

Hodge said The Loop was still discussing how it could partner with Colorado Springs Utilities, which has its own goals for water reuse. He also pointed out that some of the initiatives expected on the ballot in November could impact the financing for DWSD.

At The Loop meeting held earlier in the day on June 20, a contract was awarded to a company that will manage the acquisition of the easements needed by the pipeline that will convey The Loop's water from Fountain Creek to customers in northern El Paso County. Purchasing the easements represents a risk for the project, Hodge said. See The Loop board meeting article on page 17.

Board President Wayne Vanderschuere asked Hodge to get the agreement to the DWSD board for review as soon as possible so that the board would have enough time to review it thoroughly.

District decides to lease water

Gracely told the board that due to heavier than usual precipitation over the last year, some of the reservoirs where DWSD stores water are full, leading to the risk that some of DWSD's water stored in those reservoirs might need to be released rather than delivered to customers. AGRA has a beneficial use for surface

water from the Willow Creek Ranch owned by DWSD and stored in the Pueblo Reservoir. Permission was granted by the state's engineer for AGRA to use a portion of DWSD's water stored in the Pueblo Reservoir, Gracely said.

Gracely asked the board to give Hodge the authority to enter a revised or new lease with AGRA, subject to review by the district's water counsel. The board voted unanimously to give Hodge that authority.

Operational reports

In his financial report, Hodge said water sales were on track to meet revenue goals in 2024. In 2023 abundant rainfall meant residents had less need to water lawns and gardens and that reduced the district's revenue from water sales. Hodge anticipated that tap fees would generate higher than budgeted revenue because of a 44-home residential development planned by Classic Homes adjacent to the Big R Store east of I-25. Property taxes were being received as expected, Hodge said.

Hodge said legal review of the district's agreement with The Loop would raise legal fees slightly, and upgrades to the district's phone system would

raise the large office equipment budget line item.

The board voted unanimously to approve the financial report.

Water Operator Ronny Wright told the board progress was being made in returning Well 16A to production. Issues with Well 1A were being analyzed, he said. Wright said he expected the repairs to the district's water storage tanks to be complete before July.

On the wastewater side, Chief Waste Plant Operator Aaron Tolman reported E. coli numbers were down from the previous month at about 14% of the allowable level.

The next board meeting is scheduled for Thursday, July 18 at 1:30 p.m. Generally, board meetings are held the third Thursday of the month at 1:30 p.m. and include online access; call (719) 488-3603 or access www.donalawater.org to receive up-to-date meeting information. The district office is located at 15850 Holbein Drive, Colorado Springs.

James Howald can be reached at jameshowald@ocn.me.

Jackie Burhans can be reached at jackieburhans@ocn.me.

Triview Metropolitan District, June 20

Wastewater processing explored; legislative changes raise concern

By Natalie Barszcz

At the Triview Metropolitan District (TMD) meeting on June 20, the board received updates on the water sold and wastewater discrepancy at the Upper Monument Creek Regional Waste Water Treatment Facility (UMCRWWTF) and received legislative updates that caused concern over future revenue, density, and artificial turf replacement. The board received multiple updates and discussed funding for the Higby Road widening project. The board held an executive session to discuss water and land acquisitions and development incentives.

Wastewater processing discrepancy

Assistant Manager Steve Sheffield said that he had met with District Manager Jeff Hodge and Waste Plant Operator Aaron Tolman of Donala Water and Wastewater District, and Executive Director/Manager Bill Burks of Tri-Lakes Wastewater Treatment Facility (TLWWTF) about the excessive amount of wastewater leaving the UMCRWWTF from the TMD side of the plant. The plan is to meet at the plant to try to discover the cause. Hopefully Burks can help brainstorm the issue and discuss how he operates the TLWWTF, said Sheffield.

District Manager James McGrady said about 2 million gallons of treated effluent is being picked up per month within the plant. The outgoing flume could be inaccurately reading the wastewater effluent output, but the final amount of treated effluent should be less, not more than the untreated effluent entering the plant, he said.

Sheffield said the staff is taking a holistic approach as a team, exploring all avenues to understand the discrepancies in water pumped, treated, sold, and processed through the UMCRWWTF.

Legislative update

District counsel George Rowley said SB-233 addresses property tax limits and imposes a limitation on special districts to not collect more than 5.5% in property tax revenue than the previous year. That is not much revenue if inflation is 10% and the district should keep the limitation in mind when developing the budget, he said. The bill exempts new growth, but another increase in assessed valuation similar to the past few years would apply the limitation. The bill applies to the property taxes and not the debt service.

Treasurer/Secretary James Barnhart said the bill is an incentive for the district to assess the full mill levy.

Rowley said the district could hold an election to vote out of the restriction, but it would be a hard sell and the restriction begins for tax year 2025, he said.

President Mark Melville asked about the legislation preventing commercial, industrial, institutional, and government entities from installing artificial turf or invasive plant species.

Rowley said the idea is to create areas that don't have growing space and prevent heat sinks and chemical exposure concerns. The legislation will apply to the future replacement of the Sanctuary Pointe Park artificial turf. See snapshot on page 20.

He also said HB-1152 prevents municipalities and counties from prohibiting the construction of accessory dwelling units on properties, such as he/she sheds and mother-in-law suites. Renting out the additional units would create additional density on properties.

Vice Chair Anthony Sexton said the bill could also create double usage on one tap.

McGrady said the district is set up mostly for one dwelling and one tap on each lot. A change to the tap

structure will be needed if a multiple service line is required on any one lot, he said.

Melville said a solution would be to drive up the water sold tiers and make it cheaper to buy a tap.

Operational updates

McGrady said the following:

- The Northern Delivery System (NDS) is about 96% complete and the electricians are installed at the pump house. The facility that will operate the NDS is secured by a fence. The district expects to turn the pumps on and begin testing on July 15.
- The district is using its decreed Fountain Mutual Irrigation Co. (FMIC) water shares and about 400-acre feet purchased from Pueblo to provide the necessary 800-acre feet needed to run the NDS through May 2025.
- An additional cost of about \$993,300 for the unexpected 120.4 acre-feet will be wired on June 21 to the two additional land owners who also decided to sell water rights to the district through the Arkansas Valley Irrigation Co. (AVIC).
- The district is waiting for its AVIC shares to be approved in the water courts. The additional water shares in conjunction with spring run-off will be needed to run the NDS from mid-2025.
- The district is depositing water back into Stonewall Springs Reservoir in a paper exchange with Pueblo.
- The Buena Vista land annexation plan, plat, and request for a zone change was submitted. The masterplan for the project is approved by the town of Buena Vista and the district plans to construct recharge ponds on the 296 acres purchased by TMD in late 2020.
- The district is adding a pick-up lane on Leather Chaps Drive at Bear Creek Elementary School. The construction is expected to be completed mid-July. The lane was installed at D38's request to elevate safety for students during drop-off and pick-up times.
- The Promontory Pointe overlay project was completed June 6.

Sexton said Martin Marietta had done a "nice job" on the mill and overlay project; it was well organized, but he had received multiple complaints from residents about the black footprints and tread marks on sidewalks and some driveways.

McGrady said from personal experience the black marks will come off, but it will take a couple of months.

Financial report

Sexton said the graph showing sales tax revenue from Monument shows the district's portion is \$20,000 less than collected last year.

McGrady said he discussed the tracking of sales tax revenue with Monument, and although the town purchased a software package to track sales tax, it had no staff to run the program. The town did hire a contractor to begin tracking sales tax. Upon investigation, he immediately noticed that no sales tax had been collected for the Tractor Supply Store for several months. Those are the types of errors that the town needs to get after, McGrady said.

Sexton said the sales taxes should be filed with the state monthly, and Monument will need to identify the businesses and contact the state.

McGrady said the district had almost \$5.2 million in the Wastewater Enterprise Fund, and \$3.8 million in the General Fund. About \$1.8 million will be needed from the enterprise fund to pay for the remaining

NDS balance.

Melville said the district needs to let the general fund grow to fund road repairs that will cost about \$4 to \$5 million every 10 to 12 years to avoid using a bond.

The district estimates that about 55 taps will be sold by the end of June. It budgeted 75 taps for 2024 and collects about \$45,000 per residential tap. The taps are mainly from the homes built south of Higby Road.

McGrady said the district closed on the Colorado Water Conservation Board loan on June 15. The loan was for \$5.2 million at 2.05% to pay for the Stonewall Springs Reservoir project. It is the crown jewel of the district, he said. See www.ocn.me/v23n11.htm#tmd.

The board unanimously approved the May financial report.

Higby Road widening project update

Director Jason Gross requested an update on when the Higby Road widening project would begin and asked about the funding now that the Zeal for Living apartments are approved.

McGrady said the project will cost about \$10 million to \$12 million. Funding will be a combination of a number of things, including road and bridge fees for both residential apartments and commercial property that will generate about \$2 million. The developers will contribute, and the remaining \$8 million will generated by Sub-district A issuing bonds (debt service) for filings 1-6 in the south Higby Road development. Homes are going in and bonds can be issued, but the payments will be low initially and increase as the development grows and the commercial area is built. Kiewit provided the estimate for the widening project, and the district will pay \$750,000 for a water pipeline this summer. The developers are installing storm drainage. The preliminary utility work is expected to be installed this year. The financing will need to be in place before the road project begins, but the growth is there and plats are pre-approved, he said.

Speeding concerns

Director Amanda Carlton said a resident of Sanctuary Pointe requested the district install flashing speed signs along Sanctuary Rim Drive in both directions before and after Sanctuary Rim Park, to help slow traffic and ensure safety, just like the signs installed along Gleneagle Drive.

McGrady said the signs cost about \$7,500 each and the district will look into adding signs.

Executive session

The board moved into an executive session at 7:43 p.m. pursuant to Colorado Revised Statutes sections 24-6-402(4)(a), for the purpose of acquisition of water/land, and 24-6-402(4)(b) to determine the positions relative to matters that may be subject to negotiations, developing strategies for negotiations, and instructing negotiators as it relates to potential development incentives.

Sheffield confirmed that after the meeting returned to the regular session no action was taken, and the meeting adjourned at 9:18 p.m.

Meetings are usually held on the third Thursday of the month at the district office located at 16055 Old Forest Point, Suite 302. The next regular board meeting is scheduled for July 18 at 5:30 p.m. For meeting agendas, minutes, and updates, visit <https://triviewmetro.com>.

Natalie Barszcz can be reached at nataliebarszcz@ocn.me.

El Paso County Regional Loop Water Authority, June 20

Board pursues easements

By James Howald

In June, the El Paso County Regional Loop Water Authority (EPCRLWA, or the Loop) board met to hear a request from John Kuosman, a water practice leader with Merrick and Co. who also serves as the Loop's project planning and workflow manager, to award a contract for right-of-way acquisition services to Western States Land Services LLC. Board President Jessie Shaffer presented invoices from the previous month.

An agenda item to accept a secondary director from the Cherokee Metropolitan District, currently represented on the Loop board by Amy Lathen, was tabled until the next meeting. The board also held an

executive session after which no action was taken.

Easement acquisition advances

Kuosman told the board that he had received responses from four companies to his solicitation for a contractor to help with the acquisition of easements needed by the Loop project. Of the four, Kuosman recommended Western States Land Services LLC. He said Western States would provide:

- Planning and decision making, estimated at \$10,000.
- A preliminary assessment of easements needed, including utility easements, estimated at \$7,500.
- Recommendations for the cost of each ease-

ment, estimated at \$5,000.

- Purchase of the easements, estimated at \$325,000.
 - Landowner coordination, estimated at \$25,000.
 - Post-construction service, estimated at \$15,000.
- Kuosman asked the board to authorize him to work with Spencer Fane LLC, the Loop's legal advisors, on an agreement with Western States. The board voted unanimously to authorize Kuosman to negotiate on its behalf.

Invoices

In his financial report, Shaffer mentioned five invoices that had arrived in the last month: