Kim Ransom regarding presenting a late bill. She would like the Special District Association to support the bill and would like to see evidence of community support. Director Bandaries

suggested some other legislative contacts as well. Following Board discussion, they would like to revisit this item next month. They would like to brainstorm a new survey to be placed in the water bill.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. The JWPP is moving ahead. Staff has submitted a request for payment from the Colorado Water Conservation Board. The BTS cells are being filled with materials. He also reviewed the GMP Change Orders and the In-Plant modifications outside of GMP.

Luis discussed the sewer line repair on Jordan Road and the video/jetting of the east side of Cherry Creek. Cleaning the system is part of the District's obligation to ACWWA as our wastewater treatment provider.

The blending and corrosion study by Jacobs is moving forward. There has been discussion of the blending ratios of the 3 sources of water for the District as it effects the pH level leaving the JWPP. Staff will discuss the options at the next ACWWA/CW engineering meeting.

Luis reviewed the Cherry Creek Project Water Authority meeting on the reservoir expansion. The group is heading towards completing a design with geotechnical work for the next few months.

The Crown Point irrigation cross connection plans have submitted to the Health Department and they have approved use of the proposed device. Luis discussed ordering long lead time items for the project to improve efforts for project completion prior to irrigation season, requesting the Board consider authorizing an amount not to exceed of \$60,000.

Staff received proposals to replace the Crown Point Emergency bypass pump with the low bid amount of \$17,188 from Xcel Pumps.

Randy discussed engineering fees from Kennedy Jenks for plan review and construction observation. Mulhern MRE will be available to developers for plan review and construction observation of new projects if schedules allow.

Randy asked the Board to consider direction regarding the Garden In A Box program on whether the District would offer rebates to water bills or program participation with Resource Central. Following Board discussion, upon motion made by Director Dillon, to participate in the Garden In A Box program with Resource Central for \$1,550, duly seconded by Director Thomas and upon vote, the Board unanimously approved the contract. Staff was asked to brainstorm ways to provide a

neighborhood workshop on water conservation, if possible, involving Resource Central.

ACTION ITEMS

Luis reviewed the action items listed below;

- 1. BTS – GMP Change Order**
 - a. BTS Access Road and sewer line encasement - \$29,940
 - b. Electric duct bank re-alignment - \$5,944.50
 - c. BTS Bypass valve - \$5,004
 - d. Happy Canyon Creek Well Blow off - \$7,063
- 2. JWPP In-Plan Conversion**
 - a. Chlorine Analyzer inspection/maintenance - \$8,355
 - b. Arc-Flash - \$8,355
 - c. AOP cleaning - \$24,067
- 3. Jordan Road Sewer Repair** – additional funds for MMRE related to change in scope of work and second bid process for \$6,000
- 4. 2019 District Sewer Video/Jetting Assessment** – funds for review and recommendations by MMRE of East side of Cherry Creek sewer video for \$9,800
- 5. Crown Point Irrigation Line** – management of bid process and additional drafting work completed by MMRE for \$9,200
- 6. 2019 District Landscaping** – Baird Grounds Maintenance monthly cost of \$925 for District services and \$595 per mowing along fence line at 8334 Sandreed Circle
- 7. 2019 Snow Removal contract** – Baird Grounds Maintenance snow removal of District facilities on a time and materials basis
- 8. Crown Point Irrigation Emergency Pump Equipment** – Xcel Pumps was the lowest bid to provide equipment for the pump at \$17,188
- 9. Non-Potable Irrigation System** – authorization for staff to order items that require long lead times for contractor to connect system, not to exceed \$60,000

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, the Board approved the action items 1-9 to include Non-Potable Irrigation System up to \$60,000 and Emergency Bypass Pump for \$17,188 not included in the Board packet.

REPORTS

Memo on Refinance – Randy provided a memo on possible District refinance options for the 2008 Bonds. He provided a comparison of interest rates and a 7 year versus a 9 year schedule. Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, the Board unanimously approved staff pursuing refinance options with the Colorado State Bank and Trust.

Operations Report – Randy provided the report for review. There was some pumping to waste for testing that through off production numbers.

Legal Report – Richard Mehren was present and reviewed legal report provided in packet.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for March 21, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: March 21, 2019

READ AND APPROVED BY THE BOARD:

William C Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

March 21, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, and Linda Dillon. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C.

Upon motion by Director Thomas, seconded by Director Dillon and unanimously approved, the Board excused Director Bandaries.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held February 21, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated March 18, 2019, approval of checks 20829 through 20852 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link, & CH2M, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Director Wasiecko discussed with the Board, delaying distribution of a trash survey to the community until it is understood if the legislation will have enough support.

Director Dillon reviewed her posts on NextDoor Cottonwood for the Garden in a Box program. There have been 2 sales through March 13th.

CHAMBERS PIPELINE LEASE – 3RD AMENDMENT

Luis Tovar and Carolyn Steffl reviewed the draft amendment provided in the Board packet. The District proposed changes to name ACWWA the responsible party to maintain, locate and repair the pipeline. Carolyn suggested a further revision regarding responsibility for utility locates of the pipeline in relation to if the District suffers any damages due to an improper locate, ACWWA will reimburse the District for damages. She will provide a revised version to this affect.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the 3rd Amendment to the Chambers Pipeline Agreement to reflect a fee of \$10 per year and with the discussed revisions by staff and legal counsel.

MANAGERS REPORT

Luis Tovar reviewed items in the manager's report. Director Wasiecko asked about the sizing of the service pumps used to deliver water at the JWPP. These pumps were originally sized for the total build out of the JWPP at 6MGD. With the new configuration of the plant and lower volume, the pumps are inefficient. Staff has been talking with ACWWA on potential cost savings through an upgrade or resizing of the pumps. Staff was directed to continue to work with ACWWA on a proposed feasibility study.

There was discussion regarding the change in costs for the programming of the Microfiltration System by having an on-site technician from Pall Corporation perform the programming changes.

There was Board discussion regarding the JWPP and water quality coming from the plant. Director Kasaris asked if there was a plan to inform the community about a change in water quality. The water from the Plant will be 50/50 blend of Reverse Osmosis and Microfiltration, water quality will not have a noticeable change as it is comparable to the WISE and well water currently being delivered. The District is scheduled to receive water from the JWPP on September 1st. Once the plant is up and running to specifications, staff will propose a newsletter article.

Luis has been working with the EPA on the District's ASR Application. Following the extensive sampling of the WISE supply, he has asked them to consider reviewing the results as part of a re-evaluation of the permit requirements. Luis has a scheduled call with EPA in the next week to follow up.

ACTION ITEMS

Luis reviewed the action item listed in the Board packet:

1. BTS Change Order – Outside of the GMP – Pall Corporation will calibrate the Microfiltration meters and optimize the system with a technician on-site. \$8,050

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the District independently entering into the contract with Pall Corporation.

REPORTS

Operations Report – Randy provided the report for review. There was discussion from Randy regarding the year to year sewer averages. Staff is working to replace 10 random meters and calibrate the old to evaluate their efficiency. Randy reviewed the tap fee tracking summary provided in the packet. There was board discussion and questions regarding the rate of tap fees as compared to surrounding providers. Staff will research and provide comparison at next meeting. Carolyn cautioned the Board that tap fees have to be in line with Capital Investment costs. If someone were to contest the increase, the District is required to provide documentation for the calculations and increase.

Legal Report – Carolyn Steffl reviewed the legal report provided in packet.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for April 18, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: April 18, 2019
READ AND APPROVED BY THE BOARD:

William C Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

April 18, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, Nathan Bandaries and Linda Dillon. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held March 21, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated April 15, 2019, approval of checks 20853 through 20887 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link, & CH2M, disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no Director's items for discussion

REFINANCING DISTRICT BONDS DISCUSSION

Randy Warren prepared a memo updating the Board on current loans and bonds for the District. He reviewed the refinancing options of the 2008 Bonds, the District cost savings and the costs associated with issuance.

Following Discussion, upon motion duly made by Director Wasiecko, seconded by Director Thomas, and upon vote, the Board unanimously approved the Issuance Costs of Refinancing the 2008 Bonds in the amount of \$60,000 as detailed in the action items list per consultant/task. Staff

was directed to lock in the best interest rate available prior to the June 1st deadline.

MANAGERS REPORT

Luis Tovar prepared a presentation regarding the JWPP Project Status. He reviewed the in-plant modifications, the hiring of plant operations staff, the remaining work items and a video flyover. The BTS is complete with the liner installation last week and restoration of landscaping remains. Luis reviewed the project challenges and positive outcomes and the change orders on the project.

ACTION ITEMS

Luis reviewed the action items listed below;

1. BTS Change Order – Outside GMP – Analyze operation and maintenance costs for a smaller service pump in the JWPP.
District Share \$30,260
2. 2008 Bond Refinance Issuance Costs – Total costs \$60,000
 - a. Bond Counsel \$20,000
 - b. Municipal Advisor \$ 9,500
 - c. BOK Financial Fees \$ 5,750
 - d. Management \$10,000
 - e. District Counsel \$10,000
 - f. Contingency \$ 4,750
\$60,000

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the board unanimously approved the above contracts.

REPORTS

Operations Report – Randy provided the report for review.

Financial Report – Randy reviewed the financial statements at year end 2018. The audit has delayed due to staff health issues and is scheduled for the last week of April. The District is in a good financial position with expenses, capital projects and general repairs and maintenance.

Legal Report – Carolyn Steffl reviewed the legal report provided in the packet. Currently her office is working on the water trade agreement between the District, the Pinery and Inverness involving WISE Water and Cherry Creek Project Water. Carolyn disclosed that Richard Mehren in her office represents Inverness water rights. There will be a 3 party agreement as well as an agreement between the District and Inverness Water for operational flexibility and use of WISE water.

Carolyn requested the Board consider the dual representation from her office. Upon motion duly made by Director Thomas, seconded by

Director Bandaries and upon vote unanimously carried, the Board approved and completed a waiver acknowledging Moses, Wittemyer, Harrison & Woodruff will work on the agreement representing both parties.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for May 16, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: May 16, 2019
READ AND APPROVED BY THE BOARD:

William C. Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

May 16, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, Nathan Bandaries and Linda Dillon. Others present: Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C., Kim Crawford, Martina Hinojosa; Butler Snow, Jim Manire; Hilltop Securities.

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, the Board unanimously excused Director Kasaris and appointed Director Wasiecko as acting Board President.

THE AGENDA

The Board considered the proposed agenda. Carolyn requested the Board consider amending the agenda to include an executive session prior to item VIII for discussing negotiations of agreement with Pinery and to include a break in the agenda for a signature session of Bond Documents. Upon motion duly made by Director Bandaries, seconded by Director Dillon and upon vote, unanimously carried, the revised agenda was adopted.

PUBLIC COMMENT

Mr. Jim Manire with Hilltop Securities, and Kim Crawford and Martina Hinojosa with Butler Snow were present for discussion and questions from the Board regarding the District Refinancing.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held April 18, 2019; authorization for staff to implement disconnect procedures for accounts listed on the delinquent list dated May 9, 2019, approval of checks 20888 through 20922 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link, & CH2M, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

There were no Director's items for discussion.

CONSIDER REFINANCING DISTRICT BONDS

A memo updating the Board on the debt obligation summary and refinance planning for the District was provided for review and discussion. Toby Austin reviewed the memos noting the District cost savings and the percentage rate for repayment.

RESOLUTION AUTHORIZING A GENERAL OBLIGATION REFUNDING LOAN, SERIES 2019

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the Resolution Authorizing a General Obligation Refunding Loan, Series 2019 and authorized Director Wasiecko, as acting President, and other authorized officers or representatives set forth in the Resolution, to execute documents related to the matter.

The Board took a brief break in order to sign bond documents with direction from Kim Crawford.

Ms. Crawford, Ms. Hinojosa and Mr. Manire then left the meeting.

CONSIDER WATER TRADE AGREEMENT WITH DENVER SOUTHEAST SUBURBAN WATER AND SANITATION DISTRICT d/b/a THE PINERY WATER AND WASTEWATER DISTRICT

Luis Tovar discussed in open session the current drafted agreement with the Pinery and its conditions. He has a meeting with the General Manager of the Pinery next week. There was no action by the Board.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Bandaries, the Board unanimously moved into an executive session at 7:03 pm pursuant to CRS 24-6-402-(4)(e) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and for directing negotiators on the agreement with the Pinery. The session was recorded.

The Board moved out of executive session at 7:27 pm. Following open discussion, the Board directed staff to negotiate with the Pinery regarding a water trade as discussed in executive session.

CONSIDER GRANT OF PERPETUAL TRAIL AND PUBLIC ACCESS EASEMENT TO ARAPAHOE COUNTY

Luis Tovar reviewed the draft agreement with the Board. Arapahoe County currently maintains the trail up to and after the district property line behind the BTS. This agreement would allow the County access and details in order to continue maintenance of the entire length of the trail.

Director Bandaries asked about the District liability as property owner. Carolyn addressed his questions, citing the District Pool coverage of general liability through the Special District Association. It was suggested that more detail be included for the County's scope of maintenance responsibilities.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the access easement in substantially the form presented. Staff will provide a final legal exhibit of the property through surveying and details of maintenance responsibilities as discussed.

MANAGERS REPORT

Luis Tovar reviewed the manager's report. The BTS and JWPP are substantially completed. Punch list items have been reviewed and provided for Jacobs/CH2M to address. Most items are related to a prior maintenance oversight.

Luis Tovar discussed his meeting with ACWWA regarding the use of Chambers Pipeline. Staff discussed approaching ACWWA with purchasing a share in the Lone Tree Creek WWTP. The Board directed staff to follow up on the option to purchase plant capacity.

ACTION ITEMS

Luis reviewed the action items listed below;

1. BTS Change Order – Outside GMP – Replacement of butterfly and check valves for isolation of service pumps. District Share \$17,508
2. Crown Point Irrigation Connection – MMRE will monitor the connections and non-potable system during irrigation season on a time and material basis not to exceed \$8,000.
3. Crown Point Booster Pump Station – MMRE continues to provide project management and oversight of operations. MMRE requests \$4,000 for services
4. Jordan Road Sewer Repairs – MMRE requests an amount of \$3,000 to cover continued project management and re-alignment of the sagging sewer line.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board approved the action items as presented.

REPORTS

Dashboard Report – The report was available in the packet for review. Toby Austin presented a memo on the Point n Pay request for amending the current agreement for credit card processing fees. The flat rate currently paid by the District of \$1.50 per transaction does not cover actual costs incurred by Point N Pay. Toby reviewed the options for

renewal. Following discussion, the Board directed staff to pursue negotiations to avoid passing costs on to the customer.

Legal Report – Carolyn Steffl was available for any questions related to the legal report.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for June 20, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: June 21, 2019
READ AND APPROVED BY THE BOARD:



RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

June 20, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, and Linda Dillon. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C., Kyle Logan with Logan & Associates.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote the board unanimously excused Director Bandaries.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

Kyle Logan with Logan & Associates was in attendance to discuss and address any questions related to the 2018 Draft Financial Audit for the District.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held May 16, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated June 18, 2019, approval of checks 20924 through 20962 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link, CH2M & wire transfers for consultant payments related to the Bond Refinancing, and disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Director Wasiecko reminded the Board and staff of the timeline related to the Community Trash initiative. Staff will meet again with Representative Ransom to review the legislative changes.

CONSIDER DRAFT 2018 AUDIT

Mr. Kyle Logan reviewed the 2018 Draft Financial Audit presented in the Board packet. He reviewed the process of auditing the District and noted significant items throughout the document.

Following Board discussion and questions addressed by Mr. Logan, upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, the Board unanimously approved the 2018 Draft Financial Audit with minor adjustments suggested by staff related to wording or language and specific references.

MANAGER'S REPORT

Luis Tovar addressed the Board and discussed items in the manager's report related to the JWPP and the operations of the BTS. The 3rd BTS Cell is not processing well and water flow is nonexistent. The cell components have compacted and do not allow the flow projected. Both Cottonwood and ACWWA staff have met to discuss options and with CH2M consultant Jim Bays to find solutions. CH2 is proposing a design change which could impact the contract. Legal counsel recommended further discussion on the matter occur in executive session.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Dillon, the Board unanimously moved into an executive session at 7:12 pm pursuant to CRS 24-6-402(4)(b) & (e) for conferences with the attorney for the District for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and directing negotiators regarding BTS system warranty and proposed modification to BTS design under JWPP Design Build Agreement with CH2M Engineers, Inc. The session was recorded.

The Board moved out of executive session at 7:27 pm. Following open discussion, the Board directed staff to continue meeting with ACWWA and support their needs for timely water delivery related to fixing the 3rd BTS cell as discussed in executive session.

MANAGERS REPORT (CONT)

Luis Tovar continued review of the manager's report related to the Jordan Road sewer repair change order with C&L Water solutions. The change in scope of work related to the increased length of pipe laid and the amount of asphalt required by the Town of Parker resulted in the request. Staff is reviewing the itemized invoice.

Luis updated the Board on the recent failure of the Crown Point Booster Pump Station due to a lightning strike. VFDs and pumps among other equipment were lost. Staff is working with consultants to order and replace components as quickly as possible. Staff will also look into the details needed to make an insurance claim for the incident.

Randy Warren reviewed the issue related to the drainage collection system at Snowberry Way owned and operated by the Cottonwood Metro District. Staff explained the findings of the investigation into individual homes sewer connections. One house was found to be connected directly to the drainage system rather than the sewer system. Staff addressed questions and issues raised by the Board. At this time, District staff and the Metro District will have a call with the CDPHE for next steps and requirements to meet health dept standards.

ACTION ITEMS

Luis reviewed the action items list detailed below;

1. **BTS Change Order** – *Outside the GMP* – replacement of Mag meter at the JWPP for Cottonwood's proportionate share; \$6,276
2. **Jordan Road Sewer Repairs** – *Change Order* – related to change in scope and amount/cost of asphalt repairs for \$108,318
3. **Crown Point Booster Station Upgrades** – Browns Hill will provide a design package for upgrades for \$14,500

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the contracts and amounts above.

REPORTS

Randy Warren reviewed a memo in the board packet related to tap fee comparisons for 2019 pricing and the District Dashboard.

Legal – Carolyn Steffl reviewed the legal report. There was no board action.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for July 18, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: July 18, 2019
READ AND APPROVED BY THE BOARD:

William C Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

July 18, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, Nathan Bandaries and Linda Dillon. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote the board excused Director Kasaris.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Bandaries, seconded by Director Dillon and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held June 20, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated July 16, 2019, approval of checks 20963 through 21004 listed on the check register with voided check 20984, ratification of auto-payments to Xcel Energy, Century Link & CH2M, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Bandaries, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Staff provided an update on the trash issue. The survey and results completed in 2016 was reviewed with the Board. Staff asked if an additional survey is needed. Director Wasiecko recalled that he wanted to get the legislation support/change prior to presenting a survey to the community. Luis approached the Pinery and Stonegate for support of the proposed legislation. Staff will schedule a meeting with Kim Ransom in early August and meet with SDA representative Michael Valdez on the

proposal and language. Director Bandaries provided a contact for Democratic Representative support. Staff will proceed as discussed.

Staff discussed the water conservation workshop scheduled for Saturday the 20th. There has been no public response.

MANAGER'S REPORT

Luis Tovar addressed the Board and discussed items in the manager's report related to the JWPP and the operations of the BTS. The BCR 2 was over compacted, reducing conductivity. BCR 1 and 1b are working well. The proposed solution by CH2 is to drill 12 wells in the BCR2 to allow for vertical flow within the cell. Randy and Carolyn discussed the limitations and coverage of the contract. Repairs and replacement items are supposed to be covered under warranty, even following substantial completion.

SEMSWA is concerned that full build out of the BTS would encroach on the channel improvements and the floodplain. Staff provided CH2 with a draft grading plan for build out and once approved with CH2, boundaries will be provided to SEMSWA for consideration.

Randy Warren reviewed the resolution to the issue with the drainage collection system at Snowberry Way, owned and operated by the Cottonwood Metro District. The homeowner was diligent in scheduling and completing the repair. The CDPHE has been notified of a plan by the Metro District to flush and clean the line prior to returning to full operations for drainage to Cherry Creek. Until approved, ACCWA was approached by Cottonwood to allow the water from the Metro's drainage system to be flushed into the Cottonwood sewer system.

Luis reviewed the copper and lead sampling results for the first ½ of the year, samples are being started again for the second ½. Staff is looking into how to reduce the frequency and sampling number required by the CDPHE.

The Crown Point Irrigation line is showing that the well source, DD3, is meeting demands.

ACTION ITEMS

There were no action items for approval at the meeting.

REPORTS

Randy Warren reviewed a memo in the board packet related to tap fees and development.

Dashboard – Randy reviewed the Dashboard, showing that May 2019 has been the wettest May since 1956, with the double precipitation as compared to the same time last year.

Legal Report – Carolyn Steffl reviewed the legal report. She has been working with Randy and Luis regarding the JWPP and SEMSWA issues. The Water team has wrapped up the diligence case, she is beginning to review the R&R for the District that was last adopted in 1993. She suggested that the Board may need to amend bylaws to adopt a resolution regarding the new meeting posting notice requirements.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for August 15, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: August 15, 2019
READ AND APPROVED BY THE BOARD:

William C. Norman

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF THE
COTTONWOOD WATER AND SANITATION DISTRICT**

August 15, 2019

at 6:30 pm at 8334 Sandreed Circle, Parker, CO 80134

ATTENDEES

Directors present: Alyssa Kasaris, Steve Wasiecko, Bill Thomas, Linda Dillon and Nathan Bandaries. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover Mulhern MRE, Inc. ; Carolyn Steffl, Moses Wittemyer

THE AGENDA

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote the Board approved the Agenda

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of minutes from the regular meeting held July 18, 2019, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated August 9, 2019, approval of checks listed on the check register numbers 21006 through 21038 including auto-payments to Xcel Energy, Century Link and the US Bank loan payment and disclosure of potential conflicts of interest. Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, the Board unanimously approved the consent agenda.

DIRECTORS ITEMS

Luis Tovar informed the Board that the water conservation workshop was attended by Director Thomas. Staff is looking at different ways to encourage attendance and customer participation in general.

Carolyn reviewed with the Board the proposed language for the Amended Trash Bill to present to the House of Representatives. There was Board discussion regarding making the trash a mandatory vs. voluntary service. The Board weighed the pros and cons of each option. This legislation has not been presented for consideration and the SDA Legislative Committee voiced their concerns with each option as well.

The Board directed Carolyn to meet again with the SDA Legislative Committee with 2 versions of the language to address mandatory and voluntary participation and see what feedback they have for each. Randy Warren and Luis Tovar will meet with Kim Ransom with the draft language as well.

RESOLUTION UPDATING MEETING NOTICE POSTING LOCATIONS

At the last Legislative Session, a Bill was passed, effective August 2nd, that permits Districts to post meeting notices on their website and social media rather than three

physical locations within the District. It also provides for posting a meeting notice at least 24 hours in advance when unable to post online or for emergency meetings.

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote the Board unanimously approved the Resolution.

MANAGER'S REPORT

Luis reviewed the Manager's Report with the Board.

CH2 is comfortable with the BTS cell BCR2 production and will be sealing the cell. Recently, 2 wells that supply the JWPP failed due to a communications issue and a failed VFD. The new VFD unit is on order. These wells are needed to supply the BTS constantly to maintain the biology of the system.

District staff has completed the review of the sewer system video and jetting. There have been several sites identified that need improvements. There are 12 locations of infiltration inside manholes. Staff has requested contractor pricing to complete the repairs for \$30,000 (\$2,500 per manhole). There are 2 sites that require immediate attention on Ponderosa Avenue and Cottonwood Dr./Beckett Dr. Costs for these repairs amount to \$13,200.

The chlorine residual needs for ACWWA and Cottonwood have different dosing requirements. Staff has asked CH2 for a proposal to split the dosing per system requirement. Staff hopes to have costs for Board consideration in September.

There was Board discussion of contract requirements for startup of the BTS, related to cell BCR2 not functioning. The completion date will not be met which will trigger liquidated damages. Cottonwood and ACWWA are discussing a change in the final acceptance date. Expect a change order proposal to be presented at the September meeting

Luis discussed the Cherry Creek Project Water Authority Walker Reservoir improvements. ACWWA wants to sell their share in the CCPWA. There is an offer from an outside entity but CCPWA members have the first right of refusal to purchase ACWWA share. The offer will be discussed at the CCPWA meeting this month. Luis discussed the grant and loan options for member funding of the Reservoir improvements in addition to the funds from sale proceeds of the Vessel property. There was no Board action at this time.

The Crown Point irrigation well is providing 90% of the supply needed to meet irrigation demands to the Crown Point area. Luis also discussed improvements needed to well D1 which was producing sand and had clogged screens.

ACTION ITEMS

1. **JWPP Change Orders: Outside GMP:** VFD replacement for Well DD-4 that supplies the JWPP. **Browns Hill \$13,500.** This cost will be split with ACWWA.
2. **Sewer System Repairs:** Sealing of concrete in manholes identified with infiltration and inflow visible through sewer jetting and video. **\$30,000 (\$2,500 per manhole)**

3. **Sewer System Repairs:** Pipeline separation on Ponderosa Avenue and manhole infiltration near Cottonwood Dr and Beckett Dr. **\$13,200.**
4. **JWPP Residual Targets:** To meet chlorine residual requirements for both ACWWA and Cottonwood, the system needs to be split at the point of chlorine dosing. Jacobs is preparing a scope and cost for the work. We hope to have it at the meeting.
5. **Well D-1:** Well Cleaning and equipment removal. **Applied Ingenuity \$27,050**
6. **Well D-1:** Patching of two holes in the well casing. **\$18,500.**

Upon motion duly made by Director Thomas, seconded by Director Kasaris, and upon vote, the Board approved items 1, 2, 3, 5, & 6. Costs for Item 4 were not available and will be presented at a later meeting.

REPORTS

Randy Warren reviewed the dashboard. Revenue is down related to the wet weather. The JWPP supply listed on the dashboard will be reimbursed by ACWWA for costs as ACWWA is receiving all of the supply treated by the BTS through September 1st.

Randy Warren reviewed the financial statements through June 30. There was no Board action required.

Carolyn Steffl provided a draft resolution to amend the bylaws. The proposed changes address the new legislation regarding meeting notice posting requirements as well as the change in Board election years from even to odd numbered years. She also proposed some minor changes that outline the District's notification requirements within the Bylaws. At this time, this resolution is for discussion only and will be presented for approval at the September meeting.

The Board discussed the date of the regular September meeting being during the Special District Association Conference. The Board decided to move the meeting date to September 26th to accommodate staff and Board attendance. Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote the Board approved the meeting date change.

ADJOURNMENT

Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for September 26, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: September 26, 2019
READ AND APPROVED BY THE BOARD:

William C. Norman

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

September 26, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, and Linda Dillon.
Others present: Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote the board excused Directors Kasaris and Bandaries.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held August 15, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated September 20, 2019, approval of checks 21039 through 21082 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link & CH2M, disclosure of potential conflicts of interest and ratification of Director payments.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR ITEMS

Carolyn Steffl prepared a memo and 2 drafts of the bill language for the Board to review. The SDA Legislative Committee is supportive of the bill and the mandatory language presented.

Luis Tovar and Randy Warren met with Kim Ransom regarding the bill backing for this legislative session. She is supportive of the bill and is glad to see the SDA support. She committed to support and present this bill at the beginning of the session in November if staff can get draft language provided to her.

Director Wasiecko discussed the Streamline web service and a GIS software vendor at the SDA conference.

RESOLUTION TO AMEND THE BYLAWS

Carolyn Steffl provided a draft Resolution with amendments to the Bylaws as discussed at the August meeting. The Resolution addresses changes related to the change in election years from even to odd numbered years, the meeting notice posting requirements and future bylaws amendment requirements.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the Resolution.

MANAGER'S REPORT

Luis Tovar addressed the Board and discussed items in the manager's report related to the JWPP and the operations of the BTS. BCR2 continues to have issues with the flow even with the new dewatering wells that have been added.

Luis and Carolyn Steffl discussed a proposed release of retainage to CH2 in connection with the JWPP renovation project. The only item that is not functioning as designed is the BCR2. Luis noted that CH2 has agreed to repair and correct BCR2 as a warranty item. Luis suggested that the managers could negotiate the terms of the release of retainage to include a possible warranty extension for BCR2 and provision of a warranty bond. Luis also noted that the District had not been billed for the final invoice, which was more than the cost of repairs to BCR2, should CH2 fail to complete warranty items. Carolyn informed the Board that the District should find that there are sufficient reasons for the release of retainage. The Board discussed the requirements and the project status.

Following discussion, the board agreed that there are satisfactory and substantial reasons for the release of the project retainage. Carolyn requested a board motion to authorize District management to release retainage subject to negotiation of terms. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved. Director Wasiecko inquired if ACWWA was informed of the release. ACWWA staff has been made aware.

Luis discussed the status of Well D1 that has been producing sand. HRS has provided a proposal for permitting a re-drill of the well.

District staff reported that they had a good work session with ACWWA staff discussing effluent return flows from the Lone Tree Waste Treatment plant, storage in the Chambers Reservoir.

ACTION ITEMS

The Board considered the following action items;

1. Well DD-4 motor- Ratification of costs to replace failed motor at the well for \$24,624
2. Crown Point BPS Emergency Bypass – failing check valve to allow for full automation of the system for \$5,800
3. Well D1 Relocation – HRS proposes to assist the District in permitting a new well for \$10,000
4. 2019 Sanitary Sewer Assessment – Contractor oversight for repairs to the sewer system related to the video findings by MRE for \$4,200
5. 2019-2020 Master Plan – MMRE proposes to update the Master Plan for an amount of \$40,000

Luis removed item 5, 2019-2020 Master Plan, from the action items for consideration at another meeting.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved items as listed above.

REPORTS

Toby Austin reviewed the dashboard. August was a dry month, revenues were up. There was no board action.

Toby Austin reviewed the draft budget. The draft budget must be presented to the Board by October 15th each year to meet statutory requirements. These numbers are preliminary and will be under review/revision. Staff will have more accurate and final August & September expense numbers in the coming weeks. There was no board action needed.

Legal Report – Carolyn Steffl reviewed the legal report. There was no board action required.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for October 17, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: October 17, 2019
READ AND APPROVED BY THE BOARD:

William C Thomas

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

October 17, 2019

at 6:30 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, and Linda Dillon.
Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote the board excused Director Bandaries.

THE AGENDA

The Board considered the proposed agenda. Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, unanimously carried, the agenda was adopted.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held September 26, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated October 14, 2019; approval of checks 21083 through 21110 listed on the check register; ratification of auto-payments to Xcel Energy, Century Link & CH2M; and disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Dillon, and upon vote, unanimously carried, the Consent Agenda was approved.

DIRECTOR'S ITEMS

A Director's Resolution was presented In Recognition of Service to Alyssa Kasaris. Director Wasiecko read the Board Resolution. Director Wasiecko also commended Director Kasaris on her work towards improving communication with the community and with ACWWA Board members during negotiations in years past.

Upon motion by Director Thomas, duly seconded by Director Dillon and upon vote, the Resolution was unanimously approved.

Director Wasiecko asked if the Board would consider changing the board meeting date to the third Tuesday of the month. The Board members were supportive of the change. Staff will contact Director Bandaries to confirm his availability. The November Board meeting will remain on the third Thursday due to the published notice of hearings.

There were no further developments on the trash legislation. The SDA is supportive of the change. Representative Kim Ransom will sponsor the bill with the final drafted language. The draft legislation has been circulated to other districts for comments.

CONSIDER FIRST AMENDMENT TO JWPP OPERATION AGREEMENT

Carolyn Steffl informed the Board that there are still items that are being reviewed and there is not a draft ready for Board review. This item will be brought back to the Board at the next meeting for consideration.

DISCUSS / CONSIDER APPROVAL OF IGA WITH SEMSWA AND / OR GRANT EASEMENT TO SEMSWA

Luis and Carolyn reviewed the conditions and requirements of the easement and IGA with the Southeast Metro Stormwater Authority. Recent changes to the IGA provided by SEMSWA just prior to the meeting were circulated and discussed with the Board.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board approved the IGA and Easement with SEMSWA in substantially the form presented, directing staff and legal counsel to negotiate modifications discussed.

MANAGER'S REPORT

The Board was provided the manager's report in the meeting packet for review. Staff was available to answer any questions.

ACTION ITEMS

The Board considered the following action items;

1. JWPP – Jacobs – Provide plant design changes to accommodate split chlorine feeds to meet each entity's residual targets. Cottonwood's share of \$10,300. This item is pending ACWWA approval for split costs.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved item above contingent upon ACWWA approval.

REPORTS

The Dashboard and legal reports were provided in the meeting packet for the Board to review. Staff was available for questions.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for Thursday, November 21, 2019 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: November 21, 2019
READ AND APPROVED BY THE BOARD:

William C Thomas, Secy.

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE COTTONWOOD WATER & SANITATION DISTRICT**

November 21, 2019

at 6:00 p.m. at 8334 Sandreed Circle, Parker, Colorado

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, Nathan Bandaries and Linda Dillon. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover, Mulhern MRE, Inc.; Carolyn Steffl; Moses, Wittemyer, Harrison, and Woodruff, P.C.

PUBLIC PRESENT: Steve Prater, 8909 Cloverleaf Circle; Gio and Lisa K., Blueleaf Place.

THE AGENDA

The Board considered the proposed agenda. Staff informed the Board that item VI: Consider 1st Amendment to Agreement with CH2M Hill Engineers for Operation and Maintenance of JWPP, is still under negotiations and will be tabled until the next meeting. Due to the published notice of public hearings beginning at 6:30 pm., the Agenda was amended to discuss other agenda items prior to 6:30 pm. Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, the amended agenda was unanimously adopted.

PUBLIC COMMENT

There were no public comments at this time.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the regular meeting held October 17, 2019; authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated November 19, 2019, approval of checks 21111 through 21143 listed on the check register, ratification of auto-payments to Xcel Energy, Century Link & CH2M, and disclosure of potential conflicts of interest.

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, the Consent Agenda was unanimously approved.

DIRECTOR ITEMS

Carolyn Steffl updated the Board on the legislative process for the trash bill. It continues to move forward in the process.

CONSIDER FIRST AMENDMENT TO JWPP OPERATION AGREEMENT

Carolyn informed the Board that there are still items that are being reviewed and there is not a draft ready for Board review. This item will be brought back to the Board at the next meeting for consideration.

MANAGER'S REPORT

Luis Tovar updated the Board on items in the Manager's Report.

CH2M/Jacobs has been assessing alternative configurations for treatment and improved flow for BCR2. Luis expects that Jacobs will provide a recommendation for the replacement configuration in this cell after their internal technical advisory committee review scheduled for next Wednesday.

The polishing unit, combined cells AMPC 2/3 has experienced a flow conductivity reduction recently. The top layer was clogged with iron sulfide from BCR 1&2 likely due to low flows in the cells. Jacobs is addressing the iron sulfide issues.

Luis discussed water conservation efforts targeting the commercial irrigation accounts. South Metro Water Supply Authority offers a program that will educate/train professional landscapers to gain national Water Sense certification. Staff intends to promote this program free to customers to encourage better management of irrigation systems.

The chlorine residual targets that are currently set to leave the JWPP have been acceptable levels to both ACWWA and CW. Jacobs has been asked to hold off on further plans and permitting with the Health Department for the split chlorine system previously approved.

Randy and Luis discussed the District's participation in the Cherry Creek Project Water Authority. Legal Counsel recommended that the Board enter an executive session for direction on negotiation.

Luis updated the Board on the District's progress in the ASR Due Diligence.

Well D-1 is to be re-drilled in the spring. Drilling and operations will take place for a period of 30-35 days and will be around the clock. In order to minimize disturbance, Luis recommends a sound wall installation to be in place during drilling. Luis provided a proposal for Behrens and Associates to complete a Noise Mitigation Study to properly size the wall and provide an estimate for installation, operation and removal of the wall.

Staff will draft a resident notification letter to neighbors of the re-drill site to provide information on the upcoming activity.

EXECUTIVE SESSION

Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon unanimous vote, the Board approved a motion to enter into executive session at 6:24 pm pursuant to C.R.S. 24-6-402(4)(e) for the purposes of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators related to the District's level of membership in the Cherry Creek Project Water Authority.

Upon motion duly made, seconded and upon unanimous vote, the Board moved out of executive session at 6:30 pm.

ACTION ITEMS

The Board considered the following action items;

1. ASR Well Equipment – Purchase of 2 injection valves, \$130,000
2. ASR Project management – Mulhern MRE, \$24,000
3. Well D-1 Redrill – Noise Mitigation Study, \$5,400
4. Well D-1 Redrill – Project Management, Mulhern MRE, \$64,000
5. 2019 District Management – Contract Adjustment, Mulhern MRE, \$20,000
6. 2019 Financial Audit – Logan & Associates, \$5,800
7. 2020 District Landscaping – Baird Ground Maintenance, \$950/mo with \$550 per field mowing service.
8. 2019-2020 District Snow Removal - Baird Ground Maintenance, T&M

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved items listed above.

PUBLIC HEARING ON 2020 RATES

Upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon unanimous vote, the Board opened a public hearing at 6:40pm for discussion of the proposed 2020 Rates and Fees.

A memo on the proposed rates was circulated to the public present detailing the proposed rates and comparative rates of other Districts. Randy Warren reviewed the District's objectives when setting rates and fees. Overall, the District tries to set rates that generate revenue equal to operating costs and capital replacement needs of the District. The staff recommendation for 2020 rates is no increase for water and sewer base fees and an increase for water and sewer usage rates of 3%. Staff

anticipates this increase in billing usage rates will encourage greater conservation.

The Board next opened the meeting to public comments on the proposed 2020 rates.

Mr. Prater addressed the Board with questions on the water treatment plant. Luis Tovar updated him on the JWPP progress.

Mr. K asked if the public is able to vote on the rate increase. Randy explained that the public is able to provide their comments to the Board for their consideration, however, this item is a Board vote. Mr. K also asked what the expected length of the rate increase was. Randy explained that historically rates are reviewed and adjusted annually by the Board and staff.

Director Wasiecko also addressed the public questions, emphasizing another factor of rate consideration being the cost of living and contractor wage increases as they affect the District operations.

There being no further public comments and upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon unanimous vote, the public hearing on the 2020 Rates was closed at 7:35 pm. Mr. Prater and Mr. and Mrs. K then left the meeting.

The Board continued with a discussion about the tap fees for 2020. Tap fees are recommended by staff to be increased for both water and sewer charges by at least 3%. Randy explained that the cost of replacement infrastructure needed to serve each new tap is significantly higher than the current tap fee.

Director Wasiecko observed that the District tap fee pricing compared to the market numbers, was low, noting that tap fees should be more competitive. The Board discussed increasing the water and sewer tap fees to reflect competitive pricing and recover a higher percentage of the cost of infrastructure needed to serve each tap.

The Board discussed the costs of infrastructure needed to serve residential versus commercial taps. Randy noted that the cost was generally higher for commercial taps.

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the following tap fee rates effective January 1, 2020:

Residential Single Family Equivalent

Water	\$15,000
Sewer	\$ 9,500
Resource Fee	\$ 1,500

Commercial per Single Family Equivalent

Water	\$18,500
Sewer	\$ 9,500
Resource Fee	\$ 1,500 (multifamily)
Irrigation	\$12,000

CONSIDER RESOLUTION ADOPTING 2020 RATES AND FEES

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon unanimous vote, the Board approved the Resolution Adopting the 2020 Rates with a 3% increase in water and sewer usage rates and setting the tap fees, as outlined above.

PUBLIC HEARING ON THE 2019 BUDGET AMENDMENT

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon unanimous vote, the Board opened a public hearing on the 2019 Budget Amendment at 7:35 pm. There being no public present, the hearing was closed at 7:36 pm.

Randy Warren reviewed the amendment for the 2019 Budget. The District was able to refinance a portion of the GO Bond debt, resulting in unanticipated revenue from the refinancing, and experienced higher contingency expenses that were not anticipated at the time of the 2019 Budget adoption. The budget amendment reflects repayment of prior debt and costs of issuance with proceeds from the refinancing and an increase in budgeted operating expenses.

CONSIDER RESOLUTION ADOPTING 2019 BUDGET AMENDMENT AND APPROPRIATION OF FUNDS

Following Board discussion, upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, the Resolution to Adopt the 2019 Budget Amendment and Appropriation of Funds was unanimously approved.

PUBLIC HEARING ON 2020 BUDGET

Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon unanimous vote, the Board opened a public hearing on the 2020 Budget at 7:38 pm. There being no public present, the public hearing was closed at 7:39 pm.

Randy Warren noted that a recent meeting of the Cherry Creek Project Water Authority provided an estimated capital expenditure of \$700,000

for the development of the Walker Reservoir, which is not itemized in the budget.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the change to the proposed 2020 budget to budget and appropriate \$700,000 for the capital expenditure for the Walker Reservoir and modify such other impacted lines as needed.

Randy Warren discussed that the key item in setting the mill levy is to meet the debt service payment. For 2020, staff recommends lowering the mill levy from 14.5 mills to 14.0 mills.

CONSIDER RESOLUTION ADOPTING 2020 BUDGET AND FOR APPROPRIATION OF FUNDS

Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, the Board unanimously approved the Resolution to Adopt the 2020 Budget and For Appropriation of Funds.

CONSIDER RESOLUTION CERTIFYING THE 2020 MILL LEVY

Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon unanimous vote, the Board approved the Resolution to Certify the 2020 Mill Levy of 14.0 mills.

REPORTS

Dashboard – Randy reviewed the dashboard report. Currently, the District’s water supply is 40% renewable water. The District has a future target of 75% renewable supply.

Legal Report – Carolyn Steffl presented the legal report. There were no comments.

ADJOURNMENT Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for December 17, 2019 beginning at 6:00p.m. at 8334 Sandreed Circle.

Date: December 17, 2019
READ AND APPROVED BY THE BOARD:

William C Thomas, Secy

Name Address Email

Steve Procter 8909 Clearleaf Cir
sprat717@yahoo.com

Gio K Blueleaf PL —
Lisa K Blueleaf PL

RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF THE
COTTONWOOD WATER AND SANITATION DISTRICT**

December 17, 2019

at 6:00 pm at 8334 Sandreed Circle, Parker, CO 80134

ATTENDEES

Directors present: Steve Wasiecko, Bill Thomas, Linda Dillon and Nathan Bandaries. Others present: Randy Warren, Luis Tovar, Toby Austin and Kelly Conover Mulhern MRE, Inc.; Carolyn Steffl, Moses, Wittemyer, Harrison and Woodruff, P.C.

THE AGENDA:

Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, the Board approved the Agenda.

PUBLIC COMMENT

There was no public present.

CONSENT AGENDA

The Consent Agenda included minutes from the November 21, 2019 meeting, authorization for staff to implement disconnect procedures on accounts listed on the delinquent list dated December 13, 2019, approval of checks listed on the check register numbers 21145 through 21169, auto payments to Xcel Energy, Century Link and the US Bank loan payment, disclosure of potential conflicts of interest and the annual designation of meeting posting location and meeting dates for 2020 as detailed below:

Posting Locations

8334 Sandreed Circle
Douglas County Clerk's office
www.cottonwoodwater.org

Meeting Dates, 2020

Meetings are scheduled for the third TUESDAY of every month as listed below.

Special meetings will be scheduled on an as needed basis.

January 21	July 21
February 18	August 18
March 17	September 15
April 21	October 20
May 19	November 17
June 16	December 15

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, the Board unanimously approved waiving the disconnect procedures and providing a grace period for December 2019 delinquent accounts.

Upon motion duly made by Director Thomas, seconded by Director Dillon and upon vote, the Board unanimously approved the consent agenda as amended above.

DIRECTORS ITEMS

There were no director items for discussion.

1ST AMENDMENT TO AGREEMENT FOR OPERATION & MAINTENANCE OF JWPP

Randy reviewed the proposed changes to the agreement. There were some administrative clean up, corrections and a revised sampling schedule.

Following Board discussion and upon motion duly made by Director Thomas, seconded Director Bandaries and upon vote, the Board unanimously approved the amendment to the agreement as provided.

FILING STATEMENT OF OPPOSITION IN CASE NO. 19CW3211

Carolyn Steffl recommended filing a statement of opposition for the Parker Water case 19CW3211 that would amend their water rights to allow for a well field to draw their water rights. Essentially the District would file the opposition as a way to monitor the case to make sure that these changes would not affect the District water rights.

Following Board discussion and upon motion duly made by Director Thomas, seconded by Director Bandaries, and upon vote, the Board unanimously approved filing a statement of opposition for case no. 19CW3211. Staff was directed to execute the filing documents and submit to the state.

MANAGER'S REPORT

Luis reviewed the manager's report with the Board.

- Jacobs has provided a technical memo regarding their changes to the 2 cells that are having difficulty with flow (BCR2 and AMPCs 2/3).
- Staff and ACWWA attended a work session with Jacobs on the pump study for operating expense savings by using properly sized pumps. Director Thomas asked if it was possible to use solar to power the pumps. Staff will look into that possibility with Jacobs.
- There is a work session with the Town of Castle Rock regarding their plans for participation in the Cherry Creek Project Water Authority if they purchase ACWWA's membership.
- Staff is working with Beherns and Associates for the noise mitigation study related to Well D-1 redrill.

ACTION ITEMS

Luis Tovar and Randy Warren discussed the listed action items;

1. 2020 General District Management – Mulhern proposes to provide District Management services for an amount not to exceed \$171,000 billed \$14,250 monthly
2. 2020 District Accounting, Billing and Customer Service – Mulhern proposes to provide accounting and billing services for an amount not to exceed \$144,000 billed \$12,000 monthly
3. 2020 District Operation – Inverness Water and Sanitation District will provide District operation services not to exceed \$171,600 billed \$14,300 monthly
4. 2020 JWPP Start Up management – Mulhern proposes management of the JWPP on a time and materials basis not to exceed \$20,000

Upon motion duly made by Director Thomas, seconded by Director Bandaries and upon vote, the Board unanimously approved the annual contracts as detailed above.

REPORTS

Randy reviewed the dashboard, there was no Board action.

Carolyn was available for any questions regarding the legal report.

EXECUTIVE SESSION

There was no executive session needed.

ADJOURNMENT

Upon motion duly made, seconded and unanimously carried the meeting was adjourned. The next regular meeting is scheduled for Tuesday, January 21, 2020 beginning at 6:30p.m. at 8334 Sandreed Circle.

Date: January 21, 2020
READ AND APPROVED BY THE BOARD:

William C. Thomas, Secy.