

NORTHWEST LAKEWOOD SANITATION DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
Fax: 303-987-2032

NOTICE OF REGULAR MEETING AND AGENDA OF THE BOARD OF DIRECTORS OF THE DISTRICT AND OF THE WASTE WATER UTILITY ENTERPRISE

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Gregory A. "Greg" Fabisiak	President	2023/May 2023
Catherine "CiCi" Kesler	Vice President/Treasurer	2023/May 2023
James D. "Jim" Zimmerman	Secretary	2025/May 2025
Anthony M. Dursey	Assistant Secretary	2025/May 2025
George C. Davenport	Assistant Secretary	2025/May 2025

DATE: July 27, 2022

TIME: 4:00 P.M.

PLACE: **VIA Zoom**

If you experience technical difficulties, email Steve Beck at sbeck@sdmsi.com.

Join Zoom Meeting

<https://us02web.zoom.us/j/85038919698?pwd=cXQ4cFdPMmZyQTlnZmtOTlAxNXhvQT09>

Meeting ID: 850 3891 9698

Passcode: 040394

Dial In: 1-669-444-9171

I. ADMINISTRATIVE MATTERS

- A. Review and approve Minutes of the June 22, 2022 regular meeting, the June 28, 2022 special meeting and July 20, 2022 special meeting (enclosures).
-

II. PUBLIC COMMENT

- A. _____

III. FINANCIAL MATTERS

- A. Review and approve the payment of claims through the period ending July 14, 2022 as follows (enclosure):

General Fund	\$	28,045.04
Enterprise Fund	\$	<u>61,056.64</u>
Total:	\$	<u>89,101.68</u>

and accept the schedule of cash position as of June 30, 2022 (to be distributed); and the unaudited financial statements for the period ending June 30, 2022; and a report on collections for the facilities renovation fees, grease trap inspection fee collections, commercial billing and any other fees imposed and collected by the District (to be distributed).

IV. LEGAL MATTERS

A. Consider approval of Common Sewer Line Agreement for 2650 Simms Street.

B. Discuss an update to the Rules and Regulations.

C. Status of Agreements for 11324 W 38th Avenue.

D. Consider approval of CRL Consulting Services Agreement (enclosure).

E. Discuss status of CRL Campaign Project progress.

F. Discuss November 8, 2022 Election. Consider adoption of Resolution 2022-7-1 calling the November 8, 2022 Special Election, designating an Election Official, and Certifying the Ballot Question (enclosure).

V. OPERATIONS MATTERS

A. Operations Monthly Report (enclosure).

1. _____

B. Engineer's Report (enclosure).

1. Status of 2021 Capital Improvements.

2. Consolidated Mutual update.

VI. OTHER BUSINESS

A. Metro Water Recovery Update (enclosure).

B. Website update.

C. Consider resumption of in-person meetings or hybrid meetings.

VII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR AUGUST 23, 2022.**

Informational Enclosure:

- Memo regarding Certification of Delinquent Fees

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
JUNE 22, 2022**

In part due to COVID-19 concerns, the Regular Meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of its Wastewater Utility Enterprise (collectively referred to hereafter as “Board”) was convened by Zoom video conference and teleconference call on Wednesday, June 22, 2022, at 4:00 PM. The Zoom Meeting and call-in information were listed in the meeting notice posted by the District, and the public was able to attend the meeting by telephone, if they so desired.

ATTENDANCE

Directors In Attendance Were:

Anthony M. Dursey
Greg Fabisiak
Jim Zimmerman
Cici Kesler
Clark Davenport

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins Cole Flynn Winn & Ulmer, PLLC

Bill Willis; Martin/Martin Consulting Engineers

Ismael Gomez; Ramey Environmental Compliance

Walt Frankland

Roger Sherman; CRL Associates, Inc.

**ADMINISTRATIVE
MATTERS**

Minutes: The Board reviewed the minutes of the May 25, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the May 25, 2022, Regular Meeting were approved, as amended.

The Board reviewed the minutes of the June 10, 2022 Special Meeting.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and upon vote, unanimously carried, the minutes of the May 25, 2022, Special Meeting were approved, as presented.

**PUBLIC
COMMENTS**

None.

**FINANCIAL
MATTERS**

Claims: Mr. Beck reviewed the claims for June with the Board and noted that the invoice for Pay App #6 from Insituform was included and would be discussed by Mr. Willis for separate approval. The claims discussed with the Board for the period ending June 17, 2022, are as follows:

General Fund	\$ 16,058.67
Enterprise Fund	\$ 253,394.45
Total	<u>\$ 251,453.12</u>

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending June 17, 2022.

Unaudited Financial Statement: Mr. Beck reviewed with the Board the unaudited financial statements of the District setting forth the cash deposits, investments, and budget analysis, accounts payable vouchers for the period ending May 31, 2022, the schedule of cash position dated May 31, 2022, and the Accounts Receivable reports on collections of fees, the past due accounts and collection efforts.

Following discussion, upon motion duly made by Director Kesler, seconded by Director Davenport, and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, accounts payable vouchers and accounts receivables reports for the period ending May 31, 2022, and the schedule of cash position dated May 31, 2022, as presented.

Review and discuss ColoTrust EDGE Investment account: Attorney Flynn and Mr. Beck discussed with the Board the ColoTrust EDGE accounts as investment options. At this time the Board does not want to make any changes to the existing accounts and investing options.

LEGAL MATTERS

Common sewer line agreement for 2650 Simms Street: Attorney Flynn reported that the revised agreement has been sent to Mr. Bauer for signature and approval. To date Mr. Bauer has not signed and returned the agreement.

Discuss update to Rules & Regulations: Attorney Flynn reported that a review of the District's rules and regulations is ongoing, and that staff will keep the Board updated.

RECORD OF PROCEEDINGS

Status of Agreements to provide service to 11324 W. 38th Avenue: Attorney Flynn discussed the proposed agreements with Dr. Osborne. During the month he notified her that currently she does not have title to the real property she intends to convey to her daughter for construction of a new residence that would receive sanitary sewer service through the Northwest and Westridge Sanitation Districts. The problem arose from an error in the legal description of a prior deed. No further action will be taken until Dr. Osborne has acquired title to the subject property.

Discuss November Election and the proposal by CRL Associates, Inc.: Attorney Flynn and Mr. Sherman discussed the proposal and the education and outreach program for the District as related to the November 8, 2022 election. Following discussion, the Board requested a revised scope and for Mr. Beck to schedule a Special Meeting to discuss the proposal.

OPERATIONS MATTERS

Operations Monthly Report: Mr. Gomez reviewed the monthly report (May 1-31) with the Board. A copy of the report is attached hereto and incorporated herein by this reference.

Engineer's Report: Mr. Willis reviewed with the Board the engineering report dated June 22, 2022. Mr. Willis and Mr. Beck discussed the invoicing to Consolidated Mutual for prior years services.

Following discussion, upon motion duly made by Director Dursey, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved the billing to include the current year plus the prior six (6) years for services rendered.

Mr. Willis also discussed the projected maintenance costs for the shared interceptor line of \$795K and the Category 3 costs of \$2.44M.

Pay Application No. 6 from Insituform Technologies LLC: Mr. Willis discussed the Pay Application No. 5 invoice for the work performed through June 3, 2022 which is about 74% of the original contract and includes Change Order No. 6. He noted that due to change order credits the original contract amount of \$1,659,124 has been lowered to be \$1,490,873.43 for a savings of \$168,250.57.

Following discussion, and based upon the engineer's recommendation, a motion duly made by Director Zimmerman, seconded by Director Davenport, and, upon vote, unanimously carried, the Board approved Change Order No. 6 and authorized the payment.

1350 and 1370 Hawthorne Road Taps: Mr. Beck discussed with the Board the determination that these two residences on Hawthorne Road had been deactivated in the system and not been billed for services since 2009. Mr. Beck has discussed this with one of the property owners and is recommending to the Board that the accounts

RECORD OF PROCEEDINGS

be reactivated and the residents are not billed for past fees that should have been billed and paid.

Following discussion, and based upon the District Manager's recommendation, a motion duly made by Director Davenport, seconded by Director Kesler, and, upon vote, unanimously carried, the Board approved the reactivation of the accounts effective immediately, and to begin billing them for the regular FRSF of \$100.00 per quarter beginning with the June 30, 2022 billing for the third (3rd) quarter 2022.

OTHER BUSINESS

Metro Wastewater Update: Director Davenport updated the Board on the board meetings for Metro Water Recovery District.

Website Update: Mr. Frankland reported that the website is updated and current and that there are no problems. He stated that he is working on the development of the new website platform and hoped to have it ready for review in July.

Consider the resumption of in-person or hybrid meetings: Mr. Beck and Attorney Flynn asked the Board if they wanted to consider going back to regular in-person meetings or hybrid meetings. The Board decided to defer the decision to a later meeting and to continue the current Zoom Meetings with no changes.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Kesler, seconded by Director Davenport and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
JUNE 28, 2022**

In part due to COVID-19 concerns, the Special Meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of its Wastewater Utility Enterprise (collectively referred to hereafter as "Board") was convened in person at the offices of Martin/Martin at 12499 W. Colfax Avenue and by Teams teleconference call on Tuesday, June 28, 2022, at 1:00 PM. The public was able to attend the meeting if they so desired.

ATTENDANCE

Directors In Attendance Were:

Gregory A. "Greg" Fabisiak
Cici Kesler
Jim Zimmerman
Anthony M. Dursey (by phone)
Clark Davenport (by phone)

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins Cole Flynn Winn & Ulmer, PLLC

Bill Willis; Martin/Martin Consulting Engineers

Roger Sherman; CRL & Associates

**ADMINISTRATIVE
MATTERS**

None.

**PUBLIC
COMMENTS**

None.

LEGAL MATTERS

Discuss November Election and the proposal by CRL Associates, Inc.: Mr. Sherman discussed with the Board his review of the District, and the options available to the District for conducting an education program regarding the effect of de-Bruicing the District with the District customers, and the creation of a quarterly newsletter to be sent out with the District invoices.

Separately the Board discussed the wording of a potential ballot question for a November 8, 2022 election. The purpose of the ballot question is to de-Bruice District revenue so that the District can keep all revenues collected and in particular property

RECORD OF PROCEEDINGS

tax revenues collected from the District's mill levy.

The Board then reviewed a proposed Consultant Agreement with Mr. Sherman's firm, CRL Associates pursuant to which Mr. Sherman will assist the Board with an education and outreach program.

Following a brief discussion, upon motion duly made by Director Zimmerman, seconded by Director Kesler, and upon vote, unanimously carried, the Consultant Agreement for Education and Public Outreach Services with CRL Associates, Inc. was approved subject to final Scope and Board and legal review. Board President Fabisiak was authorized to sign the agreement subject to the changes.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
NORTHWEST LAKEWOOD SANITATION DISTRICT
AND THE BOARD OF DIRECTORS OF THE
WASTEWATER UTILITY ENTERPRISE
HELD
JULY 20, 2022**

In part due to COVID-19 concerns, the Special Meeting of the Board of Directors of the Northwest Lakewood Sanitation District and the Board of Directors of its Wastewater Utility Enterprise (collectively referred to hereafter as “Board”) was convened by Zoom video conference and teleconference call on Wednesday July 20, 2022 at 9:00 AM. The Zoom Meeting and call-in information were listed in the meeting notice posted by the District, and the public was able to attend the meeting by telephone, if they so desired.

ATTENDANCE

Directors In Attendance Were:

Gregory A. “Greg” Fabisiak
Cici Kesler
Jim Zimmerman

Following discussion, upon motion duly made by Director Kesler, seconded by Director Zimmerman, and upon vote, unanimously carried, the absence of Director’s Dursey and Davenport were excused.

Also In Attendance Were:

Steve Beck; Special District Management Services, Inc.

Tim Flynn, Esq.; Collins Cole Flynn Winn & Ulmer, PLLC

Bill Willis; Martin/Martin

Roger Sherman; CRL & Associates

**ADMINISTRATIVE
MATTERS**

None.

**PUBLIC
COMMENTS**

None.

**FINANCIAL
MATTERS**

Discuss November Election and the proposal by CRL Associates, Inc.: Mr. Sherman discussed with the Board the District finances, website, operations, capital projects and history. This information will be used to develop an education and public outreach program for the District constituents.

RECORD OF PROCEEDINGS

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Kesler, seconded by Director Zimmerman and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
2573						
07/14/2022	Alexandrea Elman	07082022	Transfer Service Fee	4-570	150.00	150.00
Total 2573:						150.00
2574						
07/14/2022	Collins Cole Flynn Winn & Ulmer,	2055	Legal	1-675	4,410.00	4,410.00
Total 2574:						4,410.00
2575						
07/14/2022	Consolidated Mutual Water Co	3174-01 07/2022	Utilities	4-765	23.40	23.40
07/14/2022	Consolidated Mutual Water Co	7095	Repairs & Maintenance-L	4-740	470.00	470.00
Total 2575:						493.40
2576						
07/14/2022	Frankland, Walter	JULY 2022	Website	1-677	100.00	100.00
Total 2576:						100.00
2577						
07/14/2022	Freedom Mailing Services, Inc.	43234	Billing	1-616	1,967.67	1,967.67
Total 2577:						1,967.67
2578						
07/14/2022	Kimberly Parsons	07082022	Transfer Service Fee	4-570	100.00	100.00
Total 2578:						100.00
2579						
07/14/2022	Mart & Linda Jones	07082022	Transfer Service Fee	4-570	330.00	330.00
Total 2579:						330.00
2580						
07/14/2022	Martin/Martin	17.0638-00209	Sewer Lines/Eng./Observ.	4-810	1,608.37	1,608.37
07/14/2022	Martin/Martin	17.0638-00210	Sewer Lines/Eng./Observ.	4-810	3,297.50	3,297.50
07/14/2022	Martin/Martin	17.0638-00211	Sewer Lines/Eng./Observ.	4-810	1,010.00	1,010.00
07/14/2022	Martin/Martin	17.0638-00212	2021 CIP	4-883	13,216.25	13,216.25
07/14/2022	Martin/Martin	17.0638-00213	2022 CIP	4-884	12,345.00	12,345.00
Total 2580:						31,477.12
2581						
07/14/2022	Ramey Enviromental Compliance	24147	COS-Maintenance	4-749	14,012.04	14,012.04
07/14/2022	Ramey Enviromental Compliance	24147	COS-Collection System	4-746	6,661.33	6,661.33
07/14/2022	Ramey Enviromental Compliance	24147	COS-Locates	4-742	6,930.00	6,930.00
07/14/2022	Ramey Enviromental Compliance	24147	COS-Emergency Service	4-748	383.55	383.55
Total 2581:						27,986.92
2582						
07/14/2022	Special Dist Management Serv	06/2022	Office Supplies	1-690	131.62	131.62
07/14/2022	Special Dist Management Serv	06/2022	Election and Publication	1-635	29.60	29.60
07/14/2022	Special Dist Management Serv	06/2022	Accounting	1-612	2,841.60	2,841.60
07/14/2022	Special Dist Management Serv	06/2022	Billing	1-616	2,408.00	2,408.00

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
07/14/2022	Special Dist Management Serv	06/2022	Administration	1-614	6,704.40	6,704.40
Total 2582:						12,115.22
2583						
07/14/2022	Susan Frey	07082022	Transfer Service Fee	4-570	150.00	150.00
Total 2583:						150.00
2584						
07/14/2022	UNCC	222061033	Repairs & Maintenance-L	4-740	369.20	369.20
Total 2584:						369.20
2585						
07/14/2022	Upper Case Printing, Ink.	18422	Billing	1-616	850.50	850.50
Total 2585:						850.50
Grand Totals:						80,500.03

#2586

07/26/2022

CRL ASSOCIATES INC

CONSULTANT

H619

5,000.00

85,500.03

* TO ADD RETAINER PAYMENT

Check Issue Date	Check Number	Payee	Amount
07/14/2022	90114	Davenport, George C.	738.80
07/14/2022	90115	Dursey, Anthony	738.80
07/14/2022	90116	Fabisiak, Gregory A	646.45
07/14/2022	90117	Kesler, Catherine C	738.80
07/14/2022	90118	Zimmerman, James D	738.80
Grand Totals:			3,601.65
	<u>5</u>		

Northwest Lakewood Sanitation District

July-22 *\$24,443.39*

	General	Enterprise	Totals
Disbursements	\$ 19,443.39	\$ 61,056.64	\$ 80,500.03 <i>\$85,500.03</i>
Payroll	\$ 3,601.65		<i>3601.65</i>
Payroll Taxes (Quarterly)	\$ -		\$ -
Direct Pay -- Consolidated Mutual Water	\$ -		\$ -
Total Disbursements from Checking Account	\$ 23,045.04 <i>\$28,045.04</i>	\$ 61,056.64	\$ 84,101.68 <i>\$89,101.68</i>

CONSULTANT AGREEMENT FOR EDUCATION AND PUBLIC OUTREACH SERVICES

THIS CONSULTANT AGREEMENT FOR EDUCATION AND PUBLIC OUTREACH SERVICES (“Agreement”) is made and entered into this ____ day of _____ 2022 to be effective as of July 1, 2022 by and between the **NORTHWEST LAKEWOOD SANITATION DISTRICT**, a quasi-municipal corporation of the State of Colorado (“District”), whose address is c/o: Special District Management Services Inc., 141 Union Blvd, Ste. 150, Lakewood, Colorado 80228, and **CRL ASSOCIATES, INC.**, a Colorado corporation (“Consultant”) whose address is 1137 Bannock Street, Denver, Colorado 80204. Consultant and District may hereinafter singularly be referred to as a “Party” and collectively as the “Parties”.

RECITALS

WHEREAS, the District is a quasi-municipal corporation and political subdivision of the State of Colorado organized and existing under Title 32-1-101 *et. seq.* (“Special District Act”); and

WHEREAS, District owns, operates, and maintains a wastewater collection system (“System”); and

WHEREAS, District desires to improve its communications with its constituents, including providing information so that the constituents can understand who their wastewater service provider is and the financial challenges it faces; and

WHEREAS, Consultant has represented that it has the personnel and expertise necessary to perform such services for the District, and that it has performed similar services for other public and private entities; and

WHEREAS, the District’s Board of Directors desires to retain Consultant to perform the required services, upon the terms and conditions set forth below.

NOW THEREFORE, in consideration of the promises set forth herein, the District and Consultant agree as follows:

1. **Scope of Services.** Consultant agrees to perform the services described in the Scope of Services attached hereto as **Exhibit A** (consisting of three pages) and incorporated herein by this reference, together with all necessary labor, materials, scheduling, procurement and related work and services, including all things reasonably inferable from the Scope of Services as may be necessary to complete the totality of the obligations imposed upon Consultant by this Agreement (“Services”)

In the event of any conflict or inconsistency between the text of this Agreement and **Exhibit A**, the text of this Agreement shall control.

2. **Notice to Proceed.** As of the Effective Date of this Agreement, Consultant is authorized to provide the Services, provided District has received satisfactory Certificates of Insurance as required by Paragraph 16 below. Any Services identified in the Scope of Services as requiring prior District approval, will not performed by Consultant until Consultant receives specific written direction from the District to proceed with such Services.

3. **Completion Date.** Consultant shall give this Agreement and the Services to be performed hereunder such priority as is necessary to cause the Services to be timely and promptly performed in accordance with the timeline/time periods contemplated or expressly provided for in the Scope of Services. At any time during the Term of this Agreement District may request and Consultant shall, within twenty (20) days of such request, submit for Districts' approval a written schedule for the completion of the various tasks which comprise the Services. Unless sooner terminated in accordance with this Agreement, all Services required under this Agreement shall be entirely completed to District's reasonable satisfaction and all deliverables as set forth in the Scope of Services shall be delivered to District no later than October 30, 2022.

4. **Responsibility for Services.** The District shall not supervise the work of Consultant or instruct the Consultant on how to perform the Services. Consultant shall be fully responsible for the professional quality, technical accuracy, timely completion, and coordination of Services including all work and reports that are a part thereof, whether such work is performed directly by Consultant or by any subconsultant or subcontractor hired by Consultant and approved District in accordance with Paragraph 12 below. Without additional compensation and without limiting District's remedies, Consultant shall promptly remedy and correct any errors, omissions, or other deficiencies in the Services. Consultant warrants that all Services provided under this Agreement shall be performed with competence and in accordance with the standard of care of Consultant's profession prevailing in Colorado.

5. **Compensation.** District shall compensate Consultant in accordance with Consultant's hourly rates and reimbursable costs as set forth on page three of **Exhibit A**; provided, however, that the total amount of compensation that Consultant shall receive under this Agreement for the performance of Services, shall not exceed \$60,000, without the prior express written consent of the District. If Consultant is requested to perform any Services that are outside the Scope of Services as defined herein, or that will cause the estimated time to perform any Services to be increased, Consultant will immediately notify District in writing and will not perform such work until authorized to do so in writing by the District's representative.

The compensation to be paid Consultant under this Agreement is entire and complete and includes any and all reimbursable costs as set forth, and only as set forth on **Exhibit A**. Consultant further represents and agrees that the reimbursable costs to District together with any approved subconsultant or approved subcontractor costs are at Consultant's actual cost

and do not include any additional mark-up whatsoever. It is understood and agreed that Consultant will contract with and pay directly all approved subconsultants or approved subcontractors retained by Consultant for the performance of any Services or portion thereof.

6. **Method of Payment.** Consultant shall provide an invoice no later than the 15th day of each month for the Services completed during the prior month. Each invoice shall be submitted only for those Services actually performed during the period for which the invoice is submitted. Consultant shall submit with each invoice such supporting documentation as District may reasonably request. Each invoice submitted by Consultant shall constitute a representation to District that the Services are completed to the point as represented in the billing invoice. Unless Consultant does not properly perform the Services, invoices will be paid within thirty (30) to forty-five (45) days after receipt. District shall have the right to refuse to pay all or a portion of any invoice that is inconsistent with this Agreement. District may delay payment until it can verify the accuracy of an invoice, obtain releases or waivers with respect to Services covered in the invoice, or resolve a dispute with Consultant regarding an invoice.

7. **Conflict of Interest.** Consultant agrees that it shall notify the District of potential conflicts and determine if an informed consent agreement is acceptable between the parties. Consultant agrees that it shall not accept any employment during the term of this Agreement that creates a conflict of interest or compromises the effectiveness of Consultant or otherwise interferes with the ability of Consultant to perform the Services required by this Agreement.

8. **Records and Audits.** Consultant shall at all times maintain a system of accounting records in accordance with its normal billing procedures, together with supporting documentation for all work, purchases, Services and billings under this Agreement. Consultant shall make available for audit and reproduction by District all records, in whatever form, related to the Services. Consultant shall provide such availability during the term of this Agreement and for two (2) years after final payment. Consultant shall refund to District any charges determined by District's audit to be inconsistent with this Agreement.

9. **Confidentiality of Information.** Except as required by law or as is necessary for the performance of the Services, Consultant shall retain in strictest confidence all information furnished by District and the results of any reports or studies conducted as a result of this Agreement, along with all supporting work papers and any other substantiating documents. Consultant shall not disclose such information to others without the prior written consent of District's representative. Notwithstanding the foregoing, Consultant shall have no confidentiality obligation with respect to information that: (i) becomes generally available to the public other than as a result of disclosure by Consultant or its agents or employees; (ii) was available to Consultant on a nonconfidential basis prior to its disclosure by District; and (iii) becomes available to

Consultant from a third party who is not, to the knowledge of Consultant, bound to retain such information in confidence.

10. **Ownership of Work Product and Documents.** All printed materials and electronic documents produced as a result of the Services performed under this Agreement shall become the sole property of District after payment to Consultant and may not be used, sold or disposed of by Consultant in any manner without prior written consent of District, except that Consultant may use and reproduce such materials and documents for purposes solely relating to Consultant's performances of Services under this Agreement including but not limited to Consultant's archival records.

11. **Changes in Services.** District and, in particular, the District's manager shall have the right to order additions, deletions or changes in the Services at any time and for any reason, but especially for purposes of improving coordination between the District's consultants and eliminating the duplication of Services. Requests for material changes in the Services may be made by District's representative orally or in writing; provided, however, that oral requests shall be confirmed by a written request within ten (10) days after the oral request. If District directs Consultant to proceed with a material change, Consultant shall be paid for the change as agreed to by the Parties.

12. **Approval of Subconsultants.** Consultant shall not employ any subconsultant or subcontractor without the prior written approval of District's representative nor shall Consultant assign any rights or obligations under this Agreement in whole or in part without the District's prior written approval which may be withheld for any reason. Consultant shall be responsible for the coordination, accuracy and completeness of all Services in accordance with generally accepted principles and practices of Consultant's profession, regardless of whether the Services are performed by Consultant or one or more subconsultants. Consultant shall endeavor to bind each of its approved subcontractors or approved subconsultants, if any, to the terms of this Agreement. In the event that a subconsultant or subcontractor is unwilling or unable to comply with any term or provision of this Agreement, Consultant will inform District of the specific term or provision at issue. District may accept the lack of compliance to the terms of this Agreement on the part of the subconsultant or subcontractor, or may request that a different subconsultant or subcontractor be retained. This Agreement may be terminated by District if subcontracted or assigned, either in whole or in part, by the Consultant without the express written consent of District's representative.

13. **Independent Contractor.** In the performance of the Services, Consultant shall be, for all purposes, an independent contractor and not an employee or agent of District. Consultant and its employees and subconsultants shall in no way represent themselves to third parties as agents or employees of District.

14. **No Unemployment Insurance or Workers' Compensation Benefits.** Consultant agrees that it is not entitled to unemployment insurance or workers'

compensation benefits as a result of performance of the Services for District. Consultant is required to provide workers' compensation and unemployment insurance benefits for its employees and/or subconsultants as required by law.

15. **Payment of Taxes.** Consultant is solely liable for any federal, state and local income and withholding taxes, unemployment taxes, FICA taxes and workers' compensation payments and premiums applicable to the performance of the Services under this Agreement. Consultant shall indemnify District for any liability resulting from nonpayment of such taxes and sums.

16. **Insurance.** Neither the Consultant nor any subconsultant, agent, or employee thereof shall continue work on any Services until the following minimum insurance coverages have been obtained:

16.1. **Workers' Compensation Insurance.** The Consultant and each subconsultant and each subcontractor, if any, shall carry workers' compensation insurance to cover liability under the laws of the State of Colorado in connection with the Services performed pursuant to this Agreement. Consultant and each subconsultant or subcontractor shall carry separate policies.

16.2. **Commercial General Liability Insurance.** The Consultant and each subconsultant and subcontractor, if any, shall carry commercial general liability insurance, which shall include blanket contractual liability coverage. Such insurance shall be in an amount specified in the Colorado Governmental Immunity Act, § 24-10-101, et. seq., C.R.S., as may be amended from time to time, currently \$387,000 per person, \$1,093,000 per occurrence for bodily injury and property damage.

16.3. **Automobile Liability Insurance.** The Consultant and each subconsultant and subcontractor, if any, shall carry automobile liability insurance to include owned, non-owned and hired vehicles used in the performance of Services under this Agreement. Such insurance shall be in the amounts specified in the Colorado Governmental Immunity Act § 24-10-101, et. seq., C.R.S., as it may be amended from time to time, currently \$387,000 per person, \$1,093,000 per occurrence for bodily injury and property damage.

17. **Compliance with Laws.** In performing this Agreement, Consultant shall comply with all applicable laws, rules and regulations, including but not limited to all federal, state and local laws. By way of explanation and not limitation, Consultant certifies that Consultant shall comply with the provisions of § 8-17.5-101, et seq., C.R.S. Consultant shall not knowingly employ or contract with a worker without authorization to perform Services under this Agreement, or enter into a contract with a subconsultant or subcontractor that knowingly employs or contracts with a worker without authorization. Consultant represents, warrants and agrees that: (i) it has confirmed the employment eligibility of all employees who are newly hired for employment to perform Services

under this Agreement through participation in either the E-Verify Program or the Department Program described in § 8-17.5-101, C.R.S. Consultant shall not use either the E-Verify Program or the Department Program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed. If the Consultant obtains actual knowledge that a subconsultant performing Services under this Agreement knowingly employs or contracts with a worker without authorization, the Consultant shall: (i) notify the subconsultant and District within three (3) days that Consultant has actual knowledge that the subconsultant is employing or contracting with a worker without authorization; (ii) terminate the subcontract with the subconsultant if within three (3) days of receiving such notice, the subconsultant does not stop employing or contracting with the worker without authorization, unless the subconsultant provides information to establish that the subconsultant has not knowingly employed or contracted with a worker without authorization. Consultant shall comply with all reasonable requests made in the course of an investigation by the Colorado Department of Labor and Employment. If Consultant fails to comply with any requirement of § 8-17.5-102(2), C.R.S., the District may terminate this Agreement for breach, and Consultant shall be liable for actual damages to District. If the Consultant participates in the Department Program, Consultant shall provide the affirmation required under § 8-17.5-102(5)(e)(III), C.R.S. to the District.

18. **Communications.** It is understood by District and Consultant that successful progress under this Agreement requires frequent, concise and documented communication between the Party's representatives. District hereby designates the Manager or the Manager's designee(s) as the person(s) who shall give information to and receive information from Consultant. District may change its designated representative or name additional representatives from time to time. Consultant hereby designates Rodger Sherman, as its representatives who will give information to and receive information from District. Consultant may change its designated representative only with the prior written approval of District. Each designated representative shall have full authority to not only accept and receive information but also to accept notices, give approvals and to fully represent its respective Party for all purposes under this Agreement; except that for the Consultant all contract documents must be executed by the President or Treasurer of the Consultant.

19. **Indemnification.** The Consultant agrees, to the fullest extent permitted by law, to indemnify and hold harmless the District, its officers, directors, and employees (collectively, the "District") from and against any and all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the Consultant's negligent performance of Services under this Agreement and that of its subconsultants or anyone for whom the Consultant is legally liable.

20. **Acceptance Not a Waiver.** The District's approval of studies, drawings, designs, plans, specifications, reports, computer programs and other work or material

shall not in any way relieve Consultant of responsibility for the technical accuracy of the Services. The District's approval or acceptance of, or payment for, any Services shall not be construed to operate as a waiver of any rights under this Agreement, or of any cause of action arising out of the performance of this Agreement.

21. **Termination or Suspension.** The District reserves the full right to terminate or suspend, for any reason or no reason, all or a portion of the Services under this Agreement by giving fourteen (14) days written notice to the Consultant. If any portion of the Services shall be terminated or suspended, the District shall pay the Consultant equitably for all Services properly performed pursuant to this Agreement. If the work is suspended and the Consultant is not given an order to resume work within sixty (60) days from the effective date of the suspension, this Agreement will be considered terminated. Upon termination, the Consultant shall immediately deliver to the Board any documents then in existence, that have been prepared by the Consultant pursuant to this Agreement.

22. **Default.** Each and every term and condition of this Agreement shall be deemed to be a material element of this Agreement. In the event either Party shall fail or refuse to perform according to the material terms of this Agreement, such Party may be declared in default by the other Party by a written notice.

23. **Remedies.** In the event a Party has been declared in default, such defaulting Party shall be allowed a period of fifteen (15) days within which to correct or commence correcting the default. In the event that the default has not been corrected or begun to be corrected, or the defaulting Party has ceased to pursue the correction with due diligence, the Party declaring default may elect to (i) terminate this Agreement and seek damages; (ii) treat the Agreement as continuing and require specific performance; or (ii) avail itself of any other remedy at law or in equity.

24. **Term.** Unless sooner terminated in accordance with the provisions of paragraphs 21 and 23 above, this Agreement shall remain in effect until the Services are fully performed, at which time the Agreement shall terminate and be of no further force and effect, except as to those provisions which survive termination, including but not limited to paragraphs 8, 9, 10, and 19.

25. **Force Majeure.** The Parties shall not be responsible for any failure or delay in the performance of any obligations under this Agreement caused by acts of God, flood, fire, war or public enemy or the failure of District to furnish timely information or to approve or disapprove Consultant's instruments of service within a reasonable period of time.

26. **Assignment.** Subject to the provisions of paragraph 12, this Agreement shall bind and inure to the benefit of the Parties and their respective successors and assigns.

27. **No Third-Party Beneficiaries.** This Agreement is intended to benefit only the Parties and neither subconsultants, subcontractors nor suppliers of Consultant nor any other person or entity is intended by the Parties to be a third-party beneficiary of this Agreement.

28. **Governing Law.** This Agreement shall be governed by and construed under the laws of the State of Colorado.

29. **Notice.** All notices required or given under this Agreement shall be in writing and shall be deemed effective: (i) when delivered personally to the other Party; or (ii) seven (7) days after depositing in the United States Mail, First Class Postage Prepaid, addressed as follows: or (iii) when sent by facsimile transmission and receipt is confirmed by returned facsimile transmission.

If to Contractor:	Rodger Sherman CRL Associates, Inc. 1137 Bannock Street Denver, Colorado 80204
If to District:	Steve Beck Special District Management Services, Inc. 141 Union Blvd., Suite 150 Lakewood, Colorado 80228
With a Copy To:	Timothy J. Flynn Collins Cole Flynn Winn & Ulmer, PLLC 165 Union Blvd., Suite 785 Denver, Colorado 80228

Or such other persons or addresses that the Parties may hereafter designate in writing.

30. **Governmental Immunity.** The Parties understand and agree that the District is relying upon, and has not waived, the monetary limitations of \$387,000 per person, \$1,093,000 per occurrence, and all other rights, immunities and protections provided by the Colorado Governmental Immunity Act § 24-10-101 et. seq., C.R.S., as it may be amended from time to time.

31. **No Multiple Fiscal Year Obligations.** No provision of this Agreement shall be construed or interpreted as creating an indebtedness or a multiple fiscal year direct or indirect debt, or other multiple year financial obligation whatsoever of District within the meaning of any constitutional or statutory debt limitation provision, including, without limitation, Article XI, §§ 1, 2 and 6, and Article X, § 20 of the Colorado Constitution. This Agreement shall not directly or indirectly obligate the District to make any payments beyond the funds legally available to it for the then current fiscal year. No

provision of this Agreement shall be construed to pledge or create a lien on any class or source of monies of the District, nor shall any provision of this Agreement restrict or limit the discretion of the District in the budgeting and appropriating its funds. The District shall notify Consultant if funds are exhausted for any fiscal year, and Consultant may, at its discretion, decide whether to continue providing Services to the District during that fiscal year.

32. **Entire Agreement.** This Agreement constitutes the entire agreement between the District and Consultant and replaces all prior written or oral agreements and understandings. It may be altered, amended, or repealed only by a duly executed written instrument.

33. **Effective Date.** This Agreement shall become effective on the date it is signed by the appropriate representatives of the District.

IN WITNESS WHEREOF, the Parties have executed this Agreement in duplicate original to be effective as of July 1, 2022. This Agreement must have the signature of an authorized representative of Contractor and the District on both original copies.

**NORTHWEST LAKEWOOD
SANITATION DISTRICT**, a quasi-
municipal corporation of the State of Colorado

By: _____
Gregory Fabisiak, President

Attest:

James Zimmerman, Secretary

CRL ASSOCIATES, INC. a Colorado
corporation

By:  _____
Name/Title: Roger Sherman, Partner

Attest:

 _____

Exhibit A

SCOPE OF WORK

We propose the following scope of work to develop and message platform, related collateral and communication calendar in support of a customer education effort prior to a proposed ballot measure in November 2022. All deliverables will be designed to “live beyond” the election and to provide the foundation for ongoing and consistent communication by the District to its customers.

1. Project Kickoff – CRL will convene a project kick-off meeting with the CRL's project manager, the district's management team, interested members of the board of directors, and other identified by the District. During this meeting we will complete a “deep dive” into the District's operation and financial needs, review how revenues derived from de-brucing would be used, and adjust a draft work plan, timeline and budget that incorporates tools and tactics necessary to succeed.
2. Community Grasstops Outreach – CRL will Identify and recruit community leaders through grasstops outreach. Current and former elected officials, business owners, civic leaders, longstanding residents, and others will be identified to help communicate the importance of the proposed ballot measure. These individuals will be the pillars of much of our communications and outreach efforts used for throughout the campaign.
3. Individual/Small Group Meetings - Grasstops work in Lakewood and Wheat Ridge will also focus on setting individual meetings with influential citizens. organizations and elected officials to educate them on the ballot measure.
4. Messaging - By combining information from our project kickoff and stakeholder research, CRL and will craft an effective message platform that resonates with the public. By developing three to five consistent talking points our goal is to ensure everyone is united in messaging. Messaging will divided into two primary categories: (1) over-arching general messaging about the District and its services and (2) specific to the underlying needs for a debrucing ballot measure and who the ability to retain funds will benefit the district's customers.
5. Collateral - CRL will create collateral including a fact sheet, newsletter template, PowerPoint presentation and answers to frequently asked questions. Collateral will be designed to allow for use by the District in its ongoing communication and education efforts following the proposed November ballot measure election.
6. Direct Mail - CRL recommends three “flights” of mail to “active” households. CRL will manage all aspects of the mail plan include design (copywriting, graphic design, etc.), printing, mail house production, project coordination and postage. Each mailing will consist of a four-color, 6x9 postcard educating voters about the District's needs and how the ballot measure will address them. A fact sheet will be delivered electronically with the District's next billing cycle and mailed to the remaining non-electronically billed customers.
7. Social Media – CRL will coordinate “geo-fenced” social media educational posts on Facebook and Twitter, as well as Google search ads.

8. Logo Design – CRL will work with a graphic artist to develop a new logo for the District. Options will be presented to the Board for review and comment, and revisions made in an iterative process until the design is finalized.
9. Webpage – The District’s current website is mainly a static source for information. CRL will create a more dynamic webpage specifically tailored to the ballot measure proposal. The visual look and feel of this site would be different than the existing site, using narrative that is less bureaucratic and more “visionary.”

TIMELINE

Date	Deliverable
Week of July 18	Project kickoff
Week of July 25	Board Meeting – Detailed work plan and production schedule
Week of August 1	Draft messaging platform for review
Week of August 8	Website framework Individual/Small Group/Community Meeting calendar Draft logo design options for review
Week of August 15	Finalized messaging platform Logo design approved Website draft for review Draft Fact Sheet/Newsletter content for review Individual/Small Group/Community Outreach (ongoing)
Week of August 22	Fact Sheet/Newsletter finalized, to printer/email billing Board Meeting - New website launch
Week of August 29	
Week of Sept 5	Informational postcard drafts for review
Week of Sept 12	
Week of Sept 18	Informational postcard #1 mailed
Week of Sept 26	Informational postcard #2 mailed Board Meeting – project update
Week of Oct 3	Informational postcard #3 mailed
Week of Oct 10	
Week of Oct 17	
Week of Oct 24	Board Meeting – project update

PROJECT COSTS

The following is an estimate of the overall project costs based on the above scope. The final cost would be determined by the actual work plan finalized during our project kickoff meeting.

The following is an estimate of the overall project costs based on the above scope. The final cost would be determined by the actual work plan finalized during our project kickoff meeting.

Consulting Fee (CRL)	\$25,000
Collateral	
Fact Sheet and Communication Templates	\$4,500
Direct Mail (3 flights)	\$19,800
Website and Logo	\$4,500
Social Media, Google Ads, etc.	\$4,250
Miscellaneous out of pocket (no markup)	\$1,950
TOTAL	\$60,000

RESOLUTION NO. 2022-7-1

NORTHWEST LAKEWOOD SANITATION DISTRICT

JEFFERSON COUNTY, COLORADO

A RESOLUTION CALLING FOR A NOVEMBER 8, 2022 NORTHWEST LAKEWOOD SANITATION DISTRICT SPECIAL ELECTION TO AUTHORIZE THE DISTRICT TO COLLECT, RETAIN AND SPEND ALL DISTRICT REVENUES FROM WHATSOEVER SOURCE WITHOUT THE REGARD TO THE RESTRICTIONS SET FORTH IN ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, SETTING THE BALLOT TITLE, APPOINTING A DESIGNATED ELECTION OFFICIAL, AND PROVIDING FOR OTHER MATTERS RELATING THERETO

WHEREAS, the Northwest Lakewood Sanitation District of Jefferson County, Colorado, (“District”) is a quasi-municipal corporation and political subdivision of the State of Colorado (“State”) acting pursuant to the provisions of Article 1 of Title 32 of the Colorado Revised Statutes (“C.R.S.”) and established for the purpose of providing sanitary sewer services within and without the District; and

WHEREAS, the Board of Directors of the District has determined and hereby determines and declares that the interest of the District and the public interest and necessity require that the District collect, retain and spend all revenues generated from its existing general operating mill levy and any other sources, as an exemption from the provisions and restrictions set forth in Article X, Section 20 of the Colorado Constitution (“TABOR”) and Section 29-1-301, C.R.S., to carry out the objects and purposes of the District; and

WHEREAS, due to revenue limitations imposed on the District by TABOR the District in recent years has temporarily reduced its general operating mill levy of 7.696 mills by as much as 2.058 mills, which in 2022 resulted in a loss of approximately \$559,000 in property tax revenue; and

WHEREAS, to avoid future temporary mill levy reduction and to enable the District to keep all revenue generated by its 7.696 general operating mill levy, it is necessary to submit to the eligible electors of the District the question of receiving and spending all revenues received by the District from its existing general operating mill levy and any other source, and the Board hereby determines that such question should be presented to the District’s eligible electors at the election to be conducted on November 8, 2022 (“Election”), in accordance with the provisions of the Special District Act

(“Act”), the Uniform Election Code of 1992 (“Code”), and TABOR (the Act, Code and TABOR being referred to jointly as the “Election Laws”); and

WHEREAS, the Election will be conducted as a coordinated election, and the Jefferson County Clerk and Recorder (“County Clerk”) is the Coordinated Election Official for the Election and shall be responsible for mailing the notice required pursuant to Article X, Section 20 of the Colorado Constitution (“TABOR Notice”); and

WHEREAS, the District is required to enter into an Intergovernmental Agreement with the County Clerk regarding the conduct of the Election and mailing of the TABOR Notice on or before August 30, 2022; and

WHEREAS, the District intends to cooperate with the County Clerk to provide all necessary ballot title and notices and various agreements with the County Clerk for the conduct of the Election and mailing of the TABOR Notice.

NOW, THEREFORE, be it resolved by the Board of Directors of the Northwest Lakewood Sanitation District in the County of Jefferson, State of Colorado that:

Section 1. A special election of the eligible electors of the District shall be held on Tuesday, November 8, 2022, at which Election there shall be submitted to the eligible electors of the District the question in substantially the form as shown on **Exhibit A**, attached hereto and incorporated herein by this reference.

Section 2. The Board hereby designates James Steven Beck as the Designated Election Official for the conduct of the Election on behalf of the District, who is hereby authorized and directed to proceed with any action necessary or appropriate to effectuate the provisions of this Resolution and of Election Laws or other applicable laws. The Election shall be conducted in accordance with the Election Laws, and other applicable laws. Among other matters, the Designated Election Official shall arrange for the required notices of election, including the TABOR Notice, and direct that all other appropriate actions be accomplished.

Section 3. The Board hereby approves and authorizes the Designated Election Official or Board officers to execute and enter into the Intergovernmental Agreement with the County Clerk on behalf of the District, regarding the conduct of the Election and the mailing of the TABOR Notice. The Election and mailing of the District’s TABOR Notice shall be in accordance with the provisions of such Intergovernmental Agreement.

Section 4. The Election shall be conducted in coordination with the County Clerk in accordance with all relevant provisions of the Code. The County Clerk is the Coordinated Election Official for the Election and shall be responsible for mailing the TABOR Notice.

Section 5. Pursuant to Section 1-11-203.5, C.R.S., any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five (5) days after the title of the ballot issue or ballot question is set.

Section 6. If any part or provision of this Resolution is adjudged to be unenforceable or invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this Resolution, it being the Board's intention that the various provisions hereof are severable.

Section 7. Any and all actions previously taken by the Designated Election Official or the officers of the Board of Directors or any other persons acting on their behalf pursuant to the Election Laws or other applicable laws, are hereby ratified and confirmed.

Section 8. All acts, orders, and resolutions, or parts thereof, of the Board which are inconsistent or in conflict with this Resolution are hereby repealed to the extent only of such inconsistency or conflict.

Section 9. The provisions of this Resolution shall take effect immediately.

ADOPTED this ____ day of _____, 2022.

**NORTHWEST LAKEWOOD
SANITATION DISTRICT**

By: _____
Greg Fabisiak, President

Attest:

James D. Zimmerman, Secretary

EXHIBIT A TO ELECTION RESOLUTION

NORTHWEST LAKEWOOD SANITATION DISTRICT BALLOT ISSUE:

WITHOUT INCREASING THE NORTHWEST LAKEWOOD SANITATION DISTRICT'S PROPERTY TAX MILL LEVY WITHOUT FUTURE VOTER APPROVAL, SHALL THE DISTRICT BE AUTHORIZED TO COLLECT, RETAIN, SPEND ANY AND ALL AMOUNTS ANNUALLY COLLECTED FROM THE DISTRICT'S MILL LEVY AND ANY OTHER REVENUE SOURCES WHATSOEVER IN FISCAL YEAR 2023 AND IN EACH FISCAL YEAR THEREAFTER AS A VOTER-APPROVED REVENUE CHANGE, WITHOUT REGARD TO ANY SPENDING, REVENUE RAISING, OR OTHER LIMITATION CONTAINED WITHIN ARTICLE X SECTION 20 OF THE COLORADO CONSTITUTION, SECTION 29-1-301, COLORADO REVISED STATUTES, OR ANY OTHER LAW?



Northwest Lakewood Sanitation District

Monthly Report

June 1-30, 2022

Wed	6/1	Performed 2 bore meet locates.
Thurs	6/2	Performed 2 locates.
Fri	6/3	Performed 1 tap replacement inspection at 2303 Youngfield St. Performed 5 locates.
Mon	6/6	Performed 2 locates.
Tues	6/7	Performed 1 tap replacement inspection at 2150 Urban Dr. Performed 5 locates.
Wed	6/8	Responded on site during normal business hours to 1 emergency locate at 24 Rangeview Dr. for a CATV service replace. Performed 9 locates. Responded to Martin & Martin concern about a brick in District main at Alkire St. & W. 32 nd Ave.
Thurs	6/9	Performed 9 locates. Performed 2 bore meet locates.
Fri	6/10	Responded on site during normal business hours to 1 emergency locate at 13375 W. 16 th Dr. for an H2O valve repair. Performed 3 locates.
Mon	6/13	Performed 1 tap replacement inspection at 11725 W. 28 th Pl. Performed 3 locates.
Wed	6/15	Performed 1 tap replacement inspection at 12081 W. 32 nd Dr. Performed 1 bore meet locate.
Thurs	6/16	Performed 6 locates.
Fri	6/17	Performed 4 locates.
Sat	6/18	Responded via phone outside of normal business hours to 1 emergency locate at 12903 W. 20 th Ave. for an electric service repair.
Mon	6/20	Performed 1 tap replacement inspection at 13860 W. 26 th Ave. Performed 2 locates.
Tues	6/21	Performed 1 locate.
Wed	6/22	Performed 2 locates.
Thurs	6/23	Performed 9 locates.

Sat 6/25 Responded via phone outside of normal business hours to 1 emergency locate at 13101 W. 29th Ave. for an H2O main repair.
Responded via phone outside of normal business hours to 1 emergency locate at 2430 Lewis St. for a sewer service repair.

Sun 6/26 Responded via phone outside of normal business hours to 1 emergency locate at 2580 Miller St. for a sewer service repair.

Mon 6/27 Responded on site during normal business hours to 1 emergency locate at 9990 W. 26th Ave. for an H2O service repair.
Performed 3 locates.

Tues 6/28 Performed 1 tap replacement inspection at 11951 W. 27th Pl.

Thurs 6/30 Performed 1 tap replacement inspection at 2460 Lewis St.
Performed 2 locates.

Task #3 - Maintenance Services				
	Projected 2022 Footage	YTD Actual 2022 Footage	Current Monthly 2022 Footage	YTD Percentage 2022
	Zone A			
Jetting				
14" or Less		73,456.0	28,028.0	
15 or More"		1,817.0		
Easement		712.0		
Total Jetting	112,098.0	75,985.0	28,028.0	68%
Televising				
14" or Less				
15 or More"				
Total Televising	0.0	0.0	0.0	0%
Accelerated Maintenance				
Non-Routine Jetting		2,240.0	380.0	
Non-Routine Televising		1,174.0	385.0	
Hot Spot Jetting				0%
Hot Spot Televising				0%
Accelerated Jetting		2,137.0		0%
Annual Root Televising				0%
Annual Root Cut				0%
Annual Mineral Cleaning				0%
Annual Mineral Televising				0%
Total Accelerated Maintenance	0.0	5,551.0	765.0	0%
Total Length of Cleaning	112,098.0	78,122.0	28,028.0	70%
Total Length of Televising	0.0	1,174.0	385.0	0%
Total Task #3	112,098.0	84,847.0	29,178.0	76%

Northwest Lakewood Sanitation District

Summary for June 1-30, 2022

June 8, 2022

Alkire St. & W. 32nd Ave.

Brick In District Main

On Wednesday, June 8, 2022, at 7:30am, Ismael Gomez of REC. Inc. received an email from Sean Pearson of Martin & Martin regarding a brick he observed in the District main while reviewing the 2021 Program video files. The brick was observed between MH Z-1 and MH BF-21, approximately 164ft. downstream from MH Z-1. Ismael dispatched Mark Doody, Jeff LeBeck, David Moore, Robert LaBarge, Dusty Anderson, and Andrew George, all of REC. Inc. to the site. Jeff and David worked traffic control while crews were on site. Mark and Dusty jet cleaned the main, for a total of 380ft., to provide a more complete video inspection. Robert and Andrew then videoed the main for a total of 385ft. There were no bricks observed as the brick in question had been removed last year when it was encountered while the 2021 program was being performed, but a follow-up video inspection was not performed. The new video showed no bricks or obstructions. The crew packed up their equipment, departed the site, and turned the video file over to Ismael. No further action is needed at this time.

Total time on this issue: Mark Doody – 2.00hrs.

Dusty Anderson – 2.00hrs.

Jeff LeBeck – 2.00hrs.

David Moore -- 2.00hrs.

Robert LaBarge – 1.50hrs.

Andrew George – 1.50hrs.

June 18, 2022

12903 W. 20th Ave.

Emergency Locate

On Saturday, June 18, 2022, at 2:50pm, Andrew George of REC. Inc. was contacted by Colo811 regarding an emergency locate at 12903 W. 20th Ave. for an electric service repair. Andrew contacted Ron Lashley (406-788-8925) of Hooper Corporation to obtain more information about the work to be performed and the work area and was informed they would be hand digging and working only in the front yard. Andrew cleared Northwest Lakewood Sanitation District. No further action is needed at this time.

Total time on this issue: Andrew George -- .50hrs.

June 25, 2022
13101 W. 29th Ave.
Emergency Locate

On Saturday, June 25, 2022, at 8:41am, Ismael Gomez of REC. Inc. was contacted by Colo811 regarding an emergency locate at 13101 W. 29th Ave. for an H2O main repair. Ismael contacted Sam Quesada (303-809-2974) of Diamond Contracting and informed him he was out of district for Northwest Lakewood Sanitation District and would need to contact Applewood Sanitation. Ismael cleared Northwest Lakewood Sanitation District. No further action is needed at this time.

Total time on this issue: Ismael Gomez -- .50hrs.

June 25, 2022
2430 Lewis St.
Emergency Locate

On Saturday, June 25, 2022, at 9:11am, Ismael Gomez of REC. Inc. was contacted by Colo811 regarding an emergency locate at 2430 Lewis St. for a sewer service repair. Ismael contacted Rachell Scott (303-287-9009) of Trench Right to obtain more information on the planned work and work area and was informed they would be installing a set of clean-outs in the front yard and would not be near the street or the District main. Ismael informed Ms. Scott they would not need an inspection, and if the scope of work changed call him back. Ismael cleared Northwest Lakewood Sanitation District. No further action is needed at this time.

Total time on this issue: Ismael Gomez -- .50hrs.

June 26, 2022
2580 Miller St.
Emergency Locate

On Sunday, June 26, 2022, at 2:45pm, Ismael Gomez of REC. Inc. was contacted by Colo811 regarding an emergency locate at 2580 Miller St. for a sewer service repair. Ismael contacted Rachel Scott (303-503-8654) of Trench Right to get more information on the planned work and work area and was informed they were doing a point repair in the front yard and would not be near the street or the District main. Ismael cleared Northwest Lakewood Sanitation District. No further action is needed at this time.

Total time on this issue: Ismael Gomez -- .50hrs.

**Northwest Lakewood Sanitation District
Engineering Report
June 27, 2022**

2021 - Approximate Linear Footage

- 112,097 LF Total in Zone A.
- 36,550 LF Hot Spots which include Accelerated Maintenance, Mineral Cleaning, and Root Cut in all zones.

Signed contracts were received from Insituform on September 9, 2021, and the District has execute them. A scheduling a pre-construction meeting and Notice to Proceed are in process. 1) Signed contracts were received from Insituform on September 22, 2021. 2) REC Moffat reads were received on October 4, 2021. 3) A pre-con meeting is tentatively scheduled the week of October 26th with NTP on November 1st. Insituform is aware of the need for three lines to be completed by December 29, 2021, and then they expect to start the rest of the lining in January of 2022. 4) Martin/Martin has followed up with CDOT but still do not have an update on the permits that were applied for on September 8th. Comments from City of Lakewood were finally received Oct. 20 and simply a re-arrangement of City projects separated from Wheat Ridge and Jeffco has been requested. CCTV from REC for the District will be ready by the end of the year. M/M will start reviews in 2022. Work has begun on projects specific to the combined trunk main with CPWSD and NWLSD. Lakewood approvals have been received. 1) M/M's review of the bypass second submittal was sent to Insituform on December 20, 2020. Their submittal appears acceptable. 2) Moffat December reads were received on January 6, 2022. 3) An initial pay request is attached. 4) 1081 Xenophon (John Berry) complained about needing to not run water for a small time frame to allow a CIPP to take place in the main. 1) MH submittal was received on January 26, 2022, by Insituform and comments were sent back to the Contractor on January 28th. 2) Insituform sent three maps of all repairs performed for the 2021 CIP. Pay requests No. 2 and 3 are submitted for payment. Moffat February reads were received on March 3, 2022. Pay request No. 4 is submitted for payment. Pay request No. 5 is has been submitted for payment. The project is over 50% complete. 05/25/2022 - Moffat reads were received May 2, 2022. Work has progressed on the remove and replace aspect of the project. The contractor was asked to provide a focus on completing the project. They will bring on two crews to get completed. A pay request was not submitted on time so this will be submitted next month. A debris complaint was received at 22nd and Iris. Lucky Dog was able to clean the piles. 06/22/2022 – Received missing CCTV files to complete reviews. Pay request No. 6 is attached for review and payment based on work completed the past two months on the 2021 CIP.

UPDATE: 07/27/2022 – Ramey provided current maintenance pricing for CIP which will be implemented into the 2022 report.

The 2021 Improvements are close to complete with some minor final paving to take place. A final pay request will be submitted by next Board Meeting.

2070 Willow Lane (Residential Accessory Dwelling Unit (Kiplund Kolkmeier) 7/18/2022

Update: 07/27/2022 - Kiplund asked what is needed to get approval from NWLWSD to add an accessory dwelling unit to his residence. Information required includes full set of plans with plumbing. The ADU wishes to connect through the current home sewer line. A connection fee and unification agreement would be required if allowed to connect to the existing service line.

3190 Youngfield St. (FirstBank Conversion) Logan Raukar (6/23/2022)

Update: 07/27/2022 - Logan Raukar inquired on connection fees for the conversion of the FirstBank to a Fast-Food Restaurant. M/M gave information on the estimated fees, and requested a concept plan, PE stamped calculation for the grease interceptor, contact info for the property owner, developer, and engineers. M/M also stated a flow study might be required.



3400 Pierson St. – Prospect Valley Elementary

The Districts 10" mainline that runs across the School's property within and easement, needs to be relocated to accommodate plans for a new school. A 12" will be required from the point of intercept north on Quail to the end of the Cul-de Sac. We have addressed all questions to date asked by the School with exception of existing taps which we have the information available. An acceptance letter was sent to JVA on July 8, 2021. A pre-con meeting was held on September 2, 2021. A relocation agreement was also sent to the Developer for this effort. 1) The temporary easement was sent to the District on October 19th and appears acceptable. The District's Attorney has drafted the easement agreement allowing a temporary line realignment. As part of the temp easement, the vacation of the existing easement will take place. Temporary construction began on January 8, 2022. Jeffco was desiring to leave the temp line in place and were told this would not work due to long term maintenance. MM gave comments on sanitary plans on 4/20/22. A revision was received 5/17 and final review provided 5/18. Plans are acceptable and work is anticipated to go forward in the next couple of weeks. 06/22/2022 - Neighbor on the north end of the cul de sac has retaining walls and plantings in the right of way. COWR needs to reach out to neighbor to explain the work and how it may impact them. Also recommended taking preconstruction pictures. Sent out Sanitary Submittals and the reviewed concrete mix submittal for the MH bases. Waiting on Flow Fill Submittal.

UPDATE: 07/27/2022 - Additional submittals were reviewed for flow-fill and MH base. The School District hired a new contractor for the construction of the Sanitary main and a preconstruction meeting was held. Work is commencing this month.

2100 Youngfield – Land Use

M/M received plans for a proposed Long-Term Temporary Use for surface parking development on December 7, 2018. A list of all required items for conditional approval was conveyed to the Developer on May 13, 2021. MM visited the sight and spoke with the Superintendent on June 2, 2021 reminding them about the need to abandon the center MH and cap the abandoned service line at the property line. MM inspected the air testing on July 9, 2021. Construction continues. Work has picked back up and air testing is being re-tested and connections are being completed. The site passed air testing on September 17, 2021. Outstanding items include: PLS stamped as-built drawings, tracer wire testing, M/M to witness the abandonment of existing lines, and CCTV of the sanitary lines after jetting. Taps should not be sold until conditional acceptance of the sanitary extension. Compaction reports and photos of the abandoned manhole and capped sanitary line still need to be received from the Contractor to initiate conditional acceptance. Received documentation of completed tracer wire testing. Still needing as-built survey and documentation of abandonment of old mainline which can take place at the MH in the street. Coordination related to tap fee payment is on-going. Service line observation will be accomplished using CCTV. 05/25/2022 - Meeting on 5/10/22 to discuss tap fees for SFRE's based on water meter sizing. The Developer (Guy Brazell) was informed of the connection fees for the five buildings. Taps were made and extended to the building but had not been observed. The developer will CCTV the service lines and we will review for acceptability. A request to delay connection fee payment on the 3 buildings not currently under construction was made by the developer. Option have been discussed and a recommendation to the Board will be made. 06/22/2022 - Options on how to proceed were discussed by The Board. We are waiting on CCTV footage of each service. Sent out current fees.

UPDATE: 07/27/2022 – CCTV was reviewed and there is heavy debris in some of the taps, these will need to be flushed before receiving Conditional Acceptance. JBC Ent. Inc stated the lines have already been cleaned and flushed. Re-televising the lines will begin once the Exterior Contractor is done working on Building 1 & 2. The District's Attorney has created the lien document to phase connection fees. This has been reviewed by M/M and the Manager.

12599 W 27th Ave – New Dewatering Building – Consolidated Mutual Water

M/M received plans for a new proposed dewatering building on November 15, 2018. Tap application for ¾" service to new solids building. Flow data and lab results were received from REC on July 29, 2021. M/M is in process of evaluating the data to translate the information into a single family equivalent SFE in order for billing to



take place. Options are complete and being final coordinate with Consolidated. 06/22/2022 – Meeting to discuss options for going forward relating to past fees and giving a final recommendation to the NWLSD Board took place with Consolidated. MM sent a final letter of recommendation so an invoice can be generated.

UPDATE: 07/27/2022 – Owner asked if we could defer additional payments until early 2023 based on their budget restrictions. This is reasonable, but is a board decision to make.

1570 Youngfield St. (George Tsoupakis) 7/8/2022

Update: 07/27/2022 – The owner of the property informed us there is a root problem in the line at the connection point with the main. After discussions with the Team, Steve informed the owner that the root ball is inside their service and needs to be removed from inside the house out toward the main. Elite Pipe MD was noted as having this capability for removal of the root ball. The Owner was told that REC needs to be on site when the roots are removed to catch the debris.

10490 W. 23rd Ave

Update: 7/27/2022 - M/M sent out referral letter for ADU for second kitchen in the basement of the residence. A connection fee would be required

23 Skyline Dr

Update: 7/27/2022 - M/M sent out a referral letter for 23 Skyline Drive regarding a lot consolidation. No modifications to the existing residential structure or new proposed buildings at this time.

9755 W. 25th Ave

Update: 7/27/2022 - Received signed forms for the sewer availability at 9755 W. 25th Ave. The owner stated Lakewood changed the address, and the plans have not changed since October. A proof of submission was provided.

12700 W. Colfax Ave – Senior Living

Update: 7/27/2022 - A Sanitary will-serve letter from NWLSD has been requested for 12700 W Colfax Ave. 155 units are proposed.

3123 and 3143 O’Hayre Court, Lakewood CO – Combined Lot Project - Tim and Donna O’Hayre (05/25/2022)

06/22/2022 – Combing 2 Lots into one. Requested a Will Serve Letter. M/M sent out referral letter. A Submittal of the residence fixtures and Barn/Loft details were requested.

Update: 07/27/2022 - None

12601 W. 32nd Ave. (Valvoline Instant Oil Change) 4-4-22

Proposed Valvoline Oil Change development. Availability letter sent out. Received the next submittal along with the Comment Response Letter. 06/12/2022 – A resubmittal was sent, however, a few items appeared to be missing. This has been coordinated and a final submittal is pending.

UPDATE: 07/27/2022 - None

1991 Youngfield St. (Applewood Beer Garden) Juan Sanchez 4-14-22

Proposed bar and restaurant. MM in review for initial referral and plans. 06/22/2022 – Sent referral along with a signed 1001 Form. Sent location of manholes for easier locating. They will need to open manholes to get the elevation and inverts of the manholes.

UPDATE: 07/27/2022 - None

20th Ave Oak to Nelson – City of Lakewood Storm and Road Improvements: (Ray) 3/3/22

M/M provide FIR comments and attended the FIR meeting to provide comments. There is a line that is anticipated to need lowering the crosses 20th near Nelson St. 05/25/2022 - Double R Excavating received contract from City of



Lakewood for improvements. Would like to start improvements 5/31/22. A pre-construction meeting was held and attended by M/M.

UPDATE: 07/27/2022 - None

11324 West 38th Ave – Osborne (Westridge) Connection to NWLSD

11324 W. 38th will need to work with Westridge to obtain service instead of Northwest Lakewood. 05/25/2022 - A deposit and tap fee has been made to the District office. Agreements are in process to incorporate conditions needed for completion of the service connection. 06/22/2022 – Waiting on documentation, and information from the original surveyor in 2018. Additionally, the design for connection is still needed.

UPDATE: 07/27/2022 - None

2479 Alkire St. new Construction 4/29/22

An inquiry was made and the owner was told by the District manager to submit appropriate plans for review.

Update: 06/22/2022 - None

2650 Simms Street – Single Family with desire to add an ADU on the property – John Bauer

M/M provided Mr. Bauer with the process to accommodate an ADU. GIS mapping was provided to show potential mains they can connect to. A variance request was accepted by the Board on October 27th and the District's Attorney will prepare a common service line agreement for this property. A draft of the common service line agreement was sent to the District and M/M for review. Comments were sent back to the District's Attorney on February 2, 2022. The agreement has been sent to the Owner. 05/25/2022 - On-going coordination with the Owner to execute an agreement for the ADU is taking place.

UPDATE:07/27/2022 - None

1325 Normandy – Jim Skeen (303-809-0027) ADU addition to Single Family

Coordination took place as to needed plan review and ADU requiring an additional tap connection fee. The proof of submission was received on October 22 and returned to the Owner with an availability letter on October 25th.

UPDATE: 07/27/2022 - None

2419 Ward – Dave Coggeshall (303) 917-5230 (Cell) Or (303) 777-0894 (Office)

Coordination took place as to plan review and ADU requiring an additional tap connection fee was coordinated by District manager. 05/25/2022 - An inquiry related to an RV dump at the site was made. Coordination on if the Dump station is allowable and if a tap fee is required.

UPDATE: 07/27/2022 - None

Miscellaneous

- **07/27/2022 –Jessie Waldon is purchasing 5 Parcels that make the Loevile property. There is apparently a ditch where a road is going to be placed and that's where our sanitary line is located. Steve responded saying that NWLWSD we don't own the "ditch" but our line is buried 8' to 10' deep. We will need to review the plans to be sure proper cover over the main is maintained.**
- **07/27/2022 - M/M is working on getting Proposals for surveying 650 Manholes for NWLWSD Flow Study**
- **07/27/2022 – M/M is providing some information to Roger Sherman for the District. A summary will be provided to the Board.**
- **07/27/2022 – Ed Rogers with Aegis Surveying asked for a map with locations of lines for a portion of the district and elevations of MH's servicing 2459 Ward Dr. Elevations are unknown and require them to survey**

METRO WATER RECOVERY

Board of Directors Meeting

Tuesday, June 21, 2022

The regular monthly meeting of the Board of Directors of Metro Water Recovery will be held Tuesday, June 21, 2022 at 5:30 p.m. in the Administration Building Boardroom.

The **Agenda** will be as follows:

1. OATH OF OFFICE

The following Directors have been appointed by their Member Municipalities to complete two-year terms of office which expire June 30, 2024.

Appointed Director

Curt Aldstadt
John Chavez
Martin Majors
Sarah Niyork

Member Municipality

City of Westminster
Berkeley Water and Sanitation District
Fruitdale Sanitation District
South Adams County Water and Sanitation District

2. ROLL CALL

3. PUBLIC COMMENT

4. APPROVAL OF MINUTES

Minutes of the Board of Directors Meeting on May 17, 2022 (*Tab No. 1*)

5. PROGRESS AND PROJECTION REPORTS

5.a Report by Chief Executive Officer (*Tab No. 2*)

5.b Report by General Counsel (*Tab No. 3*)

6. REPORTS OF OFFICERS AND COMMITTEES

6.a Nominating Committee Report

7. NEW BUSINESS

7.a **Hearing for the Final Adjusted 2021 Annual Charges for Service**
[Recommended E]

Consent Agenda

7.b **Consideration of the 2023 Budget** [Recommended O/F/E] (*Tab No. 4*)

7.c **Consideration of Appropriation of Funds in Accordance with the 2023 Budget**
[Recommended O/F/E] (*Tab No. 5*)

- 7.d **Consideration of Final Adjustment to the 2021 Annual Charges for Service** [Recommended O/F/E] *(Tab No. 6)*
- 7.e **Consideration of Rescinding Unexpended Appropriations** [Recommended O/F/E] *(Tab No. 7)*
- 7.f **Consideration of the Amended 2022 Budget** [Recommended O/F/E] *(Tab No. 8)*
- 7.g **Consideration of Appropriation of Funds in Accordance with the 2022 Budget** [Recommended O/F/E] *(Tab No. 9)*
- 7.h **Consideration of the 2022 Information Technology Infrastructure Grouped Project** [Recommended O/F/E] *(Tab No. 10)*
- 7.i **Consideration of the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (PAR 1232) – Easement Conveyance to Connectors and/or Landowners** [Recommended O/F/E] *(Tab No. 11)*
- 7.j **Consideration of Legal Services 2023-2028** [Recommended O/F/E] *(Tab No. 12)*
- 7.k **Consideration of the Northern Treatment Plant Janitorial Contract** [Recommended O/F/E] *(Tab No. 13)*

Roll Call Agenda

- 7.l **Consideration of the Northern Treatment Plant Effluent Temperature Project (PAR 1416) – Consultant Agreement and Appropriation** [Recommended O/F/E] *(Tab No. 14)*

8. INDIVIDUAL DIRECTOR COMMENTS

9. OTHER INFORMATION

10. ADJOURNMENT

Scott Twombly
Chair

Committee Meeting Minutes in Chronological Order *(Tab No. 15)*.

METRO WATER RECOVERY

Board of Directors Meeting

June 21, 2022

Action Items—Committee Recommendations

1. **Consideration of a Hearing for the Final Adjusted 2021 Annual Charges for Service**
Executive : Unanimously recommended approval.
2. **Consideration of the 2023 Budget**
Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.
3. **Consideration of Appropriation of Funds in Accordance with the 2023 Budget**
Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.
4. **Consideration of Final Adjustment to the 2021 Annual Charges for Service**
Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.
5. **Consideration of Rescinding Unexpended Appropriations**
Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.
6. **Consideration of the Amended 2022 Budget**
Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.
7. **Consideration of Appropriation of Funds in Accordance with the 2022 Budget**
Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.

8. Consideration of the 2022 Information Technology Infrastructure Grouped Project

Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.

9. Consideration of the Northern Treatment Plant Effluent Temperature Project (PAR 1416) – Consultant Agreement and Appropriation

Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.

10. Consideration of the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (PAR 1232) – Easement Conveyance to Connectors and/or Landowners

Operations : Majority recommended approval, with Director Williams abstaining.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.

11. Consideration of Legal Services 2023-2028

Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.

12. Consideration of the Northern Treatment Plant Janitorial Contract

Operations : Unanimously recommended approval.
Finance : Unanimously recommended approval.
Executive : Unanimously recommended approval.

METRO WATER RECOVERY

Minutes of the Regular Meeting of the Board of Directors

May 17, 2022

The Board of Directors of the Metro Water Recovery, in the Counties of Adams, Arapahoe, Douglas, Jefferson, and Weld, and the City and County of Denver, State of Colorado, met in regular session at 6450 York Street, Denver, Colorado, Tuesday, May 17, 2022 at 5:30 p.m. in the Boardroom.

Chairman Twombly called the meeting to order.

1. OATH OF OFFICE

The following Directors have been reappointed by their Member Municipality for a two-year term of office expiring June 30, 2024.

Reappointed Director

Joan Iler
Kathy Laurienti
Del Smith
Scott Twombly
Ronald Younger

Member Municipality

Westridge Sanitation District
Crestview Water and Sanitation District
Bancroft-Clover Water and Sanitation District
City of Thornton
City and County of Denver

2. ROLL CALL

Secretary Niyork called the roll.

Officers Present:

Scott Twombly, Thornton
Andrew Johnston, Denver
Sarah Niyork, South Adams
Jo Ann Giddings, Aurora

Chairman
Chairman Pro Tem
Secretary
Treasurer

Directors Present:

Curt Aldstadt, Westminster
Peter Baertlein, Denver
Greg Baker, Aurora
Nadine Caldwell, Aurora
John Chavez, Berkeley
David Councilman, Pleasant View
Deborah Crisp, East Lakewood
John Dingess, Aurora*
Robert Duncanson, Denver
Marv Falconburg, Brighton*
Joan Iler, Westridge
Janet Kieler, Denver
Craig Kocian, Arvada
Laura Kroeger, Lakewood
Kathy Laurienti, Crestview

Doug Lazure, Denver
Bob LeGare, Aurora
Charles Long, Thornton
Jamie Miller, North Table Mountain
Bill Ray, Arvada
Bob Roth, Aurora*
Greg Sekera, Lakewood
Del Smith, Bancroft-Clover*
Peter Spanberger, Denver
Mary Beth Susman, Denver
Amerigo Svaldi, North Washington Street
Dennis Towndrow, North Pecos
Jennifer Williams, Denver
Ronald Younger, Denver

Directors Absent:

Phil Burgi, Wheat Ridge
Clark Davenport, Northwest Lakewood
Martin Majors, Fruitdale

Steve Pott, Applewood
Michael Sapp, Denver

Others Present:

Mickey Conway
Emily Jackson
Liam Cavanaugh
Ruth Kedzior
Molly Kostelecky
Yvonne Kohlmeier
Lydia Nkem

Chief Executive Officer (CEO)
General Counsel
Deputy CEO/Chief Operating Officer (COO)
Assistant to the CEO
Chief Financial Officer
Senior Administrative Assistant
Executive Assistant

*Attended virtually

3. PUBLIC COMMENT

There was no comment.

4. APPROVAL OF MINUTES

4.a Minutes of the Board of Directors Meeting on April 19, 2022

Chairman Twombly asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held April 19, 2022.

Director Councilman moved and Director Iler seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held April 19, 2022.

The motion carried unanimously.

5. PROGRESS AND PROJECTION REPORTS

5.a Report by CEO

CEO Conway reviewed his written report, highlighting the invitation from Director Kroeger to speak at the Mile High Flood District’s Annual Symposium earlier this month, the Connector survey on per- and polyfluoroalkyl substances (PFAS), and lack of moisture at the METROGRO Farm. He also stated the new Metro Water Recovery Cycle website previewed at the Spring Workshop has been rolled out and is a great tool in continuing to interact with stakeholders.

Director Kroeger thanked Mr. Conway for his presentation and Metro Water Recovery’s commitment.

5.b Report by General Counsel

General Counsel Jackson provided an update on the end of the legislative session, stating the PFAS bill passed through both houses, the positive impact of new Government Affairs Liaison Erin Bertoli, how new relationships and contacts were made while virtually attending 2022 Water Week, and the U.S. Environmental

Protection Agency (EPA) approval of Metro Water Recovery's Rules and Regulations with the local limit requirements which started in 2018.

6. REPORTS OF OFFICERS AND COMMITTEES

6.a Appointment of Nominating Committee

Chairman Twombly noted the Strategic Planning Committee has two meetings this week to select a consultant to work on the Strategic Plan update.

Chairman Twombly reported his appointment to the Nominating Committee – Directors Baertlein (Chair), Caldwell, Iler, Long, and Ray. The Committee will announce its recommended slate of Officers at the June Board meeting and the election will be held in July.

6.b Meeting Minutes

There were no additions to the following meeting minutes:

Operations Committee	May 3, 2022
Finance Committee	May 5, 2022
Executive Committee	May 10, 2022

7. NEW BUSINESS

7.a Hearing for the Metro Water Recovery Preliminary 2023 Budget

Chairman Twombly opened the Hearing of the 2023 Preliminary Budget at 5:42 p.m. to allow for questions and comments from holders of any security issues by Metro Water Recovery. There were no questions or comments. Chairman Twombly closed the Hearing at 5:43 p.m.

7.b Hearing for the Metro Water Recovery Revised 2022 Budget

Chairman Twombly opened the Hearing of the 2022 Revised Budget at 5:44 p.m. to allow for questions and comments from holders of any security issues by Metro Water Recovery. There were no questions or comments. Chairman Twombly closed the Hearing at 5:45 p.m. and reconvened the Regular Meeting of the Board of Directors at 5:45 p.m.

Consent Agenda

7.c Consideration of Cogeneration Equipment Replacement Project (PAR 1395)

Director LeGare moved and Director Sekera seconded the motion to adopt the following resolution:

WHEREAS, it is necessary Metro Water Recovery, hereinafter referred to as “Metro,” enter into an Agreement for Preconstruction Services for the Cogeneration Equipment Replacement Project (PAR 1395) (Project); and

WHEREAS, this phase of the Project will complete design of the improvements to transition from a combined heat and power biogas utilization process to a renewable natural gas process; and

WHEREAS, the Project is intended to be delivered through the Construction Manager-At-Risk (CMAR) delivery approach; and

WHEREAS, on February 18, 2022, Metro posted a Request for Proposals on the Rocky Mountain E-Purchasing site (*BidNet*) for the Preconstruction Services for the Project, and received five proposals on March 25, 2022; and

WHEREAS, through a standard CMAR selection process, the proposals were reviewed by Metro staff, and three firms were invited to participate in interviews on April 13, 2022, with a Selection Committee of Metro staff and Board Directors; and

WHEREAS, the Selection Committee recommended selecting Moltz Construction, Inc. (Moltz) to provide Preconstruction Services for the Project and, on behalf of the Board of Directors, Directors on the Selection Committee instructed staff to negotiate an agreement; and

WHEREAS, Metro staff has negotiated an agreement with Moltz in the amount of \$600,000, to provide Preconstruction Services for the Project; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into an Agreement for Preconstruction Services with Moltz in the amount of \$600,000 to provide preconstruction phase services for the Project and appropriate \$850,000 from the General Fund Capital Account for this purpose; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into an Agreement for Preconstruction Services with Moltz Construction, Inc. in the amount of \$600,000 to provide preconstruction phase services for the Cogeneration Equipment Replacement Project; and

BE IT FURTHER RESOLVED the sum of \$850,000 (100 percent) from the General Fund Capital Project Account be and hereby is appropriated for this Project.

The motion carried unanimously.

7.d Consideration of Ten-Inch Potable Water Service Line Project (PAR 1408) Supplemental Appropriation

Director LeGare moved and Director Sekera seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as “Metro,” to provide a supplemental appropriation for additional work associated for the Ten-Inch Potable Water Line Replacement Project (PAR 1408) (Project); and

WHEREAS, one of two potable water supply lines to the Robert W. Hite Treatment Facility, the ten-inch water line which runs under Franklin Street from 54th Avenue to 58th Avenue and under 58th Avenue from Franklin Street to York Street, has reached the end of its useful life and needs replacement; and

WHEREAS, in August 2021 in Resolution 0821-B7.e, Metro’s Board of Directors authorized the Chief Executive Officer to enter into an Intergovernmental Agreement (IGA) with Adams County (County) under which the parties agreed to explore replacing and, where necessary, relocating the water line and to appropriate \$815,000 from the Fixed Assets Replacement Fund; and

WHEREAS, Metro entered into an IGA with the County where the County agreed to pay for replacement of approximately 800 feet of Metro’s ten-inch water line and Metro has the option to replace the remaining portions of the line using the County’s design consultant and construction contractor; and

WHEREAS, the County issued an Invitation for Bid on March 5, 2022 and bids were opened on March 29, 2022; and

WHEREAS, Metro’s portion of the bid price exceeded the original appropriation; and

WHEREAS, in light of the bid price, Metro staff recommends taking advantage of the opportunity to use the County’s design consultants and construction contractor to replace the segments of potable water line in Franklin Street and 58th Avenue which have reached the end of useful life; and

WHEREAS, Metro’s portion of the potable water line replacement is \$1,825,000, constituting a difference of \$1,010,000 from the original appropriation in Resolution 0821-B7.e; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the appropriation of \$1,010,000 (100 percent) from the Fixed Asset Replacement Fund to supplement the previous appropriation of \$815,000 (for a total appropriation of \$1,825,000) for the Project; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the sum of \$1,010,000 (100 percent) be and hereby is appropriated from the Fixed Asset Replacement Fund to supplement the previous appropriation of \$815,000 (for a total appropriation of \$1,825,000) for the Ten-Inch Potable Water Line Replacement Project.

The motion carried unanimously.

Roll Call Agenda

7.e Consideration of Interceptor Rehabilitation 2020-2022 Project (PAR 1363) Year 3 Construction Services Contract Change Order and Appropriation

Director Baertlein moved and Director Laurienti seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to execute a Change Order to the Construction Services Contract for Year 3 work for the Interceptor Rehabilitation 2020-2022 Project (PAR 1363) (Project); and

WHEREAS, Metro entered into a Preconstruction Services Agreement with Granite Inliner, LLC (Granite) to provide assistance during design and to develop stipulated prices for each of the three, annual construction work packages to rehabilitate certain interceptors and North Primary Clarifier conduits at the Robert W. Hite Treatment Facility (RWHTF); and

WHEREAS, Metro staff completed design of the Year 3 scope of work which includes rehabilitation of approximately 2,000 linear feet of conduits on the RWHTF site, significant bypass pumping, removal and replacement of 12 slide gates, and rehabilitation of three structures; and

WHEREAS, per the Construction Manager-At-Risk (CMAR) delivery approach for this Project, now design is complete, Metro will execute the Year 3 work by issuing a change order to the Construction Services Contract to add the Year 3 work based on the Stipulate Price negotiated between Metro and Granite; and

WHEREAS, the associated increased ammonia load to the South Secondary Complex which will occur during construction requires proprietary ANITA™ Mox media be added to the South Secondary Complex to rapidly nitrify the high recycle stream ammonia concentrations; and

WHEREAS, this media will be procured from Veolia Environnement S.A. (Veolia), the sole supplier of these media growth discs; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to execute a Change Order to the Construction Services Contract with Granite, in the amount of \$14,996,228 to provide Construction Services for Year 3 work for the Project, execute a purchase order with Veolia for an amount not to exceed \$600,000 for ANITA™ Mox media associated with the deammonification process, and appropriate an additional \$17,550,000 (100 percent) from the Fixed Asset Replacement Fund for this purpose; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to execute a Change Order to the Construction Services Contract with

Granite Inliner, LLC, in the amount of \$14,996,228 to provide Construction Services for Year 3 work for the Interceptor Rehabilitation 2020-2022 Project; and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized to execute a purchase order with Veolia Environment S.A. for an amount not to exceed \$600,000 for ANITA™ Mox media associated with the deammonification process; and

BE IT FURTHER RESOLVED the sum of \$17,550,000 (100 percent) be and hereby is appropriated from the Fixed Asset Replacement Fund for this Project.

Chairman Twombly called for a roll call vote which carried with 33 Directors voting Yes:

Curt Aldstadt	Joan Iler	Bill Ray
Peter Baertlein	Andrew Johnston	Bob Roth
Greg Baker	Janet Kieler	Greg Sekera
Nadine Caldwell	Craig Kocian	Del Smith
John Chavez	Laura Kroeger	Peter Spanberger
David Councilman	Kathy Laurienti	Mary Beth Susman
Deborah Crisp	Doug Lazure	Amerigo Svaldi
John Dingess	Bob LeGare	Dennis Towndrow
Robert Duncanson	Charles Long	Scott Twombly
Marv Falconburg	Jamie Miller	Jennifer Williams
Jo Ann Giddings	Sarah Niyork	Ronald Younger

8. INDIVIDUAL DIRECTOR COMMENTS

Director Niyork noted the Town Hall and Field Day RSVP link in BoardEffect was not working. Ms. Nkem reset the link and Ms. Kedzior stated it was now functioning.

Director LeGare asked about attendance expectations as noted in the Executive Committee meeting minutes.

Mr. Cavanaugh answered a question on the status of replacing the flags outside the Administration Building, saying they were on order and would be replaced within the week.

9. OTHER INFORMATION

Chairman Twombly remarked the Executive Committee discussed Director attendance expectations which would be added to the Code of Conduct and Ethical Standards Acknowledgement signed by Directors each year. He also noted the attendance report sent semi-annually to appointing authorities will now reflect in-person and virtual attendance and asked Directors to use BoardEffect to RSVP for meetings for handling absences.

Chairman Twombly stated the Executive Committee recommends making the change from Chairman to Chair and Spokesman to Spokesperson in the *Metro Water Recovery Bylaws* and considering other gender reference changes as needed in the future.

10. ADJOURNMENT

Chairman Twombly adjourned the meeting at 5:54 p.m.

MC\raklyjk

METRO WATER RECOVERY

MEMORANDUM

TO: Board of Directors

DATE: June 15, 2022

FROM: Mickey Conway, Chief Executive Officer

RE: Chief Executive Officer's Report

1. Metro Water Recovery's Newest Member

I am pleased to announce the City of Fort Lupton as Metro Water Recovery's newest Connector, joining Metro's partnership with 60 other local governments. The Sewage Treatment and Disposal Agreement (Service Contract) was signed on June 7, 2022, marking Metro's first new Member Connector in nearly 13 years. More information about Metro's Connectors can be found in the attached document.

Fort Lupton's flows will be accepted at the Northern Treatment Plant (NTP) no later than December 31, 2025, with the option to extend the connection by one year to December 2026. See the map for details on our expanded service area, which now extends to the north and straddles both sides of U.S. 85.

Anchored along the South Platte River and established as a trading post in 1836, the City of Fort Lupton has served an important role in Colorado's history for nearly 200 years. With a population of 7,995 (2020 census), Fort Lupton maintains a small-town atmosphere with a high quality of life within commuting distance to larger population centers like Greeley, Denver, and Fort Collins.

Fort Lupton Mayor Zo Stieber-Hubbard remarked the inclusion with Metro Water Recovery is a positive move for its citizens and businesses, especially in regards to dealing with Colorado's regulatory agencies.



2. Joint July Committee Meeting

Due to the Fourth of July holiday, the July meeting of the Operations Committee will be held on Thursday, July 7, 2022, at 7:30 a.m. as a joint meeting with the Finance Committee. Please remember to RSVP ahead of time in BoardEffect for an accurate catering count.

3. Summer Town Hall & Field Day

On Wednesday, June 15, 2022, Metro Water Recovery celebrated its first in-person Town Hall and Field Day since 2019. With over 300 employees and seven Board Members able to join in the festivities, the celebration began at 10 a.m. with the Town Hall which featured a welcome to new employees, highlights of recent Metro successes, an update on community engagement campaigns, and the Day in the Life presentation, which the Board heard at the Spring Workshop when a number of employees spoke about their work at Metro.

Field Day, which immediately follows Town Hall, has been a long-standing and anticipated employee event, with activities including Football Toss, Casting, Basketball, Wiffle Ball, and Pipe Cutting. This year, Wastewater Trivia was added, where employees could cool off in the Boardroom and test their wastewater treatment knowledge in an interactive game. We also added a Dunk Tank which drew in a lot of ball-throwing enthusiasts aiming intently in the hopes of dunking a favorite Metro Water Recovery personality. With food trucks and the very popular Kona Ice truck, employees could relax outside for a couple hours and enjoy the return of this summer Metro tradition.



Jason Lee giving a Day in the Life presentation



Board members Sarah Niyork, Bob LeGare, Scott Twombly, John Chavez, Nadine Caldwell, Laura Kroeger, and Curt Aldstadt were able to attend



Mickey Conway emerging after being dunked



Martin Alvis was a crowd favorite for the dunk tank



Chairman Scott Twombly with Town Hall hosts Perry Holland and Andy Nelson

4. **Metro Water Recovery Earns NACWA Silver *Excellence in Management Recognition***

In May, I was notified Metro Water Recovery has earned Silver *Excellence in Management Recognition* from the National Association of Clean Water Agencies (NACWA).

To earn this award, Metro Water Recovery demonstrated commitment to sustainable, successful programs which exemplify the attributes of an effectively managed utility.

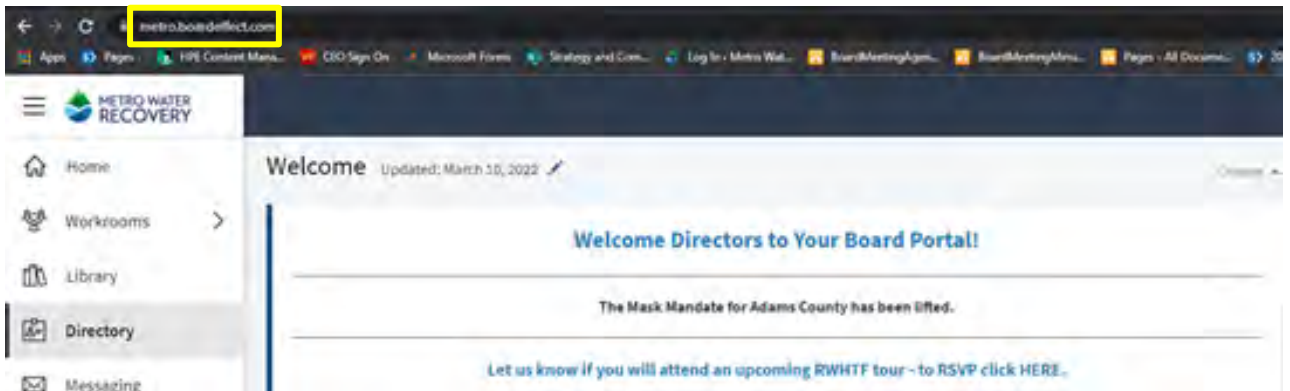
Metro Water Recovery will be recognized during NACWA's Utility Leadership Conference & 52nd Annual Meeting in Seattle, WA next month.

5. **BoardEffect RSVPs**

As a reminder, please RSVP for all meetings in BoardEffect. Advance RSVPs can be done through 2022, and RSVP changes can be made in real time. This helps staff with attendance recording and catering numbers.

6. **Updated BoardEffect Domain**

As part of Metro Water Recovery's Brand implementation, Metro's domain name on BoardEffect has been updated to **metro.boardeffect.com**. The previous domain will be obsolete starting in July 2022, so as a reminder, please update your bookmarks with the new domain. The new login page can be reached [here](#).



7. **Retirement Board Meeting Summary**

The Defined Benefit Retirement Board and the Defined Contribution Retirement Board met separately on May 26, 2022. Moss Adams, LLP staff presented its 2021 Audit of Metro Water Recovery's Defined Benefit Retirement Plan (DB Plan) Financial Statements and the audit resulted in no significant findings. Milliman staff reviewed the January 1, 2022 Actuarial Valuation for the DB Plan, and based on the Actuarial Valuation, the Retirement Board approved Metro's contribution of \$10,053,490 in January 2023 to the DB Plan. As of March 31, 2022, the Defined Contribution Retirement Plan held \$12,661,565 in assets and had 244 active participants and the DB Plan was valued at \$136,390,562 and had 172 active members.

8. **Employee Listening Tour**

Listening Tours returned this year after being suspended in 2020 due to the COVID-19 pandemic. This year's listening sessions were theme-driven discussions with small groups of employees. The themes were Communication and Ideas in Action, and I also encouraged employees to discuss any questions or concerns they had.

Over a three-month period, I held 33 sessions in which 183 employees attended. Employees offered hundreds of helpful ideas and comments through the sessions. Over the next few weeks staff will be going through the data collected and setting up an action plan to implement ideas. Thanks to the employees for a successful 2022 Listening Tour.

9. **Metro Water Recovery Bike to Work Day**

Wednesday, June 22, 2022 is Bike to Work Day. Metro Water Recovery will be hosting a breakfast station along the bike trail (across from the Robert W. Hite Treatment Facility outfalls) from 6:30 to 9 a.m. You are welcome to stop by to say hello to the riders and join staff for some snacks.

10. Metro Water Recovery Project Follow-Up

The attached report includes information regarding the Dissolved Air Flotation Polymer Contract approved by the Board of Directors in December 2021.

11. Photo Opportunity

For Directors who would like an updated head shot, there will be a photo opportunity in the Administration Building lunchroom immediately following the joint July Operations and Finance Committee meeting.

12. Director One-On-Ones with Mickey

Beginning in August, I will be available for virtual one-on-one meetings with Directors. In these meetings, I would like to have a brief conversation to discuss Director feedback on how we are doing and what the staff can improve upon. I would also like to learn about what is important for you and your appointing entity as we face the challenges of the next 5-10 years. I am expecting the calls to take between 15-30 minutes. The schedule for open meeting times will be made available in July.

13. Upcoming Events

Directors are asked to add applicable meeting dates to their calendars.

<u>Date</u>	<u>Event/Location</u>
Wednesday, June 22, 2022	Bike to Work Day
Thursday, July 7, 2022 7:30 a.m. (breakfast served at 7 a.m.)	Operations and Finance Committees Joint Meeting Boardroom
Thursday, August 25, 2022 7:30 a.m. (breakfast served at 7 a.m.)	Defined Benefit Plan Retirement Board Boardroom
Thursday, August 25, 2022 12 p.m. (lunch served at 11:30 a.m.)	Defined Contribution Plan Retirement Board Boardroom
Monday, August 29, 2022 7 – 10:30 a.m.	New Director Orientation Those desiring an orientation refresher are also welcome to attend.
Thursday, October 27, 2022 8 a.m. (breakfast served at 7 a.m.)	Fall Board Workshop Boardroom
Thursday, November 3, 2022 9 a.m. or directly following Finance	Audit Committee Boardroom
Wednesday, November 9, 2022 TBD	Fall Metro 6.0 Town Hall TBD

<u>Date</u>	<u>Event/Location</u>
Thursday, November 10, 2022 7:30 a.m. (breakfast served at 7 a.m.)	Defined Contribution Plan Retirement Board Boardroom
Thursday, November 10, 2022 2 p.m.	Defined Benefit Plan Retirement Board Boardroom
Tuesday, December 20, 2022 5 p.m.	Annual Employee Recognition Reception Prior to Board of Directors Meeting

Attachments

MC:rak/lmn

Metro Water Recovery Connectors

Of the 61 local governments Metro Water Recovery works with, 23 have voting representation on Metro’s Board of Directors and are called *Member Municipalities*, 27 do not have voting representation on the Board and are called *Special Connectors*, and 12 are tied in through either a Member Municipality or a Special Connector and are called *Connectors to Connectors*.

Member Municipalities	Special Connectors	Connectors to Connectors
Alameda Water & Sanitation District	Adams County	Bonvue Water & Sanitation District
Applewood Sanitation District	Bear Creek Water & Sanitation District	Cherry Hills North Metropolitan District
Arvada	Bennett Bear Creek Farm Water & Sanitation District	Cherry Hills Village Sanitation District
Aurora	Bow Mar Water & Sanitation District	Clear Creek Valley Water & Sanitation District
Bancroft-Clover Water & Sanitation District	Castlewood Water & Sanitation District	College Park Water & Sanitation District
Berkeley Water & Sanitation District	Cherry Creek Valley Water & Sanitation District	Daniels Sanitation District
Brighton	East Jefferson County Sanitation District	Devonshire Heights Water & Sanitation District
Crestview Water & Sanitation District	Edgewater	East Cherry Creek Valley Water & Sanitation District
Denver, City and County	Englewood	Federal Heights
East Lakewood Water & Sanitation District	Glendale	Golden
Fort Lupton	Goldsmith Gulch Sanitation District	Mansfield Heights Water & Sanitation District

Member Municipalities	Special Connectors	Connectors to Connectors
Fruitdale Sanitation District	Green Mountain Water & Sanitation District	Ralston Valley Water & Sanitation District
Lakewood	Havana Water & Sanitation District	
North Pecos Water & Sanitation District	Hi-Land Acres Water & Sanitation District	
North Table Mountain Water & Sanitation District	Hi-Lin Water & Sanitation District	
North Washington Street Water & Sanitation District	Hillcrest Water & Sanitation District	
Northwest Lakewood Sanitation District	Holly Hills Water & Sanitation District	
Pleasant View Water & Sanitation District	Industrial Park Sanitation District	
South Adams County Water & Sanitation District	Lakehurst Water & Sanitation District	
Thornton	Mountain View	
Westminster	North Lincoln Water & Sanitation District	
Westridge Sanitation District	Sheridan Sanitation District No 2	
Wheat Ridge Sanitation District	South Sheridan Water, Sanitary Sewer & Storm Drainage District	
	Southwest Plaza Metropolitan District	
	Southwest Suburban Denver Water & Sanitation District	
	Willowbrook Water & Sanitation District	

**Dissolved Air Flotation Thickening Emulsion Polymer
Six Month Update
Prepared by Martin Alvis, Director of Operations, RWHTF**

Background

Emulsion polymer is used to condition waste activated solids (WAS) from the secondary processes during dissolved air flotation prior to anaerobic digestion. The WAS is thickened from approximately 0.5 percent total solids to an average of 4.5 percent total solids. By increasing the solids content, the volume of WAS solids is reduced so it can be better managed in the Sludge Holding Tanks and subsequently the anaerobic digester. Metro Water Recovery conducts periodic polymer trials to test vendors' products in real-life application with the current conditions. Polymer trials allow for a competitive process amongst vendors to prove the effectiveness and efficiency of proposed polymer blends.

To procure Dissolved Air Flotation (DAF) Thickening emulsion polymer for the Robert W. Hite Treatment Facility (RWHTF), full-scale trials were conducted, and bids were accepted with the goal of finding the most cost-effective product to meet process needs. The trial invitation was received by two firms – Polydyne, Inc. and Solenis LLC, both of which participated in the formal trials and responded to the Request for Quotes. The decision was made to enter into a one-year contract effective February 1, 2022 through January 31, 2023 with Polydyne, Inc. as the primary supplier of DAF Thickening emulsion polymer, and a one-year contract with Solenis LLC as the alternate supplier.

Contract Status Update

To date, four loads of the new polymer have been delivered to the RWHTF – all on time, or just prior to the requested delivery date. In total, this equates to almost 55,000 pounds of DAF polymer for which the Operations Department has been billed approximately \$185,000. Operations has processed 224 million gallons of 0.5 percent WAS down to 34 million gallons of 4.2 percent concentrated WAS, (CONWAS) thickened sludge.

Transitioning to a new chemical has been an excellent training opportunity for new operators to learn and understand the complete process of optimizing the DAF Thickening. Operations continues to actively optimize polymer usage to minimize total chemical usage while meeting weekly treatment targets.



Fig 1. WAS Splitter Box



Fig. 2: WAS Flow into DAF Unit



Fig. 3: CONWAS being skimmed off the DAF Unit



METRO WATER RECOVERY

MEMORANDUM

TO: Board of Directors

DATE: June 13, 2022

FROM: Emily Jackson, General Counsel

RE: General Counsel Report

ONGOING BUSINESS

Waste Activated Sludge Seeding Agreement

As part of its brewery operation located in Golden, Colorado, Molson Coors (Coors) operates a wastewater treatment facility which serves its brewery facility as well as the community in Golden. Coors experienced an issue with the activated sludge in its secondary treatment process and it negatively impacted Coors' ability to treat its wastewater. Coors reached out to Metro Water Recovery requesting activated sludge from the Robert W. Hite Treatment Facility (RWHTF) to re-seed its facility. In the spirit of regional environmental protection and health, Metro agreed to provide Coors activated sludge and a cross-departmental team worked together to quickly accomplish the transfer. The Office of the General Counsel prepared an agreement which allowed Coors to receive and use Metro's activated sludge which released Metro from liability, and the Operations Department handled the technical and physical logistics.

Stormwater General Permit Comments

Historically, Metro Water Recovery has sought permit coverage under the Industrial Stormwater General Permit for Non-Extractive Industries (COR900000 permit) water quality discharge permit which covers stormwater runoff (e.g., precipitation) from the RWHTF and Northern Treatment Plant. Under the current COR900000 permit, Metro implements a stormwater management plan and best management practices, in addition to other controls measures. Last month, the Water Quality Control Division (WWCD) released a draft COR900000 permit for public review and comment through June 13, 2022. Metro submitted comments asking for clarification regarding technical issues, flagging potentially vague language, requesting revisions based on implementation issues with the current permit, and correcting minor grammatical errors.

OGC Monthly Numbers

- ✓ 11 Resolutions Drafted
- ✓ 6 Contracts Reviewed
- ✓ 13 Total Requests Completed

Energy Agreements

Metro Water Recovery has two upcoming projects which will change the way it receives and manages energy on the RWHTF: the Electrical Transmission Service Substation Project (PAR 1265) and Cogeneration Equipment Replacement Project (PAR 1395). The first project will

provide more reliable transmission level electricity and the second project will transition the use of methane generated onsite from electricity generation to renewable natural gas. Both projects will necessitate each party constructing its own infrastructure, ultimately having them connect. Xcel has certain agreements it uses to manage the construction and long-term operation of such infrastructure. The Office of the General Counsel and the Engineering Department are in the process of reviewing and negotiating these agreements, which are new to Metro. Approval of these agreements will come before the Board of Directors in the future.

Updating the Engineering and Construction Contracts

The Office of the General Counsel is supporting the Engineering Department in updating the template contracts Metro Water Recovery uses for engineering and construction services. For these services, Metro starts with contracts published by the Engineers Joint Contract Documents Committee (EJCDC) and then adapts them to Metro needs. Over time, the EJCDC updates its contracts, and as part of Metro's culture of continuous improvement, staff reviews the updated EJCDC contracts and updates Metro's agreements as appropriate. The first contract the team has reviewed and updated is the Professional Study and Report Services contract.

LITIGATION

New developments since last month's report are shown in **bold**.

DITCH COMPANIES LITIGATION

On March 15, 2021, the Farmers Reservoir and Irrigation Company, Burlington Ditch Reservoir and Land Company, and Henrylyn Irrigation District (collectively, Plaintiffs) filed a civil action (Case Number 2021CV30324) in Adams County District Court against Metro Water Recovery. The action asserts breach of contract, declaratory judgment, and promissory estoppel claims arising out of an alleged breach of a 1968 Agreement (Agreement) between Metro, City and County of Denver acting through the Board of Water Commissioners (Denver Water), and Plaintiffs. Among other relief, Plaintiffs seek a court order requiring Metro obtain a water quality discharge permit for an outfall to the Burlington Canal which is currently not in operation due to a lack of connecting infrastructure.

Although Metro Water Recovery has not filed its answer, nor formulated its defenses, Metro disputes the allegations in the Complaint and the relief sought. On May 10, 2021, Metro filed a Motion to Dismiss, arguing Plaintiffs' claims should be dismissed pursuant to C.R.C.P. 12(b)(1) and 12(h)(3) for lack of subject matter jurisdiction and pursuant to C.R.C.P 12(b)(5) for failure to state a claim. The Plaintiffs responded to the motion, and Metro replied. On February 15, 2022, the Court denied the Metro's Motion to Dismiss. Metro submitted its answer including counterclaims on March 18, 2022. **On May 27, 2022, Plaintiffs set a Case Management Conference to be held on June 28, 2022.**

Metro Water Recovery has employed outside legal counsel to assist with this matter. Outside counsel for Metro is Colin Deihl with Polsinelli.

DONALD TEMPLES LITIGATION

On June 2, 2021, Donald Temples, a tanker truck driver who delivered polymer to Metro Water Recovery, filed a civil action (Case Number 2021CV31691) in Denver District Court against Metro and John Doe Construction Company, and subsequently amended its complaint three times to name PCL Construction and the concrete subcontractor Blue Ribbon Concrete, Inc as

defendants. The action asserts premises liability arising out of an alleged slip and fall accident. Additionally, the workers compensation insurance company for Mr. Temples employer filed a complaint in intervention seeking subrogation for the benefits paid to or on behalf of Mr. Temples as well as motion to intervene.

On June 22, 2021, Metro Water Recovery filed a motion for stay of proceedings and for leave to conduct limited discovery for purposes of determining sovereign immunity pursuant to C.R.S. § 24-10-108. On July 27, 2021, Metro filed its answers to the complaints disputing the allegations and the relief sought. On September 14, 2021, the Court issued an order granting Metro Water Recovery's motion thereby staying the proceeding. During this period the parties are allowed to conduct discovery limited to the issue of sovereign immunity. On January 27, 2022, Metro filed a Motion to Dismiss outlining the undisputed facts gained during the discovery period and providing the legal arguments why Plaintiff's claims are barred by the Colorado Governmental Immunities Act. The motions practice has concluded on the Motion to Dismiss. The Court may elect to hold an evidentiary hearing (generally referred to as a Trinity Hearing) or may choose to rule on the motion and associated documents. There is no deadline for the Court to rule.

Through the Colorado Special Districts Property and Liability Pool, with which Metro Water Recovery carries general liability insurance, Metro has employed outside legal counsel to assist with this matter. Outside counsel for Metro is Marni Nathan Kloster with Nathan Dumm & Mayer, P.C.

ADAMS COUNTY CONDEMNATION

On May 12, 2022, Metro Water Recovery received a summons in condemnation from Adams County related to their work on 58th Avenue related to the Ten-Inch Potable Water Line Replacement project (PAR 1408). The Petition seeks fee interest in the property and states "there is a public need and necessity to acquire a fee simple interest in the property" on the northern side of 58th Avenue. Metro has an existing easement in the area Adams County seeks to condemn in addition to the fee interest, so Metro is named in the complaint. Metro has reached an agreement in principle with Adams County whereby Adams County will seek possession and title of the property subject to Metro's easement and further agrees not to disrupt or interfere with Metro's facilities.

Patrick Wilson from Hoffman, Parker, Wilson & Carberry, P.C. will be representing Metro Water Recovery in this matter. On May 27, 2022, Metro filed for an extension of time to file pleadings.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, the proposed 2023 Annual Budget of Metro Water Recovery, hereinafter referred to as "Metro," has been prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee of Metro's Board of Directors; and

WHEREAS, the Board of Directors duly published a notice concerning the proposed 2023 Annual Budget as required under C.R.S. § 29-1-108 and held a public hearing on May 17, 2022, on said Budget, as provided for in Section 901B of the 2009, 2012, 2019, and 2020 Bond Resolutions; and

WHEREAS, the Operations and Finance committees of Metro, after having reviewed the matter, recommend:

- adoption of 2023 Annual Charges for Service of \$145,057,122,
- adoption of the 2023 Annual Budget for all funds totaling \$161,742,901,
- adoption of the 2023 Operating Budget of \$109,437,851,
- adoption of 2023 budget for new and replacement equipment and vehicle purchases (greater than or equal to \$10,000 and less than or equal to \$250,000) of \$1,120,050, which will be funded as follows: \$60,000 from the Operations and Maintenance Fund and \$1,060,050 from the Fixed Asset Replacement (FAR) Fund),
- adoption of 2023 budget for the General Fund and FAR Fund Small Projects of \$2,500,000, which will be funded as follows: \$1,500,000 from the General Fund and \$1,000,000 from the FAR Fund,
- approving \$48,685,000 for the 2023 Debt Service Fund,
- approving all required internal fund transfers for the 2023 Annual Budget and cash flow requirements; and

WHEREAS, the Defined Benefit Plan Retirement Board recommends:

- contributing \$10,053,490 to Metro's Defined Benefit Retirement Plan on the first business day in January 2023, pursuant to the Actuarial Determined Contribution as of January 1, 2022; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees and the Defined Benefit Plan Retirement Board;

NOW, THEREFORE, BE IT RESOLVED the 2023 Annual Budget of \$161,742,901, as prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee, be and hereby is adopted as the 2023 Annual Budget for Metro; and

BE IT FURTHER RESOLVED:

- The Annual Charges for Service for 2023 be and hereby are adopted at \$145,057,122; and
- The Operating Budget for 2023 be and hereby is adopted at \$109,437,851; and
- The new and replacement equipment and vehicle purchases (greater than or equal to \$10,000 and less than or equal to \$250,000) budget for 2023 be and hereby is adopted at \$1,120,050, which will be funded as follows: \$60,000 from the Operations and Maintenance Fund and \$1,060,050 from the Fixed Asset Replacement (FAR) Fund); and
- The General Fund and FAR Fund Small Projects budget be and hereby is adopted at \$2,500,000, which will be funded as follows: \$1,500,000 million from the General Fund and \$1,000,000 from the FAR Fund; and
- The 2023 Debt Service Fund be and hereby is adopted at \$48,685,000; and
- All required internal fund transfers for the 2023 Annual Budget and cash flow requirements be and hereby are approved; and
- The contribution of \$10,053,490 to Metro's Defined Benefit Retirement Plan on the first day of January 2023, pursuant to the Actuarial Determined Contribution as of January 1, 2022, be and hereby is approved.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, the Chief Executive Officer of Metro Water Recovery, hereinafter referred to as "Metro," with the advice and counsel of the Finance Committee of Metro's Board of Directors, prepared an Annual Budget for the fiscal year beginning January 1, 2023; and

WHEREAS, the Operations, Finance, and Executive committees recommend adoption of the proposed 2023 Annual Budget; and

WHEREAS, the Board of Directors further reviewed said proposed Budget to determine its adequacy to meet the obligations of Metro Water Recovery for the fiscal year 2023 and, having found the 2023 estimated revenues and expenditures reasonable, adopted said Budget on June 21, 2022; and

WHEREAS, it is incumbent upon the Board of Directors to appropriate the necessary amounts for the purposes set forth in the adopted 2023 Annual Budget;

NOW, THEREFORE, BE IT RESOLVED \$161,742,901 be and hereby is appropriated as set forth in the 2023 Annual Budget Appropriation Summary attached hereto and made a part hereof.

2023 Budget Appropriation Summary

This budget sets forth the anticipated 2023 Operations and Maintenance (O&M) expenses; the anticipated 2023 capital equipment and vehicle expenses greater than \$10,000 and less than or equal to \$250,000; the anticipated 2023 small project expenditures; and the 2023 debt service requirements on the 2009B Sewer Improvement Bonds, 2019A&B Sewer Refunding, and 2020A Sewer Improvement Bonds.

Adoption of the proposed 2023 Budget will require an appropriation resolution to be approved by the Board of Directors as follows:

OPERATIONS AND MAINTENANCE REVENUE FUND

O&M Expenses	\$109,437,851
O&M Capital Outlay	<u>60,000</u>
Total O&M Expense Requirements	109,497,851

FIXED ASSET REPLACEMENT FUND

Fixed Asset Replacement (FAR) Fund Capital Outlay	<u>1,060,050</u>
---	------------------

Total O&M and FAR Fund Expense Requirements \$110,557,901

DEBT SERVICE FUND

2009B Sewer Improvement Bonds – Interest	5,440,000
2019A&B Sewer Refunding Bonds – Principal 2019A&B	28,600,000
Sewer Refunding Bonds – Interest	9,995,000
2020A Sewer Improvement Bonds – Interest	<u>4,650,000</u>

Total Debt Service Expenditure Requirements 48,685,000

SMALL PROJECT EXPENDITURES

General Fund	1,500,000
Fixed Asset Replacement Fund	<u>1,000,000</u>

Total Small Project Expenditures 2,500,000

TOTAL 2023 APPROPRIATION

\$161,742,901

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, Section 605 of Article VI of the *Sewage Treatment and Disposal Agreement* (Service Contract) and the *Special Connectors Agreement* of Metro Water Recovery, hereinafter referred to as "Metro," provides the final adjustment of any charge for any fiscal year shall be made on or before the last day of June next, following the last day of that fiscal year; and

WHEREAS, Section 606 of the Service Contract and the Special Connectors Agreement further provides a hearing be held on the proposed final adjustments of any charges made by Metro; and

WHEREAS, a hearing was held on the Final Adjustments to the 2021 Annual Charges for Service at the regular meeting of the Board of Directors on June 21, 2022; and

WHEREAS, the Operations, Finance, and Executive committees, after having reviewed the proposed Final Adjustments to the 2021 Annual Charges for Service, recommend their adoption; and

WHEREAS, the Final Adjustments to the 2021 Annual Charges for Service have been reviewed by the Board of Directors and found to be reasonable;

NOW, THEREFORE, BE IT RESOLVED the Final Adjustments to the Annual Charges for Service for the year 2021, as set forth in the attached schedule of Connector Flows, Loadings, and Charges, be and hereby are certified to be the Final Adjustments to Member Municipalities and Special Connectors of Metro Water Recovery for the fiscal year 2021.

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
MEMBER MUNICIPALITIES								
Alameda Water and Sanitation District								
Flow	346	\$ 306,506	317	\$ 291,425		352	\$ 307,674	
BOD	317	193,655	313	184,873		311	193,148	
SS	298	238,862	282	235,038		295	239,614	
TKN	59	65,495	62	69,617		61	68,245	
Customer Equivalent Units	0.83	18,307	0.83	17,962		0.83	17,962	
Total		\$ 822,825		\$ 798,915	(2.9)		\$ 826,643	0.5
Applewood Sanitation District								
Flow	87	\$ 76,635	89	\$ 81,571		103	\$ 90,205	
BOD	60	36,642	64	37,911		63	39,348	
SS	79	63,106	76	63,492		91	73,766	
TKN	14	15,197	14	16,126		18	20,293	
Customer Equivalent Units	0.80	17,646	0.80	17,313		0.80	17,313	
Total		\$ 209,226		\$ 216,413	3.4		\$ 240,925	15.2
Arvada, City of								
Flow	3,459	\$ 3,063,764	3,493	\$ 3,207,791		3,623	\$ 3,169,940	
BOD	3,033	1,852,649	3,241	1,914,198		3,067	1,906,858	
SS	3,342	2,678,495	3,524	2,934,547		3,379	2,748,448	
TKN	615	679,734	690	770,183		660	744,894	
Customer Equivalent Units	2.54	56,025	2.54	54,969		2.54	54,969	
Total		\$ 8,330,667		\$ 8,881,688	6.6		\$ 8,625,109	3.5
Aurora, City of								
Flow	9,451	\$ 8,372,062	9,376	\$ 8,610,226		9,573	\$ 8,375,110	
BOD	12,021	7,343,739	12,791	7,554,627		12,805	7,962,280	
SS	12,084	9,685,918	12,257	10,207,639		12,973	10,551,120	
TKN	2,128	2,350,586	2,136	2,384,966		2,148	2,422,960	
Customer Equivalent Units	3.14	69,259	3.14	67,954		3.14	67,954	
Total		\$ 27,821,564		\$ 28,825,412	3.6		\$ 29,379,424	5.6
Bancroft-Clover Water and Sanitation District								
Flow	1,027	\$ 909,542	964	\$ 885,048		993	\$ 869,027	
BOD	938	573,023	974	575,083		854	531,171	
SS	960	769,176	888	739,400		993	807,216	
TKN	200	220,573	208	231,743		197	221,666	
Customer Equivalent Units	1.57	34,630	1.57	33,977		1.57	33,977	
Total		\$ 2,506,944		\$ 2,465,251	(1.7)		\$ 2,463,057	(1.8)
Berkeley Water and Sanitation District								
Flow	200	\$ 177,171	198	\$ 182,150		197	\$ 172,056	
BOD	220	134,398	177	104,697		176	109,439	
SS	250	200,388	170	141,607		181	147,232	
TKN	42	46,388	43	48,030		39	43,823	
Customer Equivalent Units	1.32	29,115	1.32	28,567		1.32	28,567	
Total		\$ 587,460		\$ 505,051	(14.0)		\$ 501,117	(14.7)

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
MEMBER MUNICIPALITIES, Cont'd.								
Brighton, City of								
Flow	141	\$ 125,145	238	\$ 219,001		273	\$ 238,894	
BOD	142	86,589	286	169,169		297	184,772	
SS	169	135,334	288	239,485		318	258,231	
TKN	28	30,870	43	48,030		55	62,492	
Customer Equivalent Units	1.00	22,057	1.00	21,641		1.00	21,641	
Total		\$ 399,995		\$ 704,753	76.2		\$ 766,030	91.5
Crestview Water and Sanitation District								
Flow	445	\$ 394,205	433	\$ 397,496		439	\$ 383,882	
BOD	815	497,883	686	405,424		710	441,717	
SS	470	376,729	423	351,886		449	365,432	
TKN	101	111,551	122	135,816		116	130,680	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 1,397,352		\$ 1,307,286	(6.4)		\$ 1,338,375	(4.2)
Denver, City and County of								
Flow	19,454	\$ 17,233,629	18,358	\$ 16,857,749		19,628	\$ 17,171,065	
BOD	24,683	15,078,705	25,820	15,249,837		23,190	14,419,896	
SS	24,941	19,991,250	22,561	18,788,601		23,165	18,839,860	
TKN	4,089	4,515,908	3,814	4,258,785		3,831	4,321,417	
Customer Equivalent Units	7.77	171,384	8.32	180,056		8.32	180,056	
Total		\$ 56,990,876		\$ 55,335,028	(2.9)		\$ 54,932,294	(3.6)
East Lakewood Sanitation District								
Flow	18	\$ 16,255	22	\$ 20,597		25	\$ 21,574	
BOD	20	11,925	24	14,086		26	16,304	
SS	20	15,943	24	20,253		27	21,748	
TKN	3	3,380	4	4,165		4	4,636	
Customer Equivalent Units	0.17	3,750	0.17	3,679		0.17	3,679	
Total		\$ 51,253		\$ 62,780	22.5		\$ 67,941	32.6
Fruitdale Sanitation District								
Flow	213	\$ 188,776	204	\$ 187,742		195	\$ 170,875	
BOD	136	83,046	120	70,672		95	58,817	
SS	162	130,148	154	128,533		145	118,294	
TKN	27	29,688	23	25,774		22	24,478	
Customer Equivalent Units	1.03	22,719	1.03	22,291		1.03	22,291	
Total		\$ 454,377		\$ 435,012	(4.3)		\$ 394,755	(13.1)
Lakewood, City of								
Flow	1,245	\$ 1,103,297	1,143	\$ 1,049,585		1,186	\$ 1,037,671	
BOD	906	553,383	892	526,836		858	533,503	
SS	1,165	933,775	1,142	950,745		1,084	881,771	
TKN	199	219,491	211	235,718		200	225,185	
Customer Equivalent Units	1.57	34,630	1.57	33,977		1.57	33,977	
Total		\$ 2,844,576		\$ 2,796,861	(1.7)		\$ 2,712,107	(4.7)

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
MEMBER MUNICIPALITIES, Cont'd.								
North Pecos Water and Sanitation District								
Flow	169	\$ 149,780	167	\$ 152,967		173	\$ 151,593	
BOD	146	89,277	163	96,529		152	94,572	
SS	168	134,372	197	164,218		173	140,831	
TKN	23	25,381	24	27,047		24	27,084	
Customer Equivalent Units	0.97	21,395	0.97	20,992		0.97	20,992	
Total		\$ 420,205		\$ 461,753	9.9		\$ 435,072	3.5
North Table Mountain Water and Sanitation District								
Flow	479	\$ 424,121	480	\$ 440,315		517	\$ 452,627	
BOD	316	192,849	321	189,704		328	204,011	
SS	422	338,439	434	361,638		469	381,722	
TKN	62	68,212	67	74,307		64	72,373	
Customer Equivalent Units	1.52	33,527	1.52	32,895		1.52	32,895	
Total		\$ 1,057,148		\$ 1,098,859	3.9		\$ 1,143,628	8.2
North Washington Street Water and Sanitation District								
Flow	619	\$ 547,919	531	\$ 487,827		529	\$ 462,452	
BOD	1,735	1,059,898	1,500	885,750		1,430	888,950	
SS	788	631,911	744	619,903		668	543,674	
TKN	251	277,387	245	273,397		212	239,037	
Customer Equivalent Units	1.06	23,381	1.03	22,291		1.03	22,291	
Total		\$ 2,540,496		\$ 2,289,168	(9.9)		\$ 2,156,404	(15.1)
Northwest Lakewood Sanitation District								
Flow	650	\$ 575,806	577	\$ 530,298		564	\$ 493,806	
BOD	395	241,305	366	216,033		333	206,970	
SS	611	489,748	512	426,446		488	397,183	
TKN	97	107,133	86	95,681		83	93,557	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 1,430,976		\$ 1,285,122	(10.2)		\$ 1,208,180	(15.6)
Pleasant View Water and Sanitation District								
Flow	366	\$ 324,223	335	\$ 307,403		351	\$ 306,651	
BOD	346	211,371	299	176,392		296	184,162	
SS	382	306,192	310	257,798		308	250,756	
TKN	72	79,522	58	65,139		56	63,282	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 938,292		\$ 823,396	(12.2)		\$ 821,515	(12.4)

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
MEMBER MUNICIPALITIES, Cont'd.								
South Adams County Water and Sanitation District								
Flow	0	\$ 0	0	\$ 0		0	\$ 0	
BOD	0	0	0	0		0	0	
SS	0	0	0	0		0	0	
TKN	0	0	0	0		0	0	
Customer Equivalent Units	0	0	0	0		0	0	
Total		\$ 0		\$ 0	0		\$ 0	0
Thornton, City of								
Flow	3,573	\$ 3,165,398	3,675	\$ 3,374,918		4,043	\$ 3,536,928	
BOD	3,890	2,376,483	4,157	2,455,362		4,507	2,802,462	
SS	3,898	3,124,333	4,182	3,482,372		4,569	3,715,721	
TKN	818	903,135	887	990,937		899	1,013,564	
Customer Equivalent Units	3.27	72,127	3.77	81,588		3.77	81,588	
Total		\$ 9,641,476		\$ 10,385,177	7.7		\$ 11,150,263	15.6
Westminster, City of								
Flow	1,034	\$ 915,974	892	\$ 818,950		924	\$ 808,191	
BOD	969	592,132	892	527,067		854	531,184	
SS	1,478	1,184,404	1,442	1,201,198		1,258	1,022,805	
TKN	210	231,751	192	214,210		185	208,479	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 2,941,245		\$ 2,778,089	(5.5)		\$ 2,587,323	(12.0)
Westridge Sanitation District								
Flow	184	\$ 162,856	183	\$ 168,146		194	\$ 169,825	
BOD	123	75,373	140	82,916		134	83,541	
SS	140	112,482	151	125,726		156	127,070	
TKN	28	30,384	30	33,111		28	31,381	
Customer Equivalent Units	0.94	20,734	0.94	20,343		0.94	20,343	
Total		\$ 401,829		\$ 430,242	7.1		\$ 432,160	7.5
Wheat Ridge Sanitation District								
Flow	575	\$ 509,482	521	\$ 477,965		554	\$ 484,419	
BOD	535	326,965	520	306,863		492	305,920	
SS	575	461,068	530	441,636		540	439,255	
TKN	107	118,211	110	123,365		108	121,532	
Customer Equivalent Units	2.34	51,614	2.34	50,641		2.34	50,641	
Total		\$ 1,467,340		\$ 1,400,470	(4.6)		\$ 1,401,767	(4.5)
TOTAL MEMBER MUNICIPALITIES		\$ 123,256,122		\$ 123,286,726			\$ 123,584,089	

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
SPECIAL CONNECTORS								
Adams County								
Flow	2	\$ 2,082	5.12	\$ 4,702		7.52	\$ 6,579	
BOD	4	2,395	8.54	5,044		12.54	7,798	
SS	4	3,142	8.54	7,112		12.54	10,199	
TKN	1	652	1.28	1,429		1.88	2,121	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 8,933		\$ 18,936	112.0		\$ 27,346	206.1
Bear Creek Water and Sanitation District								
Flow	382	\$ 338,370	423	\$ 388,423		367	\$ 321,217	
BOD	280	170,758	351	207,493		306	190,219	
SS	346	277,489	442	368,284		359	292,080	
TKN	69	75,855	82	91,929		72	80,754	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 879,456		\$ 1,072,793	22.0		\$ 900,934	2.4
Bennett Bear Creek Farm Water and Sanitation District								
Flow	46	\$ 40,395	48	\$ 43,683		46	\$ 40,453	
BOD	44	26,647	48	28,639		41	25,445	
SS	34	26,900	37	30,905		37	30,173	
TKN	8	8,383	9	9,894		7	8,426	
Customer Equivalent Units	0.52	11,470	0.52	11,254		0.52	11,254	
Total		\$ 113,795		\$ 124,375	9.3		\$ 115,751	1.7
Bow Mar Water and Sanitation District								
Flow	3.40	\$ 3,012	3.41	\$ 3,131		3.40	\$ 2,974	
BOD	3.62	2,211	3.63	2,144		3.62	2,251	
SS	3.69	2,958	3.70	3,081		3.69	3,001	
TKN	0.57	630	0.57	637		0.57	643	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 9,473		\$ 9,642	1.8		\$ 9,518	0.5
Castlewood Water and Sanitation District								
Flow	516	\$ 457,305	483	\$ 443,346		513	\$ 448,428	
BOD	413	252,533	352	207,759		361	224,767	
SS	480	384,768	410	341,843		444	360,910	
TKN	93	102,638	80	88,958		80	90,523	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 1,214,228		\$ 1,098,570	(9.5)		\$ 1,141,292	(6.0)
Cherry Creek Valley Water and Sanitation District								
Flow	545	\$ 482,959	552	\$ 506,900		551	\$ 482,180	
BOD	603	368,592	624	368,629		557	346,294	
SS	592	474,238	605	503,845		532	432,415	
TKN	112	123,734	114	127,519		110	124,115	
Customer Equivalent Units	2.20	48,526	2.23	48,260		2.23	48,260	
Total		\$ 1,498,049		\$ 1,555,153	3.8		\$ 1,433,264	(4.3)

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
SPECIAL CONNECTORS, Cont'd.								
East Jefferson County Sanitation District								
Flow	220	\$ 194,888	179	\$ 164,363		191	\$ 167,122	
BOD	215	131,343	172	101,750		166	103,320	
SS	200	160,310	185	154,199		168	136,781	
TKN	35	38,656	34	38,091		32	36,085	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 542,181		\$ 475,067	(12.4)		\$ 459,972	(15.2)
Edgewater, City of								
Flow	78	\$ 68,707	74	\$ 67,944		77	\$ 67,398	
BOD	108	65,812	103	60,644		98	60,832	
SS	90	72,075	86	71,720		85	69,529	
TKN	15	16,026	15	16,673		15	16,695	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 239,604		\$ 233,645	(2.5)		\$ 231,118	(3.5)
Englewood, City of								
Flow	13	\$ 11,153	13	\$ 11,625		13	\$ 11,137	
BOD	17	10,165	17	9,887		17	10,478	
SS	17	13,458	17	14,074		17	13,826	
TKN	3	2,816	3	2,859		3	2,910	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 38,254		\$ 39,094	2.2		\$ 39,000	2.0
Glendale, City of								
Flow	190	\$ 167,896	164	\$ 150,157		170	\$ 148,505	
BOD	230	140,800	199	117,272		193	119,935	
SS	210	167,973	176	146,604		190	154,820	
TKN	44	48,210	35	39,231		35	39,920	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		541,863		469,928	(13.3)		\$ 479,844	(11.4)
Goldsmith Gulch Sanitation District								
Flow	170	\$ 150,967	148	\$ 136,025		171	\$ 149,878	
BOD	207	126,322	167	98,726		183	113,947	
SS	185	148,159	151	125,501		165	134,292	
TKN	35	38,524	27	30,598		29	32,949	
Customer Equivalent Units	1.14	25,145	1.14	24,671		1.14	24,671	
Total		\$ 489,117		\$ 415,521	(15.0)		\$ 455,737	(6.8)
Green Mountain Water and Sanitation District								
Flow	896	\$ 794,124	877	\$ 805,405		909	\$ 795,400	
BOD	849	518,537	908	536,386		911	566,621	
SS	998	800,188	1,068	889,102		1,068	868,205	
TKN	198	219,160	208	232,234		203	229,066	
Customer Equivalent Units	2.31	50,952	2.31	49,992		2.31	49,992	
Total		\$ 2,382,961		\$ 2,513,119	5.5		\$ 2,509,284	5.3

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
SPECIAL CONNECTORS, Cont'd.								
Havana Water and Sanitation District								
Flow	194	\$ 171,856	194	\$ 178,495		206	\$ 179,789	
BOD	160	97,744	170	100,404		165	102,730	
SS	150	120,233	150	124,902		148	120,629	
TKN	43	47,492	44	48,745		42	47,320	
Customer Equivalent Units	1.54	33,968	1.54	33,328		1.54	33,328	
Total		\$ 471,293		\$ 485,874	3.1		\$ 483,796	2.7
Hi-Land Acres Water and Sanitation District								
Flow	6	\$ 5,590	6	\$ 5,794		6	\$ 5,503	
BOD	7	4,130	7	3,993		7	4,185	
SS	7	5,531	7	5,738		7	5,579	
TKN	1	1,171	1	1,184		1	1,196	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 17,084		\$ 17,358	1.6		\$ 17,112	0.2
Hi-Lin Water and Sanitation District								
Flow	13	\$ 11,924	14	\$ 12,525		14	\$ 11,924	
BOD	14	8,760	15	8,647		15	9,116	
SS	15	11,727	15	12,425		15	12,151	
TKN	2	2,485	2	2,557		2	2,583	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 35,558		\$ 36,803	3.5		\$ 36,423	2.4
Hillcrest Water and Sanitation District								
Flow	58	\$ 50,946	61	\$ 56,070		49	\$ 43,252	
BOD	30	18,577	36	21,439		21	13,332	
SS	44	35,308	50	41,456		34	27,424	
TKN	9	9,454	9	9,816		6	7,253	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 131,269		\$ 145,445	10.8		\$ 107,925	(17.8)
Holly Hills Water and Sanitation District								
Flow	92	\$ 81,587	78	\$ 71,745		81	\$ 70,836	
BOD	112	68,555	96	56,882		99	61,361	
SS	108	86,495	98	81,938		95	77,467	
TKN	22	24,597	20	22,435		19	21,635	
Customer Equivalent Units	1.04	22,939	1.04	22,507		1.04	22,507	
Total		\$ 284,173		\$ 255,507	(10.1)		\$ 253,806	(10.7)
Industrial Park Water and Sanitation District								
Flow	35	\$ 30,766	27	\$ 25,244		28	\$ 24,828	
BOD	67	40,881	47	27,989		52	32,583	
SS	45	35,741	32	26,416		38	30,678	
TKN	10	11,586	7	8,308		7	7,952	
Customer Equivalent Units	0.52	11,470	0.52	11,254		0.52	11,254	
Total		\$ 130,444		\$ 99,211	(23.9)		\$ 107,295	(17.7)

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
SPECIAL CONNECTORS, Cont'd.								
Lakehurst Water and Sanitation District								
Flow	649	\$ 574,849	602	\$ 552,979		610	\$ 533,489	
BOD	585	357,333	565	333,701		524	325,532	
SS	712	570,488	663	552,197		667	542,365	
TKN	137	150,970	130	145,353		122	138,114	
Customer Equivalent Units	2.02	44,555	2.02	43,716		2.02	43,716	
Total		\$ 1,698,195		\$ 1,627,946	(4.1)		\$ 1,583,216	(6.8)
Mountain View, Town of								
Flow	16	\$ 14,448	16	\$ 14,582		16	\$ 14,190	
BOD	20	12,340	19	11,228		20	12,312	
SS	21	16,432	19	16,073		20	16,347	
TKN	3	3,457	3	3,306		3	3,463	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 47,339		\$ 45,838	(3.2)		\$ 46,961	(0.8)
North Lincoln Water and Sanitation District								
Flow	19	\$ 17,017	20	\$ 18,329		19	\$ 16,806	
BOD	23	14,301	25	14,505		23	14,494	
SS	24	19,005	25	20,703		24	19,202	
TKN	4	3,998	4	4,244		4	4,061	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 54,983		\$ 58,430	6.3		\$ 55,212	0.4
Sheridan Sanitation District No. 2								
Flow	110	\$ 97,710	100	\$ 91,736		103	\$ 90,004	
BOD	146	89,075	134	78,923		138	85,499	
SS	136	109,308	126	104,915		136	110,202	
TKN	25	27,932	23	25,651		24	27,253	
Customer Equivalent Units	0.75	16,543	0.75	16,231		0.75	16,231	
Total		\$ 340,568		\$ 317,456	(6.8)		\$ 329,189	(3.3)
South Sheridan Water, Sanitary Sewer and Storm Drainage District								
Flow	69	\$ 61,044	76	\$ 70,147		69	\$ 59,979	
BOD	102	62,281	114	67,542		89	55,397	
SS	111	88,748	117	97,653		87	70,668	
TKN	18	19,571	21	23,072		17	18,860	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 248,628		\$ 275,078	10.6		\$ 221,568	(10.9)

2021 ANNUAL CHARGES FOR SERVICE
CONNECTOR FLOWS, LOADINGS, AND CHARGES
FINAL ADJUSTMENT

	August 2020		August 2021		% Change Rev vs. Cert	June 2022		% Change Final vs. Cert
	Certified Estimate		Revised Estimate			Final Adjustment		
	MG/ Tons	Total Charge	MG/ Tons	Total Charge		MG/ Tons	Total Charge	
SPECIAL CONNECTORS, Cont'd.								
Southwest Plaza Metropolitan District								
Flow	11	\$ 9,815	7	\$ 6,143		6	\$ 5,678	
BOD	37	22,848	17	9,834		19	12,088	
SS	28	22,620	12	9,635		12	9,971	
TKN	3	3,424	1	1,563		2	1,816	
Customer Equivalent Units	0.52	11,470	0.52	11,254		0.52	11,254	
Total		\$ 70,177		\$ 38,429	(45.2)		\$ 40,807	(41.9)
Southwest Suburban Denver Sanitation District								
Flow	133	\$ 118,182	133	\$ 122,297		141	\$ 122,977	
BOD	130	79,240	145	85,833		161	100,255	
SS	129	103,753	181	150,901		177	144,279	
TKN	31	34,482	32	35,400		33	36,897	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 352,641		\$ 411,095	16.6		\$ 421,072	19.4
Willowbrook Water and Sanitation District								
Flow	110	\$ 97,382	105	\$ 96,502		117	\$ 102,567	
BOD	114	69,361	108	63,591		117	73,001	
SS	157	125,547	122	101,192		147	119,710	
TKN	25	27,435	25	28,052		26	29,633	
Customer Equivalent Units	0.77	16,984	0.77	16,664		0.77	16,664	
Total		\$ 336,709		\$ 306,001	(9.1)		\$ 341,575	1.4
Suncor Energy USA (incl. Republic Paperboard, as of 2019)								
Flow	2.01	\$ 1,781	2	\$ 1,837		1.99	\$ 1,741	
BOD	3.35	2,047	3.33	1,967		3.32	2,064	
SS	3.35	2,685	3.33	2,773		3.32	2,700	
TKN	0.5	552	0.5	558		0.50	564	
Customer Equivalent Units	0.03	662	0.03	649		0.03	649	
Total		\$ 7,727		\$ 7,784	0.7		\$ 7,718	(0.1)
TOTAL SPECIAL CONNECTORS		\$ 12,184,702		\$ 12,154,098			\$ 11,856,735	
TOTAL ANNUAL CHARGES FOR SERVICE		\$ 135,440,824		\$ 135,440,824			\$ 135,440,824	

2021 ANNUAL CHARGES FOR SERVICE
ANALYSIS OF PAYMENT OF 2021 CHARGES

	(A) 2021 Certified Estimate	(B) 2021 Revised Estimate	(C) Difference Revised Est - Certified Est	(D) 2021 Final Adjustment	(E) Difference Final Adjust - Revised Est
<u>MEMBER MUNICIPALITIES</u>					
Alameda Water and Sanitation District	\$ 822,825	\$ 798,915	\$ (23,910)	\$ 826,643	\$ 27,728
Applewood Sanitation District	209,226	216,413	7,187	240,925	24,512
Arvada, City of	8,330,667	8,881,688	551,021	8,625,109	(256,579)
Aurora, City of	27,821,564	28,825,412	1,003,848	29,379,424	554,012
Bancroft-Clover Water and Sanitation District	2,506,944	2,465,251	(41,693)	2,463,057	(2,194)
Berkeley Water and Sanitation District	587,460	505,051	(82,409)	501,117	(3,934)
Brighton, City of	399,995	704,753	304,758	766,030	61,277
Crestview Water and Sanitation District	1,397,352	1,307,286	(90,066)	1,338,375	31,089
Denver, City and County of	56,990,876	55,335,028	(1,655,848)	54,932,294	(402,734)
East Lakewood Sanitation District	51,253	62,780	11,527	67,941	5,161
Fruitdale Sanitation District	454,377	435,012	(19,365)	394,755	(40,257)
Lakewood, City of	2,844,576	2,796,861	(47,715)	2,712,107	(84,754)
North Pecos Water and Sanitation District	420,205	461,753	41,548	435,072	(26,681)
North Table Mountain Water and Sanitation District	1,057,148	1,098,859	41,711	1,143,628	44,769
North Washington Street Water and Sanitation District	2,540,496	2,289,168	(251,328)	2,156,404	(132,764)
Northwest Lakewood Sanitation District	1,430,976	1,285,122	(145,854)	1,208,180	(76,942)
Pleasant View Water and Sanitation District	938,292	823,396	(114,896)	821,515	(1,881)
South Adams County Water and Sanitation District	-	-	-	-	-
Thornton, City of	9,641,476	10,385,177	743,701	11,150,263	765,086
Westminster, City of	2,941,245	2,778,089	(163,156)	2,587,323	(190,766)
Westridge Sanitation District	401,829	430,242	28,413	432,160	1,918
Wheat Ridge Sanitation District	1,467,340	1,400,470	(66,870)	1,401,767	1,297
TOTAL MEMBER MUNICIPALITIES	\$ 123,256,122	\$ 123,286,726	\$ 30,604	\$ 123,584,089	\$ 297,363

(A) Adopted August 2020; paid in 2021.

(B) Adopted August 2021.

(C) Paid (credited) with 2022 payments.

(D) Adopted June 2022.

(E) To be paid (credited) with 2023 payments.

2021 ANNUAL CHARGES FOR SERVICE
ANALYSIS OF PAYMENT OF 2021 CHARGES

	(A) 2021 Certified Estimate	(B) 2021 Revised Estimate	(C) Difference Revised Est - Certified Est	(D) 2021 Final Adjustment	(E) Difference Final Adjust - Revised Est
<u>SPECIAL CONNECTORS</u>					
Adams County	\$ 8,933	\$ 18,936	\$ 10,003	\$ 27,346	\$ 8,410
Bear Creek Water and Sanitation District	879,456	1,072,793	193,337	900,934	(171,859)
Bennett Bear Creek Farm Water and Sanitation District	113,795	124,375	10,580	115,751	(8,624)
Bow Mar Water and Sanitation District	9,473	9,642	169	9,518	(124)
Castlewood Water and Sanitation District	1,214,228	1,098,570	(115,658)	1,141,292	42,722
Cherry Creek Valley Water and Sanitation District	1,498,049	1,555,153	57,104	1,433,264	(121,889)
East Jefferson County Sanitation District	542,181	475,067	(67,114)	459,972	(15,095)
Edgewater, City of	239,604	233,645	(5,959)	231,118	(2,527)
Englewood, City of	38,254	39,094	840	39,000	(94)
Glendale, City of	541,863	469,928	(71,935)	479,844	9,916
Goldsmith Gulch Sanitation District	489,117	415,521	(73,596)	455,737	40,216
Green Mountain Water and Sanitation District	2,382,961	2,513,119	130,158	2,509,284	(3,835)
Havana Water and Sanitation District	471,293	485,874	14,581	483,796	(2,078)
Hi-Land Acres	17,084	17,358	274	17,112	(246)
Hi-Lin Water and Sanitation District	35,558	36,803	1,245	36,423	(380)
Hillcrest Water and Sanitation District	131,269	145,445	14,176	107,925	(37,520)
Holly Hills Water and Sanitation District	284,173	255,507	(28,666)	253,806	(1,701)
Industrial Park Water and Sanitation District	130,444	99,211	(31,233)	107,295	8,084
Lakehurst Water and Sanitation District	1,698,195	1,627,946	(70,249)	1,583,216	(44,730)
Mountain View, Town of	47,339	45,838	(1,501)	46,961	1,123
North Lincoln Water and Sanitation District	54,983	58,430	3,447	55,212	(3,218)
Sheridan Sanitation District No. 2	340,568	317,456	(23,112)	329,189	11,733
South Sheridan Water, Sanitary Sewer, and Storm Drainage District	248,628	275,078	26,450	221,568	(53,510)
Southwest Plaza Metropolitan District	70,177	38,429	(31,748)	40,807	2,378
Southwest Suburban Denver Water and Sanitation District	352,641	411,095	58,454	421,072	9,977
Willowbrook Water and Sanitation District	336,709	306,001	(30,708)	341,575	35,574
Suncor Energy USA (incl. Republic Paperboard as of 2019)	7,727	7,784	57	7,718	(66)
TOTAL SPECIAL CONNECTORS	\$ 12,184,702	\$ 12,154,098	\$ (30,604)	\$ 11,856,735	\$ (297,363)
TOTAL ANNUAL CHARGE PAYMENTS	\$ 135,440,824	\$ 135,440,824	\$ 0	\$ 135,440,824	\$ 0

(A) Adopted August 2020; paid in 2021.

(B) Adopted August 2021.

(C) Paid (credited) with 2022 payments.

(D) Adopted June 2022.

(E) To be paid (credited) with 2023 payments.

2021 ANNUAL CHARGES FOR SERVICE

CALCULATION OF UNIT CHARGES
FINAL ADJUSTMENT

CERTIFIED ESTIMATE - AUGUST 2020

	<u>Allocation</u>	<u>Units Per Category</u>	<u>Unit Charges</u>
Annual Flow (Flow)	42,799,301	48,314 MG	\$ 885.85 /MG
Biochemical Oxygen Demand (BOD)	34,374,878	56,269 Tons	\$ 610.90 /Ton
Suspended Solids (SS)	45,887,352	57,248 Tons	\$ 801.55 /Ton
Total Kjeldahl Nitrogen (TKN)	11,173,867	10,117 Tons	\$ 1,104.47 /Ton
Metering and Sampling (CECU)	1,205,426	54.65 Equiv.	\$ 22,057 /CECU
TOTAL 2021 Annual Charges	<u>135,440,824</u>		

REVISED ESTIMATE - AUGUST 2021

	<u>Allocation</u>	<u>Units Per Category</u>	<u>Unit Charges</u>
Annual Flow (Flow)	42,799,301	46,608 MG	\$ 918.28 /MG
Biochemical Oxygen Demand (BOD)	34,374,878	58,202 Tons	\$ 590.61 /Ton
Suspended Solids (SS)	45,887,352	55,101 Tons	\$ 832.79 /Ton
Total Kjeldahl Nitrogen (TKN)	11,173,867	10,006 Tons	\$ 1,116.72 /Ton
Metering and Sampling (CECU)	1,205,426	55.70 Equiv.	\$ 21,641 /CECU
TOTAL 2021 Annual Charges	<u>135,440,824</u>		

FINAL ADJUSTMENT - JUNE 2022

	<u>Allocation</u>	<u>Units Per Category</u>	<u>Unit Charges</u>
Annual Flow (Flow)	42,799,301	48,922 MG	\$ 874.85 /MG
Biochemical Oxygen Demand (BOD)	34,374,878	55,282 Tons	\$ 621.81 /Ton
Suspended Solids (SS)	45,887,352	56,421 Tons	\$ 813.30 /Ton
Total Kjeldahl Nitrogen (TKN)	11,173,867	9,906 Tons	\$ 1,128.01 /Ton
Metering and Sampling (CECU)	1,205,426	55.70 Equiv.	\$ 21,641 /CECU
TOTAL 2021 Annual Charges	<u>135,440,824</u>		

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, a number of projects of Metro Water Recovery, hereinafter referred to as "Metro," have been completed and it is now necessary certain unexpended appropriations be rescinded; and

WHEREAS, the unexpended appropriations are as follows:

General Fund	0.00
Fixed Asset Replacement Fund	54,336.04
Total Unexpended Appropriations	\$ 54,336.04; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend that such appropriations be rescinded; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the unexpended balances of the appropriations set forth in the attached Schedule of Appropriations To Be Rescinded—June 2022 be and hereby are rescinded.

METRO WATER RECOVERY
SCHEDULE APPROPRIATIONS TO BE RESCINDED
JUNE 2022
FIXED ASSET REPLACEMENT FUND

PROJECT DESCRIPTION	RESOLUTION(S)	APPROPRIATION	EXPENDITURES	PRIOR RESCISSIONS	FUNDS HELD FOR REMAINING EXPENDITURES	RESCIND	PROJECT	
							START	END
Data Highway/Building Wiring Modifications	1217-8.d	\$1,660,000.00	\$1,658,442.78	\$0.00	\$0.00	\$1,557.22	12/17	06/22
Payroll and HR Software Upgrade 2017	0417-7-.c	350,000.00	298,051.18	0.00	0.00	51,948.82	05/17	08/21
Process Control System - Future Controller Upgrades	0418-6.b	812,000.00	751,120.49	60,049.51	0.00	830.00	05/18	11/21
FIXED ASSET REPLACEMENT FUND TOTAL		\$2,822,000.00	\$2,707,614.45	\$60,049.51	\$0.00	\$54,336.04		

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, the 2022 Annual Budget of Metro Water Recovery, hereinafter referred to as "Metro," was adopted by Metro's Board of Directors on June 15, 2021 by Resolution for the fiscal year 2022; and

WHEREAS, the annual budget may be amended under C.R.S. § 29-1-109 for unanticipated expenditures required for the operation of Metro; and

WHEREAS, the amended 2022 Annual Budget of Metro has been prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee of Metro's Board of Directors; and

WHEREAS, the Board of Directors duly published a notice concerning the amended 2022 Annual Budget as required under C.R.S. § 29-1-108 and held a public hearing on May 17, 2022, on said Budget, as provided for in Section 901B of the 2009, 2012, 2019, and 2020 Bond Resolutions; and

WHEREAS, the Operations and Finance committees of Metro, after having reviewed the matter, recommend:

- adoption of the amended 2022 Annual Budget for all funds totaling \$153,700,503 (original budget of \$149,946,723, additional budget of \$3,753,780),
- adoption of the amended 2022 Operating Budget of \$102,078,003 (original budget of \$98,726,223, additional budget of \$3,351,780),
- adoption of amended 2022 budget for new and replacement equipment and vehicle purchases (greater than or equal to \$10,000 and less than or equal to \$250,000) of \$1,772,500, which will be funded as follows: \$522,000 from the Operations and Maintenance Fund (original budget of \$418,000, additional budget of \$104,000) and \$1,250,500 from the Fixed Asset Replacement (FAR) Fund (original budget of \$952,500, additional budget of \$298,000); and

WHEREAS, the additional budget amounts shall be funded by the Operating Reserve of \$1,500,000 and available fund balance of the General Fund; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the amended 2022 Annual Budget of \$153,700,503, as prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee, be and hereby is adopted as the amended 2022 Annual Budget for Metro Water Recovery; and

BE IT FURTHER RESOLVED:

- The amended Operating Budget for 2022 be and hereby is adopted at \$102,078,003; and
- The new and replacement equipment and vehicle purchases (greater than or equal to \$10,000 and less than or equal to \$250,000) amended budget for 2022 be and hereby is adopted at \$1,772,500, which will be funded as follows: \$522,000 from the Operations and Maintenance Fund and \$1,250,500 from the Fixed Asset Replacement (FAR) Fund); and
- The additional budget amounts shall be funded by the Operating Reserve of \$1,500,000 and available fund balance of the General Fund.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, the Chief Executive Officer of Metro Water Recovery, hereinafter referred to as "Metro," with the advice and counsel of the Finance Committee of Metro's Board of Directors, prepared an amended Annual Budget for the fiscal year beginning January 1, 2022; and

WHEREAS, the Operations, Finance, and Executive committees recommend adoption of the amended 2022 Annual Budget; and

WHEREAS, the Board of Directors further reviewed said amended Budget to determine its adequacy to meet the obligations of Metro Water Recovery for the fiscal year 2022 and, having found the 2022 estimated revenues and expenditures reasonable, adopted said amended Budget on June 21, 2022; and

WHEREAS, it is incumbent upon the Board of Directors to appropriate the necessary amounts for the purposes set forth in the amended 2022 Annual Budget;

NOW, THEREFORE, BE IT RESOLVED \$2,253,780 be and hereby is appropriated as set forth in the amended 2022 Annual Budget Supplemental Appropriation Summary attached hereto and made a part hereof.

Amended 2022 Budget Supplemental Appropriation Summary

This budget sets forth the revised 2022 Operations and Maintenance (O&M) expenses; the revised 2022 capital equipment and vehicle expenses greater than \$10,000 and less than or equal to \$250,000; the 2022 small project expenditures; and the 2022 debt service requirements on the 2009B Sewer Improvement Bonds, 2019A&B Sewer Refunding, and 2020A Sewer Improvement Bonds.

Adoption of the Amended 2022 Budget will require an appropriation resolution to be approved by the Board of Directors as follows:

	Adopted 2022 Budget	Amended 2022 Budget	2022 Supplemental Appropriation
<u>OPERATIONS AND MAINTENANCE REVENUE FUND</u>			
O&M Expenses	\$ 98,726,223	\$ 102,078,003	\$ 3,351,780
O&M Capital Outlay	418,000	522,000	104,000
Less: Operating Reserve	-	-	1,500,000
Total O&M Expense Requirements	99,144,223	102,600,003	1,955,780
<u>FIXED ASSET REPLACEMENT FUND</u>			
Fixed Asset Replacement (FAR) Fund Capital Outlay	952,500	1,250,500	298,000
Total O&M and FAR Fund Expense Requirements	100,096,723	103,850,503	2,253,780
<u>DEBT SERVICE FUND</u>			
2009A&B Sewer Improvement Bonds – Interest	4,000,000	4,000,000	-
2012A Sewer Improvement Bonds – Principal	11,000,000	11,000,000	-
2012A Sewer Improvement Bonds – Interest	300,000	300,000	-
2019A&B Sewer Refunding Bonds – Principal	17,000,000	17,000,000	-
2019A&B Sewer Refunding Bonds – Interest	11,500,000	11,500,000	-
2020A Sewer Improvement Bonds – Interest	5,300,000	5,300,000	-
Total Debt Service Expenditure Requirements	49,100,000	49,100,000	-
<u>SMALL PROJECT EXPENDITURES</u>			
General Fund	750,000	750,000	-
Fixed Asset Replacement Fund	-	-	-
Total Small Project Expenditures	750,000	750,000	-
Total Amended 2022 Budget Appropriation	\$ 149,946,723	\$ 153,700,503	\$ 2,253,780

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to appropriate funds for the 2022 Information Technology (IT) Infrastructure Grouped Project (Project); and

WHEREAS, the Project is an annual project to replace and enhance existing IT fixed asset infrastructure which will provide reliable, available, and sustainable networks; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to appropriate \$605,000 from the Fixed Asset Replacement Fund for this Project; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to appropriate \$605,000 (100 percent) from the Fixed Asset Replacement Fund for the 2022 Information Technology Infrastructure Grouped Project.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to convey certain land rights acquired for construction of the Second Creek (SD) Interceptor Project (Project) to fulfill Metro's obligations under Intergovernmental Agreements (IGAs); and

WHEREAS, under IGAs with the City and County of Denver and Aurora, Metro agreed to construct certain reimbursable connecting infrastructure for these Members; and

WHEREAS, prior to constructing the connecting infrastructure Metro acquired the necessary land rights; and

WHEREAS, as part of conveying the connecting infrastructure to these Members, Metro needs to convey certain land rights acquired under the Project to these Members;

WHEREAS, it may be necessary to adjust easement boundaries to cover the SD Interceptor's final alignment; and

WHEREAS, permission to convey these land rights to Connectors and to adjust easement boundaries consistent with the SD Interceptor's final alignment was not included in the May 2018 resolution 0518-6.e; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to convey certain land rights acquired for construction of the Project to fulfill Metro's obligations under IGAs and to adjust easements if the SD Interceptor alignment changes during construction; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to convey certain land rights acquired for construction of the Second Creek (SD) Interceptor Project to fulfill Metro Water Recovery's obligations under Intergovernmental Agreements; and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized to adjust easements if the SD Interceptor Project alignment changes during construction.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to enter into Legal Services contracts; and

WHEREAS, to ensure Metro Water Recovery has the right legal experts, the Office of the General Counsel contracts with a wide array of law firms with various specialties to be able to provide nimble legal services when needed; and

WHEREAS, the Board of Directors adopted the Legal Policy on November 16, 2010, which enables the General Counsel to acquire outside legal counsel "to represent Metro Water Recovery in litigation or to assist the General Counsel with other matters;" and

WHEREAS, on March 25, 2022, Metro submitted a Request for Proposal on BidNet and on April 22, 2022 received 12 proposals; and

WHEREAS, Metro staff evaluated all proposals and deemed the 12 proposals to be responsive and included the follow law firms:

- BakerHostetler
- Beatty & Wozniak, P.C.
- Brownstein Hyatt Farber Schreck, LLP
- Culp & Kelly, LLP
- Faegre Drinker Biddle & Reath, LLP
- Hayes Poznanovic Korver LLC
- Hoffman Parker Wilson & Carberry P.C.
- Ireland Stapleton Pryor & Pascoe, PC
- Nathan Dumm & Mayer P.C.
- Polsinelli PC
- Taft Stettinius & Hollister LLP
- Vranesh & Raisch, LLP

WHEREAS, because of the unique inability to predict all legal needs in advance, General Counsel seeks contracting authority from the Board for these situations; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into five-year Legal Services contracts with the above listed firms and authorize the General Counsel to select and the Chief Executive Officer to enter into five-year contracts for future legal services; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into five-year legal services contracts with the following law firms; and

- BakerHostetler
- Beatty & Wozniak, P.C.
- Brownstein Hyatt Farber Schreck, LLP
- Culp & Kelly, LLP
- Faegre Drinker Biddle & Reath, LLP
- Hayes Poznanovic Korver LLC
- Hoffman Parker Wilson & Carberry P.C.
- Ireland Stapleton Pryor & Pascoe, PC
- Nathan Dumm & Mayer P.C.
- Polsinelli PC
- Taft Stettinius & Hollister LLP
- Vranesh & Raisch, LLP

BE IT FURTHER RESOLVED the General Counsel be and hereby is authorized to select future law firms for legal services and the Chief Executive Officer be and hereby is authorized to enter into contracts for future legal services.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to enter into a one-year contract for janitorial services for the personnel-occupied buildings at the Northern Treatment Plant (NTP); and

WHEREAS, janitorial services for personnel-occupied buildings have been provided at NTP through an external contract since the startup of the facility in 2016; and

WHEREAS, the current contract for janitorial services is due to expire on June 30, 2022; and

WHEREAS, on April 12, 2022, Metro posted a Request for Proposals on the Rocky Mountain E-Purchasing site (*BidNet*) for janitorial services, and received four responsive proposals on May 3, 2022; and

WHEREAS, through a standard selection process, the proposals were reviewed by Metro staff and Mojors Cleaning Services, Inc. was determined to be the best qualified proposer; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into a one-year contract effective July 1, 2022 through June 30, 2023 with Mojors Cleaning Services, Inc., for janitorial services for the personnel-occupied buildings at the NTP; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into a one-year contract effective July 1, 2022 through June 30, 2023 with Mojors Cleaning Services, Inc., for janitorial services for the personnel-occupied buildings at the Northern Treatment Plant; and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized to enter additional contract periods, not exceeding a total of five years, if determined by the Chief Executive Officer to be in the best interest of Metro Water Recovery.

**RESOLUTION
BOARD OF DIRECTORS
METRO WATER RECOVERY
June 21, 2022**

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to enter into an Agreement for Professional Services to provide study, demonstration, and design phase services for the Northern Treatment Plant (NTP) Effluent Temperature Project (Project); and

WHEREAS, Metro staff are working toward the objective of meeting the temperature reduction requirements at both the Robert W. Hite Treatment Facility and NTP; and

WHEREAS, since there are currently no known wastewater facilities in cold weather climates employing cooling tower technology for effluent temperature reduction and no Water Quality Control Division (WQCD) approved design criteria, Metro staff will use this Project to determine whether this is a viable solution for thermal pollution reduction in this region; and

WHEREAS, if shown to be technically, environmentally, and economically feasible, the data collected during the Project will facilitate the design of these cooling systems and help optimize the operation and maintenance of effluent cooling systems for both the RWHTF and NTP; and

WHEREAS, Metro needs to engage a consultant to complete the study, demonstration, and design; and

WHEREAS, on March 15, 2022, Metro posted a Request for Proposals on the Rocky Mountain E-Purchasing site (*BidNet*) for the study, demonstration, and design phase services for the Project, and received four proposals on April 14, 2022; and

WHEREAS, through a standard selection process, the proposals were reviewed by Metro staff, and two firms were invited to participate in interviews on May 9, 2022, with a Selection Committee of Metro staff and Board Directors; and

WHEREAS, the Selection Committee recommended selecting Stantec Consulting Services, Inc. (Stantec) to provide study, demonstration, and design phase services for the Project and, on behalf of the Board of Directors, Directors on the Selection Committee instructed staff to negotiate an agreement; and

WHEREAS, Stantec and Metro staff have negotiated a fee in the amount of \$550,000 to provide these services; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into an Agreement with Stantec to provide study, demonstration, and design phase services for this Project and appropriate \$896,000 for this purpose; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into a Professional Services Agreement with Stantec Consulting Services, Inc., in the amount of \$550,000 to provide study, demonstration, and design phase services for the Northern Treatment Plant Effluent Temperature Project (Project); and

BE IT FURTHER RESOLVED the sum of \$896,000 (100 percent) be and hereby is appropriated from the General Fund Capital Project Account for this Project.

METRO WATER RECOVERY

Defined Benefit Plan Retirement Board Meeting Minutes

Thursday, February 24, 2022

A meeting of the Defined Benefit Plan Retirement Board (DB Retirement Board) of Metro Water Recovery was held Thursday, February 24, 2022 at 7:30 a.m., in the Metro Boardroom.

1. Roll Call of Members

Chairman Papke called the roll.

Members Present

Sherman Papke, Chairman
John Dingess, Secretary*
Craig Kocian*
Charles Long
Del Smith*
Orren West

Members Absent

Robert Duncanson

Others Present

Mickey Conway
Emily Jackson
Colleen Dempsey
Molly Kostelecky
Norma Arnwine
Brian Haggerty
Amy Kolanowski
Rich MacAlpine
Lydia Nkem
Brittany Peshek
Christina Virgilio
Dale Connors, CapFinancial
Partners, LLC "CAPTRUST"
Andy Fiegel, CAPTRUST
Joel Stewart, Milliman
Pat Fishbach, retired Metro Water
Recovery employee

Employee Liaisons

Jena Cline
James T. Graber
Jeff Hayden
James Jackson
Josh Mallore

*Attended via conference call

2. Public Comment

General Counsel Jackson explained the guidelines for public comment before members of the public addressed the DB Retirement Board.

Mr. Graber stated he is not interested in co-funding a Cost Of Living Adjustment (COLA) to the Defined Benefit Retirement Plan (DB Plan) unless ongoing COLAs are guaranteed. He also gave estimates of what percentage employees and Metro Water Recovery are currently paying into the DB Plan benefits accrual and how adding a COLA would impact those percentages. He then asked for Metro to increase the contributions it is making to the DB Plan to fund a COLA.

Mr. MacAlpine expressed his support for adding COLAs to the DB Plan, stating he views them as a necessary part of retirement plans.

Mr. Fishbach expressed appreciation for the existence of the DB Plan and asked the DB Retirement Board to remain open to adding a COLA to the DB Plan in the future.

3. Approval of Minutes from the November 18, 2021 Meeting

Chairman Papke asked if there were any corrections, deletions, or additions to the minutes of the DB Retirement Board meeting held November 18, 2021.

Director Long moved and Director Kocian seconded the motion to approve the minutes of the November 18, 2021 meeting of the DB Retirement Board.

The motion carried unanimously.

4. Reports to the DB Retirement Board

a. Defined Benefit Retirement Plan Financial Reports — Quarter-Ending December 31, 2021

Ms. Kostelecky reviewed her written report, noting a favorable year for the DB Plan.

b. DB Plan Fund Investment Performance Report — Quarter-Ending December 31, 2021

Mr. Fiegel and Mr. Connors reviewed the written report, noting current geopolitical upheaval is creating volatility in the market.

c. DB Plan Fund Investment Performance Monthly Flash Report, January 31, 2022

Mr. Connors reviewed the report, highlighting a decrease in performance for the month.

Mr. Connors answered a question regarding if the DB Retirement Board should take any actions to address the lower performance.

5. Action Item

There was none.

6. Information Items

a. Private Pacing Model

Mr. Connors reviewed the written report, noting the asset allocation review was not presented as CAPTRUST and Ellwood Associates' philosophies are being reconciled.

b. Investment Outlook 2022

Mr. Fiegel and Mr. Connors reviewed the written report, highlighting current uncertainty in the market.

c. Cost of Living Adjustment Information

CEO Conway gave an overview of the item. Ms. Dempsey gave a review of the survey Metro Water Recovery conducted of other defined benefit plans and the use of COLAs and of the informal discussions held with DB Plan liaisons and participants regarding adding a COLA to the DB Plan and if employees would be willing to fund part of the COLA, stating most employees would only be willing to partially fund a COLA if future COLAs

were guaranteed. Ms. Kostelecky gave an overview of the actuarial reviews regarding how a COLA would impact the DB Plan.

Mr. Conway offered to provide the DB Retirement Board with more information if desired and asked if the 2006 goals document should be updated.

Director Dingess indicated information stating the DB Retirement Board decided in 2012 to forego COLAs until the DB Plan was fully funded was correct. He also stated he still carries this view.

Mr. Stewart answered questions concerning the actuarial studies done regarding COLAs and how previous COLAs have impacted unfunded liability of the DB Plan.

Director Long noted if the DB Retirement Board approved a COLA, the full Board of Directors would have to approve it and would have to consider how to remain equitable to employees in the Defined Contribution Retirement Plan. He also stated if a COLA were to be approved, one should be added every five years.

Chairman Papke stated he was in support of revisiting the possibility of adding a COLA once the DB Plan is fully funded and noted employees can make use of the 457 Deferred Compensation Plan in the meantime rather than put more money into the DB Plan. He also stated once the DB Plan is fully funded, he would support the DB Retirement Board reducing the amount of employee contributions into the DB Plan.

Director Long stated there is no need to update the 2006 goals document at this time, and the other DB Retirement Board members agreed.

d. Board Meeting Procedures

CEO Conway reviewed the item.

7. Other Information

8. Upcoming 2022 Quarterly Meetings

- Thursday, May 26, 2022, 7:30 a.m.
- Thursday, August 25, 2022, 7:30 a.m.
- Thursday, November 10, 2022, 2:00 p.m.

9. Adjournment

Chairman Papke adjourned the meeting at 8:54 a.m.

MC:rak/lmn

METRO WATER RECOVERY

Defined Contribution Plan Retirement Board Meeting Minutes

Thursday, February 24, 2022

The meeting of the Defined Contribution Plan Retirement Board (DC Retirement Board) of Metro Water Recovery was held Thursday, February 24, 2022 at 12 p.m., in the Metro Boardroom.

Secretary Dempsey chaired the meeting in the absence of a Chairman.

1. Roll Call of Members

Director Dempsey called the roll.

Members Present

Colleen Dempsey, Chair
Greg Sekera, Secretary
Alberto Domingos
Janet Kieler

Members Absent

Christeen Thyfault

Others Present

Mickey Conway
Emily Jackson
Molly Kostelecky
Norma Arnwine
Brain Haggerty
Lydia Nkem
Brittany Peshek
Jared Martin, Innovest Portfolio
Solutions "Innovest"
Rick Rodgers, Innovest
Tjarda Dijkstra, MissionSquare
Retirement "MissionSquare"
Matt Greer, MissionSquare

Employee Liaisons

Ridge Dorsey
Jonathan Downey
Corey Kreifels
Colleen Miller
David Slaughter

2. Public Comment

There was none.

3. Election of Chairman for the Defined Contribution Plan Retirement Board

Director Dempsey asked the DC Retirement Board for nominations for the DC Retirement Board Chairman. Director Sekera nominated Director Dempsey who expressed her willingness to serve as Chair.

The motion carried unanimously.

Chair Dempsey asked the DC Retirement Board for nominations for the DC Retirement Board Secretary. Director Kieler nominated Director Sekera who expressed his willingness to serve as Secretary.

The motion carried unanimously.

Director Kieler asked for gender neutral designations of the Chair moving forward.

4. **Approval of Minutes from November 18, 2021 Meeting**

Chair Dempsey asked if there were any corrections, deletions, or additions to the minutes of the DC Retirement Board meeting held November 18, 2021.

Director Sekera moved and Director Kieler seconded the motion to approve the minutes of the November 18, 2021 meeting of the DC Retirement Board.

The motion carried with majority.

4. **Reports to the DC Retirement Board**

- a. Defined Contribution Retirement Plan (DC Plan) Key Statistics Report — Quarter-Ending December 31, 2021

Ms. Kostelecky reviewed the written report, noting the forfeiture balance will have dropped by the next quarter.

- b. DC Plan Year Review

Ms. Dijkstra and Mr. Greer reviewed the written report.

Ms. Dijkstra answered questions regarding the abbreviation of Retirement Plan Specialist and the features of the MissionSquare website and mobile application.

Director Kieler and Chair Dempsey welcomed the MissionSquare staff.

- c. Annual Fee Review

Mr. Rodgers introduced himself and reviewed the written report, noting the fee percentages of the DC Plan are currently in good standing.

- d. Fourth Quarter Investment and Market Update and Share Class Review

Mr. Martin introduced himself and he and Mr. Rodgers reviewed the written report, highlighting potential rising short-term interest rates and uncertainty due to the current geopolitical climate. Mr. Rodgers also noted Innovest would be producing a white paper shortly in response to the current geopolitical upheaval.

Mr. Martin and Mr. Rodgers answered a question concerning how Innovest weights the fund line up scorecard.

- e. Investment Menu Analysis

Mr. Martin reviewed the written report.

Mr. Martin and Mr. Rodgers answered questions regarding the approach for placing funds on the watchlist and listing them for replacement and which funds are a part of both the DC Plan and the 457 Deferred Compensation Plan (457 Plan).

Chair Dempsey answered a question about how the DC Retirement Board would like to see the watchlist and fund replacement recommendations. She also answered a question concerning how the DC Plan and 457 Plan funds could mirror each other.

Mr. Rodgers answered a question about the availability of a brokerage window.

Chair Dempsey agreed to send to Innovest the dates of when different funds have been added to the DC Plan.

f. **Legal and Regulatory Changes**

Mr. Rodgers gave an overview of the item.

6. Action Item

a. **Consideration of Adopting IRS Required DC Plan Documents Updates**

Director Kieler moved and Director Sekera seconded the motion to recommend adopting the IRS Required DC Plan Documents Updates.

Chair Dempsey gave an overview of the item.

The motion passed unanimously.

7. Information Items

a. **DC Board Appointment**

Chair Dempsey gave an overview of the item.

b. **MissionSquare Team Update**

8. Other Information

Chair Dempsey requested a Request For Proposals (RFP) be issued for the role record keeper and a study be done on prevailing practices related to vesting schedule sometime during the upcoming year.

9. Upcoming 2022 Quarterly Meetings

- Thursday, May 26, 2022, 12 p.m.
- Thursday, August 25, 2022, 12 p.m.
- Thursday, November 10, 2022, 7:30 am.

10. Adjournment

Chair Dempsey adjourned the meeting at 1:44 p.m.

MC:rak/lmn

METRO WATER RECOVERY

Operations Committee Meeting Minutes

Tuesday, June 7, 2022

The meeting of the Operations Committee of Metro Water Recovery was held Tuesday, June 7, 2022 at 11:30 a.m., in the Boardroom.

Roll Call

Chairman Sekera called the roll.

Members Present

Greg Sekera, Chair
Nadine Caldwell, Vice Chair
David Councilman
Clark Davenport
Robert Duncanson
Joan Iler
Jamie Miller
Steve Pott*
Bill Ray
Mary Beth Susman
Amerigo Svaldi
Dennis Towndrow*
Scott Twombly
Jennifer Williams

Members Absent

Greg Baker
John Chavez
Marv Falconburg
Martin Majors
Michael Sapp

Other Directors Present

Peter Baertlein

Others Present

Mickey Conway
Emily Jackson
Liam Cavanaugh
Martin Alvis
Dawn Ambrosio
Kim Cowan
Colleen Dempsey
Shawn Fredrickson
Perry Holland
Ruth Kedzior
Molly Kostelecky*
Andy Nelson
Sherman Papke
Jennifer Robinett
Pat Stanley
Orren West
Chris Bailey
Stefan Boyer
Matt Duncan
Josh Monsrud
Lydia Nkem
Brittany Peshek
Bill Pieper
Ben Ruder
Craig Simmonds
Johnny Tran
Jenny Trujillo
James DeHerrera, City of
Aurora

*Attended virtually

Public Comment

There was none.

Action Items

Chief Executive Officer (CEO) Conway reviewed the following Action Items, and he and Metro Water Recovery staff answered Directors' questions.

1. Consideration of the 2023 Budget

Director Baertlein moved and Director Iler seconded the motion to recommend adopting the 2023 Budget Proposals as recommended by the CEO.

The motion carried unanimously.

2. Consideration of Appropriation of Funds in Accordance with the 2023 Budget

Director Williams moved and Director Davenport seconded the motion to recommend appropriating \$161,742,901 for fiscal year 2023, in accordance with the 2023 Annual Budget to be approved by the Board at the June 21, 2022 Board meeting.

The motion carried unanimously.

3. Consideration of Final Adjustment to the 2021 Annual Charges for Service

Director Duncanson moved and Director Iler seconded the motion to recommend certifying the Final Adjustments to the 2021 Annual Charges for Service as shown on the Schedule of Connector Flows, Loadings, and Charges attached to the memorandum.

The motion carried unanimously.

4. Consideration of Rescinding Unexpended Appropriations

Director Caldwell moved and Director Ray seconded the motion to recommend rescinding the unexpended appropriations listed on the Schedule from the Fixed Asset Replacement Fund in the amount of \$54,336.04 attached to the memorandum.

The motion carried unanimously.

5. Consideration of the Amended 2022 Budget

Director Twombly moved and Director Councilman seconded the motion to recommend adopting the Amended 2022 Budget Proposals as recommended by the CEO.

CEO Conway answered a question regarding the closing of the Operating Reserve fund.

The motion carried unanimously.

6. Consideration of Appropriation of Funds in Accordance with the 2022 Budget

Director Baertlein moved and Director Iler seconded the motion to recommend appropriating an additional \$2,253,780 for fiscal year 2022, in accordance with the Amended 2022 Budget to be approved by the Board at the June 21, 2022 Board meeting.

The motion carried unanimously.

7. Consideration of the 2022 Information Technology Infrastructure Grouped Project

Director Williams moved and Director Councilman seconded the motion to recommend appropriating \$605,000 (100 percent) from the Fixed Asset Replacement Fund for the 2022 Information Technology Infrastructure Grouped Project.

Mr. Fredrickson answered questions concerning the process for disposing of retired equipment.

Mr. Stanley answered a question regarding the number of electric vehicles owned by Metro Water Recovery and if current vehicles would eventually be replaced by electric vehicles.

The motion carried unanimously.

8. Consideration of the Northern Treatment Plant Effluent Temperature Project (PAR 1416) – Consultant Agreement and Appropriation

Director Twombly moved and Director Miller seconded the motion to recommend:

1. Authorizing the CEO to enter into a Professional Services Agreement with Stantec Consulting Services, Inc., in the amount of \$550,000 to provide study/demonstration and design phase services for the Northern Treatment Plant (NTP) Effluent Temperature Project (PAR 1416).

2. Appropriating \$896,000 from the General Fund Capital Project Account for this purpose.

Mr. Nelson and CEO Conway answered a question about the consultant selection process.

Mr. Nelson answered a question regarding the scope of work.

General Counsel Jackson and Ms. Robinett answered questions concerning how regulators are involved in the project and how the knowledge gained from the project would be shared.

Ms. Robinett answered questions about the possibility of cost sharing and why the project is taking place at the NTP.

Several Directors expressed appreciation for the project.

The motion carried unanimously.

9. Consideration of the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (PAR 1232) – Easement Conveyance to Connectors and/or Landowners

Director Iler moved and Director Councilman seconded the motion to recommend authorizing the CEO to convey certain land rights acquired for construction of the Second Creek (SD) Interceptor Project (PAR 1232) to fulfill Metro Water Recovery's obligations under intergovernmental agreements and to adjust easements due to SD Interceptor alignment changes which may occur during construction.

Director Williams abstained from voting due to conflict of interest.

The motion carried with a majority.

10. Consideration of Legal Services 2023-2028

Director Caldwell moved and Director Susman seconded the motion to recommend:

1. Authorizing the CEO to enter into Legal Services contracts with the following law firms:
 - BakerHostetler
 - Beatty & Wozniak, P.C.
 - Brownstein Hyatt Farber Schreck, LLP
 - Culp & Kelly, LLP
 - Faegre Drinker Biddle & Reath, LLP
 - Hayes Poznanovic Korver LLC
 - Hoffman Parker Wilson & Carberry P.C.
 - Ireland Stapleton Pryor & Pascoe, PC
 - Nathan Dumm & Mayer P.C.
 - Polsinelli PC
 - Taft Stettinius & Hollister LLP
 - Vranesh & Raisch, LLP
2. Authorizing General Counsel to select and the CEO to enter into contracts for future legal services.

Ms. Jackson answered questions regarding why the firms were selected, when the contracts take place, and how representation conflicts between the firms and other parties would be handled.

The motion carried unanimously.

11. Consideration of the NTP Janitorial Contract

Director Susman moved and Director Davenport seconded the motion to recommend:

1. Entering into a one-year contract effective July 1, 2022, through June 30, 2023, with Mojos Cleaning Services, Inc., for janitorial services for the personnel-occupied buildings at the NTP.
2. Entering into additional contract periods, not exceeding a total of five years, if determined by the CEO to be in the best interest of Metro Water Recovery.

Mr. Alvis answered a question concerning the screening of those employed by the contractors.

The motion carried unanimously.

Information Items

The Operations Committee reviewed the following Information Items.

1. Innovation Quarterly Report

Mr. Papke gave an overview of the item, expressing appreciation for the Instrument Solution Group and their work.

Mr. Papke answered a question regarding if the real-time data is visible between plants.

2. Metro Water Recovery Meet the Team – Engineering Control Systems Group

Mr. Nelson gave an overview of the item and introduced the team members present, commenting on the effectiveness of their work.

The Committee gave a round of applause for the team.

Mr. Nelson and Ms. Ambrosio answered a question concerning where the Meet the Team issues are published.

Mr. Tran answered questions about the challenges the team faces and how on-call work is assigned.

Director Miller and Chair Sekera expressed appreciation to the team.

3. Status of Capital Improvement Projects Report

4. Current Activities/Operational Performance Report

5. Financial Reports

6. Upcoming Events

CEO Conway reminded the Committee of the Town Hall and Field Day on June 15, 2022 and answered a question about the dunk tank.

Other Information

There was none.

Chair Sekera adjourned the meeting at 12:13 p.m.

MC:raklmm

METRO WATER RECOVERY

Finance Committee Meeting Minutes

Thursday, June 9, 2022

The meeting of the Finance Committee of Metro Water Recovery was held Thursday, June 9, 2022 at 7:30 a.m., in the Boardroom.

Roll Call

Ms. Nkem called the roll.

Members Present

Janet Kieler, Chair*
Del Smith, Vice Chair*
Curt Aldstadt
Phil Burgi*
Deborah Crisp
John Dingess
Jo Ann Giddings*
Andrew Johnston
Craig Kocian
Doug Lazure
Bob LeGare*
Charlie Long
Sarah Niyork
Bob Roth*
Peter Spanberger

Members Absent

Peter Baertlein
Laura Kroeger
Kathy Laurienti
Ronald Younger

Others Present

Mickey Conway
Emily Jackson
Liam Cavanaugh
Martin Alvis
Kim Cowan
Colleen Dempsey
Shawn Fredrickson
Ruth Kedzior
Molly Kostelecky*
Andy Nelson
Sherman Papke
Jennifer Robinett
Pat Stanley
Orren West
Matt Duncan
Reed Koenig*
Jim McNear
Kevin Mudrak
Lydia Nkem
Rienna Nuber
Brittany Peshek
Craig Simmonds
Chris Young

*Attended virtually

Chair Kieler asked Directors to RSVP for meetings on BoardEffect.

Public Comment

There was none.

Action Items

Chief Executive Officer (CEO) Conway reviewed the following Action Items, and he and Metro Water Recovery staff answered Directors' questions.

1. Consideration of the 2023 Budget

Director Dingess moved and Director Johnston seconded the motion to recommend adopting the 2023 Budget Proposals as recommended by the CEO.

The motion carried unanimously.

2. Consideration of Appropriation of Funds in Accordance with the 2023 Budget

Director Smith moved and Director Niyork seconded the motion to recommend appropriating \$161,742,901 for fiscal year 2023, in accordance with the 2023 Annual Budget to be approved by the Board at the June 21, 2022 Board meeting.

The motion carried unanimously.

3. Consideration of Final Adjustment to the 2021 Annual Charges for Service

Director LeGare moved and Director Burgi seconded the motion to recommend certifying the Final Adjustments to the 2021 Annual Charges for Service as shown on the Schedule of Connector Flows, Loadings, and Charges attached to the memorandum.

The motion carried unanimously.

4. Consideration of Rescinding Unexpended Appropriations

Director Smith moved and Director Giddings seconded the motion to recommend rescinding the unexpended appropriations listed on the Schedule from the Fixed Asset Replacement Fund in the amount of \$54,336.04, attached to the memorandum.

Ms. Kostelecky answered a question regarding the amount rescinded for the Payroll and HR Software Upgrade 2017 Project.

The motion carried unanimously.

5. Consideration of the Amended 2022 Budget

Director LeGare moved and Director Johnston seconded the motion to recommend adopting the Amended 2022 Budget Proposals as recommended by the CEO.

The motion carried unanimously.

6. Consideration of Appropriation of Funds in Accordance with the 2022 Budget

Director Smith moved and Director Niyork seconded the motion to recommend appropriating an additional \$2,253,780 for fiscal year 2022, in accordance with the Amended 2022 Budget to be approved by the Board at the June 21, 2022, Board meeting.

Director Johnston expressed appreciation for the work staff has put into the budget items.

The motion carried unanimously.

7. Consideration of the 2022 Information Technology Infrastructure Grouped Project

Director Long moved and Director Burgi seconded the motion to recommend appropriating \$605,000 (100 percent) from the Fixed Asset Replacement Fund for the 2022 Information Technology Infrastructure Grouped Project.

The motion carried unanimously.

8. Consideration of the Northern Treatment Plant Effluent Temperature Project (PAR 1416) – Consultant Agreement and Appropriation

Director Kocian moved and Director Smith seconded the motion to recommend:

1. Authorizing the CEO to enter into a Professional Services Agreement with Stantec Consulting Services, Inc., in the amount of \$550,000 to provide study/demonstration and design phase services for the Northern Treatment Plant (NTP) Effluent Temperature Project (PAR 1416).
2. Appropriating \$896,000 from the General Fund Capital Project Account for this purpose.

Mr. Nelson answered questions concerning the appropriation amount, the scope of work including future project work, the type of equipment to be rented, and the planned testing of equipment.

General Counsel Jackson, Mr. Nelson, and CEO Conway answered a question regarding the necessity of cooling towers at Metro Water Recovery if the technology was proved ineffective.

Ms. Jackson answered questions about the avenues staff can take to convey to the state the environmental impact of cooling towers, how other local utilities are affected by temperature regulations, if Metro Water Recovery can partner with other utilities on the issue, if the South Platte River regulations could address reducing water temperature in a holistic context, and the governing structure of the Colorado Department of Public Health and Environment (CDPHE).

Ms. Jackson and CEO Conway answered questions regarding how the cost impacts to the rate payer could effectively be communicated to state officials.

Director Spanberger suggested working with other utilities to communicate the financial impacts to regulators.

Director Smith commented on temperature issues currently impacting rivers and waterways.

Chair Kieler expressed appreciation to staff for answering the questions and for those who served on the Selection Committee for the project.

The motion carried unanimously.

9. Consideration of the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (PAR 1232) – Easement Conveyance to Connectors and/or Landowners

Director LeGare moved and Director Giddings seconded the motion to recommend authorizing the CEO to convey certain land rights acquired for construction of the Second Creek (SD) Interceptor Project (PAR 1232) to fulfill Metro Water Recovery's obligations under intergovernmental agreements and to adjust easements due to SD Interceptor alignment changes which may occur during construction.

Mr. Nelson answered a question concerning the abbreviation of Second Creek.

The motion carried unanimously.

10. Consideration of Legal Services 2023-2028

Director Long moved and Director Burgi seconded the motion to recommend:

1. Authorizing the CEO to enter into Legal Services contracts with the following law firms:

- BakerHostetler
- Beatty & Wozniak, P.C.
- Brownstein Hyatt Farber Schreck, LLP
- Culp & Kelly, LLP
- Faegre Drinker Biddle & Reath, LLP
- Hayes Poznanovic Korver LLC
- Hoffman Parker Wilson & Carberry P.C.
- Ireland Stapleton Pryor & Pascoe, PC
- Nathan Dumm & Mayer P.C.
- Polsinelli PC
- Taft Stettinius & Hollister LLP
- Vranesh & Raisch, LLP

2. Authorizing General Counsel to select and the CEO to enter into contracts for future legal services.

Ms. Jackson answered questions about if other firms could be employed and in a timely fashion, if Board of Directors approval is required to engage other firms, and if all the firms are used.

The motion carried unanimously.

11. Consideration of the NTP Janitorial Contract

Director Smith moved and Director Niyork seconded the motion to recommend:

1. Entering into a one-year contract effective July 1, 2022, through June 30, 2023, with Mojos Cleaning Services, Inc., for janitorial services for the personnel-occupied buildings at the NTP.

2. Entering into additional contract periods, not exceeding a total of five years, if determined by the CEO to be in the best interest of Metro Water Recovery.

Ms. Cowan answered questions regarding the areas cleaned by the contractor.

The motion carried unanimously.

Information Items

The Finance Committee reviewed the following Information Items.

1. Innovation Quarterly Report

Mr. Papke gave an overview of the item, expressing appreciation for the Instrument Solution Group and their work.

Mr. Papke answered questions concerning the Instrument Solution Group's certifications and how Metro Water Recovery invests in them.

2. Metro Water Recovery Meet the Team – Engineering Control Systems Group

Mr. Nelson gave an overview of the item and introduced the team members present, commenting on their effectiveness.

Chair Kieler expressed appreciation to the team for their work.

3. Status of Capital Improvement Projects Report
4. Current Activities/Operational Performance Report
5. Financial Reports
6. Upcoming Events

CEO Conway reminded the Committee of the Town Hall and Field Day on June 15, 2022 and the joint Operations and Finance Committee meeting on July 7.

Other Information

There was none.

Chair Kieler adjourned the meeting at 8:37 a.m.

MC:rak\lmm

METRO WATER RECOVERY

Executive Committee Meeting Minutes

Tuesday, June 14, 2022

The meeting of the Executive Committee of Metro Water Recovery was held Tuesday, June 14, 2022 at 11:30 a.m., in the Boardroom.

Roll Call

Chairman Twombly called the roll.

Members Present

Scott Twombly, Chair
Andrew Johnston, Chair Pro Tem
Sarah Niyork, Secretary
Jo Ann Giddings, Treasurer*
Peter Baertlein
Charles Long
Greg Sekera
Del Smith

Members Absent

Janet Kieler

Other Directors Present

Philip Burgi, Advisory

Others Present

Mickey Conway
Emily Jackson
Liam Cavanaugh*
Molly Kostelecky
Ruth Kedzior
Andy Nelson
Sherman Papke
Lydia Nkem
Brittany Peshek

*Attended virtually

Public Comment

There was none.

Action Items

1. Consideration of a Hearing for the Final Adjusted 2021 Annual Charges for Service

Director Baertlein moved and Director Niyork seconded the motion to recommend scheduling a hearing to be held at 5:30 p.m. at the June 21, 2022 Board of Directors meeting for the Final Adjusted 2021 Annual Charges for Service.

The motion carried unanimously.

2. Consideration of the 2023 Budget

Director Baertlein moved and Director Iler seconded the motion to recommend adopting the 2023 Budget Proposals as recommended by the CEO.

The motion carried unanimously.

3. Consideration of Appropriation of Funds in Accordance with the 2023 Budget

Director Baertlein moved and Director Niyork seconded the motion to recommend appropriating \$161,742,901 for fiscal year 2023, in accordance with the 2023 Annual Budget to be approved by the Board at the June 21, 2022 Board meeting.

The motion carried unanimously.

4. Consideration of Final Adjustment to the 2021 Annual Charges for Service

Director Baertlein moved and Director Niyork seconded the motion to recommend certifying the Final Adjustments to the 2021 Annual Charges for Service as shown on the Schedule of Connector Flows, Loadings, and Charges attached to the memorandum.

The motion carried unanimously.

5. Consideration of Rescinding Unexpended Appropriations

Director Baertlein moved and Director Niyork seconded the motion to recommend rescinding the unexpended appropriations listed on the Schedule from the Fixed Asset Replacement Fund in the amount of \$54,336.04, attached to the memorandum.

The motion carried unanimously.

6. Consideration of the Amended 2022 Budget

Director Baertlein moved and Director Niyork seconded the motion to recommend adopting the Amended 2022 Budget Proposals as recommended by the CEO.

The motion carried unanimously.

7. Consideration of Appropriation of Funds in Accordance with the 2022 Budget

Director Baertlein moved and Director Niyork seconded the motion to recommend appropriating an additional \$2,253,780 for fiscal year 2022, in accordance with the Amended 2022 Budget to be approved by the Board at the June 21, 2022, Board meeting.

The motion carried unanimously.

8. Consideration of the 2022 Information Technology Infrastructure Grouped Project

Director Baertlein moved and Director Niyork seconded the motion to recommend appropriating \$605,000 (100 percent) from the Fixed Asset Replacement Fund for the 2022 Information Technology Infrastructure Grouped Project.

The motion carried unanimously.

9. Consideration of the Northern Treatment Plant Effluent Temperature Project (PAR 1416) – Consultant Agreement and Appropriation

Director Baertlein moved and Director Niyork seconded the motion to recommend:

1. Authorizing the CEO to enter into a Professional Services Agreement with Stantec Consulting Services, Inc., in the amount of \$550,000 to provide study/demonstration and design phase services for the Northern Treatment Plant (NTP) Effluent Temperature Project (PAR 1416).
2. Appropriating \$896,000 from the General Fund Capital Project Account for this purpose.

The motion carried unanimously.

10. Consideration of the Second Creek Interceptor and Sand Creek Interceptor System Improvements Project (PAR 1232) – Easement Conveyance to Connectors and/or Landowners

Director Baertlein moved and Director Niyork seconded the motion to recommend authorizing the CEO to convey certain land rights acquired for construction of the Second Creek (SD) Interceptor Project (PAR 1232) to fulfill Metro Water Recovery's obligations under intergovernmental agreements and to adjust easements due to SD Interceptor alignment changes which may occur during construction.

The motion carried unanimously.

11. Consideration of Legal Services 2023-2028

Director Baertlein moved and Director Niyork seconded the motion to recommend:

1. Authorizing the CEO to enter into Legal Services contracts with the following law firms:

- BakerHostetler
- Beatty & Wozniak, P.C.
- Brownstein Hyatt Farber Schreck, LLP
- Culp & Kelly, LLP
- Faegre Drinker Biddle & Reath, LLP
- Hayes Poznanovic Korver LLC
- Hoffman Parker Wilson & Carberry P.C.
- Ireland Stapleton Pryor & Pascoe, PC
- Nathan Dumm & Mayer P.C.
- Polsinelli PC
- Taft Stettinius & Hollister LLP
- Vranesh & Raisch, LLP

2. Authorizing General Counsel to select and the CEO to enter into contracts for future legal services.

The motion carried unanimously.

12. Consideration of the NTP Janitorial Contract

Director Baertlein moved and Director Niyork seconded the motion to recommend:

1. Entering into a one-year contract effective July 1, 2022, through June 30, 2023, with Mojos Cleaning Services, Inc., for janitorial services for the personnel-occupied buildings at the NTP.

2. Entering into additional contract periods, not exceeding a total of five years, if determined by the CEO to be in the best interest of Metro Water Recovery.

The motion carried unanimously.

Information Items Presented/Discussed at Standing Committees

The Executive Committee reviewed the following Information Items.

1. Innovation Quarterly Report
2. Metro Water Recovery Meet the Team – Engineering Control Systems Group
3. Status of Capital Improvement Projects Report
4. Current Activities/Operational Performance Report
5. Financial Reports
6. Upcoming Events

CEO Conway reminded the Committee of the Town Hall and Field Day on June 15, 2022 and answered a question about the dunk tank.

Information Items

1. NACWA Board Officer Nomination

CEO Conway gave an update regarding his nomination for the National Association of Clean Water Agencies (NACWA) Board Secretary.

Mr. Conway answered questions concerning how NACWA officers are selected, officer and board member terms, how many meetings are held a year.

The Committee expressed support for Mr. Conway to run for the NACWA Board Secretary.

2. Multidistrict Litigation

Chair Twombly stated, "This discussion will be conducted in executive session as authorized by C.R.S. § 24-6-402(4)(b) which authorizes executive sessions for conferences with Metro Water Recovery's Counsel for the purpose of receiving legal advice on specific legal questions. The matter to be discussed in this executive session is Multidistrict Litigation. As a reminder, no formal action may be taken in executive session. Additionally, the discussion must be confined to this topic."

Director Smith moved and Director Sekera seconded the motion to enter executive session. The motion carried unanimously, and the Committee entered executive session at 11:42 a.m. No Metro Water Recovery staff left the meeting.

Chair Twombly reconvened the regular meeting at 12:24 p.m.

3. Project Update – Sludge Process Building Improvements (PAR 1244) and South Headworks and Grease Processing Improvements (PAR1225)

Chair Twombly stated, "This discussion will be conducted in executive session as authorized by C.R.S. § 24-6-402(4)(e) which authorizes executive sessions determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators. The matter to be discussed in this executive session is PAR 1244

Sludge Process Building Improvements Project and PAR 1225 South Headworks and Grease Processing Improvements Project. As a reminder, no formal action may be taken in executive session. Additionally, the discussion must be confined to this topic.”

Director Burgi moved and Director Niyork seconded the motion to enter executive session. The motion carried unanimously, and the Committee entered executive session at 12:25 p.m. No Metro Water Recovery staff left the meeting.

Chair Twombly reconvened the regular meeting at 12:59 p.m.

Other Information

There was none.

Chair Twombly adjourned the meeting at 1 p.m.

MC:raklmm

New Director Orientation

Monday, August 29, 2022

7 a.m. - 10:30 a.m.

Administration Building

(Breakfast with Senior Management at 7 a.m.)

Open to all Directors

**Please bring your laptop to reference the
General Information Manual**



**PLEASE RSVP ON
BOARD EFFECT HERE**

**COLLINS | COLE
FLYNN | WINN | ULMER**

July 19, 2022

VIA EMAIL

MEMORANDUM

TO: Northwest Lakewood Sanitation District
FROM: Collins Cole Flynn Winn & Ulmer, PLLC



RE: Collection of Delinquent Fees and Charges

Pursuant to §32-1-1101 (1)(e), C.R.S., special districts are authorized to certify delinquent water, sewer, or water and sewer service fees and charges to the County Treasurer. The delinquent fees will be added to the property owner's tax bill in the next tax year collected and disbursed to the District along with other District property taxes. The fees or charges must be at least six months delinquent, and the delinquent amount must total at least \$150.00 per account.

The deadline for certifying such delinquent fees varies from county to county. In Jefferson County the deadline is November 1, 2022. Jefferson County has special requirements. Please contact the County Treasurer or our office with questions.

In order to implement this collection alternative, the District must adopt a Resolution providing for the certification of the delinquent amounts to the County Treasurer at a public hearing. Notice of the public hearing must be provided to the property owner and affected parties (this would include the actual user, such as a tenant). We recommend that such notice be provided by certified mail.

If you require assistance or have any questions, please contact us.