

**RECORD OF PROCEEDINGS**

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MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF  
THE CRESTVIEW WATER AND SANITATION DISTRICT  
ADAMS COUNTY, COLORADO  
**October 10, 2018**

The regular 7:00 P.M. meeting of the Board of Directors of the Crestview Water and Sanitation District was held October 10, 2018 at the office of the District, 7145 Mariposa Street, Adams County, Colorado. The meeting was presided over by Board President, Mike Doak. Board Secretary, Danny Sweeney was present to record the minutes.

Members Present:

Mike Doak	President
Jill Martin	Vice-President
Danny Sweeney	Secretary/Treasurer
Tom Ryszkowski	Director
Everett Patterson	Director

Also Present:

Mitch Terry	District Manager
Ron Forman	Attorney
Ron Sanchez	Metro Report

**THE PLEDGE OF ALLEGIANCE WAS RECITED**

**PUBLIC COMMENTS**

No one from the public was present

**METRO REPORT, RON SANCHEZ**

- Metro is fighting with Suncor about the Benzene Contamination. They have built concrete curtain walls down to about 6" above bedrock to try to contain and clean up the benzene on the site. Metro is going to be building on part of the property that the benzene spilling over into. Suncor knows where the contamination is coming from and continues to work to clean it up, however it is coming up from the soil and ground water from being soaked for so long. They continue to monitor the situation.
- Metro signed a new contract with Oracle for payroll processing and Asset Management.
- Metro has a 4.2-Million-dollar contract for HVAC for both the Hite facility and the Northern Treatment facility.
- Metro will have an all-day budget meeting on October 16th

**MINUTES FOR APPROVAL, September 19, 2018**

Director Doak asked if there were any corrections, deletions, or additions to the Minutes for the September 19, 2018 meeting of the Board.

There being no corrections, deletions, or additions, the Minutes for the September 19, 2018 meeting of the Board were accepted as presented.

Director Martin made a motion to adopt the following resolution:

**RES # 30-18 - BE IT RESOLVED THAT** the minutes are accepted as presented

Director Doak seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski

NAYS: None.

The resolution was adopted unanimously.

**MINUTES FOR APPROVAL, September 26, 2018 Budget Committee Meeting for 2019**

Director Doak asked if there were any corrections, deletions, or additions to the Minutes for the September 26, 2018 Budget Committee Meeting for 2019.

There being no corrections, deletions, or additions, the Minutes for the September 26, 2018 Budget Committee meeting for 2019 were accepted as presented.

Director Martin made a motion to adopt the following resolution:

**RES # 31-18** - BE IT RESOLVED THAT the September 26, 2018 Budget Committee Meeting for 2019 minutes are accepted as presented

Director Doak seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski

NAYS: None.

The resolution was adopted unanimously.

**DISTRICT MANAGER'S REPORT**

BIRTHDAYS- Happy October birthday to maintenance worker Lucas Gonzales.

POMPONIO TERRACE REIMBURSEMENT RESOLUTION-The developer of the Westminster Station subdivision, Pomponio Terrace Holdings has requested that Crestview assist in collecting reimbursement funds from any future developers that would need to connect their development to the sixteen-inch water main that was constructed by Pomponio Terrace Holdings to provide a water supply to their development. The reimbursement agreement can be made through a resolution by the Board. I have provided a resolution in your Board packet. The resolution has the specific amount to be charged to future developers and the timeframe for the funds collections.

Director Sweeney made a motion to adopt the following Resolution:

**RESOLUTION NO. 32-18**

**WHEREAS THE BOARD OF DIRECTORS CRESTVIEW WATER AND SANITATION DISTRICT HAS DETERMINED AS FOLLOWS:**

(A) That Pomponio Terrace Holdings, LLC (hereafter "PTH") has constructed within the District a water line ("the water line") as described on the attached, and PTH shall convey title to that water line to the District after a two-year warranty period from the date of initial acceptance;

(B) That a portion of the water line ("the improvement") provides potential benefit to property within the District other than that owned by PTH.

(C) That it is fair and appropriate that owners of property who derive benefit from the improvement by means of obtaining water service connections within a period of Ten (10) years from the date the water line was conveyed to the District provide some reasonable reimbursement, calculated on the per gallon basis, to PTH, for the cost of constructing the improvement.

(D) The reimbursement provided for herein does not establish any precedent for future similar situations, each of which shall be considered and determined on its individual merits and circumstances.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. For a period of ten (10) years from the date the said water line was conveyed to the District, any third-party owners, developers or builders connecting to or accessing the improvement in order to receive water service from the District shall, in order to be permitted to receive water service from the District, pay to the District a sum as calculated according to the provisions below, which sum, less an administrative fee of 3% to be retained by the District, shall be paid over to PTH.

2. The sum to be paid by any such property owner shall be calculated based on an allocation of daily gallons per unit at a rate of ~~\$292~~/gallon, whereby each single family residential units are each allocated 99 gallons ( $99 \times \text{\$292} = \text{\$2,871}$  ~~$\text{\$2,178}$~~ ), multifamily residential units are each allocated 104 gallons ( $104 \times \text{\$292} = \text{\$3,016}$  ~~$\text{\$2,288}$~~ ), and the allocation of gallons to commercial units may vary as determined by the District, whereby the gallons allocated to each commercial unit shall equal 99 gallons ( $99 \times \text{\$292} = \text{\$2,871}$  ~~$\text{\$2,178}$~~ ), multiplied by the single Family Residential Equivalents allocated to the commercial unit by the District.

3. The reimbursement sum is due and payable to the District at the time that a property owner initially applies to the District for connection of water service to the property owner's property and pays the required fee to the District, without regard to whether the same property owner will or may make subsequent applications for connection of service and pay subsequent fees for the same property.

3.4. The District shall accumulate the reimbursements received during each calendar quarter and pay the total amount so accumulated during the quarter, if any, over to PTH within 30 days of the end of the quarter.

4.5. The total of all reimbursement fees to be collected pursuant to Paragraphs Nos. 1 and 2 above shall not exceed the sum of  $\text{\$2,160,365.00}$ . If such sum is reached, no further reimbursement fees shall be collected under said Paragraphs Nos. 1 and 2.

5.6. The District is seeking to collect and pay over this reimbursement as an accommodation to PTH. The District shall not be liable to PTH for its failure in any fashion to collect such sum, and the District shall not be obligated to commence litigation in order to collect such sum.

6.7. PTH may not obtain any direct reimbursement from any property owner.

Adopted: October 10, 2018

Director Doak seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski

NAYS: None.

The resolution was adopted unanimously.

2019 PROPOSED BUDGET-The Crestview Water & Sanitation District held the 2019 Budget Committee meeting on September 26, 2018. The Committee was read the 2019 Budget Report detailing the first eight months of actual expenditures and revenues for 2018 and the anticipated expenditures and revenues for the remainder of 2018. The anticipated revenues and expenditures for 2019, details of operations and maintenance, proposed water main and sewer main rehabilitations & replacements and capital improvements were then examined. After examining the proposed 2019 Budget, the Committee determined that the proposed 2019 Budget was acceptable to be presented for a first reading at the next Board of Directors meeting held October 10, 2018. A resolution stating that the Budget Committee approves the draft 2019 Budget for first reading to be presented at the October 10, 2018 regular meeting of the Board is included in your packet.

Director Martin made a motion to adopt the following Resolution:

**RES. # 33-18 WHEREAS THE** Budget Committee of the Crestview Water & Sanitation District Board of Directors held a meeting on September 26, 2018, for the purpose of discussing the proposed Budget for 2019, and;

**WHEREAS** it was agreed to present the draft Budget to the Board of Directors at their regularly scheduled meeting on October 10, 2018, for initial acceptance.

**NOW, THEREFORE, BE IT RESOLVED THAT** the draft Budget for the ensuing year of 2019 be accepted on the first reading and published according to statutes, and that an open Public Hearing be set for 7:00 P.M., October 24, 2018, and that a copy of the draft Budget be available for review and comment at the office of the District, 7145 Mariposa Street.

Director Ryszkowski seconded the motion.

AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski

NAYS: None.

The resolution was adopted unanimously.

TRANSPARENCY NOTICE 2019- I have supplied the Board with a copy of the proposed 2019 Transparency Notice for your review in your packet.

NOTICE OF REGULAR MEETING SCHEDULE FOR 2019-In your packet you will find the Notice of Regular Meeting schedule for 2019. Our Rules and Regulations state that regular meetings of the Board are to be conducted on the second Wednesday of the month. With the Independence Day holiday being in the week prior to the second Wednesday of July, it is difficult for the staff to compile all of the reports needed to be ready for your packets on the Friday before the scheduled second Wednesday meeting of the Board. I have scheduled the July meeting of the Board to be held on July 17<sup>th</sup> for 2019. A copy of the resolution has been provided in your packet.

Director Patterson made a motion to adopt the following Resolution:

**RES. # 34-18 BE IT RESOLVED THAT** the Board of Directors adopt the following schedule for regular meetings during 2019:

**NOTICE OF REGULAR MEETING**

Notice is hereby given that the regular meetings of the Crestview Water and Sanitation District Board of Directors for 2019 will be held at 7145 Mariposa Street at 7:00 PM on:

January	9, 2019 23, 2019	July	17, 2019
February	13, 2019	August	14, 2019 28, 2019
March	13, 2019	September	11, 2019 25, 2019
April	10, 2019	October	9, 2019 23, 2019
May	8, 2019	November	13, 2019
June	12, 2019	December	11, 2019

**AND BE IT FURTHER RESOLVED THAT** notice of meetings be posted at all required locations.

AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski

NAYS: None.

The resolution was adopted unanimously

SANITARY SURVEY BY CDPHE-Crestview Water and Sanitation District will have its tri-annual sanitary survey performed on October 10, 2018 by the Colorado Department of Public Health and Environment. The sanitary survey is performed every three years by a member of CDPHE who will review Crestview's maintenance records involving valve exercising and maintenance, blow-off exercising and maintenance and fire hydrant exercising and maintenance. The maintenance and observation records for Crestview's Pressure Reducing Valves (PRVs) and water storage tanks will also be reviewed along with a site visit to each facility. After the survey has been completed, CDPHE will provide a written report of the operations of the district and provide its approval or any guidance or penalties for any potential system threatening observations. A copy of the report will be provided to the Board at the November 14<sup>th</sup> meeting of the Board.

2018 WATER MAIN REPLACEMENT PROJECT-Crestview's pipeline replacement crew is nearing completion of the 2018 Water Main Replacement Project (WMR-1). The project consists of six streets. Raritan St., Alan Dr., Avrum Dr., Larsh Dr. and Ruth Way from 72<sup>nd</sup> north to 73<sup>rd</sup> and also includes Lowell Blvd. from 68<sup>th</sup> Ave. north to approximately 70<sup>th</sup> Avenue.

The new water mains have all been replaced and are in service with the exception of Lowell Blvd. The streets of Ruth Way, Larsh Drive, Avrum Drive, Alan Drive and Raritan Street are 100% completed. The water main in Lowell has been installed with the changeover of the services happening this week. The second project for 2018 is designed and is at Denver Water for final review. It is anticipated that our pipeline crew will start project #2 sometime in late October or early November.

SEWER MANHOLE LINING- Crestview has been provided a proposal to have Twenty-seven 4-foot diameter manholes spray lined by Concrete Conservation, Inc. Concrete Conservation spray lined twenty-four manholes for Crestview in 2017. The enclosed proposal is being offered to Crestview at last year's pricing. The estimated cost to have the twenty-seven manholes sprayed is \$53,760. The final cost may be adjusted upward if any traffic control that needs to have a traffic control plan associated with it is utilized.

**THE BOARD** then at this time directed Mr. Terry to sign the contract and authorize Concrete Conservation, Inc. to perform the work. No resolution was made regarding the contract.

MIDTOWN FILING 6 AND 9- Foundations for homes have started popping out of the ground in Filing 9. Midtown is starting to purchase water and sewer taps in both filings.

WESTMINSTER STATION/POMPONIO TERRACE-The developer and its engineers are still trying to determine how they intend to connect the Westminster Station/Pomponio Terrace sewer system to Crestview's sewer system and also upsize Crestview's outfall main. To date, 42 homes are either constructed or are under construction. In an email sent to Pomponio Terrace Holdings on January 16, 2018, Crestview stated that until a satisfactory outfall is designed and built to accommodate the entire development and Crestview's existing flows, only 47 homes can be connected to Crestview's existing sanitary sewer system. On September 6th, 2018, I met with Jim Merlino, President of Pomponio Terrace Holdings, to discuss potential options to allow additional homes over the allowed 47 to connect to Crestview's sewer system until the required outfall is constructed. During our meeting, it was determined that a new 24-inch sewer main can be constructed on the north side of Little Dry Creek and will act as an overflow and will connect to an existing sewer crossing at Zuni. This existing sewer main at Zuni is a 10-inch sewer main and is currently not in use. The existing sewer main at Zuni is not adequate in size to make up for the required 24-inch outfall. Ultimately, this new 24-inch sewer main will be part of the required outfall that will carry the existing Crestview sewer flows and any future flows from the Westminster Station development and any potential future developments in the northern part of Crestview. No additional homes over the allowed 47 have been approved by Crestview for connection as of this date. Once construction has commenced on the 24-inch overflow, an additional home allowance will be made.

CLEAR CREEK VILLAGE TOD-The developers of the Clear Creek Village development have requested that Crestview allow them to construct Phase 1, a 110 room 4-story hotel, and a 4-story 70-unit condominium structure on the site located at 6100 Federal Blvd. According to their engineer, water system modeling based on Denver Water's one-side-out methodology has been performed.

Based on the modeling, the developer's engineer's opinion is that Phase 1, as planned, can be built if two 6-inch sections of water main piping in Federal Blvd. between 64<sup>th</sup> avenue and 66<sup>th</sup> avenue are replaced with new water mains with a minimum pipe size of 12 inches. Crestview's engineer and Denver Water's hydraulics department are assessing the developer's report.

**DURING THE OCTOBER 10, 2018 MEETING OF THE BOARD, THE BOARD DENIED** the option of replacing the two 6 inch water mains in Federal Blvd. by the developer. The Board is requiring a third master meter feed to be installed at 56<sup>th</sup> & Lowell Blvd. and connecting it to the water mains located at 62<sup>nd</sup> & Lowell Blvd. to allow for more water to flow into the western portion of the District. The Board also discussed negotiating a cost sharing agreement and a cost reimbursement resolution for the construction of the Lowell master meter and water main. The Board indicated that the developer would have to pay for all of the installations up front.

Denver Water September purchase  
Denver Water 60,099,000  
2,147,000 gallons per day  
Average since 2006 is 59,624,000 gallons

Enc.

RES Cost Reimbursement Pomponio Terrace 16-inch Water Main  
RES 2019 Budget first reading acceptance  
Proposed DRAFT 2019 Budget  
2019 Transparency Notice  
Notice of Regular Meeting Schedule 2019  
RES. Notice of Regular Meeting Schedule 2019  
RES. Posting places for public meetings notices 2019

**BILLS –**

Director Martin made a motion to adopt the following resolution:

**RES # 35-18 - BE IT RESOLVED THAT** the Bills be paid.

Director Ryszkowski seconded the motion.  
AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski  
NAYS: None.  
The resolution was adopted unanimously.

Director Martin made a motion to adopt the following resolution:

**RES. # 36 -18 BE IT RESOLVED THAT** the Crestview Water and Sanitation District public meetings notices for 2019 shall be posted at the District office and in the Adams County Clerk and Records office, F.M. Day Elementary School, Hodgkins Elementary School, and Scott Carpenter Middle School, and;

**BE IT FURTHER RESOLVED THAT** all meetings of the Board of Directors shall be held at the District office, 7145 Mariposa Street, and;

**BE IT FURTHER RESOLVED THAT** Agendas for all public meetings shall be posted at the District's office 48 hours in advance of all scheduled meetings.

Director Patterson seconded the motion.  
AYES: Directors Doak, Martin, Sweeney, Patterson, and Ryszkowski  
NAYS: None.  
The resolution was adopted unanimously.

**OFFICE DATA**

The Office Data was accepted as presented.

**FINANCIAL REPORT**

The Financial Report was accepted as presented.

**UNFINISHED BUSINESS**

No unfinished business

**NEW BUSINESS**

No new business

There being no further new business to come before the Board, a motion was made and seconded to adjourn the meeting. Director Doak adjourned the meeting at 8:15 P.M.

Respectfully submitted,

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Danny Sweeney, Secretary