

Attachment 1



Authority Board Chair: Lora Thomas
Authority Board Vice-Chair: Laura Cavey
TAC Chair: Weston Martin
TAC Vice-Chair: Ryan Adrian

CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

**Chatfield Watershed Authority Board Meeting
Monday, November 14, 2022
3:00 p. m. – 5:00 p. m.**

LIVE:

**Highland Heritage Park Administration Building, 9651 S Quebec St., Highlands Ranch, CO
80130 80129, Parks Conference Room**

Board of Directors:

Director Lora Thomas (Chair) – Douglas County
Director Dahlkemper – Jefferson County
Director Barbara Biggs – Water and Sanitation Districts
Director Alison Witheridge – Other Districts
Director Laura Cavey (Vice-Chair) – Town of Castle Rock
Alt. Director Desiree LaFleur – Douglas County

Alan Leak (RESPEC)
Michael Daugherty (SSD)
Jon Erickson (Chatfield State Park)
Cathy Begej (JCD)
Kris Wahlers (DNR)
Mathew Collitt (Louviers WSD)
Ted Snailum (TWS Financial)
Charly Hoehn (CRMC)
Kurt Walker (Pine Canyon)
Jim Walker (Pine Canyon)
Don Baggus (CPW)
Mark Marlowe (Town of Castle Rock)
Tammy Allen (WQCD)
Steve Balcerovich (Lobbyist)

Others Present:

Patrick O’Connell (Jefferson County)
Wes Martin (Plum Creek)
Diane Kielty (Colorado Watershed Assembly)
David Van Dellen (Town of Castle Rock)

3:08 pm

Call to Order

A regular meeting of the Chatfield Watershed Authority was called to order at 3:04 p.m. by Director Thomas. A quorum was declared established. There were no disclosures.

ACTION/APPROVAL ITEMS (3:05 P.M. – 3:45 P.M.)

A. APPROVAL OF AGENDA

It was moved by Director Biggs to approve the agenda as presented and was seconded by Director Cavey; motion carried unanimously.



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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

B. APPROVAL OF MEETING MINUTES FROM THE OCTOBER 17TH REGULAR BOARD MEETING AND THE OCTOBER 28TH SPECIAL BOARD MEETING

It was moved by Director Witheridge to approve the October 17TH Regular Board Meeting minutes and the October 28TH Special Board Meeting minutes with the correction of the spelling of Mark Marlowe’s name and was seconded by Director Biggs; motion carried unanimously.

C. APPROVAL/RATIFICATION OF INVOICES

The table summarizes the invoices included in the meeting packet.

Total amount of invoices for board approval and ratification is \$11,818.03.

Invoices < \$5,000 and within Budget and Scope (Manager’s Approval)	
TWS Sept 2022 Inv_22033_from_TWS_FINANCIAL_INC._13420	\$750.00
TWS_October Inv_22114_from_TWS_FINANCIAL_INC._13776	\$750.00
SSD General Chatfield Invoice 3015374_September 2022	\$2,834.00
SSD WQCD-WQCC Chatfield Invoice 3015375_September 2022	\$442.00
SSD Pine Canyon Chatfield Invoice 3015376_September 2022	\$156.00
SSD Reg 73 Chatfield Invoice 3015377_September 2022	\$52.00
SSD Lakes Nutrients 2022 Chatfield Invoice 3015378_September 2022	\$2,119.03
RESPEC_W0035.22002-CWA-INV-30SEP22	\$4,715.00
Credit_Lynker_09 30 22 Chatfield Watershed Invoice	\$1,450.00
Invoices \$5,000 - \$15,000 and within Budget and Scope (TAC Approval*)	
Invoices > \$15,000 and/or any Amount not within Budget or Scope (Board Approval)	
*Also requires post-payment Board ratification at next quarterly Board Meeting	

Motion for Witheridge 2nd by Cavey

D. APPROVE 2023 CWA BUDGET RECOMMENDATION (ALAN LEAK)

Presented the same budget as from the October meeting with a change of Scared Heart dues to voluntary and addition of a line item for the Lobbyist contract.

A motion was made by Director Biggs to approve the 2023 CWA budget as recommended and was seconded by Director Cavey; motion carried unanimously.

E. APPROVE 2023 CONSULTANT CONTRACTS

The action memo regarding contracts was reviewed and discussed.



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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

A motion was made by Director Biggs to approve the consultant contract extensions through December 31, 2023, for TWS Financial, Colorado Watershed Assembly, and Somach Simmons Dunn Legal Services applied to budget year 2023 to reflect the adopted CWA 2023 Budget, and approve Steve Balcerovich and Amy Attwood Lobbying Services contract for November and December of 2022 and the contract extension through June of 2023, and was seconded by Director Cavey; motion carried unanimously

F. APPROVE TAC POSITION ON LAKES NUTRIENTS CRITERIA RULEMAKING PREHEARING STATEMENT (MICHAEL DAUGHERTY & ALAN LEAK)

The TAC recommendation is to request a site-specific TN standard (rather than the imposition of the table value standard) for Chatfield Reservoir and propose that CWA will begin developing the site-specific standard once TAC has finalized work on the TMDL (estimated to be completed in 2026). In addition, TAC recommends CWA request that no standard be imposed on Chatfield prior to the development of a site-specific standard. On November 30th the Colorado Wastewater Utility Council will be presenting to the Division and will be asking about direct-use water supply standards to a non-direct-use reservoir with a swim beach.

A motion was made by Director Biggs to support the TAC recommendation in the 2022-2023 Lakes Nutrients Criteria Rulemaking and was seconded by Director Cavey. Director Witheridge recused herself. The vote carried.

DISCUSSION ITEMS (3:45 P.M. – 4:15 P.M.)

A. LOBBYIST INTRODUCTION AND UPDATE (STEVE BALCEROVICH AND AMY ATTWOOD)

CWA has contracted with lobbyists. The lobbyists have met with a small CWA working group and the Program Manager to get parameters for the legislation. CWA is asking for \$250,000 a year for five years. The lobbyists are scheduling meetings with potential sponsors.

B. CWA PRIORITY LIST OF ACTIVITIES AND PROJECTS (ALAN LEAK)

The Board requested a list from RESPEC to inform lobbyist requests for funding. The proposed project list was shared and discussed. Douglas County is making a large investment in removing septic. Erosion is another important target for reducing phosphorus.

Action: The list will be included with the minutes.



Authority Board Chair: Lora Thomas
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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

UPDATES (4:15 P.M. – 4:55 P.M.)

A. TECHNICAL (ALAN LEAK)

1. Response actions to Sun Jelly WWTD wasteload allocation violations update – No response from the Division on Sun Jelly.
2. WQCD Pine Canyon Site Application Status – No new information on Pine Canyon.
3. West Plum Creek Stream Management Plan Update – There is a meeting tomorrow with this team. <https://sites.google.com/peakfacilitation.com/westplumcreek/home>
4. Water Quality Update – There is no new water quality information.
5. Chatfield Reservoir Mitigation Company Update – There was a TAC meeting in November. They are currently working on tree removal efforts of dead and dying trees. They are compiling data to analyze for 2023. They are interested in discussing the linkage of watershed models. Lynker is finishing up final model runs in the next couple of weeks. In the first or second week in January CWA will reach out to discuss the possibility of linking the models including pros, cons, and crossover of objectives.
6. Other Member. No updates.

B. LEGAL (MICHAEL DAUGHERTY)

1. Regulatory Update – Regulation #73 is still on hold. SSD will draft a provision for the next memo about sole source short term contracts as opposed to having to go out for bid. SSD was asked to research streamlining that would allow CWA to be nimbler in contracting.

C. MANAGER (DIANE KIELTY)

1. Chatfield W&S and Other Board Representative Election Ballots Due November 21st
2. Chatfield 2023 Meeting Schedule Final – Schedule was provided in the packet.

D. FINANCIAL (TED SNAILUM)

1. September 2022 Financial Summary – The summary was provided in the packet and presented.

E. EXECUTIVE SESSION

24-6-402(4)(b) C.R.S. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. No session.



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CHATFIELD WATERSHED AUTHORITY BOARD MINUTES

UPCOMING MEETINGS (4:55 P.M. – 5:00 P.M.)

A. Next Scheduled TAC Meetings:

- a) Tuesday, December 6th, 2022: 2:00 – 4:00 p.m., Google Meet Online

B. Next Scheduled Board Meeting:

- a) Monday, January 23, 2023: 3:00 – 5:00 p.m., Hybrid Live & Online

LIVE:

**Douglas County Sheriff Substation, Community Room
9250 Zotos Drive, Highlands Ranch, CO 80129**

VIRTUAL:

Individual Virtual Links Sent to Members and Consultants via Douglas County Virtual Meeting System

4:03 p.m.

Adjournment

Attachment 2

CHATFIELD WATERSHED AUTHORITY WATER QUALITY PROJECTS : 2024 - 2028									
11/10/2022 DRAFT									
PROJECT CATEGORY	DESCRIPTION	ACTIVITY	2024	2025	2026	2027	2028	TOTAL COST	PRIORITY
WATER QUALITY PROTECTION									
1	TMAL Allocation Development	Perform calculations and analysis needed to establish revised total annual maximum loads (TMAL) for all point source dischargers in the watershed.		\$50,000	\$50,000			\$100,000	1
2	Site-Specific Nitrogen Standard Development	Perform calculations and analysis needed to establish a site specific standard for total nitrogen in the reservoir.			\$35,000	\$35,000	\$35,000	\$105,000	1
3	Watershed Modeling	Use and upgrade the existing watershed model to: 1. Keep model current; 2. Predict the effectiveness and potential changes in stream and reservoir inflow pollutant loads and concentrations from proposed water quality improvements; and 3. Support regulatory compliance.	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000	1
4	Reservoir Modeling	Contract with the CRMC to use and upgrade the existing reservoir model to: 1. Predict the effectiveness and potential changes in reservoir water quality from constructed and proposed water quality improvements; 2. Understand the role of each pollutant source (i.e. internal loading, stream inflow loading, etc.) on reservoir water quality; 3. Understand how the reallocation project may change the needed site specific standards, and 4. Support regulatory compliance.	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$175,000	1
5	Wildfire Mitigation	Participate in wildfire mitigation projects to minimize and mitigate the risk and effect on water quality of future wildfires in the watershed.	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$75,000	3
6	Watershed Plan Update	Continue to document the progress made in improving watershed and reservoir water quality and develop and prioritize future watershed programs and projects.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	3
7	Reservoir Beneficial Use Monitoring	Support CPW in collecting, monitoring, and documenting, as applicable, the quantity and quality of reservoir beneficial uses (i.e. fishery biodiversity, swimmer satisfaction, etc.) over time.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	3
8	Stream Management Planning	Participate in stream management plans to identify opportunities for water quality improvement projects.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	2
9	Landowner Engagement	Continue engagement efforts with landowners abutting and/or crossing watershed streams to educate on best management practices for stream interaction and protection.	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$10,000	3
SUB-TOTAL			\$97,000	\$147,000	\$182,000	\$132,000	\$132,000	\$690,000	
WATER QUALITY MONITORING									
1	Chatfield Reservoir Monitoring	Collect water quality data in the reservoir to support water quality protection measures.	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$175,000	1
2	Watershed Streams Monitoring	Collect water quality data in the tributary watershed streams (both base flows and storm flows) to understand existing sources and magnitudes of pollutant loads and concentrations.	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$225,000	1
3	Water Quality Improvement Project Monitoring	Collect pre-project and post-project water quality data upstream and downstream of water quality projects to document their effectiveness over time in improving water	\$2,000	\$3,000	\$4,000	\$5,000	\$6,000	\$20,000	2
4	Sediment Sampling and Testing	Perform watershed wide sediment testing to map and pinpoint hotspots of phosphorus rich soils for future project identification and prioritization.	\$20,000					\$20,000	3
SUB-TOTAL			\$102,000	\$83,000	\$84,000	\$85,000	\$86,000	\$440,000	
WATER QUALITY IMPROVEMENTS									
1	Wastewater Treatment Improvements	Engage with wastewater treatment providers to assist in promoting improved treatment for continued nutrient reduction.	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$10,000	3
2	Agricultural Mitigation	1. Participate in the implementation of agricultural best management practices (BMPs) and demonstrations at Colorado Agricultural Leadership Foundation (CALF) at Lowell Ranch to educate members of the public that visit the working ranch on the water quality and cost efficiencies associated with implementing various agricultural management practices; and 2. Participate with the Douglas County Conservation District to educate agricultural users on state-of-the-art practices to reduce pollutant impacts from agricultural activities.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	3
3	Septic Systems Mitigation	Contribute to and participate in the implementation of a rebate program for septic system upgrades that use new technology to reduce pollutant loads in critical stream	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$20,000	3
4	Non-point Source Mitigation Projects	Contribute to and participate in the construction of retrofits to existing detention ponds and other stormwater facilities to improve nutrient and pollutant reduction efficiencies.	\$15,000	\$15,000	\$15,000	\$15,000	\$15,000	\$75,000	2
5	Stream Improvements	Contribute to and participate in the implementation of stream improvements identified in stream management plans that improve water quality in the streams tributary to the reservoir.	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$150,000	1
6	Erosion Mitigation	Contribute to and participate in the construction of stream reclamation along critical degraded watershed stream reaches to enhance water quality and reduce streambank erosion.	\$45,000	\$45,000	\$45,000	\$45,000	\$45,000	\$225,000	1
7	Grant Funding Opportunities	Partner with government and non-profit agencies to identify and apply for grant funding for implementation of water quality improvement projects and programs.	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000	\$25,000	1
SUB-TOTAL			\$106,000	\$106,000	\$106,000	\$106,000	\$106,000	\$530,000	
GRAND TOTAL			\$305,000	\$336,000	\$372,000	\$323,000	\$324,000	\$1,660,000	
								PRIORITY 1	\$1,330,000
								PRIORITY 2	\$120,000
								PRIORITY 3	\$210,000

Attachment 3

**Invoice to Chatfield Watershed Authority
from
Steve Balcerovich & Amy Attwood**

**Invoice #22-02: December 2022 Professional Governmental Affairs
Services**

TOTAL DUE: \$3,000

**Note: Please send \$1500 to Steve Balcerovich:
2441 N. Broadway
Unit 218
Denver, CO 80205**

**Please send \$1500 to Amy Attwood:
9224 West Berry Place
Littleton, CO 80123**

Attachment 4

**Invoice to Chatfield Watershed Authority
from
Steve Balcerovich & Attwood Public Affairs**

**Invoice #22-03: January 2023 Professional Governmental Affairs
Services**

TOTAL DUE: \$3,000

**Note: Please send \$1500 to Steve Balcerovich:
2441 N. Broadway
Unit 218
Denver, CO 80205**

**Please send \$1500 to Attwood Public Affairs:
9224 West Berry Place
Littleton, CO 80123**

Attachment 5

**Invoice to Chatfield Watershed Authority
from
Steve Balcerovich & Amy Attwood**

**Invoice #22-01: November 2022 Professional Governmental Affairs
services**

TOTAL DUE: \$3,000

**Note: Please send \$1500 to Steve Balcerovich:
2441 N. Broadway
Unit 218
Denver, CO 80205**

**Please send \$1500 to Amy Attwood:
9224 West Berry Place
Littleton, CO 80123**

Attachment 6



Lynker Corporation
 338 E Market Street
 Suite 100
 Leesburg, VA 20176

Invoice

Date 12/15/22 **No.** SI010620

Billing Period 11/01/22 to 11/30/22
 Period of Perf. 07/01/21 to 12/31/22

Bill To
 Chatfield Watershed Authority
 PO Box 460736
 Glendale, Colorado 80246
 USA

Prime Cont. No.	Contract Type	Funded	Funded Fee	% Rem.	Fund. Rem.	Project No.	Due Date
	TM	29,360		47.67	13,995.00	10112-001	01/14/23

Description	Current			ITD		
	Rate	Hrs	Billing	Hrs	Billing	
Labor						
TASK 1 Model Discussions						
Joshua Sturtevant (Water Resource Scientist)	100.00			1.00	100.00	
William Szafranski (Water Resource Scientist)	120.00			0.25	30.00	
TASK 2 Simulate Watershed wo Discharges						
Cameron Wobus (Climate Change Project Lead)	180.00			1.25	225.00	
William Szafranski (Water Resource Scientist)	120.00			28.50	3,420.00	
TASK 3 Simultate Wasteload Allocation						
Nayoung Hur (Junior Water Resource Engineer)	100.00	20.00	2,000.00	55.00	5,500.00	
William Szafranski (Water Resource Scientist)	120.00	8.00	960.00	50.75	6,090.00	
		Labor Subtotal	28.00	2,960.00	136.75	15,365.00
		Withholding		0.00		0.00
		Invoice Subtotal	28.00	2,960.00	136.75	15,365.00
		Sales Tax		0.00		
		Invoice Total		2,960.00		

Attachment 7



Lynker Corporation
 338 E Market Street
 Suite 100
 Leesburg, VA 20176

Invoice

Date 01/13/23 **No.** SI010822

Billing Period 12/01/22 to 12/31/22
 Period of Perf. 07/01/21 to 12/31/22

Bill To
 Chatfield Watershed Authority
 PO Box 460736
 Glendale, Colorado 80246
 USA

Prime Cont. No.	Contract Type	Funded	Funded Fee	% Rem.	Fund. Rem.	Project No.	Due Date
	TM	29,360		34.08	10,005.00	10112-001	02/12/23

Description	Current		ITD		
	Rate	Hrs	Billing	Hrs	Billing
Labor					
TASK 1 Model Discussions					
Joshua Sturtevant (Water Resource Scientist)	100.00			1.00	100.00
Nayoung Hur (Junior Water Resource Engineer)	100.00	22.00	2,200.00	22.00	2,200.00
William Szafranski (Water Resource Scientist)	120.00			0.25	30.00
TASK 2 Simulate Watershed wo Discharges					
Cameron Wobus (Climate Change Project Lead)	180.00			1.25	225.00
William Szafranski (Water Resource Scientist)	120.00			28.50	3,420.00
TASK 3 Simultate Wasteload Allocation					
Angus Watters-Grubstein (Geospatial Developer)	100.00	7.50	750.00	7.50	750.00
Nayoung Hur (Junior Water Resource Engineer)	100.00	3.50	350.00	58.50	5,850.00
William Szafranski (Water Resource Scientist)	120.00	5.75	690.00	56.50	6,780.00
	Labor Subtotal	38.75	3,990.00	175.50	19,355.00
	Withholding		0.00		0.00
	Invoice Subtotal	38.75	3,990.00	175.50	19,355.00
	Sales Tax		0.00		
	Invoice Total		3,990.00		

Attachment 8



Bill To:

Chatfield Watershed Authority
Attn: Diane Keilty
P.O. Box 460736
Denver, CO 80246

Remit Payment To:

RESPEC
Attn: Accounts Receivable
P.O. Box 725
Rapid City, SD 57709-0725
(605) 394-6400, (605) 394-6514 (FAX)

RESPEC Project Number : 03970.0002

Client Contract No.

Client Purchase Order

Invoice Period :

11/01/2022 - 11/30/2022

Project Description :

2022 - Pine Canyon

Invoice No :

INV-1122-1053

Invoice Date :

11/30/22

Payments Terms :

NET 30

Contract Value :

\$14,510.00

Cost Category	Current Dollars	Dollars Billed to Date
Labor	\$102.50	\$13,057.50
Total Costs	\$102.50	\$13,057.50
Total Amount Due in US Dollars	\$102.50	\$13,057.50



Invoice Supporting Information

Cost Category	PLC Desc	RESPEC Project No.	Name	Week Ending Date	Hours	Billing Rate	Amount To Bill	Reference #	Description
Labor	Principal	03970.0002	Leak, Alan J	11/30/22	0.50	\$205.00	\$102.50		Labor Hours
					0.50		\$102.50		
Labor					0.50		\$102.50		
Total					0.50		\$102.50		



Task Summary

RESPEC Project ID & Description	Current Hours	Current Dollars	Hours Billed to Date	Dollars Billed to Date
03970.0002 - 2022 - Pine Canyon	0.50	\$102.50	80.25	\$13,057.50
Overall - Total	0.50	\$102.50	80.25	\$13,057.50

Attachment 9



Bill To:

Chatfield Watershed Autho
 Attn: Diane Keilty
 P.O. Box 460736
 Denver, CO 80246

Remit To:

RESPEC
 Attn: Accounts Receivable
 P.O. Box 725
 Rapid City, SD 57709-0725

Phone (605) 394-6400, FAX (605) 394-6514

Contract Number :	Invoice Date	11/30/22
Purchase Order No.	Payment Terms :	NET 30
RESPEC Project Number :	Invoice No.	INV-1122-1062
W0035.22002	Invoice Period:	11/01/2022 - 11/30/2022

June 2021 - May 2022 Contract

Description	Budget	Previous Billings	Current Billings	Billed to Date	Amount Remaining	Percent Complete	Amount Due This Invoice
Board & Committee Support	\$21,190.00	\$9,122.50	\$1,748.75	\$10,871.25	\$10,318.75	51.30%	\$1,748.75
Water Quality Monitoring Data	\$9,410.00	\$8,060.00		\$8,060.00	\$1,350.00	85.65%	
Regulatory Technical Support	\$18,975.00	\$10,455.00	\$4,780.00	\$15,235.00	\$3,740.00	80.29%	\$4,780.00
Advancing Strategic Initiatives	\$27,760.00	\$1,640.00	\$307.50	\$1,947.50	\$25,812.50	7.02%	\$307.50
Direct Expenses	\$360.00	\$28.75		\$28.75	\$331.25	7.99%	
Grand Total	\$77,695.00	\$29,306.25	\$6,836.25	\$36,142.50	\$41,552.50	46.518%	\$6,836.25
AMOUNT DUE THIS INVOICE							\$6,836.25



Invoice Supporting Information

Cost Category	PLC Desc	RESPEC Project No.	Name	Week Ending Date	Hours	Billing Rate	Amount To Bill	Reference #	Description
Labor	Wastewater Engineer	W0035.22002.003	Gilley, Alicia D	11/19/22	2.00	\$190.00	\$380.00		Labor Hours
	Wastewater Engineer	W0035.22002.003		11/30/22	3.00	\$190.00	\$570.00		Labor Hours
						5.00		\$950.00	
	Principal	W0035.22002.001	Leak, Alan J	11/05/22	3.00	\$205.00	\$615.00		Labor Hours
	Principal	W0035.22002.001		11/12/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.003		11/12/22	8.00	\$205.00	\$1,640.00		Labor Hours
	Principal	W0035.22002.001		11/19/22	2.50	\$205.00	\$512.50		Labor Hours
	Principal	W0035.22002.004		11/19/22	1.50	\$205.00	\$307.50		Labor Hours
	Principal	W0035.22002.001		11/26/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.003		11/26/22	0.50	\$205.00	\$102.50		Labor Hours
	Principal	W0035.22002.001		11/30/22	1.00	\$205.00	\$205.00		Labor Hours
	Principal	W0035.22002.003		11/30/22	5.50	\$205.00	\$1,127.50		Labor Hours
						24.00		\$4,920.00	
	Project Engineer	W0035.22002.003	Lohmann, Jenna E	11/12/22	2.50	\$120.00	\$300.00		Labor Hours
	Project Engineer	W0035.22002.003		11/19/22	5.50	\$120.00	\$660.00		Labor Hours
					8.00		\$960.00		
Labor					37.00		\$6,830.00		
Travel		W0035.22002.001	Alan J. Leak				\$6.25	231764	11/14 CWA Board mtg 10mi
								\$6.25	
Travel								\$6.25	
Total					37.00		\$6,836.25		



Task Summary

RESPEC Project ID & Description	Current Hours	Current Dollars	Hours Billed to Date	Dollars Billed to Date
W0035.22002.000 - Direct Expenses				\$28.75
W0035.22002.001 - Board & Committee Support	8.50	\$1,748.75	53.00	\$10,871.25
W0035.22002.002 - Water Quality Monitoring Data			68.50	\$8,060.00
W0035.22002.003 - Regulatory Technical Support	27.00	\$4,780.00	78.00	\$15,235.00
W0035.22002.004 - Advancing Strategic Initiatives	1.50	\$307.50	9.50	\$1,947.50
Overall - Total	37.00	\$6,836.25	209.00	\$36,142.50

Attachment 10

Somach Simmons & Dunn

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

somalchlaw.com

Telephone: (916) 446-7979

Fax: (916) 446-8199

COVER SHEET

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

Attention: Diane Kielty, Program Manager

December 13, 2022

Client: 002051

Page: 1

For Professional Services Rendered Through November 30, 2022

ACCOUNT SUMMARY

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3015833	\$1,768.00	\$0.00	\$25.80	\$0.00	\$1,793.80
000002	WQCD-WQCC	3015834	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
000003	Pine Canyon Application	3015835	\$390.00	\$0.00	\$0.00	\$0.00	\$390.00
000006	2022 Lakes Nutrients Rulemal	3015836	\$4,876.00	\$0.00	\$0.00	\$0.00	\$4,876.00
Total Current Charges							\$7,059.80
Previous Balance							\$8,464.37
<i>Less Payments</i>							(\$156.00)
PAY THIS AMOUNT							\$15,368.17

Remittance Advice

Check Payable To:

Somach Simmons & Dunn
Attn.: Accounts Receivable
500 Capitol Mall, Suite 1000
Sacramento, California 95814

Somach Simmons & Dunn

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

somachlaw.com

Telephone: (916) 446-7979

Fax: (916) 446-8199

REMITTANCE COPY

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

Attention: Diane Kiely, Program Manager

December 13, 2022

Client: 002051

Page: 1

For Professional Services Rendered Through November 30, 2022

ACCOUNT SUMMARY

Matter	Description	Invoice #	Services	Tax	Disbursements	Interest	Total
000001	General	3015833	\$1,768.00	\$0.00	\$25.80	\$0.00	\$1,793.80
000002	WQCD-WQCC	3015834	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
000003	Pine Canyon Application	3015835	\$390.00	\$0.00	\$0.00	\$0.00	\$390.00
000006	2022 Lakes Nutrients Rulemal	3015836	\$4,876.00	\$0.00	\$0.00	\$0.00	\$4,876.00
Total Current Charges							\$7,059.80
Previous Balance							\$8,464.37
<i>Less Payments</i>							(\$156.00)
PAY THIS AMOUNT							\$15,368.17

Remittance Advice

Check Payable To:

Somach Simmons & Dunn
Attn.: Accounts Receivable
500 Capitol Mall, Suite 1000
Sacramento, California 95814

Invoice Listing

Sort Order: Client-Matter

Invoices Sorted by: Invoice Number

Selection: Chatfield Watershed Authority - All Matters

Posted Invoices

Invoices Dated: 2/1/2022 - 12/13/2022

Matter Name	Matter Code	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Total	2022 Totals
General	1	3015833	12/13/2022	1,768.00	-	25.80	-	1,793.80	32,563.30
WQCD-WQCC	2		*	*	*	*	* *		4,519.38
Pine Canyon Application	3	3015838	12/13/2022	390.00	-	-	-	390.00	3,323.50
Reg. 73 Triennial Review	4		*	*	*	*	*	*	1,454.00
Policy Revision Project	5		*	*	*	*	*	*	1,512.00
2022 Lakes Nutrients Rulemaking Hearing	6	3015836	12/13/2022	4,876.00	-	-	-	4,876.00	23,609.53
Client Year Totals				\$ 7,034.00	\$ -	\$ 25.80	\$ -	\$ 7,059.80	\$ 66,981.71

* No Invoice This Month

2022 Budget	\$ 84,240.00	
Amount Billed	\$ 66,981.71	79.5%
Budget Remaining	\$ 17,258.29	20.5%

Invoice Listing

Sort Order: Department

Selection: Filters Set (1)

Invoices Dated: 2/1/2022 - 12/13/2022

Invoices Sorted by: Client-Mater

- Posted Invoices
- Void Invoices
- Unposted Invoices

Client	Matter	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Tax	Total
Default Department									
002051 CHATFIELD WATERSHED AUTHORITY									
	000001	3012879	02/14/2022	\$5,958.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,958.00
	000001	3013172	03/15/2022	\$2,508.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,508.00
	000001	3013463	04/20/2022	\$1,197.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,197.00
	000001	3013770	05/17/2022	\$3,350.50	\$0.00	\$0.00	\$0.00	\$0.00	\$3,350.50
	000001	3014308	07/13/2022	\$3,633.50	\$0.00	\$56.00	\$0.00	\$0.00	\$3,689.50
	000001	3014636	08/12/2022	\$3,518.50	\$0.00	\$140.63	\$0.00	\$0.00	\$3,659.13
	000001	3014848	09/15/2022	\$1,573.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,573.00
	000001	3015374	10/13/2022	\$2,834.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,834.00
	000001	3015693	11/09/2022	\$5,988.50	\$0.00	\$11.87	\$0.00	\$0.00	\$6,000.37
	000001	3015833	12/13/2022	\$1,768.00	\$0.00	\$25.80	\$0.00	\$0.00	\$1,793.80
				\$32,329.00	\$0.00	\$234.30	\$0.00	\$0.00	\$32,563.30
	000002	3012880	02/14/2022	\$520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$520.00
	000002	3013753	05/17/2022	\$180.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180.00
	000002	3014067	06/17/2022	\$2,353.00	\$0.00	\$138.54	\$0.00	\$0.00	\$2,491.54
	000002	3014417	07/13/2022	\$650.00	\$0.00	\$57.84	\$0.00	\$0.00	\$707.84
	000002	3014637	08/12/2022	\$52.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.00
	000002	3014849	09/15/2022	\$126.00	\$0.00	\$0.00	\$0.00	\$0.00	\$126.00
	000002	3015375	10/13/2022	\$442.00	\$0.00	\$0.00	\$0.00	\$0.00	\$442.00
				\$4,323.00	\$0.00	\$196.38	\$0.00	\$0.00	\$4,519.38
	000003	3013771	05/17/2022	\$1,905.50	\$0.00	\$0.00	\$0.00	\$0.00	\$1,905.50
	000003	3014068	06/17/2022	\$872.00	\$0.00	\$0.00	\$0.00	\$0.00	\$872.00
	000003	3015376	10/13/2022	\$156.00	\$0.00	\$0.00	\$0.00	\$0.00	\$156.00
	000003	3015835	12/13/2022	\$390.00	\$0.00	\$0.00	\$0.00	\$0.00	\$390.00
				\$3,323.50	\$0.00	\$0.00	\$0.00	\$0.00	\$3,323.50
	000004	3012881	02/14/2022	\$598.00	\$0.00	\$0.00	\$0.00	\$0.00	\$598.00
	000004	3013173	03/15/2022	\$504.00	\$0.00	\$0.00	\$0.00	\$0.00	\$504.00
	000004	3014311	07/13/2022	\$40.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40.00
	000004	3014850	09/15/2022	\$78.00	\$0.00	\$0.00	\$0.00	\$0.00	\$78.00
	000004	3015377	10/13/2022	\$52.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.00
	000004	3015596	11/09/2022	\$182.00	\$0.00	\$0.00	\$0.00	\$0.00	\$182.00
				\$1,454.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,454.00

Invoice Listing

Sort Order: Department

Selection: Filters Set (1)

Invoices Dated: 2/1/2022 - 12/13/2022

Invoices Sorted by: Client-Mater

- Posted Invoices
- Void Invoices
- Unposted Invoices

Client	Matter	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Tax	Total
Default Department									
002051 CHATFIELD WATERSHED AUTHORITY									
	000005	3012882	02/14/2022	\$1,380.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,380.00
	000005	3013174	03/15/2022	\$132.00	\$0.00	\$0.00	\$0.00	\$0.00	\$132.00
				\$1,512.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,512.00
	000006	3014418	07/13/2022	\$624.00	\$0.00	\$0.00	\$0.00	\$0.00	\$624.00
	000006	3014638	08/12/2022	\$1,817.50	\$0.00	\$0.00	\$0.00	\$0.00	\$1,817.50
	000006	3014851	09/15/2022	\$11,865.00	\$0.00	\$0.00	\$0.00	\$0.00	\$11,865.00
	000006	3015378	10/13/2022	\$2,092.00	\$0.00	\$27.03	\$0.00	\$0.00	\$2,119.03
	000006	3015597	11/09/2022	\$2,308.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,308.00
	000006	3015836	12/13/2022	\$4,876.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,876.00
				\$23,582.50	\$0.00	\$27.03	\$0.00	\$0.00	\$23,609.53
				\$66,524.00	\$0.00	\$457.71	\$0.00	\$0.00	\$66,981.71
	Department Total:			\$66,524.00	\$0.00	\$457.71	\$0.00	\$0.00	\$66,981.71
	Report Total:			\$66,524.00	\$0.00	\$457.71	\$0.00	\$0.00	\$66,981.71

Attachment 11

Invoice Listing

Sort Order: Client-Matter

Invoices Sorted by: Invoice Number

Selection: Chatfield Watershed Authority - All Matters

Posted Invoices

Invoices Dated: 2/1/2022 - 01/10/2023

Matter Name	Matter Code	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Total	2022 Totals
General	1	3016228	1/13/2023	1,742.00	-	-	-	1,742.00	34,305.30
WQCD-WQCC	2		*	*	*	*	* *		4,519.38
Pine Canyon Application	3	3016229	1/13/2023	260.00	-	-	-	260.00	3,583.50
Reg. 73 Triennial Review	4		*	*	*	*	*	*	1,454.00
Policy Revision Project	5		*	*	*	*	*	*	1,512.00
2022 Lakes Nutrients Rulemaking Hearing	6	3016230	1/13/2023	4,312.00	-	-	-	4,312.00	27,921.53
Client Year Totals				\$ 6,314.00	\$ -	\$ -	\$ -	\$ 6,314.00	\$ 73,295.71

* No Invoice This Month

2022 Budget	\$ 84,240.00	
Amount Billed	\$ 73,295.71	87.0%
Budget Remaining	\$ 10,944.29	13.0%

Invoice Listing

Sort Order: Department
 Selection: Filters Set (1)
 Invoices Dated: 2/1/2022 - 1/31/2023

Invoices Sorted by: Client-Mater
 Posted Invoices
 Void Invoices
 Unposted Invoices

Client	Matter	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Tax	Total	
Default Department										
002051 CHATFIELD WATERSHED AUTHORITY										
		000001	3012879	02/14/2022	\$5,958.00	\$0.00	\$0.00	\$0.00	\$0.00	\$5,958.00
		000001	3013172	03/15/2022	\$2,508.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,508.00
		000001	3013463	04/20/2022	\$1,197.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,197.00
		000001	3013770	05/17/2022	\$3,350.50	\$0.00	\$0.00	\$0.00	\$0.00	\$3,350.50
		000001	3014308	07/13/2022	\$3,633.50	\$0.00	\$56.00	\$0.00	\$0.00	\$3,689.50
		000001	3014636	08/12/2022	\$3,518.50	\$0.00	\$140.63	\$0.00	\$0.00	\$3,659.13
		000001	3014848	09/15/2022	\$1,573.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,573.00
		000001	3015374	10/13/2022	\$2,834.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,834.00
		000001	3015693	11/09/2022	\$5,988.50	\$0.00	\$11.87	\$0.00	\$0.00	\$6,000.37
		000001	3015833	12/13/2022	\$1,768.00	\$0.00	\$25.80	\$0.00	\$0.00	\$1,793.80
		000001	3016228	01/13/2023	\$1,742.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,742.00
					\$34,071.00	\$0.00	\$234.30	\$0.00	\$0.00	\$34,305.30
		000002	3012880	02/14/2022	\$520.00	\$0.00	\$0.00	\$0.00	\$0.00	\$520.00
		000002	3013753	05/17/2022	\$180.00	\$0.00	\$0.00	\$0.00	\$0.00	\$180.00
		000002	3014067	06/17/2022	\$2,353.00	\$0.00	\$138.54	\$0.00	\$0.00	\$2,491.54
		000002	3014417	07/13/2022	\$650.00	\$0.00	\$57.84	\$0.00	\$0.00	\$707.84
		000002	3014637	08/12/2022	\$52.00	\$0.00	\$0.00	\$0.00	\$0.00	\$52.00
		000002	3014849	09/15/2022	\$126.00	\$0.00	\$0.00	\$0.00	\$0.00	\$126.00
		000002	3015375	10/13/2022	\$442.00	\$0.00	\$0.00	\$0.00	\$0.00	\$442.00
					\$4,323.00	\$0.00	\$196.38	\$0.00	\$0.00	\$4,519.38
		000003	3013771	05/17/2022	\$1,905.50	\$0.00	\$0.00	\$0.00	\$0.00	\$1,905.50
		000003	3014068	06/17/2022	\$872.00	\$0.00	\$0.00	\$0.00	\$0.00	\$872.00
		000003	3015376	10/13/2022	\$156.00	\$0.00	\$0.00	\$0.00	\$0.00	\$156.00
		000003	3015835	12/13/2022	\$390.00	\$0.00	\$0.00	\$0.00	\$0.00	\$390.00
		000003	3016229	01/13/2023	\$260.00	\$0.00	\$0.00	\$0.00	\$0.00	\$260.00
					\$3,583.50	\$0.00	\$0.00	\$0.00	\$0.00	\$3,583.50

Invoice Listing

Sort Order: Department
 Selection: Filters Set (1)
 Invoices Dated: 2/1/2022 - 1/31/2023

Invoices Sorted by: Client-Mater
 Posted Invoices
 Void Invoices
 Unposted Invoices

Client	Matter	Invoice #	Invoice Date	Fees	Expenses	Costs	Interest	Tax	Total
Default Department									
002051 CHATFIELD WATERSHED AUTHORITY									
		000004	3012881	02/14/2022	\$598.00	\$0.00	\$0.00	\$0.00	\$598.00
		000004	3013173	03/15/2022	\$504.00	\$0.00	\$0.00	\$0.00	\$504.00
		000004	3014311	07/13/2022	\$40.00	\$0.00	\$0.00	\$0.00	\$40.00
		000004	3014850	09/15/2022	\$78.00	\$0.00	\$0.00	\$0.00	\$78.00
		000004	3015377	10/13/2022	\$52.00	\$0.00	\$0.00	\$0.00	\$52.00
		000004	3015596	11/09/2022	\$182.00	\$0.00	\$0.00	\$0.00	\$182.00
					\$1,454.00	\$0.00	\$0.00	\$0.00	\$1,454.00
		000005	3012882	02/14/2022	\$1,380.00	\$0.00	\$0.00	\$0.00	\$1,380.00
		000005	3013174	03/15/2022	\$132.00	\$0.00	\$0.00	\$0.00	\$132.00
					\$1,512.00	\$0.00	\$0.00	\$0.00	\$1,512.00
		000006	3014418	07/13/2022	\$624.00	\$0.00	\$0.00	\$0.00	\$624.00
		000006	3014638	08/12/2022	\$1,817.50	\$0.00	\$0.00	\$0.00	\$1,817.50
		000006	3014851	09/15/2022	\$11,865.00	\$0.00	\$0.00	\$0.00	\$11,865.00
		000006	3015378	10/13/2022	\$2,092.00	\$0.00	\$27.03	\$0.00	\$2,119.03
		000006	3015597	11/09/2022	\$2,308.00	\$0.00	\$0.00	\$0.00	\$2,308.00
		000006	3015836	12/13/2022	\$4,876.00	\$0.00	\$0.00	\$0.00	\$4,876.00
		000006	3016230	01/13/2023	\$4,312.00	\$0.00	\$0.00	\$0.00	\$4,312.00
					\$27,894.50	\$0.00	\$27.03	\$0.00	\$27,921.53
					\$72,838.00	\$0.00	\$457.71	\$0.00	\$73,295.71
		Department Total:			\$72,838.00	\$0.00	\$457.71	\$0.00	\$73,295.71
		Report Total:			\$72,838.00	\$0.00	\$457.71	\$0.00	\$73,295.71

Attachment 12

Somach Simmons & Dunn

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

somachlaw.com

Telephone: (916) 446-7979

Fax: (916) 446-8199

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

Attention: Diane Kielty, Program Manager

January 13, 2023

Client: 002051

Matter: 000001

Invoice #: 3016228

Resp. Atty: SAK

Page: 1

RE: General

For Professional Services Rendered Through December 31, 2022

Total Services	\$1,742.00
Total Current Charges	\$1,742.00
Previous Balance	\$7,794.17
<i>Less Payments</i>	<i>(\$6,000.37)</i>
PAY THIS AMOUNT	\$3,535.80

Remittance Advice

Check Payable To:

Somach Simmons & Dunn
Attn.: Accounts Receivable
500 Capitol Mall, Suite 1000
Sacramento, California 95814

Please return this remittance page with your payment. Thank you.

Somach Simmons & Dunn
Attorneys at Law

January 13, 2023
Client: 002051
Matter: 000001
Invoice #: 3016228
Resp. Atty: SAK
Page: 2

Total Services	\$1,742.00	
Total Current Charges		\$1,742.00
Previous Balance		\$7,794.17
<i>Less Payments</i>		<i>(\$6,000.37)</i>
PAY THIS AMOUNT		\$3,535.80

Somach Simmons & Dunn

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

somalchlaw.com

Telephone: (916) 446-7979

Fax: (916) 446-8199

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

Attention: Diane Kiely, Program Manager

January 13, 2023

Client: 002051

Matter: 000003

Invoice #: 3016229

Resp. Atty: SAK

Page: 1

RE: Pine Canyon Application

For Professional Services Rendered Through December 31, 2022

Total Services	\$260.00
Total Current Charges	\$260.00
Previous Balance	\$390.00
PAY THIS AMOUNT	\$650.00

Remittance Advice

Check Payable To:

Somach Simmons & Dunn
Attn.: Accounts Receivable
500 Capitol Mall, Suite 1000
Sacramento, California 95814

Please return this remittance page with your payment. Thank you.

Somach Simmons & Dunn

Attorneys at Law

500 Capitol Mall, Suite 1000

Sacramento, California 95814

Federal Tax I.D. No.: 68-0261618

somachlaw.com

Telephone: (916) 446-7979

Fax: (916) 446-8199

Chatfield Watershed Authority

P.O. Box 460736

Glendale, CO 80246-0736

Attention: Diane Kielty, Program Manager

January 13, 2023

Client: 002051

Matter: 000006

Invoice #: 3016230

Resp. Atty: SAK

Page: 1

RE: 2022 Lakes Nutrients Rulemaking Hearing

For Professional Services Rendered Through December 31, 2022

Total Services	\$4,312.00
Total Current Charges	\$4,312.00
Previous Balance	\$7,184.00
<i>Less Payments</i>	<i>(\$2,308.00)</i>
PAY THIS AMOUNT	\$9,188.00

Remittance Advice

Check Payable To:

Somach Simmons & Dunn
Attn.: Accounts Receivable
500 Capitol Mall, Suite 1000
Sacramento, California 95814

Please return this remittance page with your payment. Thank you.

Attachment 13

TWS FINANCIAL INC.

CERTIFIED PUBLIC ACCOUNTANTS
6901 S. Pierce St. #200
LITTLETON CO. 80128
(303) 933-4207

Invoice

Date	Invoice #
1/9/2023	22197

Bill To
Chatfield Watershed Authority 4255 N. US Highway 85 Castle Rock, Co 80108

P.O. No.	Terms	Project

Quantity	Description	Rate	Amount
2	November and December 2022 Financial Statement Prep.	750.00	1,500.00

Thank you for your business.	Total	\$1,500.00
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Attachment 14

**CHATFIELD WATERSHED AUTHORITY BOARD
ACTION MEMORANDUM**

Date: January 23, 2023

TO: Chatfield Watershed Authority Board

FROM: Diane Kielty

SUBJECT: Designating Public Notice Location

PURPOSE / BACKGROUND:

The Authority Board is required to designate a location for public notice at its first meeting of the year. *See* CWA Bylaws, § 7.4; § 24-6-402(2)(c), C.R.S.

SUMMARY OF ACTION REQUESTED:

Recommendation that the Board designate its website at “chatfieldwatershedauthority.org” as its location for public notice.

COST IMPACTS:

This action should have no cost implication for the Authority.

Attachment 15

ACTION MEMORANDUM CHATFIELD WATERSHED AUTHORITY

DATE: January 17, 2022

TO: Chatfield Watershed Authority (CWA) Board of Directors (Board)

FROM: Michael Daugherty, Somach Simmons & Dunn (SSD)

SUBJECT: Amend CWA Bylaws to Allow Sole Source Contracting

PURPOSE / BACKGROUND:

At the November Board meeting, the Board requested SSD to draft a proposed amendment to CWA's bylaws that allow for sole source contracting (rather than a competitive bidding process) for professional contracts for services for \$60,000 or less and/or for one year or less. This effort is an attempt to streamline CWA's contracting efforts, particularly for time-sensitive matters.

SUMMARY OF ACTION REQUESTED:

Amend CWA's bylaws to add a new Section 12.4, under Article XII, Miscellaneous, to allow for sole source contracting for contracts for professional services that amount to \$60,000 or less or for a duration of one year or less.

A redline version of CWA's bylaws with the proposed amendment included is attached to this memorandum.

If this amendment is adopted, the bylaws would read:

12.4 Sole Source Contracting. The Board may authorize at any regular meeting of the Board or at any special meeting called for that purpose, provided that written notice of the proposed contract shall have been given at least seven (7) days prior to the meeting, contracts for professional services that amount to \$60,000 or less or that will last for one-year or less without engaging in a competitive bidding process. This provision is not intended to exclude sole source contracting for other contracts as permitted by applicable state law.

A full redline version of CWA's bylaws with the proposed amendment included is attached to this memorandum for the Board's consideration.

CONSIDERATIONS:

SSD recommends the Board consider whether it would like to make any additional amendments to its bylaws related to contacting for professional services at this time. For example, the Board may wish to explicitly require competitive bidding for contracts that do not qualify for sole source contracting. The Board may also want to address the annual renewal process for professional services contract. SSD also recommends the Board consider any language modifications to the proposed new paragraph 12.4.

PROPOSED MOTION TO BOARD:

Motion to adopt the proposed bylaw amendment as drafted.

**BYLAWS OF THE
CHATFIELD WATERSHED AUTHORITY**

**ARTICLE I
PURPOSE**

1.1 Purpose. The purpose of the Chatfield Watershed Authority (the “**Authority**”) is to provide for and promote a regional, coordinated approach for the provision of water quality improvements and the protection of water quality in the Chatfield Watershed for recreation, fisheries, drinking water supplies, other beneficial uses, and for the public benefit of the Members of the Authority, their inhabitants, and the People of the State of Colorado, as deemed appropriate by the Board of Directors of the Authority, and may include but is not limited to providing for the construction, operation, and maintenance of point and nonpoint source control projects, monitoring of the Chatfield Reservoir, South Platter River below Strontia Springs Reservoir, and Plum Creek and the water flowing into them, recommending water quality standards therefor, and coordinating with state and federal agencies regarding water quality control measures, pursuant to the Amended and Restated Intergovernmental Agreement Establishing the Chatfield Watershed Authority (the “**Establishing Agreement**”), entered into and effective as of the 26th day of April, 2016.

**ARTICLE II
OFFICES**

2.1 Principal Office. The principal office of the Authority shall be located within the State of Colorado at such location as is designated by the Board of Directors from time to time. At the time of execution of these Bylaws, the principal office of the Authority was Douglas County Public Works Engineering Department, 3030 N. Industrial Way, Castle Rock, CO 80109. Written notice of any change in the location of the Authority’s principal office shall be provided in advance to all Members of the Authority.

2.2 Other Offices. The Authority may have such other offices and places of business within the State of Colorado as the Board may designate from time to time.

**ARTICLE III
MEMBERSHIP**

3.1 Member Entities. The members of the Authority shall consist of the Permanent General Jurisdiction Members; the Water and Sanitation District (“**W&S**”) Members; the water providers, metropolitan districts and other municipalities’ members (collectively, the “**Other Members**”); as have entered into the Establishing Agreement and as defined below, and such additional parties as may join the Authority from time to time (collectively, “**Members**”).

3.2 Permanent General Jurisdiction Members. The Authority shall initially have three (3) Permanent General Jurisdiction Members, including Douglas County, Jefferson County and the Town of Castle Rock. The Permanent General Jurisdiction Members shall be the primary funding members of the Authority. Additional parties will be allowed to join the Authority as Permanent General Jurisdiction Members from time to time, as provided in the Establishing Agreement.

3.3 W&S Members. The Authority shall initially have six (6) W&S Members. W&S Members shall include: (i) Centennial Water and Sanitation District, (ii) Dominion Water and Sanitation District, (iii) Louviers Water and Sanitation District, (iv) Perry Park Water and Sanitation District, (v) Roxborough Water and Sanitation District, and (vi) Plum Creek Water Reclamation Authority. Additional parties will be allowed to join the Authority as W&S Members from time to time, as provided in the Establishing Agreement.

3.4 Other Members. The Authority shall initially have four (4) Other Members. The Other Members shall include: (i) the Castle Pines Metropolitan District, (ii) the City and County of Denver acting through its Board of Water Commissioners, (iii) Town of Larkspur, and (iv) the City of Littleton. Additional parties will be allowed to join the Authority as Other Members from time to time, as provided in the Establishing Agreement.

3.5 Ex-Officio Participants. The Ex-Officio Participants shall include the Colorado Agricultural Leadership Foundation, the Colorado Parks and Wildlife Commission (Chatfield State Park), the Colorado Department of Transportation, the Colorado Water Conservation Board, the Ken Caryl Ranch Master Association, the Law Enforcement Foundation, Ponderosa Retreat, Sacred Heart Retreat, Tri-County Health Department, the U.S. Army Corps of Engineers, the Chatfield Reservoir Mitigation Company, Inc., and the Water Quality Control Division of the Colorado Department of Public Health and Environment. Each Ex-Officio Participant may designate a representative of such party and provide written notice of such representative's name and contact information to the Manager of the Authority to be included on communications related to the Authority. Ex-Officio Participants are not members of the Authority and have no voting rights or other obligations with respect to the Authority, including no obligation to pay dues. Ex-Officio Participants are encouraged to participate in the Authority meetings and provide input on the operations of the Authority at any public meetings of the Authority.

ARTICLE IV **BOARD OF DIRECTORS**

4.1 Powers and Duties. The governing body of the Authority shall be a Board of Directors (the "**Board**"). Subject to any limitations of the Establishing Agreement, Sections 29-1-203 and 29-1-204.2 C.R.S., or these Bylaws, all powers of the Authority shall be exercised by, or under the authority of, and the business and affairs of the Authority shall be controlled by, the Board. The Board shall collectively act as is necessary and as is authorized by law and

by these Bylaws to carry out the provisions of the Establishing Agreement to advance the purpose and goals of the Authority. The Authority shall have all powers, privileges, and duties enumerated in the Establishing Agreement and these Bylaws and granted to entities formed pursuant to Sections 29-1-203 and 29-1-204.2 C.R.S., as they now exist or may be amended from time to time.

In addition to the powers, privileges, and duties enumerated in the Establishing Agreement, these Bylaws, and granted to entities formed pursuant to Sections 29-1-203 and 29-1-204.2 C.R.S., the Authority shall have the following powers:

a. To seek legislative action from the Colorado Legislature affecting the Authority, including but not limited to enabling legislation for watershed authorities in the State of Colorado, and legislation authorizing funding and/or revenue generation to support the services, functions, and facilities of the Authority.

b. To establish advisory committees to gather, research, compare, and evaluate information, and advise the Board regarding matters pertaining to the water quality of the Chatfield Watershed or such other matters pertaining to the purpose and goals of the Authority as deemed necessary or advisable by the Board.

4.2 Number of Directors. The Authority's Board shall consist of five (5) representatives of the Members (each a "**Director**"). The Board's membership shall consist of three (3) Directors, one of whom is appointed by each Permanent General Jurisdiction Member; one (1) Director selected by the W&S Members; and one (1) Director selected by the Other Members, as described in this Article IV. In the event new Members are added pursuant to Article II, Section 2 of the Establishing Agreement, the Board will amend these Bylaws to appropriately address composition of the Board.

4.3 Directors Representing the Permanent General Jurisdiction Members.

4.3.1 Directors. Each Permanent General Jurisdiction Member shall appoint one (1) Director to the Board. The Director for each Permanent General Jurisdiction Member must be an elected official of the appointing Member and be qualified, willing, and able to assume and perform the duties and responsibilities required of the directorship. Each Permanent General Jurisdiction Member shall provide written notice of the name and contact information of its appointed Director to the Manager of the Authority.

4.3.2 Alternate Directors. Each Permanent General Jurisdiction Member shall be entitled to appoint one alternate representative to serve on the Board in the absence of the Director (the "**Alternate Director**"). Each Permanent General Jurisdiction Alternate Director shall also be an elected official of such Member. If the selected Alternate Director is not an elected official of such Member, such Alternate Director will not be authorized to vote on behalf of such Member at meetings where the Director is absent.

4.3.3 Term. There shall be no restriction on the term of a Director for the Permanent General Jurisdiction Members. Each Permanent General Jurisdiction Member shall appoint such Director and Alternate Director as such jurisdiction sees fit who shall serve until a successor is duly appointed as established by such Members' policies and procedures. Any changes in the Permanent General Jurisdiction Member shall be communicated promptly to the Manager of the Authority.

4.3.4 Removal. A Permanent General Jurisdiction Member may, in its sole discretion, remove its appointed Director or Alternate Director from the Board at any time and appoint a successor thereto by providing written notice to the Manager of the Authority.

4.4 Director Representing W&S Members.

4.4.1 Director. The W&S Members of the Authority, collectively, shall select one W&S Member to represent all of the W&S Members as a Director on the Board, as provided herein. The Director must be qualified, willing, and able to assume and perform the duties and responsibilities required of the directorships.

4.4.2 Manner of Selection. The election of the Director for the W&S Members shall take place in the Fall of each year an election is necessary through a written ballot process as described herein. All W&S Members in good standing with the Authority that have paid all past dues and fees shall be entitled to participate in the election of the W&S Member Director. By the end of September in such year, the Manager shall send out a written notice, electronic mail notice is acceptable, to all W&S Members in good standing requesting the nomination of one Director from such Member's organization. Each W&S Member may, but is not required to, nominate one (1) qualified candidate to serve as Director; no other nominations will be accepted. Each W&S Member shall notify the Manager of its Director nomination on or before October 31st. The Manager shall then have one (1) week to prepare and send out, either via prepaid mail or electronic mail, a ballot for the W&S Members to return for the election of the W&S Member Director. Each W&S Member shall have until November 30th to return the completed ballot to the Manager. A quorum of W&S Members for an election shall consist of a majority of the W&S Members entitled to cast a vote on the matter. If a quorum does not exist on November 30th, the Manager shall solicit additional ballots from the missing W&S Members until a quorum is obtained. Voting by proxy is strictly prohibited. Each W&S Member shall be entitled to cast up to three (3) votes for the nominees; provided, however, the W&S Member is not required to cast all three (3) votes and each vote cast must be for a different candidate (i.e. no cumulative voting is allowed). If only two (2) or fewer nominees are on the ballot, then each W&S Member shall only be entitled to cast one (1) vote in the election. The nominee receiving the most votes shall serve as the Director for the W&S Members. In the event of a tied ranking, a tiebreaking vote or votes, as necessary, shall be conducted. The Manager shall use reasonable efforts to ensure that the W&S Director is known no later than December 15th, if any tiebreaking votes are required. The W&S Member whose candidate received

the most votes shall provide written notice of the name and contact information of the Director to the Manager of the Authority.

4.4.3 Alternate Directors. The W&S Member that is select to represent all of the W&S Members shall be entitled to appoint one alternate representative to serve on the Board in the absence of the Director (the “**W&S Alternate Director**”). The W&S Members’ Director and Alternate Director may be elected officials or staff of the entity such W&S Member represents.

4.4.4 Term. Any Director of the W&S Members shall serve a term of two (2) years from the date of election or until a successor is duly elected. No W&S Member Director shall serve more than two (2) consecutive two-year terms. Fulfilling an incomplete term is not considered part of the term limit.

4.4.5 Removal. The W&S Members may, by unanimous approval, remove a Director representing the W&S Members from the Board at any time. If so removed, the W&S Members shall elect a replacement Director to fill the remainder of the removed Director’s term pursuant to the procedures of Section 4.4.2 with the timing of such votes adjusted accordingly. Written notice of the removal and election should be provided to the Manager of the Authority and the Manager will assist with the election process.

4.5 Other Members.

4.5.1 Director. The Other Members of the Authority, collectively, shall select one (1) Other Member to represent all of the Other Members as a Director to serve on the Board, as provided herein. The Director must be qualified, willing, and able to assume and perform the duties and responsibilities required of the directorships.

4.5.2 Manner of Selection. The election of the Director for the Other Members shall take place in the Fall of each year an election is necessary through a written ballot process as described herein. All Other Members in good standing with the Authority that have paid all past dues and fees shall be entitled to participate in the election of the Other Member Director. By the end of September in such year, the Manager shall send out a written notice, electronic mail notice is acceptable, to all Other Members in good standing requesting the nomination of one Director from such Member’s organization. Each Other Member may, but is not required to, nominate one (1) qualified candidate to serve as Director; no other nominations will be accepted. Each Other Member shall notify the Manager of its Director nomination on or before October 31st. The Manager shall then have one (1) week to prepare and send out, either via prepaid mail or electronic mail, a ballot for the Other Members to return for the election of the Other Member Director. Each Other Member shall have until November 30th to return the completed ballot to the Manager. A quorum of Other Members for an election shall consist of a majority of the Other Members entitled to cast a vote on the matter. If a quorum does not exist on November 30th, the Manager shall solicit additional ballots from the missing Other Members until a quorum is obtained. Voting by proxy is strictly

prohibited. Each Other Member shall be entitled to cast up to three (3) votes for the nominees; provided, however, the Other Member is not required to cast all three (3) votes and each vote cast must be for a different candidate (i.e. no cumulative voting is allowed). If only two (2) or fewer nominees are on the ballot, then each Other Member shall only be entitled to cast one (1) vote in the election. The nominee receiving the most votes shall serve as the Director for the Other Members. In the event of a tied ranking, a tiebreaking vote or votes, as necessary, shall be conducted. The Manager shall use reasonable efforts to ensure that the Other Member Director is known no later than December 15th, if any tiebreaking votes are required. The Other Member whose candidate received the most votes shall provide written notice of the name and contact information of the Director to the Manager of the Authority.

4.5.3 Alternate Directors. The Other Member that is selected to represent all of the Other Members shall be entitled to appoint one alternate representative to serve on the Board in the absence of the Director (the “**Other Member Alternate Director**”). The Other Members’ Director and Alternate Director may be elected officials or staff of the entity such Other Member represents.

4.5.4 Term. Any Director of the Other Members shall serve a term of two (2) years from the date of election or until a successor is duly elected. No Other Member Director shall serve more than two (2) consecutive two-year terms. Fulfilling an incomplete term is not considered part of the term limit.

4.5.5 Removal. The Other Members may, by unanimous approval, remove a Director representing the Other Members from the Board at any time. If so removed, the Other Members shall elect a replacement Director to fill the remainder of the removed Director’s term pursuant to the procedures of Section 4.5.2 with the timing of such votes adjusted accordingly. Written notice of the removal and election should be provided to the Manager of the Authority and the Manager will assist with the election process.

4.6 Vacancies and Election of Directors. A vacancy on the Board may occur by reason of death, disability, resignation, removal or otherwise of any Director. For the Permanent General Jurisdiction Members, vacancies shall be filled pursuant to the procedures set forth in Sections 4.3.1 above. For W&S and Other Members, a vacancy caused by any reason, other than removal pursuant to Section 4.4.5 and 4.5.5 hereof, shall be filled by the appointment of a qualified individual of the Member organization represented by the departing Director. Any Director appointed to fill a vacancy on the Board shall serve the remainder of the departing Director’s term.

4.7 Withdrawal of Members. In the event a Member organization with a representative on the Board decides to withdraw from the Authority as permitted or required in the Establishing Agreement, then, in the case of a W&S or Other Member, the applicable Members shall hold an election in accordance with the procedures set forth in Sections 4.4.2 and 4.5.2 with the timing of such votes adjusted accordingly. If a Permanent General Jurisdiction

Member withdraws, then the remaining Board of Directors shall amend these Bylaws which vote shall require the unanimous approval of the remaining Directors.

4.8 Compensation. The Directors shall not receive any compensation from the Authority for their services to the Authority.

ARTICLE V **OFFICERS**

5.1 Presiding Officers. At the first Board meeting of each calendar year, or such other date as mutually agreed upon by the Board, the Board shall elect by a Majority Vote (as defined in Section 8.2 below) from the Directors a Chairman and Vice-Chairman who shall be the presiding officers at Chatfield Watershed Authority meetings (the “**Presiding Officer(s)**”). If the Chairman or Vice-Chairman elects not to preside over a meeting or particular matter, a Majority Vote of the Board present shall then elect a temporary chairman who shall be the Presiding Officer for that particular meeting or particular matter only, as the case may be.

5.2 Term. The term of office for the Presiding Officers is one (1) year from the date of election; however, there is no limit on the number of terms a Presiding Officer may serve. Each Presiding Officer shall hold office until his successor is duly elected or until his death, incapacity, resignation, or removal.

5.3 Resignation and Removal. A Presiding Officer may resign at any time by giving written notice to the Board and the Authority’s Manager and it shall be effective as of the date stated in the resignation. Any Presiding Officer may be removed with or without cause at any meeting of the Board by Super Majority Vote (as defined in Section 8.3 below) of the Board, provided that the agenda for such meeting lists officer removal as an agenda item. Resignation or removal shall terminate all authority of the officer.

5.4 Presiding Officer Vacancies. If the office of Chairman should become vacant during the term of office, the Vice-Chairman shall assume the duties of Chairman. Should the office of Vice-Chairman become vacant, a special election shall be held as soon as possible following the announcement of the vacancy. Nominations from the floor by members of the Board during the election meeting shall be permissible.

5.5 Authority and Duties of the Chairman and Vice-Chairman. It shall be the responsibility of the Chairman to preside at all meetings of the Authority, execute documents of behalf of the Authority, ensure that all orders and resolutions of the Board are carried into effect, make appointments to committees, and be the primary liaison between the Board and the Authority Manager. The Vice-Chairman shall perform the duties of the Chairman during the Chairman’s absence. The Presiding Officers of the Authority shall have the authority and exercise the powers and perform the duties as specified herein and as may be additionally specified by the Board, or these Bylaws, and as may be required by law.

5.6 Authority Manager. The Authority shall retain a third-party to manage the day-to-day operations of the Authority (the “**Manager**”). The Board shall select the Manager and the Manager shall report to the Board.

5.6.1 Duties of the Manager. The Manager shall provide management services for the Authority, including the Board, the Technical Advisory Committee and any other committees formed by the Board. The Manager shall be responsible for coordinating and overseeing the activities of any consultants or contractors engaged by the Authority, including any accountants and legal counsel who shall also report directly to the Board. The Manager shall perform all duties typically performed by the secretary of an organization, including but not limited to, keeping a book of minutes of all meetings of the Board and any committees thereof, ensuring that all notices are duly given in accordance with the provisions of these Bylaws or as required by law, and such other all duties as may from time to time be assigned by the Board or as may be required by these Bylaws or the Board.

5.7 Authority Accountant. The Board shall retain a third-party to manage the accounts of the Authority which shall include, but is not limited to, keeping full and accurate accounts of all receipts and disbursements of the Authority, depositing all moneys as may be designated by the Board, disbursing the funds of the Authority as ordered by the Board, preparing and recommending an annual operating budget to the Board by such date as established by the Board each year for the succeeding calendar year, and performing all other duties as may from time to time be assigned by the Board or as may be required by these Bylaws or the Board. The Authority’s accountant shall work closely with the Manager.

ARTICLE VI

WRITTEN INSTRUMENTS AND CHECKS

6.1 Written Instruments. The Board of Directors may authorize any officer(s) or agent(s) to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority, and such authority may be general or confined to specific instances. The Chairman, and Vice-Chairman in the absence of the Chairman, shall have general authority to execute any contract or execute and deliver any instrument in the name of the Authority, provided such item was properly approved by the Board.

6.2 Checks. All checks or demands for money and notes of the Authority shall be signed by two (2) Directors or such other person or persons as the Board of Directors may from time to time designate.

ARTICLE VII

MEETINGS

7.1 Regular Meetings. Regular meetings of the Board shall be held quarterly or at such other regular intervals and at such time and place as determined by the Board. The Board may provide by resolution the time and place within the State of Colorado for the holding of regular meetings. In the absence of any such meeting designation, meetings shall be held at the principal office of the Authority.

7.2 Special Meetings. Special meetings of the Board for any purpose(s) may be called at any time by the Chairman, by resolution of the Board, or by request of any two Board members then in office.

7.3 Meeting by Telephone. Members of the Board or any committee thereof may participate in a meeting of the Board or committee by means of telephone conference or similar communications equipment by which all persons participating in the meeting can hear one another at the same time. Such participation shall constitute presence in person at the meeting, no matter where such person is actually located.

7.4 Notice of Meetings. Notice to the public of any regular and special meetings of the Board or any meeting of any advisory, policy-making, rulemaking, or formally constituted body of the Authority to which the Authority has delegated a governmental decision-making function shall be posted as required by the Colorado Open Meetings Law. The Board shall, annually at its first regular meeting of the calendar year, designate a public place for the posting of Authority notices in accordance with C.R.S. 24-6-402(2)(c).

Notice of regular Board meetings shall be personally delivered or sent by first class mail, postage prepaid, facsimile, telephone, e-mail, or other electronic communication to each Director at his or her address as shown on the records of the Authority as soon as reasonably practicable prior to each regular meeting. Notice of special Board meetings shall be given to each Director at least forty-eight (48) hours before the meeting. Notice shall be either oral or written. Oral notice shall be given face-to-face or by telephone. Written notice may be given by mail, personal delivery, facsimile, e-mail, or other electronic communication. The notice shall contain (1) the date, time, and place of the meeting; and (2) the agenda for said meeting, or the purpose or purposes for which a special meeting is called. Special meetings of the full Board shall be limited to the purpose or purposes set forth in the notice of said special meeting. The attendance of a Director at a meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

All Members shall receive electronic copies of all notices, agendas, and appropriate enclosures at the e-mail address of their designated representative provided to the Manager of the Authority.

7.5 Public Meetings. All the meetings of the Board, other than executive sessions, shall be open to the public. No vote or other formal action shall be taken in any session which is closed to the general public. The Manager, or such other officer as the Board may from time to time determine, shall maintain a list of persons who, within the previous two (2) years, have requested notification of all meetings or of meetings when certain specified policies will be discussed and shall provide reasonable advance notification of such meetings; provided, however, that unintentional failure to provide such advance notice will not nullify actions taken at an otherwise properly published meeting.

7.5.1 Executive Session. The Board, upon the affirmative vote of two-thirds of the quorum present, may hold an executive session for any of the reasons set forth in C.R.S. 24-6-402(4) as are applicable. No formal action may be taken while in executive session. Prior to convening an executive session, the Chairman shall announce the topic(s) to be discussed, including the specific statutory citation(s), and identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

7.6 Informal Meetings. Informal meetings of the Board at which no final decision is made or formal action is taken may be held from time to time and may include study sessions, subcommittee meetings, or any meeting of three or more Board members at which Authority business is to be discussed. Notice of any such meeting shall be given to all Directors at least seventy-two (72) hours in advance of such meeting, unless such informal meeting was set and authorized by the Board at a regular or special meeting. Public notice of the meeting shall be posted in the designated posting place for the Authority at least twenty-four (24) hours prior to such meeting as required by the Colorado Open Meetings Law.

7.7 Conduct of Meetings. Unless otherwise agreed to by the Board, Robert's Rules of Order, Revised shall be the parliamentary authority for all meetings of the Board and the rules contained therein shall govern the procedures utilized at such meetings where not inconsistent with the Colorado law. Failure to adhere to Robert's Rules of Order, Revised shall not affect the validity of any Board action.

ARTICLE VIII VOTING

8.1 Quorum for the Board. A quorum must be present at any Board meeting for business transactions to take place and motions to pass. A quorum of the Board shall be a majority of the members of the Board.

8.2 Weighted Voting. Douglas County and Jefferson County, acting through its Director shall each be entitled to two (2) votes on any matter coming before the Board. All other Directors shall be entitled to one (1) vote on any matter coming before the Board. Except as otherwise provided herein, and in Section 8.3 below, all actions of the Board for which a vote is required shall be made and decided by a Majority Vote. For purposes of these Bylaws,

“**Majority Vote**” shall mean a majority of the votes shall be cast in favor of the item coming before a quorum of the Board, committee or Members, as applicable. For example, if all five members of the Board are present, then seven (7) votes would be cast and four (4) votes will be needed to pass the item; those votes may come from only the two county members since they are entitled to two votes each. No Board Member shall abstain from voting unless abstention is required by law.

8.3 Special Voting Requirements. Any decision of the Board relating to financial matters including, but not limited to, money, expenditures, changes in the fees or dues structure for the Authority, the issuance of debt, the budget or other finances, shall require a Majority Vote and also the affirmative vote of at least three (3) Directors of the Board (a “**Super Majority Vote**”).

8.4 Disclosures. Each Director shall provide such disclosures, including potential conflict of interest disclosures, as may be required by law, including but not limited to Sections 24-18-101 *et seq.*, C.R.S. and Section 18-8-308, C.R.S. Unless otherwise permitted by law, any Director or Alternate Director who has a personal or private interest in any matter proposed or pending before the Board after disclosure thereof shall recuse him or herself from the meeting and shall refrain from attempting to influence the decision of the other members of the Board on such matter.

ARTICLE IX **COMMITTEES**

9.1 Committees. The Board may establish by resolution such standing committees or special committees in addition to those specified in this Article as it deems appropriate, with such duties, responsibilities, and members as it may designate. The Board or the Chairman may refer to the proper committee any matter affecting the Authority or any operations needing study, recommendation, or action. The delegation of authority to any committee shall not operate to relieve the Board or any of its members of any legal responsibility.

9.2 Limitations. Except in cases where these Bylaws or the Board has by written resolution provided otherwise, the function of any committee is as an advisory body to the Board. No member of any committee, without the prior authorization of the Board or as set forth in these Bylaws, has the authority to purchase, collect funds, implement policy, or bind, or obligate the Authority or the Board in any way or by any means. All such powers are expressly reserved to the Board and the officers of the Authority.

9.3 Technical Advisory Committee. The Technical Advisory Committee shall be a standing committee of the Authority which shall report to the Board and shall perform such duties and tasks as the Board shall from time to time direct. To the extent requested by the Board, the Technical Advisory Committee shall consider and report to the Board on all Authority matters of a scientific or technical nature. The Technical Advisory Committee

findings and recommendations on these matters shall be forwarded to the Board for full consideration.

9.3.1 Membership. All Members in good standing of the Authority may, but are not required to, appoint one (1) representative to be a member of the Technical Advisory Committee. Directors of the Board shall not serve on the Technical Advisory Committee. The representatives of the Member organizations on the Technical Advisory Committee may be elected officials or staff members of the appointing Member and shall be qualified, willing, and able to assume and perform the duties and responsibilities required of the members of the committee. Each Member shall provide written notice of the name and contact information of its appointed Technical Advisory Committee member to the Manager of the Authority.

9.3.1.1 Alternate Technical Advisory Committee Members. Each Member participating on the Technical Advisory Committee shall be entitled to appoint one (1) alternate representative to serve on the committee in the absence of its primary representative.

9.3.1.2 Term. There shall be no restriction on the term of a representative on the Technical Advisory Committee. Each participating Member shall appoint such committee members and alternate representative as such entity sees fit who shall serve until a successor is duly appointed as established by such Members' policies and procedures. Any changes in the Technical Advisory Committee membership shall be communicated promptly to the Manager of the Authority.

9.3.2 Meetings. The Technical Advisory Committee may hold meetings on a monthly basis at a time and place to be determined by the Technical Advisory Committee. All meetings of the Technical Advisory Committee shall be posted and shall comply with Article VII of these Bylaws.

9.3.3 Duties. The Technical Advisory Committee shall have the authority to develop and submit referral comments on behalf of the Authority on various matters including, but not limited to, those associated with the Water Quality Commission Control Regulations. With respect to site applications submitted to the Authority, the Technical Advisory Committee is vested with the authority to review and comment on applications and make recommendations to the Division on behalf of the Authority. With respect to trade applications, the Technical Advisory Committee is vested with the authority to act on behalf of the Authority, including by approving, denying, or conditionally approving trade applications, provided the action is subject to appeal to the Board.

9.3.4 Referral Approvals and Appeals. A Technical Advisory Committee recommendation on a site application shall be deemed the recommendation of the

Authority. If any applicant on a referral case, whose case was either denied or approved with conditions, desires to appeal the decision of the Technical Advisory Committee, such party shall make such request for an appeal to the Board within thirty (30) days of the decision. Any person or party who is adversely affected or aggrieved by Technical Advisory Committee action on a trade application may appeal the action by filing a notice of appeal letter, not to exceed three (3) pages in length, with the Board within thirty (30) days of the action. The record on appeal before the Board shall be limited to the record before the Technical Advisory Committee. Provided the appeal is filed at least ten (10) days in advance of the meeting, the Board shall hear the appeal at its next regular quarterly meeting. The Board's determination on appeal shall be the final decision of the Authority.

9.4 Provisions Applicable to All Committees.

9.4.1 Committee Membership. Committee members may include representatives of the Permanent General Jurisdiction Members, W&S Members, Other Members, Ex-Officio Participants, and parties, as determined by the Board. No Director of the Board shall be eligible to serve on the Technical Advisory Committee; however, the Board may appoint a Director or Directors to serve on any other committee or to act as a liaison to any committee, or both, in the Board's discretion. The Board may from time to time appoint to any standing or special committee any individual who is qualified to serve on such committee and who has the requisite expertise and knowledge to supply value thereto, as determined by the Board in its discretion.

9.4.2 Committee Officers. Each committee shall select by Majority Vote one of its members to serve as Chairman and one of its members to serve as Vice Chairman. The Chairman of each committee shall preside at all meetings of such committee and shall discharge the duties of presiding officer. The Vice Chairman of each committee shall have such powers and perform such duties as the members of the committee may from time to time prescribe or as the Chairman may from time to time delegate. At the request of the Chairman, or in the event of the Chairman's absence or inability to act, the Vice Chairman shall serve as acting Chairman. If the Chairman or Vice-Chairman elects not to preside over a meeting or particular matter, a Majority Vote of the committee present shall then elect a temporary chairman who shall be the presiding officer for that particular meeting or particular matter only, as the case may be.

9.4.3 Committee Meetings. A committee may hold regular meetings at a time and place to be determined by the members of such committee. A quorum must be present at any committee meeting for business to take place and motions to pass. A quorum of a committee shall be a majority of the members of such committee. All committees shall act by Majority Vote, unless otherwise prescribed by the Board. Rules governing procedures for meetings of any committee shall be as established by the Board, or in the absence thereof, the rules set forth in these Bylaws shall be followed. All meetings of any committee shall be open to the public.

9.4.4 Resignation. A member of any committee may resign at any time by giving written notice to the Chairman of the committee and to the Manager of the Authority. Such resignation shall take effect at the time specified therein, and the acceptance of such resignation shall not be necessary to make it effective.

9.4.5 Vacancies. Any vacancy occurring on any committee by reason of resignation or otherwise may be filled by action of the Board, unless otherwise provided herein.

9.4.6 Removal. At any meeting of the Board duly called and expressly providing for such purpose, any one or more members of any committee may be removed with or without cause by a Super Majority Vote of the Board.

ARTICLE X FUNDING

10.1 Funding. The Authority shall be funded by a dues structure; by fees, rates, and charges for functions, services, or facilities provided by the Authority as determined by the Board from time to time; and by such other funding sources as may be or become available to the Authority.

10.2 Member Dues. The Members, including Permanent General Jurisdiction Members, W&S Members, and Other Members shall pay annual dues to the Authority in an amount to be determined annually by the Board. Douglas County, Jefferson County and the Town of Castle Rock shall be the primary funding Members and shall fund the base budget approved for the Authority.

The initial base budget will be \$150,000.00, and will be split by the Permanent General Jurisdiction Members based on the land area within the watershed for such jurisdiction as follows:

Jefferson County	16.1%	\$24,155.00
Douglas County	41.95%	\$62,925.00
Castle Rock	41.95%	\$62,925.00

The remaining Members will be charged a membership due set annually by the Board. The initial membership dues for W&S and Other Members shall be \$2,000.00 per Member. The Board shall fix the amount of such dues for the ensuing calendar year by no later than July 31 of the then-current calendar year and shall notify all Members thereof. The Members shall have until October 31 of the then-current calendar year to determine to pay annual dues for the following year to the Authority in the amount fixed by the Board, and the Members shall notify the Manager of the Authority of such determination. The Board shall approve a budget for the ensuing calendar year during the months of November or December, but never later than

December 31. The Members shall pay annual dues to the Authority by no later than April 1 of the calendar year for which such dues are required.

10.3 Fees, Rates, and Charges. The Board shall fix, maintain, and revise fees, rates, and charges for functions, services, or facilities provided by the Authority, as it deems appropriate from time to time but no more often than annually.

10.4 Authority to Seek Funds. To provide for the purposes, powers, and functions of the Authority, the Authority may seek additional funds or funding as may be or become available, including without limitation, moneys from state or federal governments or any political subdivision thereof; grants; legislative appropriations; or legislation authorizing funding of or for the Authority.

10.5 Bonds. The Board may authorize issuance of bonds, notes, or other obligations payable solely from the revenues derived from any function, service, system, or facility or the combined functions, services, systems, or facilities of the Authority, or from any other available funds of the Authority, pursuant to the provisions Section 29-1-204.2(7), C.R.S. and applicable law.

ARTICLE XI PROJECTS

11.1 Projects. The Authority may undertake projects to advance the purpose and goals of the Authority. The Board may consider the amount of a Member's financial or in kind contribution to a project as a factor relevant to its prioritization of projects or its determination to undertake a project or both.

11.2 Process. The Board shall approve a project, or conditionally approve a project subject to funding, by resolution. The Board may request financial or in kind contributions from its Members for any project; provided, however, that no Member shall be required to make a financial or in kind contribution to the Authority beyond the amount of the Member's annual dues requirement, and any decision to so contribute shall be in the Member's sole discretion. For projects conditionally approved subject to funding, within forty-five (45) days of the Board's conditional approval of the project, Members must determine whether to contribute to such project and notify the Manager of the Authority of the determination.

For projects funded in whole or in part by Member contributions pursuant to this Section 11.2, the Board may approve, and the Authority and all contributing Members shall execute, a project agreement regarding their participation in the project. The project agreement shall obligate only those Members executing the project agreement, and no other Member shall have rights or obligations with regard to the project.

ARTICLE XII
MISCELLANEOUS

12.1 Amendment. These Bylaws may be amended or repealed at any regular meeting of the Board or at any special meeting called for that purpose provided that written notice of the proposed amendment or repeal shall have been given at least fourteen (14) days prior to the meeting. Except as provided herein, any such amendment or repeal shall require a Super Majority Vote of the Board at any duly constituted meeting of the Authority.

12.2 Severability. The invalidity of any provision of these Bylaws shall not affect the other provisions hereof. In the event any provision of these Bylaws is determined to be invalid, these Bylaws shall be construed in all respects as if such invalid provision were omitted.

12.3 Headings. The headings provided throughout these Bylaws are for convenience and reference only and in no way define, limit, or add to the meaning of any provision hereof.

12.312.4 Sole Source Contracting. The Board may authorize at any regular meeting of the Board or at any special meeting called for that purpose, provided that written notice of the proposed contract shall have been given at least seven (7) days prior to the meeting, contracts for professional services that amount to \$60,000 or less or that will last for one year or less without engaging in a competitive bidding process. This provision is not intended to exclude sole source contracting for other contracts as permitted by applicable state law.

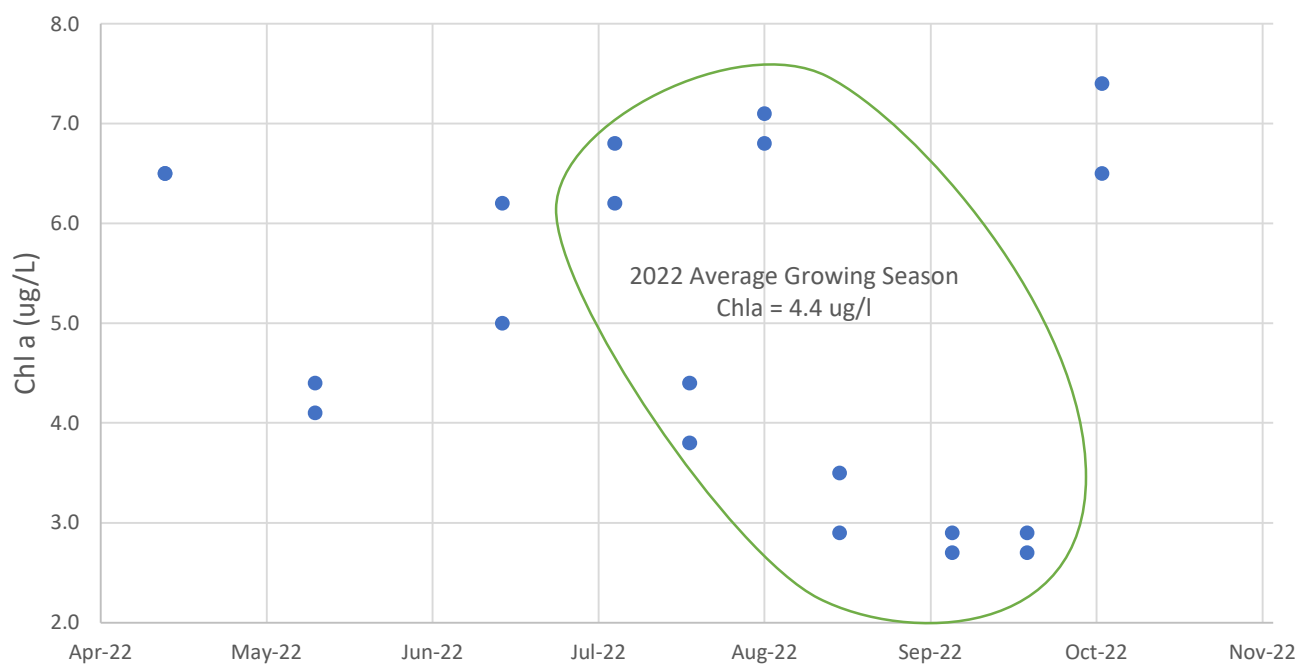
I, _____, as Chairman of the Chatfield Watershed Authority, hereby certify that attached hereto are the Bylaws of the Chatfield Watershed Authority, which were duly adopted by the Authority on January 24, 2022, and are of full force and effect as of the date hereof.

Dated: January 24, 2022

Chairman

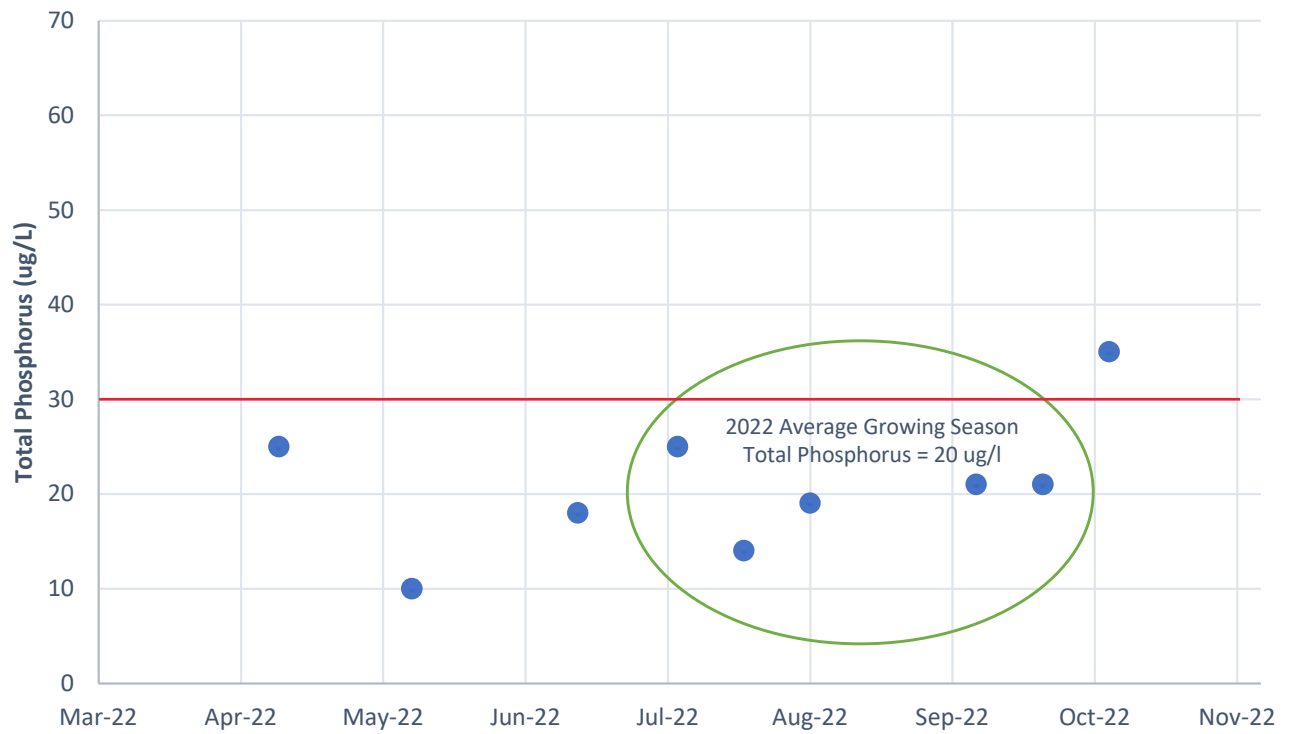
Attachment 16

2022 Chatfield Reservoir Centroid Chlorophyll *a*



Attachment 17

2022 Chatfield Reservoir Centroid Total Phosphorus



Attachment 18



Chatfield
Watershed Authority

Chatfield Watershed Authority
Diane Kielty, Authority Manager
Douglas County Public Works Engineering Department
3030 N. Industrial Way
Castle Rock, CO 80109
303-916-4645 | info@coloradowater.org

December 27, 2022

Joni Nuttle, Senior TMDL Specialist
Watershed Section
Water Quality Control Division
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Bret Icenogle, P.E.
Engineering Section Manager
Water Quality Control Division
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Re: JRW/ Pine Canyon Site Application Approval No. ES.20.SA.05399

Dear Ms. Nuttle and Mr. Icenogle,

On December 1, 2022, notice was provided in the December 2022 Water Quality Bulletin that the site location application for the Pine Canyon Water and Sanitation District's Pine Canyon Water Reclamation Facility (WRF) was found by the Water Quality Control Division (Division) to be in conformance with the Water Quality Control Commission's Site Location and Design Regulations for Domestic Wastewater Treatment Works, 5 CCR 1002-22 (Regulation 22) and was approved (Regulation 22 Site Location Approval No. ES.20.SA.05399). The conditions of approval were provided in the letter dated November 16, 2022, from the Division to Jim Walker regarding the subject application.

The approval of the site application was discussed with the Chatfield Watershed Authority's (Authority) Technical Advisory Committee (TAC) at the TAC's December 6, 2022, meeting.



After discussion, the TAC decided not to appeal the issuance of the site application approval but instead decided to formally remind the Division of the Authority's opposition with the Division's finding that the proposed WRF would be able to operate using a land application management plan (LAMP) without the requirement of a wasteload allocation under the requirements of Regulation #93. These concerns were addressed to the Division in the Authority's June 8, 2022, review letter regarding the subject site application and in the Authority's technical consultant's (RESPEC Company LLC.) review status memorandum dated June 7, 2022 (both attached). In the June 8, 2022, letter the Authority requested that, if the Division were to approve the site application, there be eight conditions applied as conditions of approval of a National Pollution Discharge Permit Elimination System (NDPES) permit for the WRF. Although the Authority believes these same conditions would be applicable to the site application approval, it does not appear that any of those conditions were included in the Division's approval of the site application.

The Authority strongly believes that the LAMP, as approved by the Division on March 7, 2022, does not contain terms and conditions strict enough to prevent the discharge of phosphorus into the streams and groundwater of the Chatfield watershed. Other dischargers in the Chatfield watershed, who deliver treated effluent for landscape irrigation under the requirements of the Water Quality Control Commission's (WQCC) Regulation #84, must control the amount of phosphorus in their effluent used for irrigation under almost the identical terms as the proposed LAMP but are required to report the portion of phosphorus in their decreed irrigation return flow as a portion of their annual phosphorus wasteload allocation. In contrast, the LAMP approval presumes, and specifically states, that all return flows, whether by surface runoff or groundwater infiltration, is presumed and shall contain no phosphorus, and thus allows such to occur without a wasteload allocation. This is the main concern of the Authority with this approved application.

In conclusion, the Authority understands that the WRF must still obtain a permit prior to operation of the WRF. The Authority thus again recommends and requests that the eight conditions of approval presented in the Authority's June 8, 2022, letter, as repeated below, be applied as conditions on the permit for this WRF.

1. Require all irrigated landscapes be designed and stamped by a licensed landscape architect with certification that, if the irrigation system is operated as designed, that it will have a minimum irrigation efficiency of 85%.
2. Require all irrigation systems to have soil moisture sensors.
3. Require all irrigation systems have precipitation sensors and shut-off controls,
4. Require the treater to provide all users a weekly ET irrigation requirement based on the then existing climate and expected weather conditions,
5. Require the treater to conduct annual irrigation audits of all irrigation systems.



6. Require residential irrigation to only occur between the hours of 8 pm to 8 am for constancy with the Town of Castle Rock's watering hours to avoid confusion between residents of Pine Canyon and the Town of Castle Rock.
7. Require the treater to conduct regular drive-by inspections and enforcement of irrigation system users during the allowed daily irrigation time frame (i.e., 8 pm to 8 am),
8. Require that the requirements of the LAMP and Regulation 84 be included in the covenants of the development and recorded to put future buyers on notice of the specific rules, requirements, and limitations associated with irrigation in the Pine Canyon development.

The Authority appreciates the opportunity to provide comments to the Division as it processes the ND PES permit for this WRF and would be happy to provide further input if requested.

Respectfully,

Wes Martin

Wes Martin

TAC Chair

Ryan Adrian

Ryan Adrian

TAC Vice-Chair

cc: Chatfield Watershed Authority Board Members

Attachment 19



EXTERNAL MEMORANDUM

To: Chatfield Watershed Authority Technical Advisory Committee ("CWATAC")

From: Alan J. Leak, P.E.
Principal
RESPEC
720 South Colorado Blvd., Suite 410 S
Denver, CO 80246

Date: November 30, 2022

Subject: Perry Park Water and Sanitation District (PPWSD) – Waucondah Wastewater Treatment Facility (WWTF) Site Application – Review Status Report

PROJECT SUMMARY

Site Application for the replacement of the existing aerobic digestion facilities with a new aerobic digestion process.

APPLICABLE REGULATIONS /DOCUMENTS

- / Regulation #73
- / CWA Policy - Review Criteria for Site Location and Design Approvals (1/24/2022)
- / Regulation #22
- / Regulation #22 Implementation Policy (Clean Water Program Policy Number: CW-14)

TIMELINE

- / November 16, 2022 - Site Application submitted to CWA
- / November 30, 2022 – Review application completed

SITE APPLICATION

The Site Application (Application) was initially reviewed based upon the CWA's Review Criteria for Site Location and Design Approvals. The criteria for review is presented in the "Authority Review Criteria" section as follows:

1. Phosphorus Wasteload Allocation - Control Regulation 73 includes phosphorus wasteload allocations (in pounds per year) that are distributed among sources. Section 73.3.2(c) provides a list of sources including WWTFs and each source's respective wasteload allocation. The Applicant will demonstrate the annual phosphorus wasteload allocation is not in exceedance and/or provides a plan of how the Applicant will remain within the designated annual phosphorus wasteload allocation.

720 SOUTH COLORADO BLVD.
SUITE 410 S
DENVER, CO 80246
303.757.3655



2. Phosphorus Concentration Limit - Control Regulation 73 includes the design capacity discharge from a receiving WWTF will not exceed 1.0 mg/l total phosphorus as a 30-day average concentration.
3. Emergency Response Criteria - The Chatfield Watershed Authority has previously adopted for its use the March 28, 2002, Cherry Creek Reservoir Watershed Site Application Review Process Emergency Response Plan Criteria (Cherry Creek ERP Criteria). The applicant will demonstrate in the site location approval application that all Cherry Creek ERP Criteria are addressed. For WWTFs each applicant will include information regarding generator back-up systems, response plan to overflow, plans to avoid spills, and cover all Cherry Creek ERP Criteria.
4. Consolidation of Treatment Works – Regulation 22 requires that site location applications be accompanied by an engineering report that addresses, among other information, analysis of opportunities for consolidation of treatment works. Based on § 25-8-702(2), Regulation 22 requires that the Division encourage the consolidation of treatment works whenever feasible with consideration of such issues as water conservation, water rights utilization, stream flow, water quality, or economics. In reviewing site applications, the Authority will consider whether applicant has met the requirements of Regulation 22 with respect to the consolidation of treatment works. The Authority may also consider, at its discretion, other requirements set forth in Regulation 22.

SITE APPLICATION INITIAL REVIEW FINDINGS

Our initial review findings on the Application are as follows:

1. Phosphorus Wasteload Allocation:

A phosphorus wasteload allocation was not considered because the proposed aerobic digestion system improvements will not result in a change to the current phosphorus allocation for Perry Park Water and Sanitation District. No change in phosphorus wasteload allocation is requested or expected with the proposed aerobic digestion system improvements.
2. Phosphorus Concentration Limit:

The PPWSD Waucondah WWTF is currently permitted by the Colorado Department of Public Health and Environment (CDPHE) to operate the WWTP under the Colorado Discharge Permit System (CDPS), Permit CO-0022551. This permit was reissued in 2012 and has been administratively extended since the expiration on June 30, 2017. The effluent limitation for phosphorus as a 30-day average is 1 mg/L. From January 2007 through January 2012, the reported average effluent phosphorus concentration was 0.26 mg/L, with a minimum of 0.02 mg/L and a maximum of 0.83 mg/L.
3. Emergency Response Criteria:
 - a. The Application includes the replacement of the existing emergency back-up power generator.
 - b. The Application identifies potential spill causes and includes the necessary systems to minimize the risk of such overflows.
 - c. The Application addresses the operation and maintenance practices or engineering features to address and prevent sanitary sewer overflows.



4. Consolidation of Treatment Works:

The consolidation of treatment works was not considered because this site application is for improvements at an existing wastewater treatment facility.

CONCLUSIONS AND RECOMMENDATIONS

The proposed site application meets the Authority's Review Criteria for Site Location and Design Approvals. It is recommended that the Authority recommend approval of the site application to the Division.

Attachment 20

2 December 2022

Alan J. Leak
RESPEC
720 S. Colorado Blvd., Suite 410S
Denver, Colorado 80246

Email: Alan.Leak@RESPEC.com

Re: Scope to perform microbial source tracking analyses

Dear Mr. Leak,

Per our discussion, GEI Consultants, Inc. is providing the Chatfield Watershed Authority (CWA) this scope of work to perform microbial source tracking (MST) analyses on surface water collected from Sellars Gulch and potentially East Plum Creek during the 2023 summer. We understand that over the past two summers, CWA and Colorado School of Mines (CSM) documented very high *Escherichia coli* counts in Sellars Gulch, just upstream of East Plum Creek, indicating fecal contamination in the basin. In response, the CWA Technical Advisory Committee (TAC) is seeking additional field studies to help characterize the source of fecal coliforms in Sellars Gulch. GEI will perform the collection of these samples with the goal to characterize the source of the elevated *E. coli* conditions in the basin.

Microbial source tracking methods are molecular based and detect specific target DNA markers in environmental samples to identify sources of fecal contamination. The methodology uses quantitative polymerase chain reaction (qPCR) to extract and amplify total DNA from the sample, then quantifies specific genetic markers to identify sources (e.g., human, dogs, cow, sheep, deer, Canada goose) associated with fecal pollution in the sample. The microbial source tracking analyses are setup on an *ala carte* basis, depending on the potential sources in the watershed and the desire to identify specific markers. The primary qPCR analysis will target genetic markers for humans, and we have selected two secondary analyses to target cow-sheep-deer and Canada goose. Depending on land use within Sellars Gulch, the secondary analyses can be exchanged or added to, to include genetic markers for dogs, if desired. A secondary qPCR analysis can also determine the concentration of *E. coli* in cells per milliliter (cells/mL), but these results are different from the most probable number per mL (MPN/mL) used for regulatory assessment. Therefore, we recommend performing a separate *E. coli* test (e.g., Colilert®) to be consistent with past sampling events.

GEI will perform one microbial sampling event and collect up to four samples (i.e., four locations), dependent on further discussion with CWA TAC. The location of samples would be consistent with locations sampled by CSM. Timing of sampling should also be

consistent with peak coliform counts observed by CSM and consider other factors such as baseflow or stormflow conditions.

Environmental conditions will be documented, and photographs will be taken to record site conditions. Water samples will be labeled appropriately, logged into a Chain of Custody form, and shipped overnight to Microbial Insights for analysis. The laboratory will provide sample bottles and clean field sampling techniques will be followed. GEI will perform the *E. coli* analysis (Colilert®) and summarize the field sampling event and laboratory results in a data memorandum.

The estimated cost to implement the microbial source tracking event is \$4,920. The cost breakdown is provided in Table 1 and includes labor, equipment, and laboratory/shipping costs. An option for analyzing two additional samples is \$1,210, which is based on the laboratory costs for three genetic markers per MST test along with *E. coli* analysis. The cost for the primary MST marker and DNA extraction is \$330, and secondary markers are \$90 per marker. Laboratory costs will be adjusted accordingly based on the analyses. Work will be performed on a time-and-expense basis in accordance with the 2022 Fee Schedule and Payment Terms.

Table 1: Estimated cost to collect MST samples at Sellars Gulch.

Task	Labor (\$)	Equipment (\$)	Laboratory (\$)	Total (\$)
1. Field Sampling (2 Samples)	1,700	220	1,500	3,420
2. Data Memo	1,500			1,500
3. Optional (2 Additional Samples)			1,210	1,210
Estimated Cost (2 Samples)				4,920

Please contact Craig if you have any questions regarding the proposed scope of services.

Respectfully submitted,



Craig Wolf

Senior Aquatic Ecologist / Limnologist

303.264.1028



Lee Bergstedt

Vice President, Branch Manager

Attachment: 2022 Life Sciences Fee Schedule

FEE SCHEDULE

<u>Personnel Category</u>	<u>Hourly Billing Rate \$ per hour</u>
Staff Professional – Grade 1	\$ 102
Staff Professional – Grade 2	\$ 116
Project Professional – Grade 3	\$ 122
Project Professional – Grade 4	\$ 139
Senior Professional – Grade 5	\$ 165
Senior Professional – Grade 6	\$ 200
Senior Professional – Grade 7	\$ 245
Senior Consultant – Grade 8	\$ 270
Senior Consultant – Grade 9	\$ 312
Senior Principal – Grade 10	\$ 312

Technician 4	\$ 110
Technician 3	\$ 96
Technician 2	\$ 89
Technician 1	\$ 84
<u>Word Processor, Administrative Staff</u>	<u>\$ 89</u>

These rates are billed for both regular and overtime hours in all categories.

OTHER PROJECT COSTS

Third Party Project Charges – All third party project charges will be billed at cost plus a 5% service charge. Examples of such charges include chemical laboratory charges; rented or leased equipment; printing and communication costs; shipping and mailing costs; sample disposal costs; transportation costs, project permits, and licenses.

Field Equipment Charges – GEI-owned field equipment will be billed at the following rates:

Backpack and shoreline electro-fishers	\$ 201/day	Invertebrate equipment package	\$ 69/day
Boat electro-fisher	\$ 518/day	Flow meter	\$ 104/day
Boat only	\$ 324/day	Multi-probe	\$ 196/day
IFIM equipment package	\$ 104/day		

Transportation Charges - Automobile expenses for GEI or employee owned cars will be charged at the rate per mile set by the Internal Revenue Service for tax purposes plus tolls and parking charges or at a rate negotiated for each project. When required for a project, four-wheel drive vehicles owned by GEI or the employees will be billed at a daily rate appropriate for those vehicles. Travel costs including airfare, rental vehicles, taxis, parking, tolls, and other transportation charges will be billed at cost plus 5% service charge.

PAYMENT TERMS

Invoices will be submitted monthly or upon completion of a specified scope of service, as described in the accompanying contract (proposal, project, or agreement document that is signed and dated by GEI and CLIENT). Payment is due upon receipt of the invoice. Interest will accrue at the rate of 1% of the invoice amount per month, for amounts that remain unpaid more than 30 days after the invoice date. All payments will be made by either check or electronic transfer to the address specified by GEI and will include reference to GEI’s invoice number.

Attacgment 21

MEMORANDUM

TO: Chatfield Watershed Authority (“CWA”) Board of Directors (“Board”)
FROM: Michael Daugherty, Somach Simmons & Dunn (“SSD”)
SUBJECT: Legal Report – January 23, 2023, Board Meeting
DATE: January 17, 2023

I. Lakes Reservoirs Nutrients Criteria Rulemaking Update

CWA filed its responsive prehearing statement (“RPHS”) in the Colorado Water Quality Control Commission’s (the “Commission”) ongoing rulemaking proceeding for revised nutrients criteria for the state’s lakes and reservoirs (Regulations 85 and 31-38) on December 21, 2022.

A. CWA Requests a Delayed Site-Specific Standard for Chatfield Reservoir

As approved by both CWA’s Technical Advisory Committee (“TAC”) and the Board, CWA’s RPHS requested that the Commission:

- Decline to impose the Colorado Water Quality Control Division’s (the “Division”) proposed cold-water table value total nitrogen (“TN”) standard on Chatfield Reservoir in 2023;
- Allow for the development of a site-specific TN standard for Chatfield Reservoir once CWA has completed work on its revised TMAL (expected in 2026); and
- Refrain from imposing any TN standard on Chatfield Reservoir until a site-specific standard is in place.

CWA’s RPHS laid out concerns with the Division’s method of categorizing the state’s lakes and reservoirs into two categories based on aquatic life use, which placed Chatfield Reservoir in the cold-water reservoir category, despite receiving flow from both cold-water (South Platte) and warm-water (Plum Creek) sources. A technical report completed by James McCutchan, Ph.D., and to which CWA contributed funding, indicated that there are likely better ways to categorize the state’s reservoirs, such as by water temperature. CWA’s RPHS also laid out its concern with the Division’s decision to allow a sample size of one to be used in the calculation of the appropriate standard and in future compliance determinations.

B. The Responsive Prehearing Statements of Other Parties That May Prove Relevant to CWA’s Request(s)

Numerous other parties filed responsive prehearing statements with the Commission. Of particular interest are those filed by the Northern Colorado Water Conservancy District (“Northern”) and Arapahoe County Water and Wastewater Authority, East Cherry Creek Valley Water and Sanitation District, and United Water and Sanitation District (the “Water Suppliers”), which many parties cite and consent to in their own prehearing statements; the United States Environmental Protection Agency (“EPA”), which specifically requests that the Division recalculate its proposed TN standard for Chatfield Reservoir; and the Plum Creek Water Reclamation Authority (“PCWRA”), which requests a delayed site-specific standard for Chatfield Reservoir. The Cherry Creek Basin Water Quality Authority (“CCBWQA”) requests a delayed effective date of December 31, 2025, for the warm water table value TN and TP standards to apply to Cherry Creek Reservoir, to provide additional time for CCBWQA to develop site-specific standards for the reservoir.

i. Northern Colorado Water Conservancy District

Northern, which was particularly aggressive in its earlier request to delay the rulemaking proceeding by at least one year, reiterates its request for a delay throughout its RPHS. Northern also alleges that the Division’s proposal is unwarranted because the proposed nitrogen and phosphorus standards are based on a dataset that continues to be modified but that continues to include erroneous and misapplied data. Northern further alleges that the proposed standards are overly broad and go beyond EPA’s initial recommendations by applying to all lakes rather than just to high-yield lakes.

Northern compares the proposed standards to regulations in other states and alleges that no other state regulates nutrients in the manner proposed by the Division; South Carolina has the most similar regulatory structure but differentiates lakes based on eco-region, and only one small eco-region in the state regulates nutrients similarly to how the Division proposes to regulate the entire State of Colorado.

Northern includes with its RPHS an alternative proposal “that addresses the data and scientific deficiencies of the Division’s proposal for the Commission’s consideration.” Northern RPHS, pg. 15. The alternative proposes the following standards:

For high-yield cold lakes:	TP, 25; TN, 400
For non-high-yield cold lakes:	TP, 44; TN, 650
For high-yield warm lakes:	TP, 59; TN 690
For non-high-yield warm lakes:	TP, 109; TN 1,300

ii. Arapahoe County Water and Wastewater Authority, East Cherry Creek Valley Water and Sanitation District, and United Water and Sanitation District

The Water Suppliers allege that the Division proposes “infeasible water quality standards for most reservoirs that divert from the South Platte River north of Denver” and that the Commission “should not adopt water quality standards that cannot be met.” Water Suppliers’ RPHS, pgs. 2, 16. The Water Suppliers primary concern is that the proposed standards will negatively impact decreed water rights, by creating the possibility that the State Engineer will have the authority to deny the operation of exchanges and augmentation plans due to water quality concerns. The Water Suppliers request that the Commission insert specific language in the regulations that prevents this from happening and argue that without such language, even if the State Engineer assures parties that it will not exercise its authority in such a manner, concerns with future administration remain.

The Water Suppliers also respond to the Division’s recommendation that certain parties concerned with the table value standards “should request variances from the nutrient standards.” Water Suppliers’ RPHS, pg. 16. The Water Suppliers argue that the “proposed approach by the Division (every user obtaining a variance) is cumbersome, expensive, and from a policy perspective, irrational.” *Id.* Instead, the Division should adopt realistic water quality standards that can generally be met by the regulated entities. Numerous parties, including cities and towns with decreed water rights, joined the Water Suppliers’ RPHS, and we expect these entities to continue negotiating with the State Engineer and the Division regarding revised language that is protective of water rights.

iii. U.S. Environmental Protection Agency

Overall, EPA strongly supports adoption of the Division’s proposed standards. However, EPA does explicitly “ask the Division to reevaluate the proposed standards for Chatfield Reservoir (TN) and Cherry Creek Reservoir (TN and TP)” because “the proposed values were not calculated from the chl-a standards that have been established as goals for these two water bodies. EPA’s RPHS, pg. 2. For Chatfield, EPA “strongly support[s] the Division’s proposed approach of applying a TN standard to be paired with the TP standard.” *Id.* at 21. However, EPA expresses concern with the proposed TN standard for Chatfield Reservoir, which “is calculated from the cold lakes TVS for chlorophyll-a . . . even though site-specific chlorophyll-a standard for this particular lake is 10 ug/L.” *Id.* EPA requests that the Division respond to this comment in its rebuttal statement.

In response to concerns that the proposed standards are unrealistic and will prove difficult for most parties to meet, EPA provides that “any standard that is adopted as a result of this rulemaking action would be subject to the triennial review requirement,” which “means that fine-tuning changes can be made to the standards over time as new scientific information becomes available.” *Id.* EPA does not address the concern of many parties that it

is often difficult to reduce standards once implemented due to public concern that this constitutes a weakening of water quality efforts.

We considered including in the RPHS CWA’s concern that the proposed TN standard for Chatfield Reservoir was not calculated using the existing site-specific standard for chlorophyll a, but decided to focus on the request for a site-specific standard, given that our internal calculations using the site-specific standard and the Division’s method of calculating a TN standard resulted in a negligible change from the Division’s proposed table value TN standard. However, EPA’s inclusion of a request to recalculate the proposed TN standard for Chatfield Reservoir will allow us to evaluate what the Division determines is the appropriate standard based on the reservoir’s site-specific chlorophyll a standard.

iv. Plum Creek Water Reclamation Authority

PCWRA’s RPHS specifically requests the Commission to delay the adoption of a total nitrogen standard for Chatfield Reservoir due to concerns that the proposed nitrogen standard would be applied as an end-of-pipe limit in PCWRA’s renewal permit. PCWRA alleges that the proposed standards would result in costs of \$207 million for treatment improvements and an increase of \$7.7 million in operational costs. PCWRA’s RPHS, pg. 6. PCWRA further alleges that “these enormous costs are entirely unnecessary and would not result in water quality benefits for Chatfield Reservoir,” as “nitrogen and phosphorus are only regulated to ensure that the underlying chlorophyll a standard is achieved.” *Id.* PCWRA claims that “the Division appears to have lost sight of the purpose of the nutrient regulations and ignores the relationship between chlorophyll a, nitrogen, and phosphorus.” *Id.*

Persuasively, PCWRA argues that “because the chlorophyll a standard is attained in Chatfield Reservoir, there would be no benefit to requiring expensive and infeasible reductions of nitrogen by point source discharges including PCWRA.” *Id.* at 6-7. We coordinated with PCWRA in the drafting of our prehearing statement. CWA also considered requesting that the Commission refrain from imposing any TN standard on Chatfield Reservoir, but after significant discussion, CWA’s TAC and Board of Directors determined to request time to develop a site-specific standard instead.

v. Cherry Creek Basin Water Quality Authority

CCBWQA takes a similar approach to CWA by requesting additional time to develop and implement a site-specific TN standard for Cherry Creek Reservoir. The Division is also proposing a table value TP standard for Cherry Creek Reservoir, however, and CCBWQA requests additional time to develop a site-specific TP standard as well. CCBWQA also proposes a delayed effective date of December 31, 2025, for the warm water table value TP and TN standards to apply to Cherry Creek Reservoir, so presumably CCBWQA would accept the proposed table value standards for both TP and TN in the event that site-specific standards are not developed prior to 2026.

C. Procedural Timeline

Based on the Commission's revised timeline laid out in its September 19, 2022, Procedural Order Regarding Revised Hearing Deadlines and Status Conference, the next deadline in the rulemaking proceeding is for rebuttal statements, which are due February 15, 2023. The Division will likely file a rebuttal statement that hopefully addresses some or all of the concerns provided in CWA's RPHS, and all other parties also have the opportunity to file rebuttal statements.

The last day for submittal of motions is February 22, 2023. We expect several parties to file additional motions that request to further delay the rulemaking proceeding. SSD supports further delays to provide the Division time to address concerns raised regarding the dataset used to calculate the proposed standards and to provide CWA with additional time to assess nitrogen levels in Chatfield Reservoir and the potential effects of the Division's proposed standards.

A mandatory prehearing conference is scheduled for March 7, 2023, the negotiations cutoff deadline is March 16, 2023, and the rulemaking hearing is currently scheduled for April 10, 2023. SSD will provide an update if the Commission makes any further modifications to the rulemaking timeline and schedule of deadlines.

D. Rebuttal Statements

As discussed above, rebuttal statements are due on February 15, 2023. CWA has the opportunity to file a rebuttal statement that provides information to supplement its own prehearing statement and/or to respond to the positions taken by other parties in their prehearing statements.

SSD plans to discuss the option to file a rebuttal statement with the TAC at the February TAC meeting, prior to the deadline to file rebuttal statements. CWA could file a rebuttal statement to modify its prior position, to respond to the positions taken by other parties (particularly those that relate to Chatfield Reservoir), and/or to join other parties' requests to the Commission. Rebuttal statements are not required, and if CWA does not file a rebuttal statement, the position taken in CWA's RPHS will continue to apply.

SSD recommends filing a rebuttal statement that addresses the prehearing statements of other parties that explicitly reference and make direct requests related to Chatfield Reservoir and that continues to reiterate CWA's request for a delayed site-specific TN standard.

Attachment 22

Chatfield Watershed Authority
Financial Recap
November 30, 2022

Current Month:

1. In kind membership dues recorded from Denver Water in the amount of \$ 2,125.00, Plum Creek in the amount of \$ 1666.67, Roxborough Water and Sanitation in the amount of \$ 266.67 and Centennial in the amount of \$ 1953.83 for monitoring services.
2. TWS Financial billed \$ 750 for November 2022 accounting expenses.
3. Somach Simmons and Dunn billed \$ 7,059.80 for November legal fees
4. RESPEC billed \$ 6,935.75 for November fees.
5. Cash in bank as of 11/30/22- \$ 356,507.14
6. Accounts payable as of 11/30/2022 - \$ 55,963.17

Chatfield Watershed Authority
Interim Financial Statements
Substantially all Disclosures Omitted
November 30, 2022

Chatfield Watershed Authority
Balance Sheet
As of November 30, 2022

	<u>Nov 30, 22</u>
ASSETS	
Current Assets	
Checking/Savings	
1000 · 1st Bank	356,507.14
Total Checking/Savings	356,507.14
Total Current Assets	356,507.14
TOTAL ASSETS	356,507.14
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	55,963.17
Total Accounts Payable	55,963.17
Total Current Liabilities	55,963.17
Total Liabilities	55,963.17
Equity	
32000 · Retained Earnings	302,018.77
Net Income	-1,474.80
Total Equity	300,543.97
TOTAL LIABILITIES & EQUITY	356,507.14

Chatfield Watershed Authority
Profit & Loss
November 2022

	Nov 22	Jan - Nov 22
Income		
4000 · Operating Revenues - Membership		
Other Income	0.00	4,246.00
4001 · Jefferson County	0.00	28,986.00
4002 · Douglas County	0.00	75,510.00
4004 · Town of Castle Rock	0.00	75,510.00
4005 · Plum Creek Wastewater	0.00	2,400.00
4006 · Roxborough Park	0.00	2,400.00
4007 · Castle Pines Metro District	0.00	2,400.00
4008 · Perry Park W&S District	0.00	2,400.00
4009 · Denver Water Department	0.00	2,400.00
4010 · City of Littleton	0.00	2,400.00
4011 · Centennial W&S District	0.00	2,400.00
4012 · Town of Larkspur	0.00	2,400.00
4014 · Louviers Water & San. District	0.00	2,400.00
4016 · Sacred Heart Retreat House	0.00	2,000.00
4019 · Dominion W&S District	0.00	2,400.00
4038 · Denver Water- In Kind	2,125.00	23,375.00
4039 · Plum Creek - In Kind	1,666.67	18,333.37
4040 · Centennial - In Kind	1,953.83	21,492.13
4045 · Roxborough In Kind	266.67	2,933.37
Total 4000 · Operating Revenues - Membership	6,012.17	276,385.87
4103 · Interest Income	59.61	193.77
Total Income	6,071.78	276,579.64
Expense		
5000 · Expenditures - Operational		
5001 · Management Fees Technical	6,938.75	82,347.86
5002 · Management Fees- Authority	0.00	29,418.00
5003 · Website Hosting/Maint	0.00	2,848.00
5004 · NPS projects and Consultants	5,960.00	21,625.00
5005 · Legal - Admin	7,059.80	66,981.71
5007 · Professional Fees-Financial	750.00	8,250.00
Total 5000 · Expenditures - Operational	20,708.55	211,470.57
5100 · Expenditures - Contractual		
5111 · Monitoring- in Kind	6,012.17	66,133.87
5117 · Public Outreach Sponsorships	0.00	450.00
Total 5100 · Expenditures - Contractual	6,012.17	66,583.87
Total Expense	26,720.72	278,054.44
Net Income	-20,648.94	-1,474.80

Chatfield Watershed Authority
Profit & Loss Budget vs. Actual
 January through November 2022

	Jan - Nov 22	Budget	\$ Over Budget	% of Budget
Income				
4000 · Operating Revenues - Membership				
Other Income	4,246.00			
Voluntary Dues	0.00	0.00	0.00	0.0%
4001 · Jefferson County	28,986.00	28,986.00	0.00	100.0%
4002 · Douglas County	75,510.00	75,510.00	0.00	100.0%
4004 · Town of Castle Rock	75,510.00	75,510.00	0.00	100.0%
4005 · Plum Creek Wastewater	2,400.00	2,400.00	0.00	100.0%
4006 · Roxborough Park	2,400.00	2,400.00	0.00	100.0%
4007 · Castle Pines Metro District	2,400.00	2,400.00	0.00	100.0%
4008 · Perry Park W&S District	2,400.00	2,400.00	0.00	100.0%
4009 · Denver Water Department	2,400.00	2,400.00	0.00	100.0%
4010 · City of Littleton	2,400.00	2,400.00	0.00	100.0%
4011 · Centennial W&S District	2,400.00	2,400.00	0.00	100.0%
4012 · Town of Larkspur	2,400.00	2,400.00	0.00	100.0%
4014 · Louviers Water & San. District	2,400.00	2,400.00	0.00	100.0%
4016 · Sacred Heart Retreat House	2,000.00	2,400.00	-400.00	83.33%
4017 · Ponderosa Center	0.00	0.00	0.00	0.0%
4019 · Dominion W&S District	2,400.00	2,400.00	0.00	100.0%
4038 · Denver Water- In Kind	23,375.00	25,500.00	-2,125.00	91.67%
4039 · Plum Creek - In Kind	18,333.37	20,000.00	-1,666.63	91.67%
4040 · Centennial - In Kind	21,492.13	23,446.00	-1,953.87	91.67%
4045 · Roxborough In Kind	2,933.37	3,200.00	-266.63	91.67%
Total 4000 · Operating Revenues - Membership	276,385.87	278,552.00	-2,166.13	99.22%
4103 · Interest Income	193.77			
Total Income	276,579.64	278,552.00	-1,972.36	99.29%
Expense				
5000 · Expenditures - Operational				
5001 · Management Fees Technical	82,347.86	87,100.00	-4,752.14	94.54%
5002 · Management Fees- Authority	29,418.00	36,050.00	-6,632.00	81.6%
5003 · Website Hosting/Maint	2,848.00	6,906.00	-4,058.00	41.24%
5004 · NPS projects and Consultants	21,625.00	62,713.00	-41,088.00	34.48%
5005 · Legal - Admin	66,981.71	84,240.00	-17,258.29	79.51%
5006 · Misc. Admin.	0.00	515.00	-515.00	0.0%
5007 · Professional Fees-Financial	8,250.00	9,750.00	-1,500.00	84.62%
5009 · Legal Admin	0.00	0.00	0.00	0.0%
Total 5000 · Expenditures - Operational	211,470.57	287,274.00	-75,803.43	73.61%
5100 · Expenditures - Contractual				
5103 · Monitoring	0.00	5,150.00	-5,150.00	0.0%
5111 · Monitoring- in Kind	66,133.87	72,146.00	-6,012.13	91.67%
5115 · Public Outreach Consultants	0.00	0.00	0.00	0.0%
5117 · Public Outreach Sponsorships	450.00	515.00	-65.00	87.38%
Total 5100 · Expenditures - Contractual	66,583.87	77,811.00	-11,227.13	85.57%
Total Expense	278,054.44	365,085.00	-87,030.56	76.16%
Net Income	-1,474.80	-86,533.00	85,058.20	1.7%

Chatfield Watershed Authority
Transaction Detail By Account

November 2022

Type	Date	Num	Adj	Name	Memo	Class	Clr	Split	Debit	Credit	Balance
4000 - Operating Revenues - Membership											
4038 - Denver Water- In Kind											
General Journal	11/12/2022	Ted-Aj...	*					5111 Monitorin...		2,125.00	2,125.00
Total 4038 - Denver Water- In Kind									0.00	2,125.00	2,125.00
4039 - Plum Creek - In Kind											
General Journal	11/08/2022	Ted-Aj...	*					5111 Monitorin...		1,666.67	1,666.67
Total 4039 - Plum Creek - In Kind									0.00	1,666.67	1,666.67
4040 - Centennial - In Kind											
General Journal	11/08/2022	Ted-Aj...	*							1,953.83	1,953.83
Total 4040 - Centennial - In Kind									0.00	1,953.83	1,953.83
4045 - Roxborough In Kind											
General Journal	11/16/2022	Ted-Aj...	*					5111 Monitorin...		266.67	266.67
Total 4045 - Roxborough In Kind									0.00	266.67	266.67
Total 4000 - Operating Revenues - Membership									0.00	6,012.17	6,012.17
4103 - Interest Income											
Deposit	11/30/2022				Interest			1000 1st Bank		59.61	59.61
Total 4103 - Interest Income									0.00	59.61	59.61
5000 - Expenditures - Operational											
5001 - Management Fees Technical											
Bill	11/30/2022	INV-11...		RESPEC	November 202...			2000 Accounts ...	102.50		-102.50
Bill	11/30/2022	INV-11...		RESPEC	November 202...			2000 Accounts ...	6,836.25		-6,938.75
Total 5001 - Management Fees Technical									6,938.75	0.00	-6,938.75
5004 - NPS projects and Consultants											
Bill	11/30/2022	Invoice...		Steve Balcerovich	November 202...			2000 Accounts ...	1,500.00		-1,500.00
Bill	11/30/2022	Invoice...		Allwood Public Affairs	November 202...			2000 Accounts ...	1,500.00		-3,000.00
Bill	11/30/2022	SI0106...		Lynker	November Billing			2000 Accounts ...	2,960.00		-5,960.00
Total 5004 - NPS projects and Consultants									5,960.00	0.00	-5,960.00
5005 - Legal - Admin											
Bill	11/30/2022	301563...		Somach Simmons & D...	Legal			2000 Accounts ...	7,059.80		-7,059.80
Total 5005 - Legal - Admin									7,059.80	0.00	-7,059.80
5007 - Professional Fees-Financial											
Bill	11/30/2022			TWS Financial Inc.	November 2022			2000 Accounts ...	750.00		-750.00
Total 5007 - Professional Fees-Financial									750.00	0.00	-750.00
Total 5000 - Expenditures - Operational									20,708.55	0.00	-20,708.55
5100 - Expenditures - Contractual											
5111 - Monitoring- in Kind											
General Journal	11/08/2022	Ted-Aj...	*						1,953.83		-1,953.83
General Journal	11/08/2022	Ted-Aj...	*					4039 Plum Cre...	1,666.67		-3,620.50
General Journal	11/12/2022	Ted-Aj...	*					4038 Denver ...	2,125.00		-5,745.50
General Journal	11/16/2022	Ted-Aj...	*					4045 Roxborou...	266.67		-6,012.17
Total 5111 - Monitoring- in Kind									6,012.17	0.00	-6,012.17
Total 5100 - Expenditures - Contractual									6,012.17	0.00	-6,012.17
TOTAL									26,720.72	6,071.78	-20,648.94



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CHATFIELD WATERSHED AUTHORITY
C/O TWS FINANCIAL INC
6901 S PIERCE ST STE 200
LITTLETON CO 80128-4557

ACCOUNT NUMBER	XXX-XXX-1336
STATEMENT DATE	11-30-2022
INTEREST EARNED THIS YEAR	193.77

ACCOUNT SUMMARY -- MONEY MARKET CHECKING ACCOUNT - SAFEKEEPING \$5,000 MINIMUM

CLOSING BALANCE FROM PREVIOUS STATEMENT	DATE: 10-31-2022	367,515.56
1 DEPOSITS AND OTHER ADDITIONS TOTALING		59.61+
3 CHECKS AND OTHER WITHDRAWALS TOTALING		11,068.03-
CLOSING BALANCE FOR THIS STATEMENT	DATE: 11-30-2022	356,507.14
MINIMUM BALANCE OF	356,447.53	ON 11-10-2022
NUMBER OF DAYS IN PERIOD		30
INTEREST EARNED		59.61

CHECKS AND OTHER WITHDRAWALS SHOWS BREAK IN CHECK NUMBER, SHOWS NOT MACHINE READABLE

CHECK#	AMOUNT	DATE	CHECK#	AMOUNT	DATE	CHECK#	AMOUNT	DATE
5748	4,715.00	11-08	5749	5,603.03	11-10	5750	750.00	11-08

DEPOSITS AND OTHER ADDITIONS

DATE	TYPE	AMOUNT	DATE	TYPE	AMOUNT	DATE	TYPE	AMOUNT
11-30	INTEREST	59.61						

DAILY BALANCE SUMMARY

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
11-01	367,515.56	11-10	356,447.53		
11-08	362,050.56	11-30	356,507.14		

RATE DISCLOSURE -- RATE BASED ON AVERAGE COLLECTED BALANCE

EFFECTIVE DATES	--- \$500 UP TO \$20,000 ---	----- \$20,000 AND UP -----
11/01	RATE 0.100%	RATE 0.200%
11/02 THROUGH 11/30	RATE 0.150%	RATE 0.300%

EARNINGS AND ACTIVITY CHARGE SUMMARY

DATES	AVERAGE COLLECTED BALANCE	RATE	INTEREST EARNED
11/01	367,515	.150%	1.51
11/02 THROUGH 11/29	359,505	.200%	55.15
11/30	359,403	.300%	2.95
TOTAL INTEREST FOR 30 DAYS			59.61

NUMBER	DESCRIPTION	COST	CHARGE	WAIVED
3	DEBITS	.50	1.50	WAIVED
TOTAL ACTIVITY CHARGES			.00	

HOW ARE WE DOING?

We are working very hard to maintain the highest level of customer service possible. But if we make a mistake, or you receive poor service from any of our employees, we want you to let us know. Please call one of our customer representatives at 303-231-2000 (outside metro Denver: 1-800-230-1060) with any question or complaint. We will do our best to solve your problem. If our service was especially good, we'd like to hear about that too. We welcome any suggestions you might have about new products or ways we could improve our service to you. Thank you for banking with us!