

TRIVIEW METROPOLITAN DISTRICT BOARD OF DIRECTORS

Regular Board Meeting Agenda

Wednesday, July 20, 2022

Triview Metropolitan District Office
16055 Old Forest Point Suite 302 Monument, CO 80132 5:30 p.m. – 8:00 p.m.

AGENDA

1. Call to Order
2. Declaration of a Quorum, Notice of Posting
3. Approval of Agenda
4. Disclosure of Conflicts if any
5. Public Comment
6. Election of Officers (President, Vice President, Secretary Treasurer)
7. Approval of Consent Agenda
 - a. Prior Meeting Minutes
 - June 9, 2022, Special Board Meeting (enclosure)
 - June 23, 2022, Regular Board Meeting (enclosure)
 - b. June, 2022, Billing Summary Rate Code Report (enclosure)
 - c. Taps for June 2022 (enclosure)
 - d. Tax Transfer from Monument (enclosure)
8. Operations Reports
 - a. District Manager Monthly Report (enclosure)
 - b. Public Works and Parks and Open Space Updates (Matt Rayno)
 - c. Utilities Department Updates (Shawn Sexton)

9. Board Member Updates and Comments

- a. Next Meeting August 18, 2022. Determination of a Quorum

10. Action Items:

- a. Review and Consider approval of Resolution 2022-06, a Resolution of the Triview Metropolitan District Board of Directors Concerning participation in the design stage of the Northern Monument Creek Interceptor aka, NMCI. (enclosure)
- b. Review and Consider assignment of a landscape maintenance contract to the Triview Metropolitan District for Landscape Maintenance Services for the Forest Lakes Metropolitan District.
- c. Review and Consider adoption of Resolution 2022-07, a Resolution of the Triview Metropolitan District Board of Directors Adopting a code of Conduct and a code of Ethics (enclosure)

11. Legal Matters:

12. Review and Consider approval or ratification of the Triview Metropolitan District Financials and Payables.

- a. Checks of \$5,000.00 or more (enclosure)
- b. June 2022 Financials (enclosure)

13. Update Board on Public Relation activities.

14. Executive Session §24-6-402(4) (a), (b), (e), Acquisitions, Legal Advice, and Negotiations, regarding the following general topics, if needed.

- i. Negotiation regarding Northern Delivery System.
- ii. Joint Triview Board/ Monument Town Council Meeting.
- iii. Summary of Water Litigation Matters 2022-2024 (enclosure)

15. Adjournment

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE TRIVIEW METROPOLITAN DISTRICT AND THE BOARD OF DIRECTORS OF THE WATER ACTIVITY ENTERPRISE USING ZOOM FOR THE VIDEO CONFERENCE HELD

June 9, 2022

A Special Meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, June 9, 2022, beginning at 5:30 p.m. The meeting was conducted online using Zoom. This meeting was open to the public. The meeting was called to order at 5:30 p.m.

ATTENDANCE

In attendance were Directors:

President	Mark Melville, present
Vice President	Marco Fiorito, present
Director	James Barnhart, via Zoom
Director	Anthony Sexton, present
Director	James Otis, present

Also, in attendance were on roll call:

James McGrady, District Manager
Joyce Levad, District Administrator
Jennifer Kaylor, OCN Reporter

Agenda – Mr. McGrady distributed for the Board's approval the proposed agenda. A motion was made by Director Fiorito to approve the agenda. Upon a second by Director Otis. A vote was taken, and the motion carried unanimously.

PUBLIC COMMENT

There was no public comment.

RECORD OF PROCEEDINGS

ACTION ITEM

Award Segment C of the Northern Delivery System in the Amount of \$1,648,480 to K.R. Swerdfeger.

A motion was made by Director Fiorito to award Segment C of the Northern Delivery System in the Mount of \$1,648,480 to K.R. Swerdfeger. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously.

ADJOURN

There being no further business to come before the Board, a motion to adjourn the meeting was made by Director Otis. The motion was duly seconded by Director Fiorito. The motion carried unanimously. The meeting was adjourned at 5:38 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TRIVIEW METROPOLITAN DISTRICT AND THE BOARD OF DIRECTORS OF THE WATER ACTIVITY ENTERPRISE HELD

June 23, 2022

A meeting of the Board of Directors of the Triview Metropolitan District was held on Thursday, June 23, 2022, beginning at 5:30 p.m. The meeting was conducted via Zoom and in person. This meeting was open to the public. The meeting was called to order at 5:30 p.m.

ATTENDANCE

In attendance were Directors:

President	Mark Melville, present
Vice President	Marco Fiorito, present
Director	James Barnhart, present
Director	James Otis, present
Director	Anthony Sexton, present

Also, in attendance were on roll call:

James McGrady, District Manager
Joyce Levad, District Administrator
George Rowley, District Legal Counsel
Chris Cummins, District Water Attorney
Shawn Sexton, Water Superintendent
Matt Rayno, Parks, and Open Space Superintendent
Jennifer Kaylor, Our Community News

ADMINISTRATIVE MATTERS

Agenda – Mr. McGrady distributed, for the Board's approval, the proposed agenda. A motion was made by Director Fiorito to approve the agenda. Upon a second by Director Otis. A vote was taken, and the motion carried unanimously.

RECORD OF PROCEEDINGS

DISCLOSURE OF CONFLICTS IF ANY:

Please refer to comments on Legal Matters explaining this section of the agenda.

PUBLIC COMMENT

A resident had a complaint about kids and adults making a fort in the scrub oak near their home. There has been a lot of damage to the scrub oak in that area. This section is open space controlled by Triview. It was suggested this be designated a restoration area. The Board agreed to have our Parks Superintendent look into the matter.

Jennifer Kaylor, with the OCN, informed Triview this would be her last meeting as the reporter for Triview. She will be replaced by Marlene Brown.

Consent Agenda

- a) Prior Meeting Minutes
 - May 19, 2022, Regular Board Meeting
- b) Billing Summary Rate Code Report
- c) Taps for May 2022
- d) Tax Transfer from Monument

A motion was made by Director Otis to approve the consent agenda. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

OPERATIONS REPORT

District Manager Report (enclosure)

- Mr. McGrady said the progress is going well with the Northern Delivery System easements. Utility investigation is complete, and the design is in place for the pipeline. K.R. Swerdfeger has been awarded the contract for Segment C of the NDS. Construction is scheduled sometime in the fall. The 1041 application will be filed with El Paso County when the easements are in place.

RECORD OF PROCEEDINGS

- Triview did receive 2 comments back from Pueblo County on the 1041 Permit submittal for the If and When Access Capacity Storage Account.
- A meeting is scheduled on Monday, June 27, 2022 regarding the NMCI with CSU staff and potential partners within Northern El Paso County.
- Mr. McGrady attended the FMIC meeting on June 16, 2022, everything is going well.
- Mr. McGrady and Chris Cummins had a meeting with the Excelsior Irrigating Company Board. He explained it has been a very dry year.

Public Works and Parks and Open Space Updates (Matt Rayno)

- Mr. Rayno stated the mill and overlay project is complete in the District.
- Baptist and Leather Chaps enhancement project to be completed by the end of June.
- Detention ponds mowed, turf fertilizer applications done and irrigation repairs are ongoing.
- A question was asked about the boards that were added to an access located along Lyons Tail. This area is an easement and is not a designated trail. The boards were added because the area where the public was using it as a trail was very steep and it was considered dangerous for the public to be walking on.

Utilities Department Update (Shawn Sexton)

- Pumpage for month of May 2022 was 31.668 Mg.
- All wells are available, currently using A&, D7, A9, D9, A4 and D4.
- Well A8 and D1 are on standby.
- A Plant is running normally utilizing well A1.
- B and C Plants are running normally.
- Mr. Sexton stated the new product used for testing on the HMO project is working very well. After 12 weeks of intensive testing, the results show between 60 to 80 percent reduction in radium.

BOARD MEMBER UPDATES AND COMMENTS:

Director Sexton asked for an update on the HA5 fixes. Mr. Rayno said he will an update on completion of the repairs.

RECORD OF PROCEEDINGS

ACTION ITEMS:

- a) Review and consider approving a Design Services Agreement for the widening of Higby Road between Jackson Creek Parkway and Harness Road using funds escrowed by Creekside Development.

The Board agreed unanimously, to recommend that Jim make the ultimate decision on who does the design work on this project.

- b) Review and discuss Resolution 2022-05, Resolution of the Triview Metropolitan District Concerning District's IGA with Town of Monument, Sales Tax Sharing, and Law Enforcement Tax.

A motion was made by Director Otis to approve Resolution 2022-05, a Resolution of the Triview Metropolitan District Concerning District's IGA with Town of Monument Sales Tax Sharing, and Law Enforcement Tax, this can be found in the Triview packet starting on page 43. The motion was seconded by Director Sexton. A vote was taken and was carried unanimously.

LEGAL MATTERS:

- a) Conflict Disclosure Memorandum

Mr. Rowley wanted to provide some information on conflict of interest to the Board. He instructed them to consider disclosing those and how you would go about doing it. He enclosed a memo on the subject for the Board to read.

- b) Code of Conduct

The Board agreed to discuss this at the next Board meeting.

FINANCIALS AND PAYABLES

Approve and Ratify Checks over \$5,000 – The Board reviewed the payment of claims over \$5,000. A motion to approve the checks greater than \$5,000 was made by Director Otis. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

RECORD OF PROCEEDINGS

Monthly Cash Position and Unaudited Financial Statements – The Board reviewed the May 2022 unaudited Financial Statements as presented. A motion to approve the District's May 2022 Financial Statements was made by Director Otis. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously.

PUBLIC RELATIONS:

The next newsletter will be out in July.

BOARD BREAK

A motion was made by Director Melville for the Board to take a 10 minute break before entering Executive Session.

EXECUTIVE SESSION:

Executive Session pursuant to C.R.S. Section 24-6-402(4) (b), (e) (f) Acquisitions, Legal Advice, Negotiations, and Personnel regarding the following general topics, if needed.

- Negotiation regarding Northern Delivery System.
- Design Contract Northern Monument Creek Interceptor Pipeline.
- Joint Triview Board/Monument Town Council Meeting.

A motion was made by Director Sexton for the Board to enter Executive Session pursuant to C.R.S. Section 24-6-402(4) (b), (e), (f) Legal Advice and Negotiations. The motion was duly seconded by Director Fiorito. A vote was taken, and the motion carried unanimously. Executive Session was entered into at 8:00 p.m.

ADJOURN

There being no further business to come before the Board, a motion to adjourn the meeting was made by Director Fiorito. The motion was duly seconded by Director Otis. A vote was taken, and the motion carried unanimously. The meeting was adjourned at 9:35 p.m.

Respectfully Submitted

James C. McGrady
Secretary for the Meeting

Triview Metropolitan District 6/1 to 6/30/2022
Summary Financial Information - Board Packet

Sales	Amount	Transactions
Rate Code 01 Triview Metro - Res Sewer Base Rate	\$98,549.00	2100
Rate Code 01 Triview Metro - Res Sewer Use Rate	\$39,073.11	2073
Rate Code 01 Triview Metro - Res Water Base Rate	\$59,337.00	2093
Rate Code 01 Triview Metro - Res Water Use Rate Tier1	\$85,790.67	2070
Rate Code 01 Triview Metro - Res Water Use Rate Tier2	\$71,242.45	1281
Rate Code 01 Triview Metro - Res Water Use Rate Tier3	\$14,393.07	192
Rate Code 01 Triview Metro - Res Water Use Rate Tier4	\$3,215.39	28
Rate Code 01 Triview Metro - Res Water Use Rate Tier5	\$1,335.88	10
Rate Code 02 Triview Metro - Com Sewer Base Rate 1"	\$2,561.87	26
Rate Code 02 Triview Metro - Com Water Base Rate 1"	\$1,539.00	26
Rate Code 04 Triview Metro - Com Sewer Base Rate 1.5"	\$5,720.40	30
Rate Code 04 Triview Metro - Com Water Base Rate 1.5"	\$3,534.00	31
Rate Code 07 Triview Metro - Com Sewer Base Rate 2"	\$4,194.96	11
Rate Code 07 Triview Metro - Com Water Base Rate 2"	\$2,508.00	11
Rate Code 09 Triview Metro - Com Sewer Base Rate 3"	\$2,288.16	3
Rate Code 09 Triview Metro - Com Water Base Rate 3"	\$1,368.00	3
Usage Fee Triview Metro - Com Sewer Use Rate	\$16,947.43	67
Usage Fee Triview Metro - Com Water Use Rate	\$25,240.84	67
Rate Code 03 Triview Metro - Com Irr Water Base 1"	\$1,311.00	23
Rate Code 11 Triview Metro - Com Irr Water Base 1.5"	\$1,710.00	15
Rate Code 10 Triview Metro - Com Irr Water Base 2"	\$3,876.00	17
Usage Fee Triview Metro - Com Irr Water Use	\$35,288.84	56
Triview Metro - Quik Way Sewer	\$73.40	1
Triview Metro - Metering & Billing Fee	\$9,859.50	2191
Title Prep Fee Triview Metro - Title Request Fee	\$700.00	14
Triview Metro - 5% Late Fee	\$1,492.34	169
Special Impact Triview Metro - Special Impact Fee	\$2,470.00	247
Triview Metro - Disconnect Fee		
Triview Metro - NSF Fee		
Total Accounts	\$495,620.31	12855

Rate Code Breakout of Billed Accounts	# Units
Rate Code 01 - Residential 5/8"	2070
Rate Code 02 - Commercial Account 1"	26
Rate Code 03 - Irrigation Account 1"	22
Rate Code 04 - Commercial Account 1 1/2"	34
Rate Code 06 - Transition Account (Quik Way)	1
Rate Code 07 - Commercial Account 2"	11
Rate Code 08 - Triview No Charge	2
Rate Code 09 - Commercial Account 3"	3
Rate Code 10 - Irrigation Account 2"	17
Rate Code 11 - Irrigation Account 1 1/2"	12
Rate Code 12 - Permitted	
Total Accounts	2198

Aging Report	Amount
Amount Past Due 1-30 Days	\$ 61,855.14
Amount Past Due 31-60 Days	\$ 3,155.30
Amount Past Due 61-90 Days	\$ (1,142.90)
Amount Past Due 91-120 Days	\$ (671.98)
Amount Past Due 120+ Days	\$ (8,294.19)
Total AR	\$54,901.37

Receipts	Amount	Items
Payment - ACH		
Payment - ACH Key Bank	\$262,688.22	1313
Payment - Check Key Bank	\$155,873.83	651
Payment - On Site	\$50,403.62	139
Refund CREDIT	(\$3,438.39)	43
REVERSE Payment	(\$200.00)	1
Transfer CREDIT In		
Transfer CREDIT Out		
REVERSE Payment - NSF		
Total Receipts	\$465,327.28	2147
Checks versus Online Payments	37.57%	62.43%
	Checks	ACH's

Water	Gallons	Accounts
Gallons sold 5-1 to 5-31-2022 =	30,982,491	2195
Gallons sold 6-1 to 6-30-2022 =	36,995,331	2201

Usage Breakout in Gallons for Residential	# of Accounts	Combined Use	% of Usage
Over 50,000	3	192,516	0.62%
40,001 - 50,000	5	223,903	0.72%
30,001 - 40,000	20	665,690	2.15%
20,001 - 30,000	164	3,851,658	12.43%
10,001 - 20,000	827	11,521,905	37.19%
8,001 - 10,000	256	2,303,440	7.43%
6,001 - 8,000	234	1,623,706	5.24%
4,001 - 6,000	249	1,247,164	4.03%
2,001 - 4,000	198	594,808	1.92%
1 - 2,000	106	127,917	0.41%
Zero Usage	8	0	0.00%
Total Meters	2070	22,352,707	72.15%

Usage Breakout in Gallons for Commercial	# of Accounts	Combined Use	% of Usage
Over 50,000	32	3,433,238	11.08%
40,001 - 50,000	5	218,155	0.70%
30,001 - 40,000	5	174,890	0.56%
20,001 - 30,000	7	180,083	0.58%
10,001 - 20,000	4	60,916	0.20%
8,001 - 10,000	4	35,008	0.11%
6,001 - 8,000	2	13,961	0.05%
4,001 - 6,000	2	9,549	0.03%
2,001 - 4,000	5	14,915	0.05%
1 - 2,000	7	5,908	0.02%
Zero Usage	1	0	0.00%
Total Meters	74	4,146,623	13.38%

Usage Breakout in Gallons for Irrigation	# of Accounts	Combined Use	% of Usage
Over 50,000	20	3,850,163	12.43%
40,001 - 50,000	2	88,620	0.29%
30,001 - 40,000	7	240,596	0.78%
20,001 - 30,000	8	213,994	0.69%
10,001 - 20,000	5	67,758	0.22%
8,001 - 10,000	0	0	0.00%
6,001 - 8,000	1	7,401	0.02%
4,001 - 6,000	1	5,501	0.02%
2,001 - 4,000	3	7,272	0.02%
1 - 2,000	2	1,856	0.01%
Zero Usage	2	0	0.00%

SANCTUARY POINTE				
NO.	ADDRESS	PAYEE	DATE	TOTAL FEES PAID TO TMD
16260	Evening Sunset Place	Classic Homes	06/06/22	\$46,372.10
627	Panoramic Dr.	Classic Homes	06/06/22	\$46,561.63
576	Panoramic Dr.	Classic Homes	06/06/22	\$47,166.64
16232	Evening Sunset Place	Classic Homes	06/14/22	\$46,518.26
394	Panoramic Dr.	Classic Homes	06/14/22	\$46,561.63
446	Panoramic Dr.	Classic Homes	06/14/22	\$47,166.64
16214	Forest Cloud Way	Classic Homes	06/14/22	\$46,372.10
16326	Tree Woods Court	Classic Homes	06/14/22	\$46,372.10
1069	Forest Chime Place	Saddletree Homes	06/29/22	\$46,812.20
			Total:	\$419,903.30

JACKSON CREEK NORTH (CREEKSIDE)				
NO.	ADDRESS	PAYEE	DATE	TOTAL FEES PAID TO TMD
16851	New Autumn Dr.	Classic Homes	06/09/22	\$44,103.06
16861	New Autumn Dr.	Classic Homes	06/14/22	\$44,296.88
16871	New Autumn Dr.	Classic Homes	06/14/22	\$44,041.50
			Total:	\$132,441.44



July 15, 2022

Triview Metropolitan District
P. O. Box 849
Monument, CO 80132

Per the current Intergovernmental Agreement (IGA) between the Town of Monument and Triview Metropolitan District, the Town will transfer \$314,515.02 to the Triview ColoTrust District Fund account on or before July 31, 2022. The ACH detail is as follows and documentation is enclosed.

Sales Tax for May 2022	\$ 289,018.27
Regional Building Use Tax for June 2022	\$ 700.70
Motor Vehicle Tax for May 2022	\$ 24,796.05

If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

Mike Foreman
Town Manager



Triview Metro Public Works July 2022 Report

List of July Projects:

- Landscape enhancement project Leather Chaps & Baptist Complete
- Tree and perennial replacements Jackson Creek Parkway
- Weekly/Daily: Daily trash pick-up around the District and bi-weekly cleaning of trash cans and doggie pot stations
- Grade trails throughout district completed 7-15-2022 more improvements needed.
- All irrigation smart controllers online with 4G upgrade
- weed control
- Irrigation improvements Glen Eagle heads and nozzles.
- Started A Yard retaining wall project
- HA5 warranty meeting scheduled July 26th
- Street Sweeping district mains 7-20-2022
- Fleet maintenance

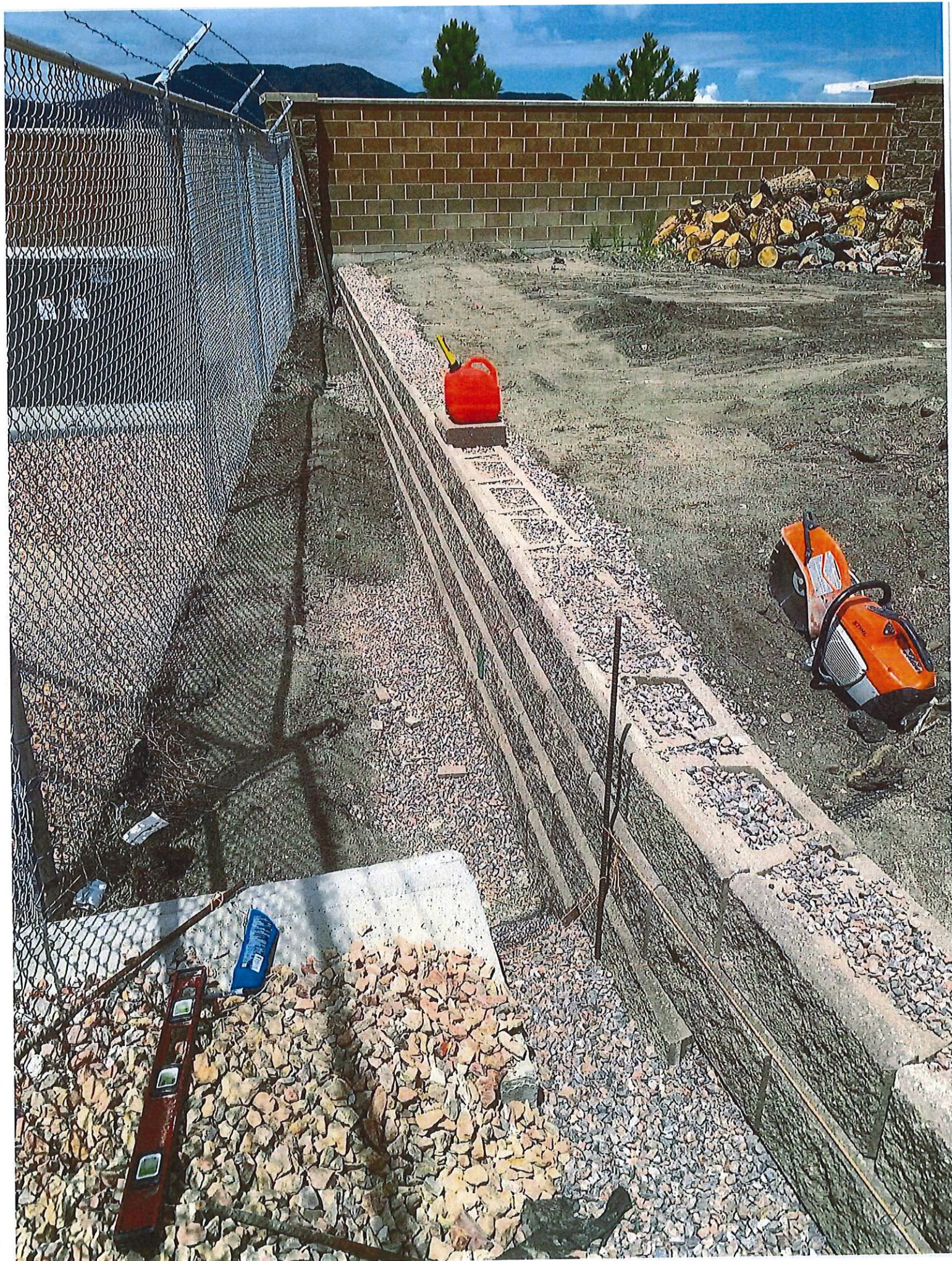
Focus for August:

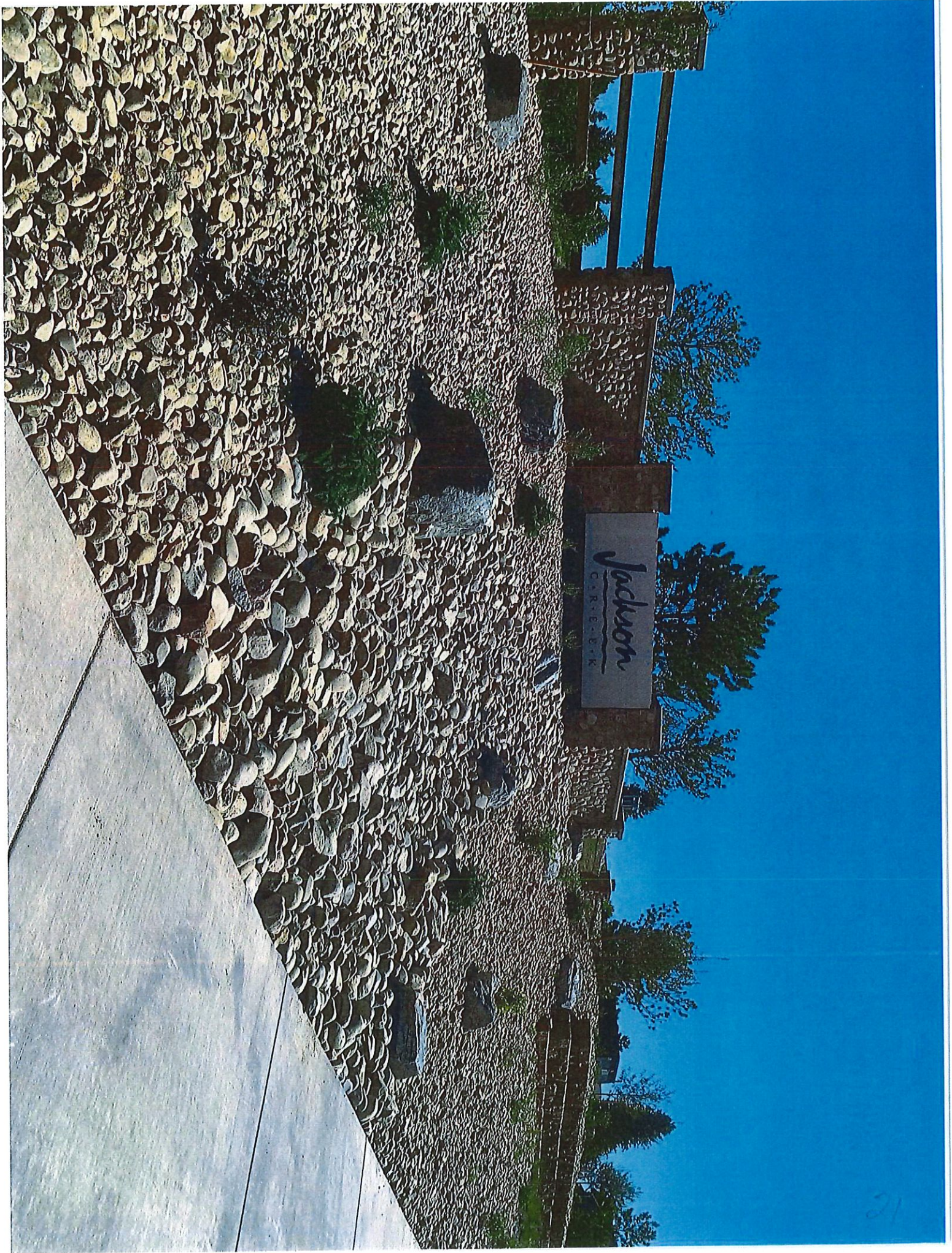
- Tree replacements Leather Chaps, Glen eagle, swing park trail.
- prep A Yard for September lot asphalt installation
- weed control on and off lawn

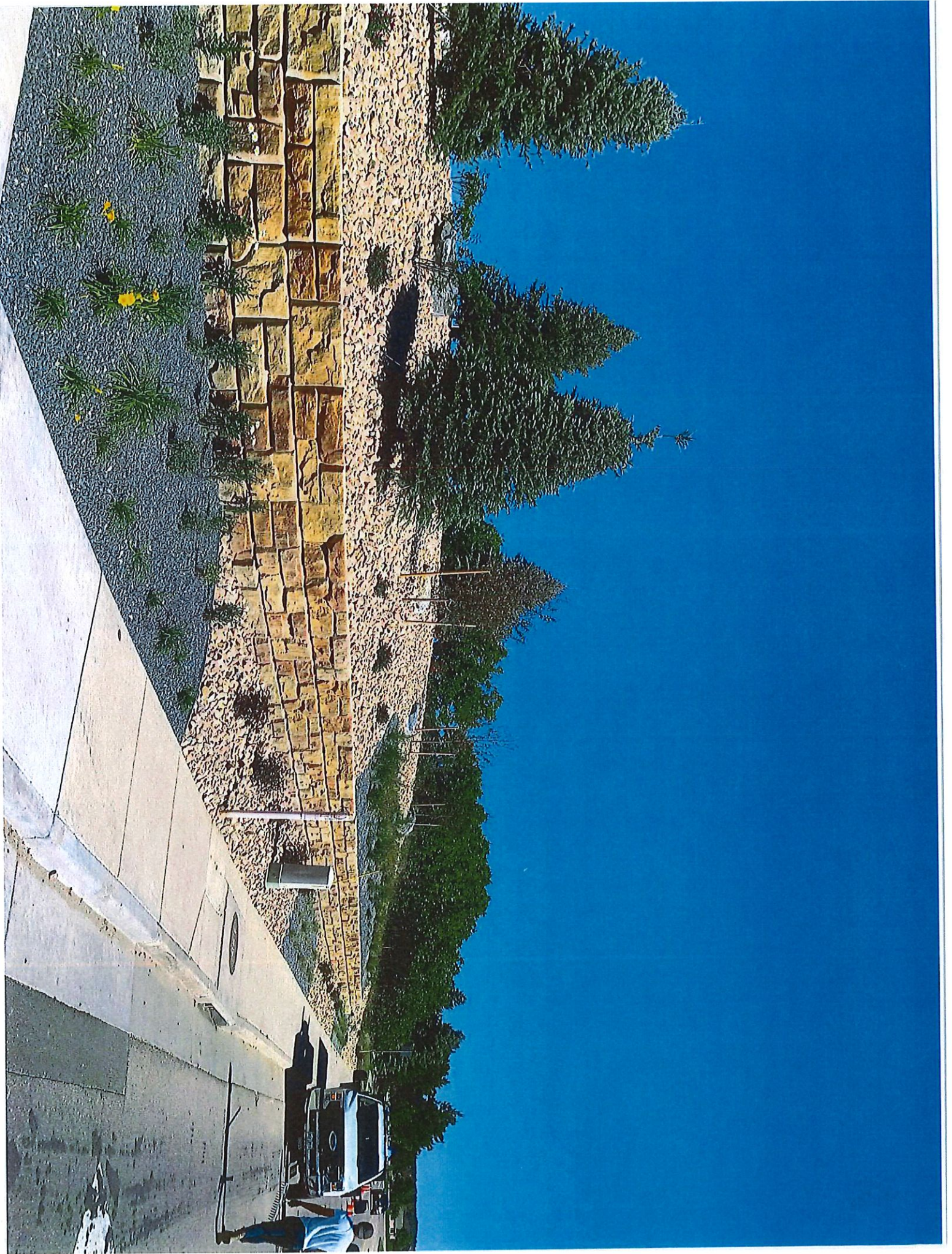


- Equipment prep for snow removal
- Fall Aeration
- Trail improvements Piute, swing, B Plant trails
- Trail material installed
- Tree rings and mulch in turf lawns.
- district concrete repairs.
- District street signs replacement (need several new signs made)











Triview Metro Water Department

List of Accomplishments for June 2022

Pumpage for month of June 2022 –	
Total to Production	49.094 Mg
Total to Production June 2021	34.442 Mg
Net water impounded in District ground storage tanks	34119 Gal
Total District Irrigation	6.404 Mg
Total Sold	36.995 MG
Total Sold June 2021	35.779 Mg
Total District flow to WWTP for June 2022	11.669 Mg

Reported activity for Month of June 2021

Wellfield-

- All wells are running normally and available as needed
- Currently using A9, D9, A7, D7, A1, A4, D4

Water Plants A/B, C Plant Pump Station-

- A Plant is running normally
- B Plant is running normally
- C Plant Pump Station is running normally
- Sodium Hypochlorite was filled on July 8th, with additional stores in totes at both plants, deliveries are proceeding with no issues.
- All required plant sampling is complete and up to date with no issues, including radium

Additional Accomplishments-

- Numerous locates were completed throughout the district during this month; approx. 200+
- Well D7 VFD was replaced by Hydro Resources
- All PRV vaults were inspected, with some minor repairs made and adjusted as required

Future projects-

- Continued work on the fire hydrant maintenance for the next several months
- Will replace flow meters on well A7 and A9
- Looking into purchasing a vector truck for the district

Max Daily production-

6/15/22 - 1,881,000 MG

6/16/22 - 1,874,000 MG

6/21/22 - 1,958,000 MG

6/23/22 - 2,070,000 MG

6/29/22 - 1,935,000 MG

7/2/22 - 1,568,000 MG

7/5/22 - 1,712,000 MG

7/8/22 - 1,802,000 MG

7/13/22 - 1,563,000 MG

RESOLUTION 2022-06

Resolution of the Triview Metropolitan District Concerning Participation in the Design Stage of the North Monument Creek Interceptor Project

WHEREAS: Colorado Springs Utilities (CS-U) has for the past several years been in the process of completing a required National Environmental Policy Act ("NEPA") analysis of a proposed wastewater pipeline projection which would allow for delivery of wastewater generated at the U.S. Air Force Academy Visitor Center, under construction near the intersection of Interstate 25 and Northgate Road in northern El Paso County, Colorado, and potentially other northern El Paso County wastewater generators, to regionalized wastewater treatment at the J.D. Phillips Water Resource Recovery Facility (JDPWRRF) owned and operated by CS-U near the intersection of Interstate 25 and Woodmen Road in the City of Colorado Springs. Such regional wastewater collection, delivery and treatment project is commonly referenced as the North Monument Creek Interceptor project, or "NMCI"; and,

WHEREAS: The NMCI project has the potential to allow for conveyance, delivery and treatment of wastewater generated by northern El Paso County municipalities and Special Districts to the JDPWRRF, and for several years CS-U has collected data, negotiated, and worked with such northern El Paso County entities, including Triview, for preliminary designs of the project necessary for completion of NEPA analysis, and to gage interest in such "Northern Entities" participating in the NMCI project; and,

WHEREAS: Triview is currently a joint owner of the Upper Monument Wastewater Treatment Facility (UMWWTF), with partner special districts the Forest Lakes Metropolitan District ("FLMD") and Donala Water & Sanitation District ("Donala"), subject to the entitlements, requirements, terms and conditions of the Intergovernmental Agreement dated November 11, 1999, as Amended October 1, 2001; and,

WHEREAS: The NMCI project has the potential to provide wastewater collection, delivery and treatment services to all UMWWTF participants, including Triview, while allowing CS-U to potentially eliminate at least three existing lift stations; and,

WHEREAS: Participating entities in the NMCI may be able to eliminate existing lift stations, and from Triview's perspective the UMWWTF could be either eliminated or Triview's owned-capacity therein repurposed through participation in the NMCI. Triview anticipates its maximum wastewater treatment needs at buildout to be approximately one million gallons per day (1 million gpd); and,

WHEREAS: The cost of present and future regulatory requirements for nutrient treatment at the UMWWTF, including under the Colorado Department of Public Health and Environment's (CDPHE) Regulation 85 and 31 requiring removal of nitrogen and phosphorus, has created significant uncertainty surrounding capital improvements and their financial impacts to wastewater ratepayers as a result of regulatory compliance for the UMWWTF. Expansion of the UMWWTF has been estimated to require in excess of \$20 million in order to accommodate Triview, FLMD and Donala at buildout. Triview's

participation in the NMCI project may eliminate some or all of the financial risks associated with CDPHE regulations 85 and 31 and plant expansion, thereby benefitting Triview's wastewater customers; and,

WHEREAS: Triview has previously resolved, by Resolution 2018-07, to cooperate and participate in the study, design, and potential construction of the NMCI project, including cooperation in provision of documents and effluent estimates for NEPA purposes; and,

WHEREAS: With CS-U's NEPA analysis of the NMCI nearly completed, through a series of cooperative meetings between CS-U and other entities, it has been determined that parties interested in continued participation in the NMCI project should, prior to August 1, 2022, provide CS-U with a commitment to participate in the next phase of the NMCI project, being engineered design of the NMCI project based upon entities anticipated to participate therein; and,

WHEREAS: Triview has determined, based upon its extensive participation and cooperation with the NMCI project to date, and based upon rates and tariffs developed by CS-U and applicable to wastewater service to be provided to Triview through the NMCI, and upon estimates and calculations by Triview's staff and consultants concerning the cost/benefit analysis of utilizing the NMCI as compared to continued wastewater treatment at the UMWWTF, that participation in the engineering and design of the NMCI, assuming Triview's ultimate participation in the construction and use of the NMCI project, is of continued benefit to Triview and its wastewater customers in evaluating the most efficient and cost effective means of provision of wastewater service.

NOW THEREFORE BE IT RESOLVED: For the reasons set forth above, the Triview Metropolitan District is in agreement to continue to cooperate and participate with CS-U, and any and all other participating entities, in the engineering and design of the NMCI project; and, be it further resolved that the District Manager is hereby authorized to sign on behalf of the Triview Metropolitan District such documents as necessary to evidence Triview's continuing commitment to cooperate in the provision of data, and of appropriate funding, for the engineering and design phase of the NMCI project.

Dated this 20th day of July, 2022.

Mark Melville, President
Triview Metropolitan District

FIRST AMENDMENT TO AGREEMENT FOR CONTRACT OPERATIONS SERVICES

This FIRST AMENDMENT TO AGREEMENT FOR CONTRACT OPERATIONS SERVICES ("First Amendment") is entered into on _____, 2022, by and between Forest Lakes Metropolitan District ("FLMD") and Triview Metropolitan District ("Triview"), each a quasi-municipal corporation and political subdivision of the State of Colorado (collectively referred to as the "Districts" and "Parties").

RECITALS

WHEREAS, the Districts were organized pursuant to the Special District Act, §§ 32-1-101, *et seq.*, C.R.S., for the purpose of providing public improvements, facilities, and services to and for the use and benefit of their taxpayers and residents; and

WHEREAS, the Districts entered into that certain Agreement for Contract Operations Services, in December of 2021 ("IGA"), which sets forth the Services to be provided by Triview to FLMD; and

WHEREAS, the Parties wish to expand the Services to add landscaping services to the services that Triview provides to FLMD at the rate set forth therein (the "Additional Services"); and

WHEREAS, Triview is agreeable with performing the Additional Services within this First Amendment.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Incorporation of Recitals. All of the recitals hereof are incorporated by this reference and are made a part hereof as though set forth at length herein.
2. Defined Terms. Defined terms used but not defined herein shall have the meanings given to them in the IGA.
3. Scope of Additional Service. Triview shall be responsible for performing the Additional Services outlined in Exhibit A, attached hereto and incorporate herein. Compensation for the Additional Services is set forth in Exhibit A.
4. Prior Provisions Effective. The Districts acknowledge and agree that all other terms of the IGA remain in full force and effect and this First Amendment shall not amend, modify, or alter the IGA in any respect except as provided for herein.
6. Counterparts. This First Amendment may be executed in counterparts, each of which may be deemed an original but all of which taken together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this First Amendment on the date first above written.

FOREST LAKES METROPOLITAN DISTRICT

President

ATTEST:

Secretary

TRIVIEW METROPOLITAN DISTRICT

President

ATTEST:

Secretary

EXHIBIT A

(Additional Services)

Compensation for the landscaping services set forth below shall be **\$6,000 per month**.

I. GENERAL REQUIREMENTS

- A. *Scope of Work.* Triview shall furnish all labor, materials, and equipment necessary to provide quality, professional landscape maintenance services on a seasonal or year round basis in the area of Phase One, Forest Lakes Residential. Phase One includes Filings 1, 3, 2A, 2B, and 4 along with the Main Entry, Postal Box Area, Waterfront Park, the Surface Water Treatment Plant ("SWTP") and Raw Water Vault ("RWV") just east of Waterfront Park, also filing 5 in West Valley. All service shall be done by qualified, experienced, trained personnel using practices and methods recognized and accepted as standards in the industry.
- B. *Emergencies.* Triview will be expected to respond when necessary, to bona fide emergencies that cannot be postponed.
- C. *Personnel.* Triview's employees and/or contractors shall conduct and dress themselves in a workmanlike manner at all times. Adequate supervision will be provided by Triview to insure work is done in a professional manner.
 - 1. Triview will provide or ensure that employees/contractor have proper safety equipment, including safety glasses, hearing protection, respirator, and protective clothing as may be required to complete the task.
 - 2. Triview will take appropriate measures to ensure safety equipment is used.
 - 3. Triview shall at all times ensure compliance with federal, state, and municipal air, water, and noise pollution laws and ordinances.
 - 4. Work crews shall keep a copy of these specifications with them on the job site at all times. It shall be assumed that the crews cannot observe the specifications if a copy are not available at the job site.

LAWN CARE TECHNICAL SPECIFICATIONS

I. TURF CARE

- A. Turf shall be maintained in a healthy growing condition.
- B. Trash will be picked up before each mowing.
- C. Lawn mowers will be equipped with safety guards to prevent throwing stones or other objects.

MOWING AND EDGING

- A. Upright grasses such as bluegrass and ryegrass shall be mowed to a minimum height of three inches (3").
 - 1. Mowing shall be done weekly during the growing season. Lawn shall be cut in a different direction each time to achieve the checkerboard pattern.
 - 2. All lawn areas will be cut in this manner to the extent possible and practical.
 - 3. Grass will be cut bi-weekly (every other week) during the slow growing season.
 - 4. All irrigated seed areas shall be mowed monthly during the growing season not exceed seven (7) times not to exceed a height of less than twelve (12") inches per mow.
 - 5. All non-irrigated native seed to be cut upon approval of Triview based on time material price.
- B. Grass catchers need not be used.
 - 1. Excessive clippings will always be removed from turf and disposed of off-site.
 - 2. Triview will notify FLMD's District Manager if thatch reaches one inch (1") thickness.

TRIMMING

- A. All turf areas inaccessible to mowing equipment will be trimmed as needed to maintain a neat, well-groomed appearance.
 - 1. Triview will take whatever precautions are necessary to ensure that string trimmers do not damage trees (see section on staking and guy wires).
 - 2. All high weeds on adjacent undeveloped land will be cut back ten (10) feet from landscaped areas or curbstones at a height of about twice the grass height, allowing for rock and debris.
 - 3. A steel edger shall be used along all walks and curbstones at least four (4) times per season.

WATERING

- A. Lawns will be watered at such frequency, as weather conditions require. Where possible, water run-off across pavements and into gutters shall be avoided.
- B. Triview, with the cooperation of FLMD's District Manager, will determine a reasonable watering schedule, generally between the hours of midnight and 6:00 a.m.

FERTILIZATION

- A. All turf areas shall receive three (2) applications of a well-balanced fertilizer per season. The formula shall generally be 24-10-5 with 3 to 4% iron. The formula may be varied to meet specific soil conditions, but shall provide not less than one pound of available nitrogen

per 1,000 square feet of turf. All irrigated native seed shall receive two applications of fertilizer.

- B. Application rate shall be as directed by the manufacturer.
- C. Triview will ensure that fertilizer is applied evenly to prevent streaking.

USE OF PESTICIDES AND HERBICIDES

- A. Chemicals shall be used as little as possible and to the very highest of professional standards, because the effects on human health and the biosphere in general, are not well understood.
- B. Triview and any contractors shall be licensed and insured, as REQUIRED by the Colorado Department of Agriculture, to apply pesticides on turf and ornamentals and must be licensed in the categories required to perform chemical treatments listed in this specification. A photocopy of licenses shall be attached to the Agreement.
- C. All chemical applications shall be done under the direction of a qualified supervisor as defined by the Colorado Department of Agriculture.
- D. Triview shall abide by all Federal, State, and local laws related to these applications.

WEED, INSECT AND DISEASE CONTROL

- A. The selection of pesticides and herbicides will be left to Triview. Triview will be solely responsible for any harm caused by these.
- B. Triview shall spray for broadleaf weed control only. This shall be done generally late May or early June.
- C. No soil sterilant shall be used on the property.
- D. The cost of one (1) weed control application shall be included in the contract price for turf and irrigated native seed. Disease and insect control will be on a "per application" basis with prior approval of FLMD.

OTHER CARE

- A. Aerate compacted areas to improve water penetration. Aeration to be done once per growing season spring.

Included in contract price? X Yes No

BED CARE

- A. All bed areas will be checked on a regular basis for mulch coverage. If additional mulch or rock is needed, this will be brought to the attention of FLMD. Additional mulch or rock will be billed as an additional item.
- B. All bed areas will be kept free of weeds and trash by means of chemical control, mechanical cultivation, and hand weeding as necessary.

REPLACEMENT OF PLANTS

- A. Dead plants and those in a state of decline shall be brought to the attention of FLMD's District Manager immediately.
- B. Replacement of plants shall be of a size, condition, and variety acceptable to the District, to be paid for by the District, unless due to negligence of Triview.

IRRIGATION AND CONTROL MAINTENANCE

- A. Activation
 - 1. Triview shall be responsible for determining when to activate the irrigation system. Activation should occur between the months of March and May, as allowed by weather conditions.
 - 2. At the time of activation, necessary repairs will be reported to FLMD immediately. Triview will do repairs and payment will be on a time and materials basis.
- B. Regular Maintenance
 - 1. After the system is activated and operating, Triview will be responsible for checking the system on a biweekly basis as deemed necessary by Triview to insure continuance of proper operation. System shall be checked after mowing to look for damage that may have occurred during mowing.
 - 2. Regular checking of the irrigation system shall include:
 - Turning on of all clocks to check for proper function.
 - Turning on of all valves to insure proper operation.
 - Visual inspection of all heads for proper coverage and for damage caused by mowing. Minor adjustments as well as any repair of damage caused by Triview will be handled at no cost to Owner (s).
 - 3. In the event malfunctions are found during the regular check of the irrigation system, repairs will be made on a time and materials basis only, with prior approval of FLMD. Replacement parts must be equal to or surpass the original part in quality.
 - 4. Triview shall keep the need for water conservation in mind. During extended cold or rainy periods, irrigation controllers will be turned off. However, occasional rainstorms will not constitute adequate reason for turning off the controllers.
 - 5. Triview shall not be held liable for any damages caused by malfunctions of the irrigation systems, including, but not limited to, stuck valves, flooded basements, missing heads, etc.
 - 6. Triview shall not be held liable for damages to sprinkler heads that are improperly installed above grade and constitute a mowing hazard. If this situation is applicable, FLMD will be notified immediately. Any repairs necessary to bring the system to proper working condition shall be done by Triview on a time and materials basis and billed accordingly to FLMD.

WINTERIZATION

- A. Triview shall be responsible for determining when to winterize, and for winterizing the system.
- B. In anticipation of winter sprinkler shut down, watering schedule shall be changed to once or twice a week for an extended time to achieve deep watering and improved root growth.
- C. In the week immediately prior to closing of the system, all landscaped areas shall receive a minimum of two (2) inches of watering (either through natural conditions or by operation of the system).

SPRINKLER TURN OFF

- A. The system **MUST** be blown out using an air compressor. The first blow down shall be not less than five (5) minutes. The second blow down shall be not less than two (2) minutes, long enough to remove any remaining condensation.
- B. Triview shall be responsible for any damage to the system due to failure to blow down the system in a timely manner.
- C. Triview shall notify FLMD if there is any suspicion that any gate valve might allow seepage to refill the sprinkler line over the winter.
- D. All winterization work shall be included in contract price.

SHRUB CARE

- A. Triview shall maintain shrubs in a healthy growing condition by performing all necessary operations, including the following:
 - a. Shrubs to be pruned one time per growing season. Generally early fall.
 - b. Monitoring for insects and pests.

WINTER SERVICE

- A. Triview on a weekly basis will police all landscaped areas for loose trash and debris.
- B. Triview will visit the site on a regular basis (at least weekly), to inspect all landscape and plant material. Any problems will be brought to the attention of FLMD. At this time, Triview will also determine the need for winter watering, special pruning due to storm damage, etc.
- C. Triview shall be responsible for gathering and removing autumn leaves. Only those areas having a heavy concentration of leaves will be subject to removal.
- D. Triview will be available to FLMD to aid and assist in the preparation and formulation of plans, schedules, budgets, projections, etc. for the coming season.
- E. Triview will measure soil moisture at least monthly using a core sampler or other device and the results will be reported to FLMD.

WORK NOT INCLUDED

- A. Maintenance of trees over ten (10) feet tall, which cannot be pruned by a gardener on an orchard ladder. These trees will be inspected and a recommendation will be made for services of a licensed arborist.

- B. Repair or replacement of losses and damages beyond Triview's control.
- C. Maintenance of parking areas, driveways, walks, etc., except for the cleanup of gardening debris.
- D. New planting and other special services.
- E. Spraying of trees for insect and disease control.
- F. Initial spring root feeding of pine trees and shrubs.
- G. Snow removal, unless specifically provided for by a separate contract.
- H. Triview plans to offer snow removal services? X Yes no

TIME AND MATERIALS WORK

- A. Time will be billed at the rate of \$ 45.00 per hour per laborer.
- B. Time will be billed at the rate of \$ 65.00 per hour per sprinkler technician.

RESOLUTION 2022-07

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRIVIEW METROPOLITAN DISTRICT ADOPTING A CODE OF CONDUCT AND A CODE OF ETHICS

WHEREAS, Triview Metropolitan District (the "**District**") is a quasi-municipal corporation and political subdivision of the State of Colorado and a body corporate with the powers authorized by and in compliance with Section 32-1-101 et seq., C.R.S.; and

WHEREAS, in accordance with Section § 32-1-1001(1)(m), C.R.S., the District is empowered to adopt, amend, and enforce rules and regulations governing the operation of the District; and

WHEREAS, the Board of Directors of the District (the "**Board**") has determined that it is in the best interests of the District and the residents and property owners of the District to adopt a code of conduct for the Board, the District's staff, the members of any committees appointed by the Board, and any volunteers acting on behalf of the District (the "**District Representatives**"); and

WHEREAS, the Board desires to (i) identify minimum standards of ethical conduct for District Representatives and reiterate the requirements in the Code of Ethics in Sections 24-18-101, et seq., C.R.S., as amended from time to time; (ii) inform the public of the minimum standards to which District Representatives are expected to adhere; and (iii) to encourage all District Representatives to act in the best interest of the District and the community as a whole.

NOW, THEREFORE, be it resolved by the Board of Directors of Triview Metropolitan District as follows:

1. Adoption of Policies and Procedures. The Board of Directors of Triview Metropolitan District hereby adopts the Code of Conduct, set forth in Exhibit A and the Code of Ethics found in Section 24-18-101 et seq., C.R.S., as amended from time to time, and attached hereto as Exhibit B (the Code of Conduct and the Code of Ethics shall be referred to collectively as the "**Code**"), which are incorporated herein by reference.

2. Amendment. The District reserves the right to amend the Code of Conduct adopted hereby in whole or in part, in order to further the purpose of carrying on the business, objects, and affairs of the District. The foregoing shall specifically include, but not be limited to, the right to adopt new policies and procedures as may be necessary, in the Board's discretion. Additionally, any legislative changes to the sections of the Code of Ethics attached as Exhibit B, shall automatically be incorporated into this resolution.

Adopted and effective on July __, 2022.

TRIVIEW METROPOLITAN DISTRICT, a
quasi-municipal corporation and political
subdivision of the State of Colorado

By:

Officer of the District

Attest:

By:

EXHIBIT A

CODE OF CONDUCT TRIVIEW METROPOLITAN DISTRICT

District Representatives shall adhere to and conduct themselves in harmony with the following:

Section 1. General Provisions. District Representatives acknowledge that the purpose of their position is to benefit the District and the community. Accordingly, they should perform their duties with honesty, diligence, professionalism, impartiality, and integrity. This includes finding common ground and seeking compromise with others in a way that benefits the community as a whole and striving at all times to serve the best interests of the District regardless of personal interests.

Section 2. Public Meetings. District Representatives should practice civility, professionalism, and decorum in discussions and debate. District Representatives should arrive on time to all scheduled meetings unless they are excused and be prepared to address each item on the agenda. Meeting participants should keep comments relevant to the topic under discussion. District Representatives do not speak for the Board as a whole unless specifically authorized to do so at a board meeting. Board members should vote on all matters before the Board requiring a vote, except when recusal is required. Anyone abstaining from a vote will state for the record his or her reason(s). There is no place in any meetings related to District business for belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. Shouting or physical actions that could be construed as threatening will not be tolerated.

Section 3. Interactions Outside of Board Meetings. The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations. Representatives should be mindful of the things they say, and avoid personal comments that could offend others. District Representatives should assume that others have the best intentions behind their actions and seek a private resolution if offended by the words or actions of another.

Section 4. Written Communication. District Representatives must obtain explicit consent before including a Board member's name on any writing or claiming to speak on that person's behalf. District Representatives should treat written notes, voicemail messages, and e-mail as communications subject to public disclosure, and inflammatory or defaming language against any person will not be tolerated.

EXHIBIT B

CODE OF ETHICS

Section 24-18-101 et seq., C.R.S.

24-18-102. Definitions.

As used in this part 1, unless the context otherwise requires:

- (1) "Business" means any corporation, limited liability company, partnership, sole proprietorship, trust or foundation, or other individual or organization carrying on a business, whether or not operated for profit.
- (2) "Compensation" means any money, thing of value, or economic benefit conferred on or received by any person in return for services rendered or to be rendered by himself or another.
- (3) "Employee" means any temporary or permanent employee of a state agency or any local government, except a member of the general assembly and an employee under contract to the state.
- (4) "Financial interest" means a substantial interest held by an individual which is:
 - (a) An ownership interest in a business;
 - (b) A creditor interest in an insolvent business;
 - (c) An employment or a prospective employment for which negotiations have begun;
 - (d) An ownership interest in real or personal property;
 - (e) A loan or any other debtor interest; or
 - (f) A directorship or officership in a business.
- (5) "Local government" means the government of any county, city and county, city, town, special district, or school district.
- (6) "Local government official" means an elected or appointed official of a local government but does not include an employee of a local government.
- (7) "Official act" or "official action" means any vote, decision, recommendation, approval, disapproval, or other action, including inaction, which involves the use of discretionary authority.
- (8) "Public officer" means any elected officer, the head of a principal department of the executive branch, and any other state officer. "Public officer" does not include a member of the general assembly, a member of the judiciary, any local government official, or any member of a board, commission, council, or committee who receives no compensation other than a per diem allowance or necessary and reasonable expenses.
- (9) "State agency" means the state; the general assembly and its committees; every executive department, board, commission, committee, bureau, and office; every state institution of higher education, whether established by the state constitution or by law, and every governing board thereof; and every independent commission and other political subdivision of the state government except the courts.

24-18-103. Public trust - breach of fiduciary duty.

- (1) The holding of public office or employment is a public trust, created by the confidence which the electorate reposes in the integrity of public officers, members of the general assembly, local government officials, and employees. A public officer, member of the general assembly, local government official, or employee shall carry out his duties for the benefit of the people of the state.
- (2) A public officer, member of the general assembly, local government official, or employee whose conduct departs from his fiduciary duty is liable to the people of the state as a trustee of property and

shall suffer such other liabilities as a private fiduciary would suffer for abuse of his trust. The district attorney of the district where the trust is violated may bring appropriate judicial proceedings on behalf of the people. Any moneys collected in such actions shall be paid to the general fund of the state or local government. Judicial proceedings pursuant to this section shall be in addition to any criminal action which may be brought against such public officer, member of the general assembly, local government official, or employee.

24-18-104. Rules of conduct for all public officers, members of the general assembly, local government officials, and employees.

(1) Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty and the public trust. A public officer, a member of the general assembly, a local government official, or an employee shall not:

(a) Disclose or use confidential information acquired in the course of his official duties in order to further substantially his personal financial interests; or

(b) Accept a gift of substantial value or a substantial economic benefit tantamount to a gift of substantial value:

(I) Which would tend improperly to influence a reasonable person in his position to depart from the faithful and impartial discharge of his public duties; or

(II) Which he knows or which a reasonable person in his position should know under the circumstances is primarily for the purpose of rewarding him for official action he has taken.

(2) An economic benefit tantamount to a gift of substantial value includes without limitation:

(a) A loan at a rate of interest substantially lower than the commercial rate then currently prevalent for similar loans and compensation received for private services rendered at a rate substantially exceeding the fair market value of such services; or

(b) The acceptance by a public officer, a member of the general assembly, a local government official, or an employee of goods or services for his or her own personal benefit offered by a person who is at the same time providing goods or services to the state or a local government under a contract or other means by which the person receives payment or other compensation from the state or local government, as applicable, for which the officer, member, official, or employee serves, unless the totality of the circumstances attendant to the acceptance of the goods or services indicates that the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the officer, member, official, or employee does not receive any substantial benefit resulting from his or her official or governmental status that is unavailable to members of the public generally.

(3) The following are not gifts of substantial value or gifts of substantial economic benefit tantamount to gifts of substantial value for purposes of this section:

(a) Campaign contributions and contributions in kind reported as required by section 1-45- 108, C.R.S.;

(b) An unsolicited item of trivial value;

(b.5) A gift with a fair market value of fifty-three dollars or less that is given to the public officer, member of the general assembly, local government official, or employee by a person other than a professional lobbyist.

(c) An unsolicited token or award of appreciation as described in section 3 (3)(c) of article XXIX of the state constitution;

- (c.5) Unsolicited informational material, publications, or subscriptions related to the performance of official duties on the part of the public officer, member of the general assembly, local government official, or employee;
 - (d) Payment of or reimbursement for reasonable expenses paid by a nonprofit organization or state and local government in connection with attendance at a convention, fact-finding mission or trip, or other meeting as permitted in accordance with the provisions of section 3 (3)(f) of article XXIX of the state constitution;
 - (e) Payment of or reimbursement for admission to, and the cost of food or beverages consumed at, a reception, meal, or meeting that may be accepted or received in accordance with the provisions of section 3 (3)(e) of article XXIX of the state constitution;
 - (f) A gift given by an individual who is a relative or personal friend of the public officer, member of the general assembly, local government official, or employee on a special occasion.
 - (g) Payment for speeches, appearances, or publications that may be accepted or received by the public officer, member of the general assembly, local government official, or employee in accordance with the provisions of section 3 of article XXIX of the state constitution that are reported pursuant to section 24-6-203 (3)(d);
 - (h) Payment of salary from employment, including other government employment, in addition to that earned from being a member of the general assembly or by reason of service in other public office;
 - (i) A component of the compensation paid or other incentive given to the public officer, member of the general assembly, local government official, or employee in the normal course of employment; and
 - (j) Any other gift or thing of value a public officer, member of the general assembly, local government official, or employee is permitted to solicit, accept, or receive in accordance with the provisions of section 3 of article XXIX of the state constitution, the acceptance of which is not otherwise prohibited by law.
- (4) The provisions of this section are distinct from and in addition to the reporting requirements of section 1-45-108, C.R.S., and section 24-6-203, and do not relieve an incumbent in or elected candidate to public office from reporting an item described in subsection (3) of this section, if such reporting provisions apply.
- (5) The amount of the gift limit specified in paragraph (b.5) of subsection (3) of this section, set at fifty-three dollars as of August 8, 2012, shall be identical to the amount of the gift limit under section 3 of article XXIX of the state constitution, and shall be adjusted for inflation contemporaneously with any adjustment of the constitutional gift limit pursuant to section 3(6) of article XXIX.

24-18-105. Ethical principles for public officers, local government officials, and employees.

- (1) The principles in this section are intended as guides to conduct and do not constitute violations as such of the public trust of office or employment in state or local government.
- (2) A public officer, a local government official, or an employee should not acquire or hold an interest in any business or undertaking which he has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which he has substantive authority.
- (3) A public officer, a local government official, or an employee should not, within six months following the termination of his office or employment, obtain employment in which he will take direct advantage, unavailable to others, of matters with which he was directly involved during his term of employment. These matters include rules, other than rules of general application, which he actively

helped to formulate and applications, claims, or contested cases in the consideration of which he was an active participant.

(4) A public officer, a local government official, or an employee should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when he has a substantial financial interest in a competing firm or undertaking.

(5) Public officers, local government officials, and employees are discouraged from assisting or enabling members of their immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom the officer, official, or employee is in a position to reward with official action or has rewarded with official action in the past.

24-18-108. Rules of conduct for public officers and state employees.

(1) Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty.

(2) A public officer or a state employee shall not:

(a) Engage in a substantial financial transaction for his private business purposes with a person whom he inspects, regulates, or supervises in the course of his official duties;

(b) Assist any person for a fee or other compensation in obtaining any contract, claim, license, or other economic benefit from his agency;

(c) Assist any person for a contingent fee in obtaining any contract, claim, license, or other economic benefit from any state agency; or

(d) Perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which he either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent.

(3) A head of a principal department or a member of a quasi-judicial or rule-making agency may perform an official act notwithstanding paragraph (d) of subsection (2) of this section if his participation is necessary to the administration of a statute and if he complies with the voluntary disclosure procedures under section 24-18-110.

24-18-108.5. Rules of conduct for members of boards and commissions.

(1) Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty.

(2) A member of a board, commission, council, or committee who receives no compensation other than a per diem allowance or necessary and reasonable expenses shall not perform an official act which may have a direct economic benefit on a business or other undertaking in which such member has a direct or substantial financial interest.

24-18-109. Rules of conduct for local government officials and employees.

(1) Proof beyond a reasonable doubt of commission of any act enumerated in this section is proof that the actor has breached his fiduciary duty and the public trust.

(2) A local government official or local government employee shall not:

(a) Engage in a substantial financial transaction for his private business purposes with a person whom he inspects or supervises in the course of his official duties;

(b) Perform an official act directly and substantially affecting to its economic benefit a business or other undertaking in which he either has a substantial financial interest or is engaged as counsel, consultant, representative, or agent; or

(c) Accept goods or services for his or her own personal benefit offered by a person who is at the same time providing goods or services to the local government for which the official or employee serves, under a contract or other means by which the person receives payment or other compensation from the local government, unless the totality of the circumstances attendant to the acceptance of the goods or services indicates that the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the official or employee does not receive any substantial benefit resulting from his or her official or governmental status that is unavailable to members of the

24-18-110. Voluntary disclosure.

A member of a board, commission, council, or committee who receives no compensation other than a per diem allowance or necessary and reasonable expenses, a member of the general assembly, a public officer, a local government official, or an employee may, prior to acting in a manner which may impinge on his fiduciary duty and the public trust, disclose the nature of his private interest. Members of the general assembly shall make disclosure as provided in the rules of the house of representatives and the senate, and all others shall make the disclosure in writing to the secretary of state, listing the amount of his financial interest, if any, the purpose and duration of his services rendered, if any, and the compensation received for the services or such other information as is necessary to describe his interest. If he then performs the official act involved, he shall state for the record the fact and summary nature of the interest disclosed at the time of performing the act. Such disclosure shall constitute an affirmative defense to any civil or criminal action or any other sanction.



TRIVIEW METROPOLITAN DISTRICT
16055 Old Forest Point
Suite 302
P.O. Box 849
Monument, CO 80132
(719) 488-6868 Fax: (719) 488-6565

DISBURSEMENTS OVER \$5,000
July 20, 2022

Paid Invoices Over \$5,000

- 1. Donala Water & Sanitation District \$54,116.50**
Enterprise Fund –Wastewater Operations -Wastewater-System-Wastewater –
TF/Donala/IGA
- 2. White Bear Ankele Tanaka & Waldron \$5,213.16**
General Fund – Professional Services – Legal Fees
- 3. Monson, Cummins & Shoheit, LLC \$15,314.50**
Enterprise Fund – Professional Services -Legal Fees/Monson, Cummins & Shoheit
- 4. Ground Floor Media \$6,863.30**
General /Enterprise Fund – Professional Services -Public Relations
- 5. Summit Water Engineers, Inc. \$8,400.00**
Capital Project -Enterprise – Water Improvements – FMIC Change Case
- 6. JDS Hydro Consultants \$53,483.43**
Capital Project –Enterprise – Water Improvements – Regional Water/Wastewater
Design & Permitting – Northern Delivery System
- 7. Peak Equipment Rentals \$11,500.00**
Capital Project – General – Vehicles & Equipment - Walk Behind Trencher

- 8. Tanglewood Trailers** **\$10,842.25**
Capital Projects - General – Vehicles & Equipment – 2022 F350 Snow Removal - Plow
- 9. Treatment Technology** **\$6,657.34**
Enterprise Fund – Water System – Bulk Chemical Supplies
- 10. LRE Water** **\$6,555.00**
Capital Project – Enterprise – Water Improvements – Pueblo Reservoir –
Excess Capacity Leasing & Permitting
- 11. Carus LLC** **\$8,057.84**
Enterprise Fund – Water System – Bulk Chemical Supplies
- 12. Don Chapman** **\$8,050.00**
Enterprise Fund – Water System – Instrumentation
- 13. MCMS, Inc.** **\$115,203.33**
Capital Project –Enterprise – Water Improvements – South Reservoir –
Improvements

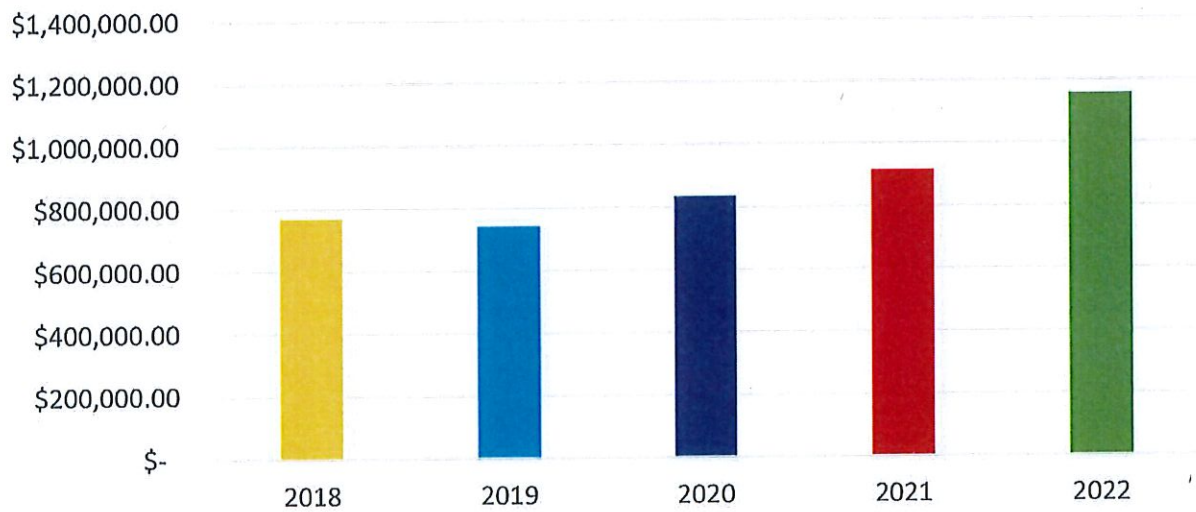
Total Over \$5,000.00 = \$310,256.65



TRIVIEW METROPOLITAN DISTRICT
Financial Statements
June 2022
Unaudited

TOWN OF MONUMENT
Sales Tax Share
Year to Date – May 2022
with 2018, 2019, 2020 and 2021

Town of Monument
Sales Tax Revenue
May - YTD
2018 thru 2022



CASH POSITION
June 30, 2022

TRIVIEW METROPOLITAN DISTRICT

Cash Position - 2022

Fund/Account	Balance Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sen-22	Oct-22	Nov-22	Dec-22
General/District Fund Accounts													
General Fund - Checking Account													
KeyBank #1567	347,243	274,470	336,806	195,260	165,585	250,342	4,152,777						
Transfer in Process	0						(1,895,757)						
General Fund Investment Account - Sales Tax Revenue													
ColoTrust #8002	4,695,828	4,721,498	5,260,335	6,511,837	7,063,743	6,174,401	6,406,392						
Transfer in Process			(923,000)	(1,212,000)	(1,600,000)								
General Fund Cash Accounts	5,043,071	4,995,968	4,664,141	5,495,097	5,620,328	6,424,743	6,663,312	0	0	0	0	0	0
Enterprise Fund Accounts													
Enterprise Fund - Checking Account													
KeyBank #1575	470,610	331,144	285,965	388,313	533,518	365,419	808,342						
Transfer in Process							(1,895,757)						
Enterprise Fund Reserve Account													
ColoTrust #8001	8,917,704	8,918,261	8,918,932	8,920,843	8,924,137	7,929,939	7,937,572						
Enterprise Fund - Money Market													
KeyBank #7892	461,090	461,094	461,097	461,101	461,105	461,109	461,113						
Tan Fee Escrow Account													
ColoTrust #8003	791	791	791	791	791	792	793						
Escrow Account-Renewable Water Fees													
ColoTrust #8004 - GL #500-100-102.06	1,784,021	1,784,132	1,784,267	1,784,649	1,785,308	1,786,508	1,788,228						
Escrow Account-Sewer and Water Impact Fees													
ColoTrust #8006	721,755	721,800	721,854	722,009	722,276	722,761	723,457						
Enterprise Fund Cash Accounts	12,355,971	12,217,222	12,172,906	12,277,706	12,427,135	11,266,528	15,615,262	0	0	0	0	0	0
Capital Projects Fund Accounts													
Capital Projects Fund Checking Account													
KeyBank #2516	2,245,013	1,903,188	1,147,143	1,216,216	1,225,405	1,175,523	1,100,362						
Capital Projects Fund-MI-PB Escrow													
KeyBank #3676	0	1,645,422	1,645,422	1,638,352	1,638,352	1,635,470	1,634,794						
Capital Projects Fund-General-Highway Escrow													
KeyBank #9922	2,149,954	2,149,954	2,149,954	2,149,954	2,149,954	2,219,954	2,219,954						
Capital Projects Fund Cash Accounts	4,394,967	5,698,564	4,942,519	5,004,522	5,013,711	5,030,947	4,955,110	0	0	0	0	0	0
2016 Bond Funds - Restricted													
Series 2016 Bond Fund													
Colorado State Bank and Trust/BOK Financial	325	325	325	325	2,119,036	1,194,987	1,195,803						
Transfer in Process			923,000	1,212,000	1,600,000								
Series 2016 Revenue Fund - (Property Tax)													
Colorado State Bank and Trust/BOK Financial	2,120,384	2,117,965	2,118,100	2,118,259	1	1,600,727	1,601,195						
Bond Funds - Totals - Restricted	2,120,706	2,118,290	3,051,425	3,330,584	3,719,037	2,795,714	2,796,998	0	0	0	0	0	0
Total Cash - All Funds	23,914,715	25,030,044	24,830,991	26,107,909	26,789,211	25,517,932	30,030,682	0	0	0	0	0	0
Month to Month Change		1,115,329	(199,053)	1,276,918	681,302	(1,271,279)	4,512,750	0	0	0	0	0	0

Note 1: Bond interest payments made in May.

Restricted Accounts

FUND BALANCE SUMMARY

June 30, 2022

TRIVIEW METROPOLITAN DISTRICT

June 30, 2022
Fund Summary

GENERAL FUND

	Public Works/ Streets	Parks and Open Space	Debt Service	Total
Total Revenue	\$ 1,487,439	\$ 884,390	\$ 2,530,643	\$ 4,902,472
Total Expenditures	609,769	449,385	964,591	2,023,744
Net Excess (Deficiency)	\$ 877,670	\$ 435,005	\$ 1,566,052	\$ 2,878,728
			Less: Transfer to Capital Projects Fund	\$ 387,838
			Transfer to Enterprise Fund	\$ 375,000
			Net Excess (Deficiency) - 2022	\$ 2,115,890
			Beginning Fund Balance - January 1, 2022 - estimated	\$ 3,856,033
			Ending Fund Balance - June 30, 2022	\$ 5,971,923

WATER AND WASTEWATER ENTERPRISE FUND

	Water Operations	Wastewater Operations	Debt Service	Total
Total Revenue	\$ 1,267,187	\$ 1,031,845	\$ 448,221	\$ 2,747,253
Transfer from General Fund	-	-	375,000	375,000
Total Expenditures	1,135,799	710,562	745,372	2,591,734
Net Excess (Deficiency)	\$ 131,388	\$ 321,283	\$ 77,849	\$ 530,519
			Less: Transfer to Capital Projects Fund	\$ 110,485
			Net Excess (Deficiency) - 2022	\$ 420,034
			Beginning Fund Balance - January 1, 2022 - estimated	\$ 17,525,774
			Ending Fund Balance - June 30, 2022	\$ 17,945,808

CAPITAL PROJECTS - GENERAL FUND

	Total
Total Revenue	\$ 70,000
Plus: Transfer from General Fund	387,838
Total Expenditures	(387,838)
Less: Higby Road Escrow	(70,000)
Net Excess (Deficiency)	\$ -
Beginning Fund Balance - January 1, 2022 - estimated	\$ -
Ending Fund Balance - June 30, 2022	\$ -

CAPITAL PROJECTS - ENTERPRISE FUND

	Total
Total Revenue	\$ 3,638,938
Plus: Transfer from Enterprise Fund	110,485
CWCB Loan Proceeds	3,895,757
Less: MI-PB Escrow	(1,634,974)
Total Expenditures	(2,114,449)
Net Excess (Deficiency)	\$ 3,895,757
Beginning Fund Balance - January 1, 2022 - estimated	\$ -
Ending Fund Balance - June 30, 2022	\$ 3,895,757

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GENERAL FUND
Cost Allocation

June 30, 2022

TRIVIEW METROPOLITAN DISTRICT
GENERAL FUND

PUBLIC WORKS/STREETS

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Sales Tax/IGA/Town - Estimated	\$ 1,518,000	\$ 885,366	\$ (632,634)	58%
Property Tax - Operations	198,168	194,005	(4,163)	98%
Property Tax/IGA/Town	204,600	-	(204,600)	0%
Specific Ownership Tax	214,500	95,535	(118,965)	45%
Auto Tax/IGA/Town - Estimated	148,500	83,272	(65,228)	56%
Interest	3,300	10,270	6,970	311%
Drainage Impact Fees	206,250	64,625	(141,625)	31%
Road and Bridge Fees	162,300	50,854	(111,446)	31%
Use Tax - Construction Material	264,000	96,708	(167,292)	37%
Use Tax - Town	3,960	2,254	(1,706)	57%
Miscellaneous - (includes Safety Grant)	17,160	4,552	(12,608)	27%
Lot & Inspection Fees	660	-	(660)	0%
Total Revenue	\$ 2,941,398	\$ 1,487,439	\$ (1,453,959)	51%
EXPENDITURES				
<u>Legislative</u>				
Directors' Fees	\$ 3,960	\$ 2,244	\$ 1,716	57%
FICA and Unemployment	264	180	84	68%
Workers Compensation Insurance	23	18	5	77%
Total Legislative	\$ 4,247	\$ 2,441	\$ 1,806	57%
<u>General and Administrative</u>				
<u>Salaries and Benefits</u>				
Salaries/Wages	\$ 83,054	\$ 38,138	\$ 44,916	46%
Unemployment Insurance	330	83	248	25%
Workers' Compensation Insurance	330	257	73	78%
Health and Dental Insurance	19,760	4,465	15,295	23%
Employer's FICA	6,354	2,398	3,956	38%
Employer's Medicare	1,204	576	628	48%
Retirement	990	499	491	50%
Life and Disability Insurance	1,036	377	659	36%
Total Salaries and Benefits	\$ 113,059	\$ 46,792	\$ 66,266	41%
<u>Professional Services</u>				
Professional Services-Engineering	\$ 52,800	\$ 27,934	\$ 24,866	53%
Professional Services-Management	-	-	-	0%
Professional Services-Public Relations	19,800	5,528	14,272	28%
Legal Fees/Monson, Cummins & Shohet	13,200	3,456	9,744	26%
Legal Fees	23,100	21,039	2,061	91%
Total Professional Services	\$ 108,900	\$ 57,958	\$ 50,942	53%
<u>General Administration</u>				
Accounting Services	\$ 29,700	\$ 16,058	\$ 13,642	54%
Audit Fees	5,940	-	5,940	0%
Conference, Class and Education	660	327	333	50%
Dues, Publications and Subscriptions	5,280	2,749	2,531	52%
Election	26,400	2,594	23,806	10%

**TRIVIEW METROPOLITAN DISTRICT
GENERAL FUND**

PUBLIC WORKS/STREETS

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
IT Support	6,600	5,446	1,154	83%
Office Equipment and Supplies	9,900	2,088	7,812	21%
Publication - Legal Notice	264	-	264	0%
Repairs and Maintenance	660	642	18	97%
Telephone Service	15,180	9,113	6,067	60%
Travel and Meeting Expense	4,950	530	4,420	11%
Office Overhead (COA, utilities, rent, etc.)	27,720	13,920	13,800	50%
General Insurance	21,780	23,765	(1,985)	109%
Tax Collection Expense - Operations	2,973	2,915	58	98%
Vehicle Expense	231	21,852	(21,621)	9460%
Stormwater Detention Pond Assessment	1,980	-	1,980	0%
Contingency/Emergency Reserves/Miscellaneous	66,000	2,193	63,807	3%
Total General Administration	\$ 226,218	\$ 104,191	\$ 122,027	46%
Total General Administrative, Legislative and Professional Services	\$ 452,424	\$ 211,382	\$ 241,041	47%

Operations

Salaries and Benefits- Streets and Parks

Salaries/Wages	\$ 470,696	\$ 204,707	\$ 265,989	43%
Salaries/Wages - Seasonal	16,474	-	16,474	0%
Overtime/On-call	4,158	9,558	(5,400)	230%
Unemployment Insurance	1,056	587	469	56%
Workers' Compensation Insurance	10,560	8,237	2,323	78%
Health and Dental Insurance	105,075	47,302	57,773	45%
Employer's FICA	37,587	13,349	24,238	36%
Employer's Medicare	7,124	3,122	4,002	44%
Retirement	13,200	7,150	6,050	54%
Life and Disability Insurance	5,796	2,484	3,312	43%
Total Salaries and Benefits - Streets and Parks	\$ 671,725	\$ 296,496	\$ 375,230	44%

Streets Operations and Maintenance

Operations and Maintenance - (includes Crack Seal)	\$ 60,000	\$ 38,589	\$ 21,411	64%
Vehicle Maintenance	20,000	10,237	9,763	51%
Customer Sidewalk Repair	20,000	-	20,000	0%
District Sidewalk Repair/ADA Ramps	25,000	-	25,000	0%
Streets- Engineering	2,500	-	2,500	0%
Snow Removal Per Diem/Emergency	5,000	-	5,000	0%
Engineering - TOM	20,000	-	20,000	0%
Contract Street Sweeping	25,000	8,400	16,600	34%
Sand and Salt for Roads	40,000	10,661	29,339	27%
Supplies	1,000	356	644	36%
Total Streets	\$ 218,500	\$ 68,243	\$ 150,257	31%
Total Streets O & M	\$ 890,225	\$ 364,739	\$ 525,487	41%

Lighting

MVE Operation and Maintenance	\$ 36,300	\$ 4,013	\$ 32,287	11%
Repair and Maintenance	1,980	-	1,980	0%
Total Lighting	\$ 38,280	\$ 4,013	\$ 34,267	10%

TRIVIEW METROPOLITAN DISTRICT

GENERAL FUND

PUBLIC WORKS/STREETS

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
<u>Signage</u>				
Repairs and Maintenance	\$ 2,640	\$ 6,711	\$ (4,071)	254%
Total Signage	\$ 2,640	\$ 6,711	\$ (4,071)	254%
<u>Traffic Control</u>				
Operation and Maintenance	\$ 1,500	\$ 20,906	\$ (19,406)	1394%
Repairs and Maintenance - Striping	30,000	-	30,000	0%
Total Traffic Control	\$ 31,500	\$ 20,906	\$ 10,594	66%
<u>Drainage/Erosion Control</u>				
Repairs and Maintenance (includes Concrete work)	\$ 50,000	\$ 2,018	\$ 47,982	4%
Total Drainage/Erosion Control	\$ 50,000	\$ 2,018	\$ 47,982	4%
Total Expenditures - Public Works/Streets	\$ 1,465,069	\$ 609,769	\$ 855,300	42%
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	\$ 1,476,329	\$ 877,670	\$ (598,659)	

TRIVIEW METROPOLITAN DISTRICT

GENERAL FUND

PARKS AND OPEN SPACE

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE - Parks and Open Space				
Sales Tax/IGA/Town - Estimated	\$ 782,000	\$ 456,097	\$ (325,903)	58%
Property Tax - Operations	102,087	99,942	(2,145)	98%
Property Tax/IGA/Town	105,400	-	(105,400)	0%
Specific Ownership Tax	110,500	49,215	(61,285)	45%
Park, Rec and Landscape Fees	505,950	158,531	(347,419)	31%
Auto Tax/IGA/Town - Estimated	76,500	42,897	(33,603)	56%
Interest	1,700	5,290	3,590	311%
Use Tax - Construction Material	136,000	49,819	(86,181)	37%
Use Tax- Town	2,040	1,161	(879)	57%
Conservation Trust Fund	22,500	19,091	(3,409)	85%
Miscellaneous - (includes Safety Grant)	8,840	2,345	(6,495)	27%
Lot & Inspection Fees	340	-	(340)	0%
Total Revenue	\$ 1,853,857	\$ 884,390	\$ (969,467)	48%
EXPENDITURES				
<u>Legislative</u>				
Directors' Fees	\$ 2,040	\$ 1,156	\$ 884	57%
FICA and Unemployment	136	92	44	68%
Workers Compensation Insurance	12	9	3	77%
Total Legislative	\$ 2,188	\$ 1,258	\$ 930	57%
<u>General and Administrative</u>				
<u>Salaries and Benefits</u>				
Salaries/Wages	\$ 42,786	\$ 19,647	\$ 23,139	46%
Unemployment Insurance	170	43	128	25%
Workers' Compensation Insurance	170	133	37	78%
Health and Dental Insurance	10,180	2,300	7,880	23%
Employer's FICA	3,273	1,235	2,038	38%
Employer's Medicare	620	297	323	48%
Retirement	510	257	253	50%
Life and Disability Insurance	534	194	340	36%
Total Salaries and Benefits	\$ 58,242	\$ 24,105	\$ 34,138	41%
<u>Professional Services</u>				
Professional Services-Engineering	\$ 27,200	\$ 14,390	\$ 12,810	53%
Professional Services-Public Relations	10,200	2,848	7,352	28%
Legal Fees/Monson, Cummins & Shoet	6,800	1,781	5,019	26%
Legal Fees	11,900	10,839	1,061	91%
Total Professional Services	\$ 56,100	\$ 29,857	\$ 26,243	53%
<u>General Administration</u>				
Accounting Services	\$ 15,300	\$ 8,272	\$ 7,028	54%
Audit Fees	3,060	-	3,060	0%
Conference, Class and Education	340	168	172	50%
Dues, Publications and Subscriptions	2,720	1,416	1,304	52%
Election	13,600	1,337	12,263	10%
IT Support	3,400	2,805	595	83%
Office Equipment and Supplies	5,100	1,076	4,024	21%
Publication - Legal Notice	136	-	136	0%
Repairs and Maintenance	340	331	9	97%
Telephone Service	7,820	4,695	3,125	60%
Travel and Meeting Expense	2,550	273	2,277	11%
Office Overhead (COA, utilities, rent, etc.)	14,280	7,171	7,109	50%
General Insurance	11,220	12,242	(1,022)	109%
Tax Collection Expense - Operations	1,531	1,501	30	98%
Vehicle Expense	119	11,257	(11,138)	9460%
Stormwater Detention Pond Assessment	1,020	-	1,020	0%
Contingency/Emergency Reserves/Miscellaneous	34,000	1,129	32,871	3%
Total General Administration	\$ 116,536	\$ 53,674	\$ 62,862	46%

TRIVIEW METROPOLITAN DISTRICT

GENERAL FUND

PARKS AND OPEN SPACE

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
Total Parks - Administrative, Professional Services, etc.	\$ 233,067	\$ 108,894	\$ 124,173	47%
<u>Operations</u>				
<u>Salaries and Benefits- Streets and Parks</u>				
Salaries/Wages	\$ 242,480	\$ 105,455	\$ 137,025	43%
Salaries/Wages - Seasonal	8,486	-	8,486	0%
Overtime/On-call	2,142	4,924	(2,782)	230%
Unemployment Insurance	544	303	241	56%
Workers' Compensation Insurance	5,440	4,243	1,197	78%
Health and Dental Insurance	54,129	24,367	29,762	45%
Employer's FICA	19,363	6,877	12,486	36%
Employer's Medicare	3,670	1,608	2,062	44%
Retirement	6,800	3,684	3,116	54%
Life and Disability Insurance	2,986	1,280	1,706	43%
Total Salaries and Benefits - Parks	\$ 346,039	\$ 152,740	\$ 193,300	44%
<u>Parks and Open Space O & M</u>				
Repair of Facilities	\$ 6,000	\$ 15,412	\$ (9,412)	257%
Annual Flower and Shrub replacement Program	10,000	-	10,000	0%
Holiday Lights	5,000	-	5,000	0%
Lawn Fertilizer, Tree Fertilizer and Weed Control Program	50,000	11,017	38,983	22%
Park Irrigation Water Payments	180,000	68,703	111,297	38%
Repair and Maintenance	55,000	46,379	8,621	84%
Supplies/Trees Replacement	15,000	-	15,000	0%
Tools	3,000	3,848	(848)	128%
Equipment and Projects	-	12,652	(12,652)	0%
Clothing and Safety Equipment	9,500	5,124	4,376	54%
Back Flow Inspection	3,000	-	3,000	0%
ET 3 Year Subscription	15,000	-	15,000	0%
Total Parks and Open Space O & M	\$ 351,500	\$ 163,135	\$ 188,365	46%
Total Parks O & M	\$ 697,540	\$ 315,875	\$ 381,665	45%
<u>Lighting</u>				
MVE Operation and Maintenance	\$ 18,700	\$ 2,067	\$ 16,633	11%
Repair and Maintenance	1,020	-	1,020	0%
Total Lighting	\$ 19,720	\$ 2,067	\$ 17,653	10%
<u>Signage</u>				
Repairs and Maintenance	\$ 1,360	\$ 3,457	\$ (2,097)	254%
Total Signage	\$ 1,360	\$ 3,457	\$ (2,097)	254%
<u>Total Conservation Trust Fund Projects</u>	\$ 22,500	\$ 19,091	\$ 3,409	85%
Total Expenditures - Parks and Open Space	\$ 974,187	\$ 449,385	\$ 524,802	46%
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	\$ 879,670	\$ 435,005	\$ (444,665)	

TRIVIEW METROPOLITAN DISTRICT
GENERAL FUND
DEBT SERVICE

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Property Tax	\$ 2,582,190	\$ 2,528,122	\$ (54,068)	98%
Interest - GO Bond	2,000	2,521	521	126%
Total Revenue	<u>\$ 2,584,190</u>	<u>\$ 2,530,643</u>	<u>\$ (53,547)</u>	<u>98%</u>
EXPENDITURES				
<u>Administrative</u>				
Tax Collection Expense	\$ 38,733	\$ 37,985	\$ 748	98%
Total Administrative	<u>\$ 38,733</u>	<u>\$ 37,985</u>	<u>\$ 748</u>	<u>98%</u>
<u>Debt Service</u>				
Bond Interest Payment	\$ 1,848,213	\$ 924,106	\$ 924,107	50%
Bond Principal Payment	730,000	-	730,000	0%
Paying Agent Fees	2,500	2,500	-	100%
Total Debt Service	<u>\$ 2,580,713</u>	<u>\$ 926,606</u>	<u>\$ 1,654,107</u>	<u>36%</u>
Total Expenditures	<u>\$ 2,619,446</u>	<u>\$ 964,591</u>	<u>\$ 1,654,855</u>	<u>37%</u>
EXCESS OF REVENUE OVER (UNDER)				
EXPENDITURES	<u>\$ (35,256)</u>	<u>\$ 1,566,052</u>	<u>\$ 1,601,308</u>	

ENTERPRISE FUND
Cost Allocation
June 30, 2022

TRIVIEW METROPOLITAN DISTRICT
WATER AND WASTEWATER ENTERPRISE FUND

Water Operations

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Water Revenue	\$ 2,001,240	\$ 589,822	\$ (1,411,418)	29%
Base Rate/Capital Improvement Fee	800,000	444,707	(355,293)	56%
Contract Sewer and Water Service - Forest Lakes	99,000	39,908	(59,092)	40%
Water Meter Kits	75,000	23,000	(52,000)	31%
Administrative Fee	118,800	58,320	(60,480)	49%
Miscellaneous	30,000	14,625	(15,375)	49%
Bulk Water Revenue	40,000	96,805	56,805	242%
Total Revenue	\$ 3,164,040	\$ 1,267,187	\$ (1,896,853)	40%
EXPENDITURES				
<u>Administrative</u>				
<u>Salaries and Benefits</u>				
Salaries/Wages	\$ 342,320	\$ 203,367	\$ 138,953	59%
Overtime/On-call	4,713	8,718	(4,005)	185%
Unemployment Insurance	450	479	(29)	106%
Workers' Compensation Insurance	3,250	2,575	675	79%
Health and Dental Insurance	63,192	28,305	34,888	45%
Employer's FICA	26,582	13,108	13,474	49%
Employer's Medicare	5,032	3,066	1,967	61%
Retirement	12,500	7,658	4,842	61%
Life and Disability Insurance	3,783	1,540	2,243	41%
Total Salaries and Benefits	\$ 461,821	\$ 268,815	\$ 193,007	58%
<u>Professional Services</u>				
Professional Services- Engineering	\$ 37,500	\$ 17,815	\$ 19,686	48%
Professional Services-Public Relations	15,000	4,188	10,812	28%
Professional Services/Amcobi/National Meter	45,000	24,128	20,873	54%
Development Services/Monson, Cummins & Shohet	50,000	47,344	2,656	95%
Total Professional Services	\$ 147,500	\$ 93,474	\$ 54,026	63%
<u>Administrative</u>				
Accounting Services	22,500	12,165	10,335	54%
Audit Fees	5,000	-	5,000	0%
Conference, Class and Education	1,000	575	426	57%
Dues, Publications and Subscriptions	3,000	2,210	791	74%
Election Expense	-	292	(292)	0%
IT Support	8,500	5,015	3,486	59%
Office Equipment and Supplies	5,000	1,484	3,517	30%
Postage	500	140	361	28%
Publication - Legal Notice	100	-	100	0%
Repairs and Maintenance	250	-	250	0%
Telephone Service	5,000	3,310	1,690	66%
Travel and Meeting Expense	500	80	420	16%
Office Overhead (COA, utilities, rent, etc.)	4,500	2,654	1,846	59%
Clothing Uniform Rental and Safety Equipment	7,500	-	7,500	0%
General Insurance	15,673	17,759	(2,086)	113%
Vehicle Expense	13,000	9,801	3,199	75%
Bank Charges	9,000	5,224	3,776	58%
Miscellaneous	1,000	227	773	23%
Total General Administration	\$ 102,023	\$ 60,933	\$ 41,090	60%
Total General Administrative	\$ 711,345	\$ 423,222	\$ 288,123	59%

TRIVIEW METROPOLITAN DISTRICT
WATER AND WASTEWATER ENTERPRISE FUND

Water Operations

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
<u>Water System</u>				
Water Testing	\$ 40,000	\$ 29,729	\$ 10,271	74%
Waste Disposal	10,000	-	10,000	0%
Sludge Disposal	35,000	11,020	23,980	31%
Gas Utilities	9,000	4,619	4,381	51%
Electric Utilities	300,000	119,515	180,485	40%
SCADA Support/Meter Calibration	33,000	-	33,000	0%
Repairs and Maintenance	240,000	87,702	152,298	37%
Storage Tank Maintenance	10,000	434	9,566	4%
Operating Supplies	30,000	5,051	24,949	17%
Bulk Chemical Supplies (Starting HMO Treatment)	60,000	35,326	24,674	59%
Lab Chemicals and Supplies	10,000	6,068	3,932	61%
Instrumentation (Turbidity Meters, 2-CL-17, Photo Eye Lit, Repair Kit)	20,000	8,050	11,950	40%
Water and Ditch Assessments	156,000	162,445	(6,445)	104%
Tools	3,000	-	3,000	0%
Leased Pueblo Reservoir Lease & Outlet	62,187	-	62,187	0%
Equipment Meter Supplies/Meter Kits	120,000	242,618	(122,618)	202%
Total Water System	<u>\$ 1,138,187</u>	<u>\$ 712,577</u>	<u>\$ 425,610</u>	<u>63%</u>
 Total Expenditures	 <u>\$ 1,849,532</u>	 <u>\$ 1,135,799</u>	 <u>\$ 713,733</u>	 <u>61%</u>
 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	 <u>\$ 1,314,508</u>	 <u>\$ 131,388</u>	 <u>\$ (1,183,120)</u>	

TRIVIEW METROPOLITAN DISTRICT
WATER AND WASTEWATER ENTERPRISE FUND

Wastewater Operations
For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Sewer Revenue	\$ 1,956,387	\$ 977,312	\$ (979,075)	50%
Contract Sewer and Water Service - Forest Lakes	99,000	39,908	(59,092)	40%
Miscellaneous	30,000	14,625	(15,375)	49%
Total Revenue	\$ 2,085,387	\$ 1,031,845	\$ (1,053,542)	49%
EXPENDITURES				
<u>Administrative</u>				
<u>Salaries and Benefits</u>				
Salaries/Wages	\$ 342,320	\$ 203,367	\$ 138,953	59%
Overtime/On-call	4,713	8,718	(4,005)	185%
Unemployment Insurance	450	479	(29)	106%
Workers' Compensation Insurance	3,250	2,575	675	79%
Health and Dental Insurance	63,192	28,305	34,888	45%
Employer's FICA	26,582	13,108	13,474	49%
Employer's Medicare	5,032	3,066	1,967	61%
Retirement	12,500	7,658	4,842	61%
Life and Disability Insurance	3,783	1,540	2,243	41%
Total Salaries and Benefits	\$ 461,821	\$ 268,815	\$ 193,007	58%
<u>Professional Services</u>				
Professional Services- Engineering	\$ 37,500	\$ 17,815	\$ 19,686	48%
Professional Services-Public Relations	15,000	4,188	10,812	28%
Professional Services/Amcobi/National Meter	45,000	24,128	20,873	54%
Development Services/Monson, Cummins & Shohet	50,000	47,344	2,656	95%
Total Professional Services	\$ 147,500	\$ 93,474	\$ 54,026	63%
<u>Administrative</u>				
Accounting Services	\$ 22,500	\$ 12,165	\$ 10,335	54%
Audit Fees	5,000	-	5,000	0%
Conference, Class and Education	1,000	575	426	57%
Dues, Publications and Subscriptions	3,000	2,210	791	74%
Election Expense	-	292	(292)	0%
IT Support	8,500	5,015	3,486	59%
Office Equipment and Supplies	5,000	1,484	3,517	30%
Postage	500	140	361	28%
Publication - Legal Notice	100	-	100	0%
Repairs and Maintenance	250	-	250	0%
Telephone Service	5,000	3,310	1,690	66%
Travel and Meeting Expense	500	80	420	16%
Office Overhead (COA, utilities, rent, etc.)	4,500	2,654	1,846	59%
Clothing Uniform Rental and Safety Equipment	7,500	-	7,500	0%
General Insurance	15,673	17,759	(2,086)	113%

**TRIVIEW METROPOLITAN DISTRICT
WATER AND WASTEWATER ENTERPRISE FUND**

**Wastewater Operations
For the Six Months Ending June 30, 2022**

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
Vehicle Expense	13,000	9,801	3,199	75%
Bank Charges	9,000	5,224	3,776	58%
Miscellaneous	1,000	227	773	23%
Total General Administration	<u>\$ 102,023</u>	<u>\$ 60,933</u>	<u>\$ 41,090</u>	<u>60%</u>
Total General Administrative	<u>\$ 711,345</u>	<u>\$ 423,222</u>	<u>\$ 288,123</u>	<u>59%</u>
<u>Wastewater System</u>				
Wastewater TF/Donala/IGA	\$ 717,106	\$ 279,587	\$ 437,519	39%
Repairs and Maintenance	7,500	1,281	6,219	17%
Tools	3,000	-	3,000	0%
Video Collection System - Annual (2 Zones and Commercial)	180,000	547	179,453	0%
Operating Supplies	1,000	227	773	23%
Transit Loss	5,700	5,698	2	100%
Total Wastewater System	<u>\$ 914,306</u>	<u>\$ 287,340</u>	<u>\$ 626,966</u>	<u>31%</u>
Total Expenditures	<u>\$ 1,625,651</u>	<u>\$ 710,562</u>	<u>\$ 915,089</u>	<u>44%</u>
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	<u>\$ 459,736</u>	<u>\$ 321,283</u>	<u>\$ (138,453)</u>	

**TRIVIEW METROPOLITAN DISTRICT
WATER AND WASTEWATER ENTERPRISE FUND
DEBT SERVICE**

For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Renewable Water Fee	\$ 1,100,000	\$ 335,371	\$ (764,629)	30%
Water Lease- Comanche	171,866	87,048	(84,818)	51%
Interest	8,000	25,802	17,802	323%
Total Revenue	\$ 1,279,866	\$ 448,221	\$ (831,645)	35%
 Debt Service				
Paying Agent Fees	\$ 5,000	\$ 2,000	\$ 3,000	40%
2018 Bond Issue- Debt Service	665,350	230,175	435,175	35%
2020B Bonds- Debt Service	421,650	210,825	210,825	50%
2020A Bond Issue- Debt Service	889,744	302,372	587,372	34%
Total Debt Service	\$ 1,981,744	\$ 745,372	\$ 1,236,372	38%
 OTHER FINANCING SOURCES				
Transfer from other funds	\$ 750,000	\$ 375,000	\$ (375,000)	50%
Total Other Financing Sources	\$ 750,000	\$ 375,000	\$ (375,000)	50%
 EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	 \$ 48,122	 \$ 77,849	 \$ 29,727	

CAPITAL PROJECTS FUNDS

June 30, 2022

TRIVIEW METROPOLITAN DISTRICT
CAPITAL PROJECTS FUND - GENERAL

Budget Status Report - GAAP Basis
For the Six Months Ending June 30, 2022

Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Higby Road -Developer Contribution/Escrow	-	70,000	70,000	0%
Total Revenue	\$ -	\$ 70,000	\$ 70,000	0%
EXPENDITURES				
<u>Vehicles and Equipment Utilities</u>				
Vehicles and Equipment	\$ 60,000	\$ 106,730	\$ (46,730)	178%
2 Post Lift for Truck	9,000	11,060	(2,060)	123%
Mower 60" Riding Mower Toro Z Master	13,500	14,382	(882)	107%
Ventrac 4500 Tractor	53,000	45,509	7,491	86%
Used John Deere Compact Loader	75,000	-	75,000	0%
Used Walk Behind Trencher	9,000	-	9,000	0%
New Hotsy Power Pressure Washer	6,000	5,756	244	96%
Two Way Radio System for Fleet	9,000	-	9,000	0%
Total Vehicles and Equipment	\$ 234,500	\$ 183,437	\$ 51,063	78%
<u>Park and Street Improvements</u>				
Overlay Parking Lot at Public Works Facility	\$ 153,000	\$ -	\$ 153,000	0%
Streetscape Improvements Leather Chaps and Baptist Road	75,000	27,703	47,297	37%
Irrigation Enhancement Lyons Tail Kitchner to Leather Chaps Northside	20,000	-	20,000	0%
Irrigation Enhancement Kitchner near James Gate	10,000	-	10,000	0%
Storage/ Garage Building	-	18,205	(18,205)	0%
Trail Enhancement Project St. Lawrence Way Cul de Sac	15,000	-	15,000	0%
Street Improvements	130,000	151,450	(21,450)	117%
Steel Building for A-yard	-	7,043	(7,043)	0%
Total Park and Street Improvements	\$ 403,000	\$ 204,401	\$ 198,599	51%
Total Expenditures - District Capital	\$ 637,500	\$ 387,838	\$ 249,662	61%
EXCESS OF REVENUE OVER (UNDER)	\$ (637,500)	\$ (317,838)	\$ 319,662	
EXPENDITURES				
OTHER FINANCING SOURCES (USES)				
Transfer from General Fund	\$ 637,500	\$ 387,838	\$ (249,662)	61%
Higby Road - Developer Contribution - Escrow	-	(70,000)	(70,000)	0%
Total Other Financing Sources (Uses)	\$ 637,500	\$ 317,838	\$ (319,662)	
EXCESS OF REVENUE OVER (UNDER)	\$ -	\$ -	\$ -	
EXPENDITURES AND OTHER FINANCING SOURCES				

TRIVIEW METROPOLITAN DISTRICT
CAPITAL PROJECTS FUND - ENTERPRISE
Budget Status Report - GAAP Basis
For the Six Months Ending June 30, 2022
 Unaudited

	2022 Budget	YTD Actual	Variance Favorable (Unfavorable)	Percent of Budget (YTD 50%)
REVENUE				
Water Tap Fees	\$ 1,806,000	\$ 560,840	\$ (1,245,160)	31%
Sewer Tap Fees	1,050,000	314,875	(735,125)	30%
Water/Sewer Impact Fee	150,000	2,300	(147,700)	2%
Renewable Water Fee	1,060,600	322,219	(738,381)	30%
Admin Fee	225,000	9,000	(216,000)	4%
Lease Revenue (FMIC)	65,000	59,829	(5,171)	92%
Effluent Paid-AGUA/Woodmoor	60,000	145,229	85,229	242%
Review and Comment Fee	75,000	23,500	(51,500)	31%
Grazing Lease	-	1,500	1,500	0%
Sale of 18" Pipeline Forest Lakes	122,500	122,500	-	100%
Miscellaneous Income	10,000	174	(9,826)	2%
Developer Contribution - MI-PB Infrastructure	-	1,645,422	1,645,422	0%
Payment in Lieu of Water Rights	500,000	431,550	(68,450)	86%
Total Revenue	\$ 5,124,100	\$ 3,638,938	\$ (1,485,162)	71%
EXPENDITURES				
<u>Vehicles and Equipment Utilities</u>				
Equipment/Vehicles 2021 Ranger for Treatment Manager	\$ 70,000	\$ -	\$ 70,000	0%
Equipment/Vehicles 2021 F-250 Field Operation and Treatment Ops	75,000	61,187	13,813	82%
Metal Building to Enclose Equipment	50,000	-	50,000	0%
Equipment/Vehicles	-	58,000	(58,000)	0%
Replacement Pumps at C-Plant 2-300-500 gpm, plus VFD	87,000	-	87,000	0%
Vac Truck	180,000	-	180,000	0%
Total Vehicles and Equipment	\$ 462,000	\$ 119,187	\$ 342,813	26%
<u>Wells</u>				
Replace VFD for Well D-1 and A-1	\$ 143,250	\$ 65,212	\$ 78,038	46%
Total Wells	\$ 143,250	\$ 65,212	\$ 78,038	46%
<u>Water Improvements</u>				
Two, Plant Blower Motors	\$ 15,728	\$ -	\$ 15,728	0%
Filter Media Replacement (2 Filter @ B Plant & 2 Filter @ A-Plant)	125,000	-	125,000	0%
25 Yard Dewatering Container (TNORM sludge containment)	28,000	-	28,000	0%
SCADA	50,000	-	50,000	0%
NMCI-Regional Water/Wastewater Design and Permitting	200,000	271,349	(71,349)	136%
Northern Delivery System	500,000	-	500,000	0%
Segment C Installation	1,000,000	-	1,000,000	0%
Tap Fee Credits	200,000	118,162	81,838	59%
Bale Ditch	-	4,719	(4,719)	0%
Storage/ Garage Building	-	18,205	(18,205)	0%
AVIC Bale Change Case - Brownstein	200,000	138,237	61,763	69%
FMIC Change Case	-	8,400	(8,400)	0%
Excelsior Change Case - Cummins	100,000	-	100,000	0%
Excelsior Exchange Case	100,000	-	100,000	0%
Pueblo Reservoir - Excess Capacity Leasing and Permitting	200,000	89,406	110,594	45%
South Reservoir - Improvements	950,000	1,232,352	(282,352)	130%
AVIC Augmentation Station	660,250	-	660,250	0%
Chicago Springs Ranch Master Plan and Improvements	250,000	-	250,000	0%
MI-PB Infrastructure Project	-	10,628	(10,628)	0%
Water Purchases and Diligence Investigations/Permitting/Land Purchase	20,000	38,592	(18,592)	193%
Total Water Improvements	\$ 4,598,978	\$ 1,930,050	\$ 2,668,928	42%
Total Expenditures - Enterprise Capital	\$ 5,204,228	\$ 2,114,449	\$ 3,089,779	41%
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES	\$ (80,128)	\$ 1,524,489	\$ 1,604,617	
OTHER FINANCING SOURCES (USES)				
Transfer from Enterprise Fund	\$ 80,128	\$ 110,485	\$ 30,357	138%
CWCB Loan Proceeds	-	3,895,757	3,895,757	0%
MI-PB - Escrow	-	(1,634,974)	(1,634,974)	0%
Total Other Financing Sources (Uses)	\$ 80,128	\$ 2,371,268	\$ 2,291,140	NA
EXCESS OF REVENUE OVER (UNDER) EXPENDITURES AND OTHER FINANCING SOURCES	\$ -	\$ 3,895,757	\$ 3,895,757	