

Donala Water and Sanitation District, March 16.

Board seeks long-term contract with CSU

By James Howald and Jackie Burhans

At its March meeting, the Donala Water and Sanitation District (DWSD) board met with representatives of Colorado Springs Utilities (CSU) to discuss CSU's proposed long-term contract with DWSD. The board returned to the issue of the Upper Monument Creek Regional Wastewater Treatment Facility (UMCRW-WTF), which it shares with Triview Metropolitan District (TMD) and Forest Lakes Metropolitan District (FLMD). The board also heard operational reports.

Board discusses

long-term contract with CSU

DWSD, which has operated under a short-term contract that has had a series of extensions, is seeking to sign a long-term contract with CSU on the conveyance, treatment, and delivery of its renewable water through CSU's Southern Delivery System (SDS).

Jenny Bishop, project engineer for CSU, attended the DWSD meeting to discuss CSU's proposal, which is a short-term contract that can convert into a long-term contract. The reason for this approach is that CSU's contract for SDS has a clause that states that it cannot be used for regional entities that are not part of the Southeastern Colorado Water Conservancy District (SECWCD) without either joining SECWCD or getting a written waiver from SECWCD and the Bureau of Reclamation (BR).

Bishop explained that both SECWCD and BR had separately indicated verbally that they were OK with the waiver, but that CSU had been unable to get them in the same room at the same time to sign a written document that CSU has drafted. The workaround is to sign a contract now that will serve as a short-term contract extendable for three years and convert it to a 25-year long-term contract once the waiver is signed. Twenty-five years, she noted, is the longest contract CSU can offer according to the city's charter.

The board went into an executive session to further discuss the CSU proposal and came out with edits to the proposed contract and directions to their lawyer to work with CSU's lawyer to pursue the waiver required for a long-term contract. General Manager Jeff Hodge will be available to attend any meetings that CSU might set up with SECWCD and BR to help finalize this waiver.

Debate over UMCRWWTF study continues

Hodge updated the board on recent developments in the sometimes-contentious discussion between DWSD, FLMD, and TMD over how to proceed with and who will pay for an engineering study of the UMCRWWTF performed by Carollo Engineers Inc. (CEI). The study was commissioned by FLMD and TMD as part of their consideration of a proposal from CSU to take over the wastewater treatment currently done by

the UMCRWWTF, which would make that facility unnecessary. FLMD and TMD viewed CSU's proposal to take over wastewater treatment positively, but DWSD decided against participating, arguing that the cost and benefit of the project were not clear.

DWSD argued that because the study was initiated without its input, it would not pay any share of its costs.

Hodge summarized a letter sent from DWSD to FLMD and TMD that stated:

- DWSD accepts FLMD and TMD's offer to pay for work done by CEI in 2022.
- DWSD will pay its share of CEI's charges for work done in 2023 if DWSD can assess and update the scope of work.
- DWSD sees the UMCRWWTF as a valuable asset, wishes to continue to use it, values its potential to allow water re-use, and appreciates its contribution to local control.

The letter also requested that DWSD receive all data provided by CEI to FLMD and TMD, asked to have its preference for continued use of the facility reflected in the contract with CEI, and expressed its willingness to discuss how one partner might leave the Intergovernmental Agreement without shutting down the facility. DWSD believes shutting down the facility would not be in the best interests of its residents.

Board President Wayne Vanderschuere said he felt the data did not support CEI's overly negative assessment of the UMCRWWTF and the study had not been peer reviewed. He added he had reached out to FLMD and TMD but had not received a response to date.

Highlights of operational reports

In his manager's report, Hodge mentioned the following operational details:

- The upcoming election has been canceled since there are three candidates for the three open seats on the board.
- The construction of the raw water line for recently drilled Well 16A was scheduled to begin the week of March 13.
- Staff is working on a protocol to remove phosphorus from the UMCRWWTF effluent that will result in credits that will delay the need for upgrades.
- DWSD has changed to a new lab for water quality testing due to concerns with the accuracy of results from the previous lab.

The next meeting is scheduled for April 20 at 1:30 p.m. Generally, board meetings are held the third Thursday of the month at 1:30 p.m. and include online access; call (719) 488-3603 or access www.donalawater.org to receive up-to-date meeting information. The

district office is located at 15850 Holbein Drive, Colorado Springs.

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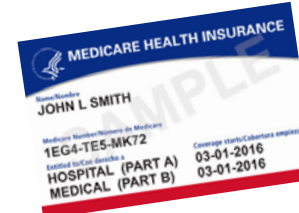
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El Paso County Regional Loop Water Authority, March 16

Compliance with procurement policies approved

By James Howald

Compliance with county, state, and federal procurement policies imposed by receipt of American Recovery Plan Act (ARPA) funds was the main topic at the El Paso County Loop Regional Water Authority (EPCRLWA) board meeting in March. EPCRLWA President Jessie Shaffer updated the board on the status of the project's water testing, and the board heard a brief financial report.

ARPA funding brings compliance burden

Shaffer said the authority had not yet received its Public Deposit Protection Act identification number, which is required to account for the receipt and expenditure of certain public funds.

Russell Dykstra, EPCRLWA counsel, explained that ARPA and other grants require use of procurement policies that meet federal standards. He presented to the board a policy that met those standards as well as applicable Colorado state standards. As an example, Dykstra said there was a \$60,000 limit on funds for capital improvements. Dykstra mentioned some state requirements could change, and he would adjust the policy as needed to maintain compliance.

The board voted unanimously to approve the policy as presented.

Shaffer said he would ensure all requests for proposals, bids and job descriptions complied with state

and federal standards.

Water quality testing underway

At its February meeting, EPCRLWA signed a contract with JVA Inc. to provide ongoing water quality testing that would be used to design the water treatment protocols needed to purify the water delivered to consumers.

Shaffer reported that the contract with JVA had been approved by legal counsel, and testing is underway.

Financial report

Cathy Fromm of Fromm & Co LLC, the authority's accounting firm, told the board that a bank account was needed so that invoices could be paid. Four invoices totaling about \$14,000 have been received, she said, leaving the authority with about \$735,000 cash on hand.

The next regular meeting is scheduled for April 20 at 9 a.m. Regular meetings are usually held on the third Thursday of each month at 9 a.m. at the Monument Town Hall at 645 Beacon Lite Road. Workshop meetings are held every Thursday at 9 a.m. at rotating venues. Please see loopwater.org or call 719-488-3603 to verify meeting times and locations.

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