



CITY COUNCIL ACTION FORM

DEPARTMENT Public Works	PRESENTED BY Nina P. Williams - City Attorney	DATE June 6, 2023
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ITEM

Ordinance 2023-09, Imposing a temporary moratorium on the acceptance, processing and approval of applications for connection to the wastewater system for those properties benefiting from the Poncha Interceptor and affected by its capacity limitations, and declaring an emergency.

BACKGROUND

Over the last six years, the Town of Poncha Springs has experienced exponential and unprecedented growth, which alerted the City to the need for specific planning as it related to the Poncha Springs Service Area within the Water and Wastewater Enterprise of the City of Salida.

The City first notified Poncha Springs of the growing concern regarding pipeline capacity due to rapid growth towards the end of 2017. These capacity concerns prompted City staff to engage Providence Infrastructure Consultants in 2018 to monitor sewer flow at the Interceptor for comparison with pipeline capacity, and for recommendations as to when upgrades would be required, as well as for capital improvements planning. The City presented the Sewer Collection System Infrastructure Build Out Plan in December 2019 to the Poncha Town Board at the Salida SteamPlant, to plan and get ahead of this issue.

Following that presentation, the City installed additional flow meters in 2020 to confirm the projections in the Plan. This data was tracked daily for over two years, and results were placed into an engineering report by Providence Infrastructure Consultants, entitled "Poncha Interceptor Flow Analysis Technical Memorandum," which was provided to Poncha Springs. This Technical Memorandum concluded that the existing Interceptor was approaching capacity and was anticipated to reach critical flow at buildout of existing platted lots already approved through previously approved sewer line extension or connection agreements. The anticipated development and current rate of growth within the Poncha Springs Service Area made clear the need to upsize the sanitary sewer infrastructure within the next few years and before the specific threshold of units were developed. Additionally, the annual increase in residential sewer connections in the Poncha Springs Service Area over the last three years was found to be significant, amounting to an increase of 11.5% annually, or 33% over the last three years.

This substantial increase occurred despite Poncha Springs in 2018 and 2019 incorrectly projecting anticipated growth as 4% for the foreseeable future, through the year 2035.



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Figure 2 of the Technical Memorandum indicated that Interceptor sewer flow will reach 80% pipe capacity between 1,150 and 1,375 equivalent single-family units. This is the critical timeframe Providence Infrastructure Consultants recommended using to begin construction of improvements to the Interceptor. As of January 2023, the current number of residential units in the Poncha Springs Service Area is 688, with an additional approximately 500 residential units already approved by Salida through executed sewer line extension or connection agreements but not yet online. This total of 1,168 single family equivalents reaches the alarming threshold of 80% of the current pipe capacity, triggering the need for replacement and expansion of the Interceptor. Any new development in addition to the total amount of 1,168 equivalent single family units goes beyond the critical 80% pipe capacity of the current Interceptor, which is why the City responsibly withheld sewer line extension agreements for developments approved by the Poncha Springs Town Board comprising of 262 residential units, and why a moratorium must be placed on such properties and subsequent development connecting to the wastewater system, until the necessary capital improvements benefiting said properties are funded.

Due to these imminent capacity concerns at the Interceptor, City of Salida Public Works Director David Lady submitted agency review comment letters to the Poncha Springs Town Board for the land use public hearings involving this significant residential development, namely the Tailwinds II Subdivision Phase 1 application in April 2022 and the Poncha Meadows Filing No. 2 Subdivision application in June 2022. These letters placed both Poncha Springs and the developers on notice that sewer line extension agreements prior to the issuance of sewer taps would be contingent upon either re-negotiated Intergovernmental Agreements (IGAs) or the developer providing off-site improvements due to the noted capacity limitations. The letters clearly stated that “the developer will be required to submit an application for sewer service and receive approval of the sewer extension agreement by the Salida City Council prior to the issuance of sewer taps.” Nevertheless, the Poncha Springs Town Board approved both subdivision applications, which would account for a 28% increase in existing units within Poncha Springs.

In fact, as early March 3, 2020, pursuant to the direction of the City Council acting as the Enterprise Board, Mayor P.T. Wood sent a letter to the Poncha Springs Town Board, in advance of the Town’s public hearing on the Moltz (Tailwinds II) annexation application that this 54.25 acre property was identified outside of the planned municipal services area, and that such plan indicated that in order to serve such areas designated as “unknown,” the Poncha Interceptor would need to be upsized. Mayor Wood reiterated that the 2019 Sewer Collection System Build-Out Infrastructure Plan indicated that a portion of the Interceptor needed to be upsized in order to provide reliable service



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for development beyond the planned areas, which would be the case should this property be annexed and provided service. Mayor Wood’s March 3, 2020 letter concludes that the “City of Salida, acting as the Water and Wastewater Enterprise, humbly requests that no decision on annexation (especially with regard to public improvements) be made until the full scope of flow data be collected, analyzed, and discussed. We desire to continue to work collaboratively with the Poncha Springs Board of Trustees on delivering sustainable, cost-effective wastewater service to residents of both Salida and Poncha Springs, and it is imperative that factual data be allowed to drive the ongoing conversations that started during development of the Plan. This March 3, 2020 letter also stated that the engineering data, being compiled by Providence Infrastructure Consultants and later articulated within the Technical Memorandum, “is critical to understand the implications of continued growth of flows in the trunk line. It is the City’s belief that without the data we are in the process of collecting, any decisions related to land use and development would be missing critical information to assist the Poncha Springs Board of Trustees in its contemplation of the annexation request. This has far-reaching financial implications for rate payers and property owners in Poncha Springs should additional improvements, including expansion, need to occur with the Poncha Springs trunk line.”

The Poncha Springs Town Board unfortunately ignored this firm and direct warning by the City and instead approved the annexation of the Moltz/Tailwinds II property, and later approved the property’s subdivision application.

It is important to note that but for this exponential, unprecedented and unplanned growth within Poncha Springs, the upgrades to the Interceptor would not be necessary. In fact, the Interceptor is the only facility currently requiring an upgrade to increase capacity. No development within the City of Salida, or outside these properties serviced and benefiting from the Interceptor is creating the need for this capital improvement, and no other parts of the wastewater system are nearing capacity or require construction upgrades. These upgrades only benefit the brand new Poncha development. Finally, a system-wide capacity issue does not currently exist, nor is the wastewater treatment plant nearing capacity.

Additionally, Section 7 of the April 6, 2010 Intergovernmental Agreement between the City of Salida and the Town of Poncha Springs for Transfer of Sewer System clearly states: “Poncha Springs’ future development shall not be limited by the Sewer System, its construction, operation or maintenance, provided that the costs of construction and expansion of the Sewer System are not paid for by the existing rate payers but that the costs are borne by the future development.”



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Unfortunately, Poncha Springs has not managed development pursuant to the direction of its 2011 Master Plan, or in a way that most of the state and country operates. Instead, Poncha Springs has experienced exponential growth due to the Town Board's unfettered approval of land use developments. These approvals have unfortunately been made by Poncha Springs with indifferent regard towards the City's grave concerns of capacity of the Interceptor, including forceful warnings before the Town approved annexation and subdivision plat applications of developments exceeding critical threshold Interceptor capacity.

You, acting as the Water and Wastewater Enterprise Board, are the responsible agent for preserving, sustaining, enhancing and expanding the City's utility systems, and owe an obligation and a fiduciary responsibility to current ratepayers, as well as current and future properties not specially benefiting from the necessary Interceptor upgrades.

Due to infrastructure limitations at the Poncha Interceptor, the Enterprise lacks the capacity to serve additional Single Family Equivalent development projects until such time that capital improvements are financed, funded and completed to provide the ability to serve new building construction projects.

Municipalities have the authority to enact moratoria in order to preserve the status quo, protect public health and safety, and promote orderly development, and where there are significant utility capacity limitations.

This temporary moratorium would apply to properties benefiting from the Poncha Interceptor and affected by its capacity limitations, which have not yet been approved for connection to the wastewater system by the City Council through executed sewer line extension or connection agreements. This moratorium will not apply to properties which have already been approved for connection through the execution of a sewer line extension or connection agreement, or to lots platted within the Town of Poncha Springs as of April 6, 2019, when the IGA for Transfer of Sewer System was executed between Salida and Poncha.

Please note that this is an emergency ordinance, which requires an affirmative vote of 3/4ths of the governing body, and which shall become effective immediately upon adoption.



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STAFF RECOMMENDATION City Staff strongly recommends approval of Ordinance No. 2023-09, due to the noted grave capacity concerns at the Poncha Interceptor, and the need to finance and fund the project and determine a structure to support the repayment of such debt to cover the costs of the necessary upgrades due to the unprecedented growth and land use approvals in the Town of Poncha Springs.

SUGGESTED MOTION

A City Councilmember should state, "I move to approve Ordinance 2023-09, Imposing a temporary moratorium on the acceptance, processing and approval of applications for connection to the wastewater system for those properties benefiting from the Poncha Interceptor and affected by its capacity limitations, and declaring an emergency," followed by a roll call vote.

CITY OF SALIDA, COLORADO
ORDINANCE NO. 09
(Series of 2023)

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, ACTING AS THE GOVERNING BODY OF THE WATER AND WASTEWATER ENTERPRISE OF THE CITY OF SALIDA, IMPOSING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING AND APPROVAL OF APPLICATIONS FOR CONNECTION TO THE WASTEWATER SYSTEM FOR THOSE PROPERTIES BENEFITING FROM THE PONCHA INTERCEPTOR AND AFFECTED BY ITS CAPACITY LIMITATIONS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Salida, Colorado (“City”) is a statutory city, duly organized and existing under the laws of the state of Colorado; and

WHEREAS, pursuant to C.R.S. § 31-15-401, the City by and through its City Council (“Council”), possesses the authority to adopt laws and ordinances within its police power in furtherance of the public health, safety and welfare; and

WHEREAS, pursuant to such authority, the City has previously adopted certain regulations within Chapter 13 of the Salida Municipal Code (“Code”) concerning municipal utilities; and

WHEREAS, pursuant to Chapter 13, Article 1, the Water and Wastewater Enterprise of the City of Salida (“Enterprise”) was established, which is authorized to implement provisions of Chapter 13 of the Code and perform all other functions and duties as authorized by law, and which Enterprise is wholly owned by the City and operates in accordance with all applicable laws; and

WHEREAS, pursuant to Code section 13-1-30, the City Council serves as the governing board and body of the Water and Wastewater Enterprise; and

WHEREAS, pursuant to Code section 13-1-50 of the Code, the Enterprise board’s powers and duties include: (1) recommendation of rates, fees and charges for enterprise services, which rates, fees and charges shall be established by resolution of the City Council; (2) issuance and payment of debt service requirements and financial obligations; (3) acquisition, development and protection of water supplies decreed, adjudicated or contracted for the City; (4) preparation of an annual budget and development of long range plans for water and wastewater improvements; (5) contracting with individuals or firms for professional services to include but not be limited to construction, engineering, legal or financial; and (6) exercising all other powers and duties authorized by applicable law; and

WHEREAS, over the last six years, the Town of Poncha Springs (“Poncha Springs”) has experienced exponential and unprecedented growth, which alerted the City to the need for specific planning as it related to the Poncha Springs Service Area within the Water and Wastewater Enterprise of the City of Salida; and

WHEREAS, the City first notified Poncha Springs of the growing concern regarding pipeline capacity due to rapid growth towards the end of 2017. On November 6, 2017, it was noted within Salida City Administrator Larry Lorentzen’s Memorandum to Mayor and Council regarding the updated draft 2018 budget, under *Future Needs & Concerns* as follows: “A preliminary evaluation of collection system in Poncha Springs area has sewer system capacity issues. Upsizing of existing lines and/or re-routing of flows may be required in the near future to address growth. Staff has reported to City Administrator and worked with Poncha Springs staff recently to make note of these concerns to ensure that development is addressed in a responsible manner. Distribution and collection system studies need to be updated routinely due to the increases in growth;” and

WHEREAS, these capacity concerns prompted City staff to begin conferring with Providence Infrastructure Consultants in 2018 related to the Poncha Interceptor (“Interceptor”), located along US-50 near Poncha Springs Lane within the Town of Poncha Springs and terminating along US-50 near 14th Street in the City of Salida, which services properties within the Town of Poncha Springs and the Poncha Springs Service Area; and

WHEREAS, Providence was subsequently engaged to monitor sewer flow at the Interceptor for comparison with pipeline capacity, and for recommendations as to when upgrades would be required, as well as for capital improvements planning. The Salida Water and Wastewater Enterprise paid for their analysis, in the amount of \$176,291.35; and

WHEREAS, in 2019, the Salida City Council set goals related to “Community Infrastructure: ensuring proper asset management controls, and Fiscal Responsibility: making information available on a regular basis to make decisions;” and

WHEREAS, this led to the presentation of the Sewer Collection System Infrastructure Build Out Plan in December 2019 to the Poncha Town Board at the Salida SteamPlant, to plan and get ahead of this issue; and

WHEREAS, following that presentation, the City installed additional flow meters in 2020 to confirm the projections in the Plan. This data was tracked daily, and results were placed into an updated Technical Memorandum which were provided to Poncha Springs; and

WHEREAS, over the last many years, the Salida Water and Wastewater Enterprise and City staff continued to work diligently on issues like infiltration and line maintenance to ensure the sewer system at the Poncha Interceptor remains viable. Staff has implemented a routine maintenance program of jetting all sewer lines every 3 years, and the City of Salida 2020 Budget included the purchase of a new \$400,000 jet vac truck and TV device to make sure that lines are free and clear. Salida also invested in upgraded monitoring and tracking infrastructure for the Interceptor, as well as increased staff training. This financial and logistic commitment has been with the intent of keeping ahead of future maintenance and data tracking issues, to the greatest extent possible; and

WHEREAS, the engineering report created by Providence Infrastructure Consultants,

entitled “Poncha Interceptor Flow Analysis Technical Memorandum,” (“Technical Memo”) presented the updated Poncha Springs Service Area flow meter data and growth projections. Upper and lower Interceptor flow meter data were collected from January 2020 to March 2022 and compared with the estimated flows and peaking factors from the Sewer Collection System Infrastructure Build Out Plan dated December 16, 2019. The final version of this Technical Memorandum is dated September 13, 2022, which was updated from the October 10, 2021, March 18, 2022, and April 11, 2022 versions; and

WHEREAS, Table 2-6 of the Technical Memorandum provides the total number of residential unit and commercial unit connections estimated at full buildout in the Poncha Springs Service Area. This anticipates that the commercial user class units will double, increasing from 71 existing units to a total of 141 at full buildout. Residential user class units will expand from 552 existing units to 4,588 units at full buildout, amounting to an escalation of 831%; and

WHEREAS, existing units were provided in Table 2-1 and planned developments were provided in Table 2-2. Existing units plus planned developments, with sewer line extension or connection agreements in place, totaled 1,139 units. Build out of these units would therefore have the existing trunk line approximately at capacity. Reaching the critical flow was estimated to occur in 2026, as identified in the Conclusion of the Technical Memorandum; and

WHEREAS, this Technical Memorandum concluded that the existing Interceptor was approaching capacity and was anticipated to reach critical flow at buildout of existing platted lots already approved through previously approved sewer line extension or connection agreements. The anticipated development and current rate of growth within the Poncha Springs Service Area made clear the need to upsize the sanitary sewer infrastructure within the next few years and before the specific threshold of units were developed; and

WHEREAS, the annual increase in residential sewer connections in the Poncha Springs Service Area over the last three years was found to be significant, amounting to an increase of 11.5% annually, or 33% over the last three years; and

WHEREAS, this substantial increase occurred despite Poncha Springs Town Administrator Brian Berger’s May 22, 2018 email to City Public Works Director David Lady stating: “Attached is the information from the Comp Plan showing varying % increases and a crude excel spreadsheet with 4% growth. For the foreseeable future I believe 4% is a decent variable,” and such attachments incorrectly projecting growth in the Poncha Springs Service Area as 4% for the foreseeable future, through the year 2035; and

WHEREAS, this exponential growth occurred despite Poncha Springs Town Administrator Brian Berger representing similar estimated percentage increases of growth at a joint meeting between the municipalities on December 3, 2019; and

WHEREAS, Figure 2 of the Technical Memorandum indicated that Interceptor sewer flow will reach 80% pipe capacity between 1,150 and 1,375 equivalent single family units. This is the critical timeframe Providence Infrastructure Consultants recommended using to begin construction of improvements to the Interceptor. As of January 2023, the current number of

residential units in the Poncha Springs Service Area is 688, with an additional approximately 500 residential units already approved by Salida through executed sewer line extension or connection agreements but not yet online. This total of 1,168 single family equivalents reaches the alarming threshold of 80% of the current pipe capacity, triggering the need for replacement and expansion of the Interceptor; and

WHEREAS, any new development in addition to the total amount of 1,168 equivalent single family units goes beyond the critical 80% pipe capacity of the current Interceptor, which is why the City has responsibly withheld sewer line extension agreements for developments approved by the Poncha Springs Town Board comprising of 262 residential units, and why a moratorium must be placed on such properties and subsequent development connecting to the wastewater system, until the necessary capital improvements benefiting said properties are funded; and

WHEREAS, due to these imminent capacity concerns at the Interceptor, City of Salida Public Works Director David Lady submitted agency review comment letters to the Poncha Springs Town Board for the land use public hearings involving this significant residential development, namely the Tailwinds II Subdivision Phase 1 application in April 2022 and the Poncha Meadows Filing No. 2 Subdivision application in June 2022. These letters placed both Poncha Springs and the developers on notice that sewer line extension agreements prior to the issuance of sewer taps would be contingent upon either re-negotiated Intergovernmental Agreements (IGAs) or the developer providing off-site improvements due to the noted capacity limitations. The letters clearly stated that “the developer will be required to submit an application for sewer service and receive approval of the sewer extension agreement by the Salida City Council prior to the issuance of sewer taps.”

WHEREAS, despite the foregoing, the Poncha Springs Town Board approved both subdivision applications which would account for a 28% increase in existing units within Poncha Springs; and

WHEREAS, as early as March 3, 2020, pursuant to the direction of the City Council acting as the Enterprise Board, Mayor P.T. Wood sent a letter to the Poncha Springs Town Board, in advance of the Town’s public hearing on the Moltz (Tailwinds II) annexation application that this 54.25 acre property was identified outside of the planned municipal services area, and that such plan indicated that in order to serve such areas designated as “unknown,” the Poncha Interceptor would need to be upsized. Mayor Wood reiterated that the 2019 Sewer Collection System Build-Out Infrastructure Plan indicated that a portion of the Interceptor needed to be upsized in order to provide reliable service for development beyond the planned areas, which would be the case should this property be annexed and provided service. Mayor Wood’s March 3, 2020 letter concludes that the “City of Salida, acting as the Water and Wastewater Enterprise, humbly requests that no decision on annexation (especially with regard to public improvements) be made until the full scope of flow data be collected, analyzed, and discussed. We desire to continue to work collaboratively with the Poncha Springs Board of Trustees on delivering sustainable, cost-effective wastewater service to residents of both Salida and Poncha Springs, and it is imperative that factual data be allowed to drive the ongoing conversations that started during development of the Plan;” and

WHEREAS, this March 3, 2020 letter also stated that the engineering data, being compiled by Providence Infrastructure Consultants and later articulated within the Technical Memorandum, “is critical to understand the implications of continued growth of flows in the trunk line. It is the City’s belief that without the data we are in the process of collecting, any decisions related to land use and development would be missing critical information to assist the Poncha Springs Board of Trustees in its contemplation of the annexation request. This has far-reaching financial implications for rate payers and property owners in Poncha Springs should additional improvements, including expansion, need to occur with the Poncha Springs trunk line;” and

WHEREAS, the Poncha Springs Town Board unfortunately ignored this firm and direct warning by the City and instead approved the annexation of the Moltz/Tailwinds II property, and later approved the property’s subdivision application; and

WHEREAS, but for this exponential, unprecedented and unplanned growth within Poncha Springs, the upgrades to the Interceptor would not be necessary. In fact, the Interceptor is the only facility currently requiring an upgrade to increase capacity. No development within the City of Salida, or outside these properties serviced and specially benefiting from the Interceptor is creating the need for this capital improvement, and no other parts of the wastewater system are nearing capacity or require construction upgrades. A system-wide capacity issue does not currently exist, nor is the wastewater treatment plant nearing capacity; and

WHEREAS, the preliminary opinion of probable construction costs for this Poncha Interceptor sewer replacement capital improvements in October 2021 was estimated at \$14,300,000. Construction of these infrastructure improvements would take a few years; and

WHEREAS, Section 7 of the April 6, 2010 Intergovernmental Agreement between the City of Salida and the Town of Poncha Springs for Transfer of Sewer System clearly states: “Poncha Springs’ future development shall not be limited by the Sewer System, its construction, operation or maintenance, provided that the costs of construction and expansion of the Sewer System are not paid for by the existing rate payers but that the costs are borne by the future development;” and

WHEREAS, *Colorado Land Planning and Development Law*, Twelfth Edition, explains “Local governments often place the costs of public improvements required to serve new development onto the development itself through the land use approval process.” (*See*, pg. 158). The rationale behind these types of fees is so “the benefit of public improvements *made necessary* by the new development principally flows to the new development, and that the developer can pass the cost of the improvement to the ultimate user of the improvement, the developer’s customer. *The philosophy is often summarized in the adage that ‘growth should pay its own way.’*” (*Id.* At 159) (emphasis added).

WHEREAS, the Town of Poncha Springs 2011 Master Plan included the following goal: “Water, sewer and storm drainage systems will be adequate to supply the long-term needs of the community.” Within that goal, two policy statements were listed: (1) “Manage growth so that the quantity, pace, and type of development does not exceed the capacity of public facilities,

resulting in inadequacies in public services;” and (2) “New development shall be connected to both the municipal water system and the City of Salida’s sewer system. Prior to connection, the developer shall prepare and submit an impact report of the proposed development. This report will address the development’s impact on the existing water supply and existing sewer capacity;” and

WHEREAS, unfortunately Poncha Springs has not managed development pursuant to this direction. Instead, Poncha Springs has experienced exponential growth due to the Town Board’s unfettered approval of land use developments. These approvals have unfortunately been made by Poncha Springs with indifferent regard towards the City’s grave concerns of capacity of the Interceptor, including forceful warnings before the Town approved annexation and subdivision plat applications of developments exceeding critical threshold Interceptor capacity; and

WHEREAS, the Salida City Council acting as the Water and Wastewater Enterprise Board is the responsible agent for preserving, sustaining, enhancing and expanding the City’s utility systems, and owe an obligation and a fiduciary responsibility to current ratepayers, as well as current and future properties not specially benefiting from the necessary Interceptor upgrades; and

WHEREAS, due to infrastructure limitations at the Poncha Interceptor, the Enterprise lacks the capacity to serve additional Single Family Equivalent development projects until such time that capital improvements are financed, funded and completed to provide the ability to serve new building construction projects; and

WHEREAS, City staff, its consultants and Council have worked diligently to ensure that the Interceptor improvements are constructed and that there is sufficient capacity to serve additional new development. The City has obtained design survey and completed 90% construction drawings in 2022 for the replacement of the Interceptor. The City has proactively moved this need forward to ensure that construction can proceed in a timely manner once funding and financing is established. However, the capital improvement costs of this upgraded and expanded Poncha Interceptor are far beyond the ability of the Enterprise or City to fund or finance, obligating the Enterprise and City to search for a more affordable, effective and fair way to pay for wastewater services and capital upgrades benefitting specific new and future properties; and

WHEREAS, municipalities have the authority to enact moratoria in order to preserve the status quo, protect public health and safety, and promote orderly development so long as it is not contrary to a statewide regulatory scheme or policy; and

WHEREAS, the City Council hereby finds and determines that a moratorium on the acceptance, processing and approval of applications for connection to the wastewater system for properties in the Poncha Springs Service Area benefiting from the Poncha Interceptor and affected by its capacity limitations which have not been approved for connection by the Salida City Council through executed sewer line extension or connection agreements preserves the status quo in such a manner as to protect public health and safety, and promote orderly development within the City

and is not contrary to any statewide regulatory schemes or policies, and furthermore provides sufficient assurance as to the availability of wastewater taps for pending applications for properties which have already been approved for connection to the wastewater system through execution of sewer line extension or connection agreements, while also protecting the City's and Enterprise's ability to adequately serve existing utility customers, thereby protecting the Enterprise's wastewater infrastructure; and

WHEREAS, a moratorium was not imposed earlier because the Town of Poncha Springs led the City to believe that good faith negotiations were being held to settle and resolve this matter to determine funding for the necessary Interceptor upgrades, and because the City was waiting to receive a response after the applicable Public Works agency letters; however, having not heard realistic proposals from either Poncha Springs or the subject developers, the City is forced to impose this official moratorium; and

WHEREAS, the City Council recognizes the announcement of this moratorium alerts and concerns neighboring property owners and developers, and therefore the confirms that the moratorium will not apply to applications for properties benefiting from the required Interceptor capital improvements which have already been approved for connection to the wastewater system through execution of sewer line extension or connection agreements and will not apply to those lots platted within the Town of Poncha Springs at the time the Intergovernmental Agreement for the Transfer of Sewer System was executed between the City of Salida and Town of Poncha Springs on April 6, 2010; and

WHEREAS, the Council also finds and determines that the subject moratorium concerning infrastructure capacity and wastewater services is necessary to the immediate preservation of the public health, safety and welfare and that this ordinance should therefore become effective upon adoption, as authorized by C.R.S. § 31-16-105.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SALIDA, COLORADO, ACTING AS THE GOVERNING BODY OF THE WATER AND WASTEWATER ENTERPRISE OF THE CITY OF SALIDA as follows:

Section 1. The City Council incorporates the foregoing recitals as conclusions, facts, determinations and findings by the City Council.

Section 2. **Imposition of Temporary Moratorium.** Effective immediately, upon the date of this Ordinance, a moratorium is imposed upon the acceptance, processing, and approval of all applications for connection to the wastewater system for properties in or around the Poncha Springs Service Area benefiting from the necessary Interceptor capital improvements, which have not been approved for connection by the Salida City Council through executed sewer line extension or connection agreements, and excluding those lots platted within the Town of Poncha Springs at the time the Intergovernmental Agreement for the Transfer of Sewer System was executed between the City of Salida and Town of Poncha Springs on April 6, 2010.

Section 3. **Effective Date; Duration; review.** The moratorium imposed by this Ordinance shall commence as of the effective date of this Ordinance and shall remain in effect

until the day construction commences of an approved and financed upgraded Poncha Interceptor, unless extended or shortened by further action of the City Council. This moratorium also shall be reviewed by City Council every six (6) months.

Section 4. A copy of the September 13, 2022 “Poncha Interceptor Flow Analysis Technical Memorandum” shall be posted online at www.cityofsalida.com/publicworks as well as on file in the Public Works Director’s office, located at 340 W. Highway 291, Salida, for review and inspection at all times during regular business hours for the entire duration of this moratorium.

Section 5. Should any one or more sections or provisions of this Ordinance or of the Code provisions enacted hereby be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance or of such Code provision, the intention being that the various sections and provisions are severable.

Section 6. Emergency declaration. Pursuant to C.R.S. § 31-16-105, the City Council hereby finds, determines and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of the public health, safety and welfare and the financial well-being of the City and the Enterprise due to grave infrastructure capacity and utility services concerns, and therefore, this ordinance must be passed as an emergency ordinance.

INTRODUCED, READ AND PASSED, ADOPTED AND ORDERED PUBLISHED IN FULL in a newspaper of general circulation in the City of Salida by the City Council this 6th day of June, 2023.

CITY OF SALIDA

By: _____
Mayor Dan Shore

ATTEST: (SEAL)

By: _____
City Clerk Erin Kelley



April 6, 2022

RE: Tailwinds 2 Subdivision Phase 1, Poncha Springs, Colorado
Construction Plan/Plat Review for Sanitary Sewer Infrastructure

To: Brian Berger, Town Administrator, Town of Poncha Springs

The City of Salida received construction plans and the draft Final Plat for the Tailwinds 2 Subdivision Phase 1. This subdivision includes 27 single-family lots, 19 duplex lots (38 units), and 2 multi-family lots (64 units). The construction plans are in general conformance with City of Salida standards. However, the technical memorandum titled, the Poncha Interceptor Flow Analysis has identified capacity limitations.

The results of this analysis includes upsizing infrastructure downstream of the proposed subdivision to accommodate capacity components related to development. These improvements will need to be discussed in further detail, including potential re-negotiation of the Town's intergovernmental agreements with the City, to allow surcharges on the system development fees and/or monthly service fees on these new properties, to help fund these necessary capital improvements. Alternatively developer initiation of offsite improvements may be required.

The developer will be required to submit an application for sewer service and receive approval of the sewer extension agreement by the Salida City Council prior to issuance of sewer taps. This is anticipated to be contingent of re-negotiated agreements or developer providing off-site improvements due to the noted capacity limitations.

Thanks,

David Lady, P.E.
Director of Public Works
City of Salida

cc: Drew Nelson, City Administrator, City of Salida



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: March 3, 2020

AGENDA ITEM NO. 7.a.	ORIGINATING DEPARTMENT: Administration	PRESENTED BY: Drew Nelson
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ITEM:

Agency Review – Annexation Request – Moltz Property, Poncha Springs

BACKGROUND:

As you are aware, the City of Salida, through its Water and Wastewater Enterprise, provides sewer service to the Town of Poncha Springs as governed by two Intergovernmental Agreements (IGAs). Following a meeting with the Board of Trustees for Poncha Springs, the City finalized the 2019 Sewer Collection System Build-Out Infrastructure Plan (“the Plan”) that had a series of projections and recommendations for improvements to the system. The growth projections in the plan indicated that the main sewer trunk line that serves all of Poncha Springs may be at or exceed capacity at buildout and would need to be expanded in order to accommodate new growth.

On February 11, the City of Salida was notified by Poncha Springs of a new application for annexation of 54.25 acres of property on the eastern end of the Town, known as the Moltz property (also known as Tailwinds II). The proposed zoning for the property would be both urban and suburban, per their application. Per the City’s approved Plan, this property was identified as “unknown” in the mapping for the municipal services area – shown in red on the attached map. The Plan indicates that in order to serve areas designated as “unknown”, the sewer trunk line needs to be upsized.

In addition, the Plan indicates that better data needs to be gathered to track actual flows in the trunk line to improve projections along with understanding current conditions (winter time flows, summer infiltration from irrigation, etc.). The City of Salida has installed flow metering devices in the line and we are gathering data. Should you recall, the City agreed to reconvene with Poncha Springs officials when we have a decent grasp on this data, anticipated to be sometime in the late spring/early summer, and to update the Plan after the summer irrigation season to include tried up numbers and data.

With all of this in mind, City staff believes that any decisions on annexation of property identified as “unknown” in the Plan may be premature without a complete picture of the actual flows in the trunk line and the implications that may have on future infrastructure needs. In addition, there is no current consensus on how the Water and Wastewater Enterprise will fund any improvements to the line via Poncha Springs developers or ratepayers. The City is currently in the process of working through financial modeling with its consultants (Ehlers), which was approved by the City Council at your last meeting.

Per the IGAs, the City is a referral agency for the Town of Poncha Springs for applications for development. City staff has drafted the attached response letter and map for consideration of the City Council, acting as the Water and Wastewater Enterprise Board.



REQUEST FOR CITY COUNCIL ACTION

Meeting Date: March 3, 2020

AGENDA ITEM NO. 7.a.	ORIGINATING DEPARTMENT: Administration	PRESENTED BY: Drew Nelson
--------------------------------	--	-------------------------------------

FISCAL NOTE:

There is no immediate fiscal impact; however, the Plan includes a cost estimate of \$14.15M to replace and expand the Poncha Springs trunk line to serve all future existing, planned, and unknown growth. This is a sizeable expenditure that should be approached carefully and will full understanding of the financial implications to the system.

STAFF RECOMMENDATION:

Staff recommends that the City Council review the attached letter for submittal to the Town of Poncha Springs as the official response by the City of Salida. Sitting as the Water and Wastewater Enterprise Board, the City Council is the responsible agent for preserving, sustaining, enhancing and expanding the City's utility systems. It is imperative to have a full understanding of the implications of additional use of the sewer system on the Poncha Springs trunk line, which will occur over the next year (and beyond). The letter includes a request by the City of Salida to delay any decisions regarding this annexation – especially as it relates to infrastructure – until more data is in our collective possession.

SUGGESTED MOTIONS:

A City Councilperson should make a motion to approve response letter to the Town of Poncha Springs with regard to the annexation application for the Moltz property, also known as Tailwinds II, as noticed to the City on February 11, 2020, to be signed by the Mayor, followed by a second and a voice vote.



March 3, 2020

Town of Poncha Springs Board of Trustees
Attn: Brian Berger, Town Administrator
333 Burnett Avenue
Poncha Springs, CO 81242

RE: Annexation and Zoning Map Amendment – Moltz Property, Poncha Springs, Colorado - Comments by the City of Salida as Referral Agency Pursuant to Paragraph 1.a. of the Intergovernmental Agreement for Provision of Sewer Services dated April 6, 2010

Dear Mr. Berger,

The City of Salida is in receipt of the public notice and agency review request dated February 11, 2020, regarding the Annexation and Zoning Map Amendment for the Paul Moltz property consisting of 54.25 acres located on US-50, immediately east of Tailwinds Subdivision. The proposed zoning map indicates urban and sub-urban zoning.

As you are aware, the City of Salida diligently worked with the Town of Poncha Springs during the development of the '2019 Sewer Collection System Build-Out Infrastructure Plan' (Plan). The Plan identified the capacity conditions of the wastewater collection system under three scenarios: existing (green), planned (yellow & green), and build-out including unknown future development (red, yellow, & green) as identified on the attachment titled, 'Figure 1 – Poncha Springs Parcel Development Status'. The Plan identified that portions of the trunk line serving the Poncha Springs Service Area are at or near capacity at full development of the parcels in the 'planned' scenario. The Moltz property was identified outside of the 'planned' scenario and is shown in red on Figure 1. The Plan indicates that a portion of the trunk line needs to be upsized in order to provide reliable service for development beyond the planned areas (yellow & green), which would be the case should this property be annexed and provided service.

The City of Salida installed a new flow meter and is collecting the data that was recommended within TM-7, Section 5, of the Plan. This data must be used to update the results and recommendations of the Plan. This analysis is proposed to be completed in the fall of 2020 once seasonal fluctuations in flow can be monitored. This data is critical to understand the implications of continued growth of flows in the trunk line. It is the City's belief that without the data we are in the process of collecting, any decisions related to land use and development would be missing critical information to assist the Poncha Springs Board of Trustees in its contemplation of the annexation request. This has far-reaching financial implications for ratepayers and property owners in Poncha Springs should additional improvements, including expansion, need to occur with the Poncha Springs trunk line.

The City of Salida, in its capacity as a referral agency pursuant to the Salida and Poncha Springs Intergovernmental Agreement for Provision of Sewer Services dated April 6, 2010, submits the following:

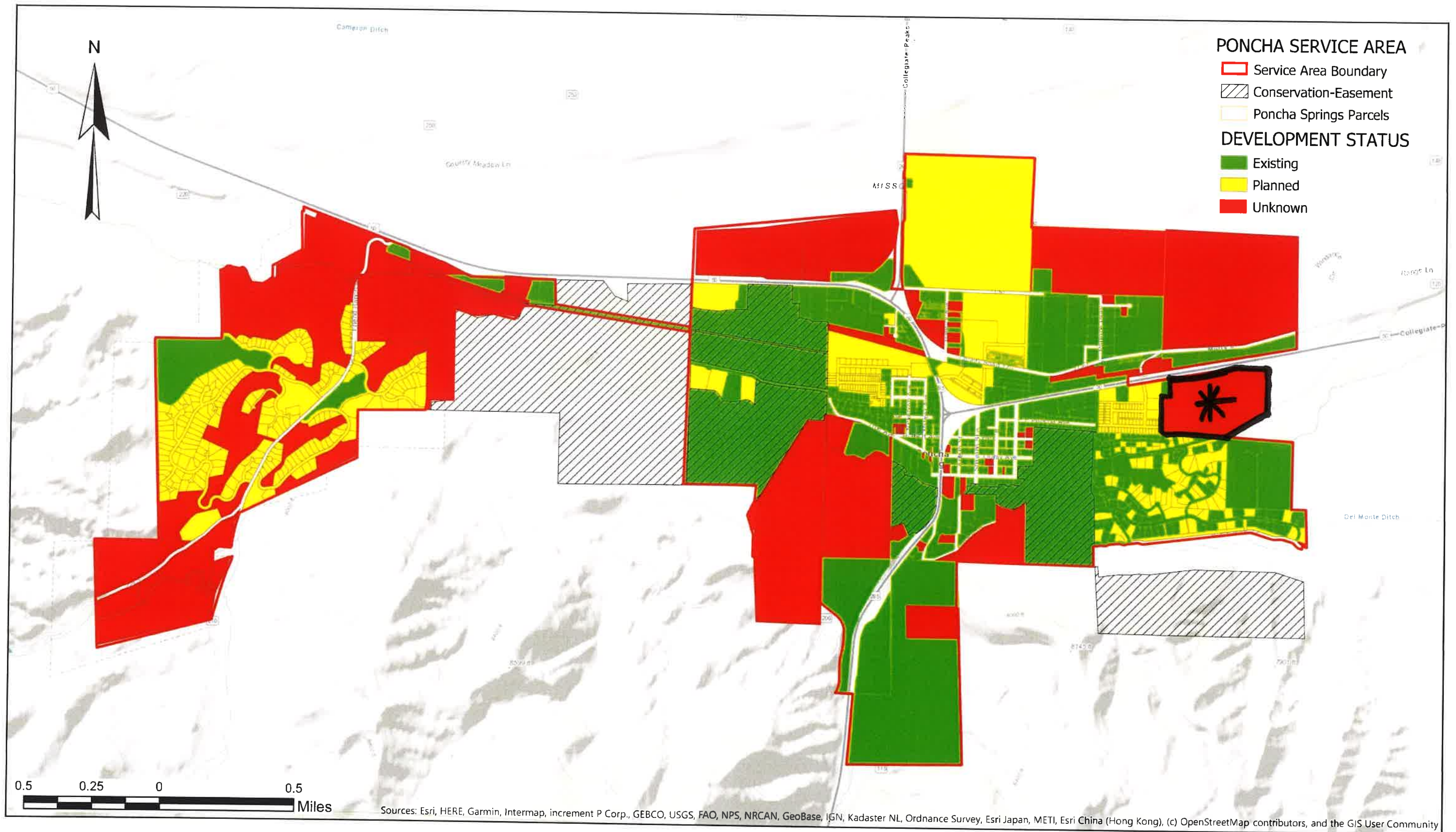
The Salida Sewer Collection System Build-Out Infrastructure Plan, as updated December 16, 2019, has not addressed the potential sewer unit load impact of this proposed annexation on the Salida sewer system, as it is a parcel that is not included in either the existing or planned development status addressed by the Plan. Because the sewer unit load impact on the sewer system is currently unknown, it is unclear what costs will be associated with providing sewer service to this proposed development.

With the above in mind, the City of Salida, acting as the Water and Wastewater Enterprise, humbly requests that no decision on annexation (especially with regard to public improvements) be made until the full scope of flow data can be collected, analyzed, and discussed. We desire to continue to work collaboratively with the Poncha Springs Board of Trustees on delivering sustainable, cost-effective wastewater service to residents of both Salida and Poncha Springs, and it is imperative that factual data be allowed to drive the ongoing conversations that started during development of the Plan.

We greatly appreciate your attention to this matter, and are available to discuss this issue in greater detail.

Sincerely,

P.T. Wood
Mayor, City of Salida



CITY OF SALIDA SEWER BUILD-OUT PLAN
FIGURE 1 - PONCHA SPRINGS PARCEL DEVELOPMENT STATUS

Poncha Springs



"Crossroads of the Rockies"

February 11, 2020

Board of County Commissioners
Chaffee County, Colorado
PO Box 699
Salida, CO 81201

Upper Arkansas Water Conservancy District
PO Box 1090
Salida, CO 81201

Jennifer A. Davis, County Attorney
PO Box 699
Salida, CO 81201

Southeastern Colorado Water Conservancy
31717 United Avenue
Pueblo, CO 81001

Salida School District No. R32-J
349 E 9th Street
Salida, CO 81201

Heart of the Rockies Regional Medical Center
PO Box 429
Salida, CO 81201

City of Salida Wastewater
c/o David Lady – Public Works Director
340 W Hwy 291
Salida, CO 81201

Salida Regional Library
405 E Street
Salida, CO 81201

Chaffee County Fire Protection District
499 Antero Circle
Buena Vista, CO 81211

South Arkansas Fire Protection District
124 E Street, PO Box 393
Salida, CO 81201

IN COMPLIANCE WITH THE PROVISIONS OF SECTION 31-12-108(2) C.R.S., please find enclosed a copy of the published Notice, together with a copy of the Resolution and Petition concerning the annexation to the Town of Poncha Springs, of property therein described. The provisions of annexation laws of the State of Colorado require that such mailing be made to the Board of County Commissioners of the County, the County Attorney and to each Special District or School District having property within the area to be annexed.

Thank you.


Brian Berger, Town Clerk



PUBLIC NOTICE

Monday, March 9th, 2020 – 6:30p.m.

Public Hearing – Zoning Map Amendment

The Town of Poncha Springs **Planning and Zoning Commission** will hold a Public Hearing at the Poncha Springs Town Hall, 333 Burnett Ave., Poncha Springs, CO on March 9th, 2020 regarding a Zoning Map Amendment and requested zoning associated with an Annexation Petition submitted by Tailwind Group, LLC for parcel number 380511200034, 54.25 acres, situated east of Tailwind Village Subdivision, south of Hwy 50 and north of Little River Ranch/a portion of unincorporated Chaffee County owned by Paul Moltz.

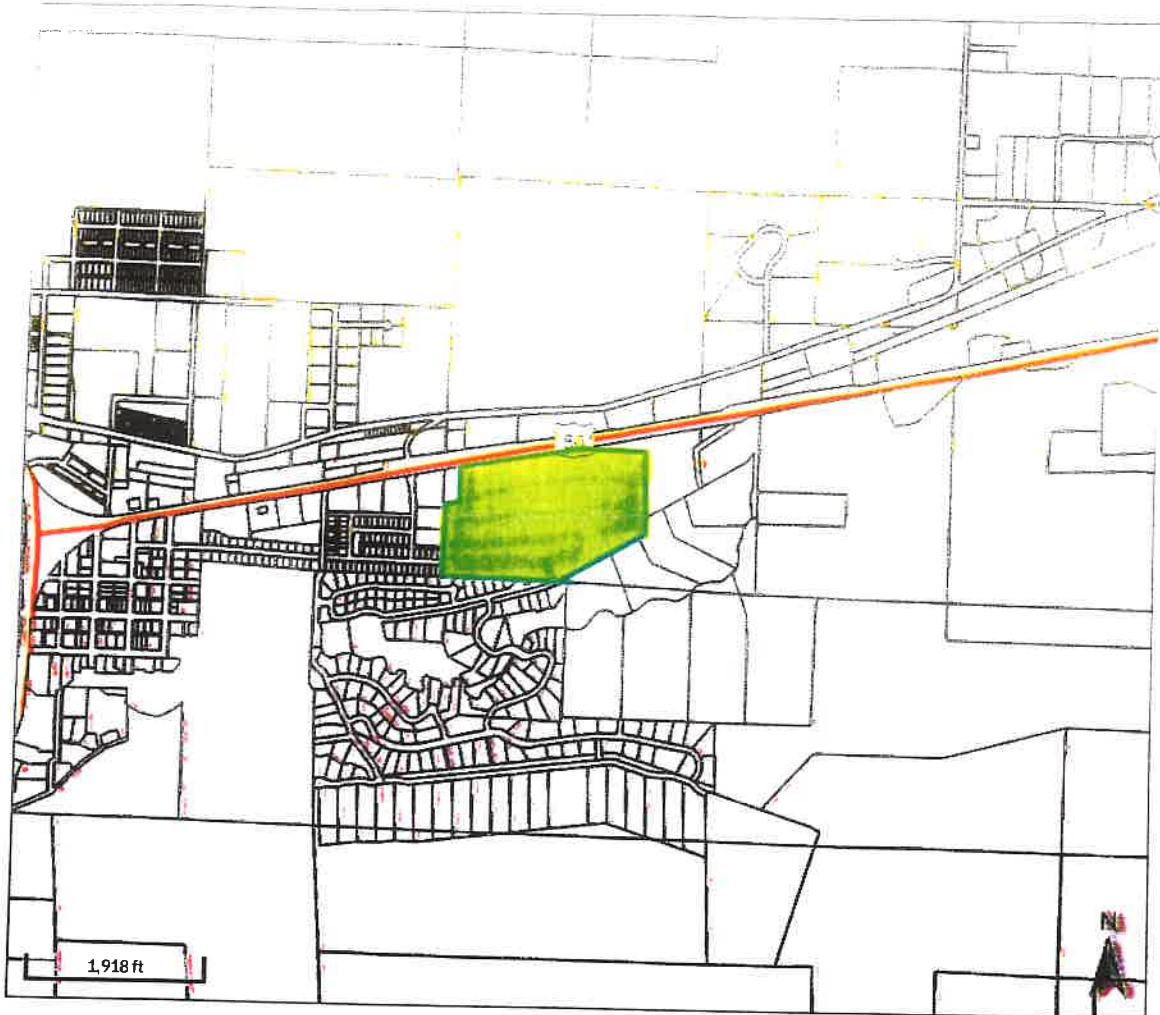
Public Notice is also hereby given:

Monday, March 23rd, 2020 – 6:30p.m.

Public Hearing – Annexation and Zoning Map Amendment

The Town of Poncha Springs **Board of Trustees** will hold a Public Hearing at the Poncha Springs Town Hall, 333 Burnett Ave., Poncha Springs, CO on March 23rd, 2020 regarding an Annexation Petition and associated Zoning Map Amendment submitted by Tailwind Group, LLC for parcel number 380511200034, 54.25 acres, situated east of Tailwind Village Subdivision, south of Hwy 50 and north of Little River Ranch/a portion of unincorporated Chaffee County owned by Paul Moltz.

The hearings are for the purpose of taking public comment on proposed amendments to the Town of Poncha Springs Zoning District Map



Overview

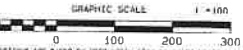


Legend

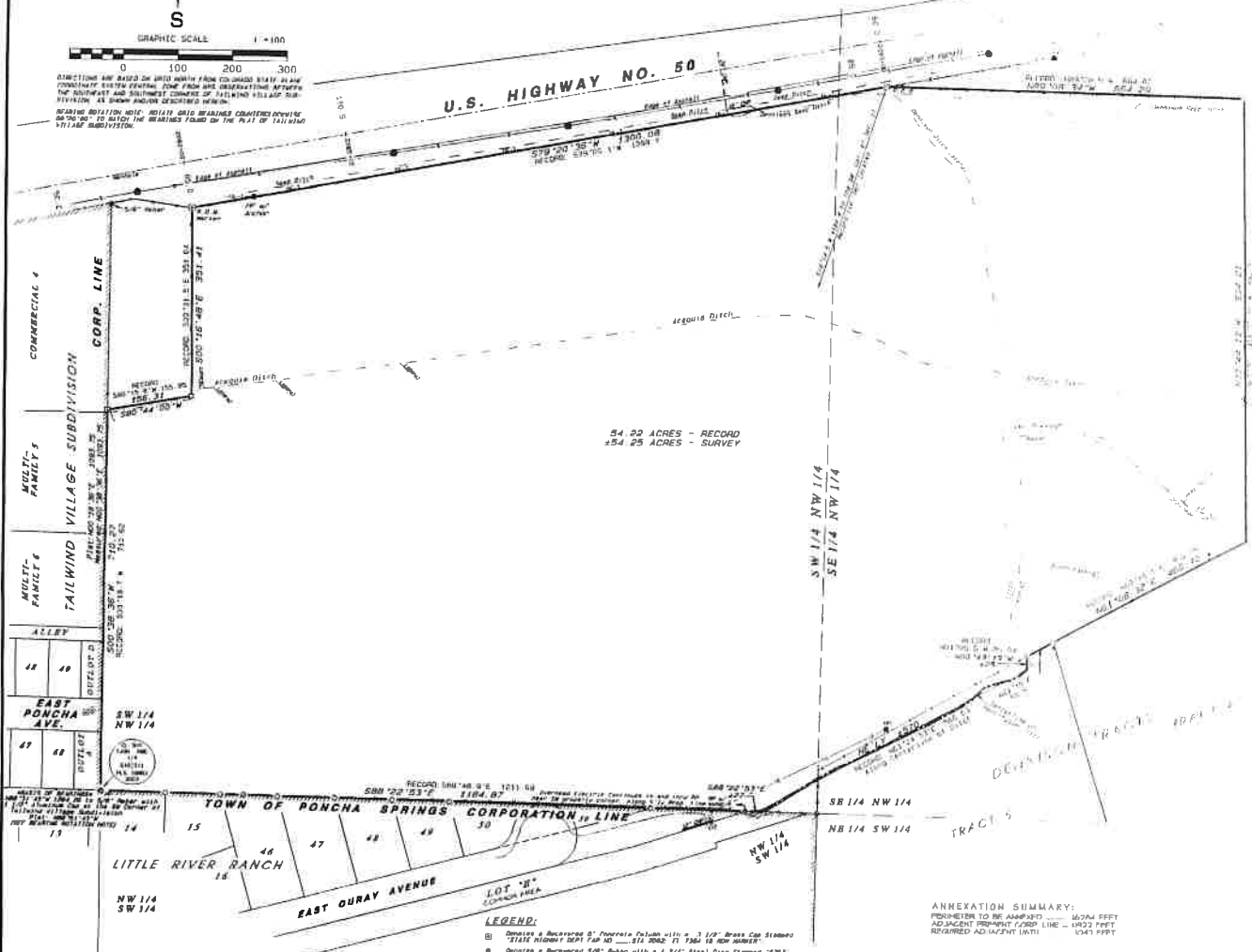
- Parcels
- Parcel Joins
- Roads

Parcel Number R380511200034	Physical Address	Total Value \$19,494	Last 2 Sales			
Property Class Shed - Cattle	Owner Address MOLTZ V PAUL		Date	Price	Reason	Qual
Taxing District 06	PO BOX 1914		8/22/2001	\$8000	U	n/a
Acres 54.22	BUENA VISTA, CO 812111914		6/8/1999	\$16000	U	n/a
Brief Tax Description	TRACT IN SW4NW4 SE4NW4 11-49-8 B504 P888 B516 P804 REC 304483 WATER RIGHTS					
	<i>(Note: Not to be used on legal documents)</i>					

Date created: 2/3/2020
Last Data Uploaded: 1/31/2020 5:16:46 PM



MOLTZ ANNEXATION PLAT
 FOR A TRACT LOCATED IN THE
 NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 49 NORTH, RANGE 8 EAST, NEW MEXICO PRINCIPAL MERIDIAN
 CHAFFEE COUNTY, COLORADO



84.55 ACRES - RECORD
 154.25 ACRES - SURVEY



MOLTZ ANNEXATION TO THE TOWN OF PONCHA SPRINGS CERTIFICATION

I, the undersigned, being duly qualified and sworn, do hereby certify that the Moltz Annexation Plat for a tract located in the Northwest 1/4 of Section 11, Township 49 North, Range 8 East, New Mexico Principal Meridian, Chaffee County, Colorado, is a true and correct copy of the original plat as recorded in the office of the County Clerk and Recorder of Chaffee County, Colorado, and that the same is in accordance with the provisions of the laws of the State of Colorado relating to the annexation of territory to a town.

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED, THE OWNER OF THE PROPERTY HEREIN DESCRIBED, HAS READ AND APPROVES THE ANNEXATION TO THE TOWN OF PONCHA SPRINGS.

LAND SURVEYOR'S STATEMENT

I, the undersigned, being duly qualified and sworn, do hereby certify that the Moltz Annexation Plat is a true and correct copy of the original plat as recorded in the office of the County Clerk and Recorder of Chaffee County, Colorado, and that the same is in accordance with the provisions of the laws of the State of Colorado relating to the annexation of territory to a town.

BOARD OF TRUSTEES APPROVAL

ON BEHALF OF THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO, I, the undersigned, do hereby approve the Moltz Annexation Plat for a tract located in the Northwest 1/4 of Section 11, Township 49 North, Range 8 East, New Mexico Principal Meridian, Chaffee County, Colorado.

ANNEXATION SUMMARY:
 PERMETER TO BE ANNEXED 1674.44 FEET
 ADJACENT PERMETER CORP. LINE = 1003 FEET
 REQUIRED ADJACENT (W/TH) 1043 FEET

CLERK AND RECORDER'S CERTIFICATE:
 THIS PLAT HAS BEEN FILED FOR RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF CHAFFEE COUNTY, COLORADO, AT 10:15 AM, THIS 15th DAY OF MARCH, 1966.

MOLTZ ANNEXATION PLAT IN THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 49 NORTH, RANGE 8 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CHAFFEE COUNTY, COLORADO.	
HENDERSON LAND SURVEYING CO., INC. 300 S. BROAD ST. DENVER, COLORADO	SAUSA, CLAYTON SURVEYOR 1-19-66

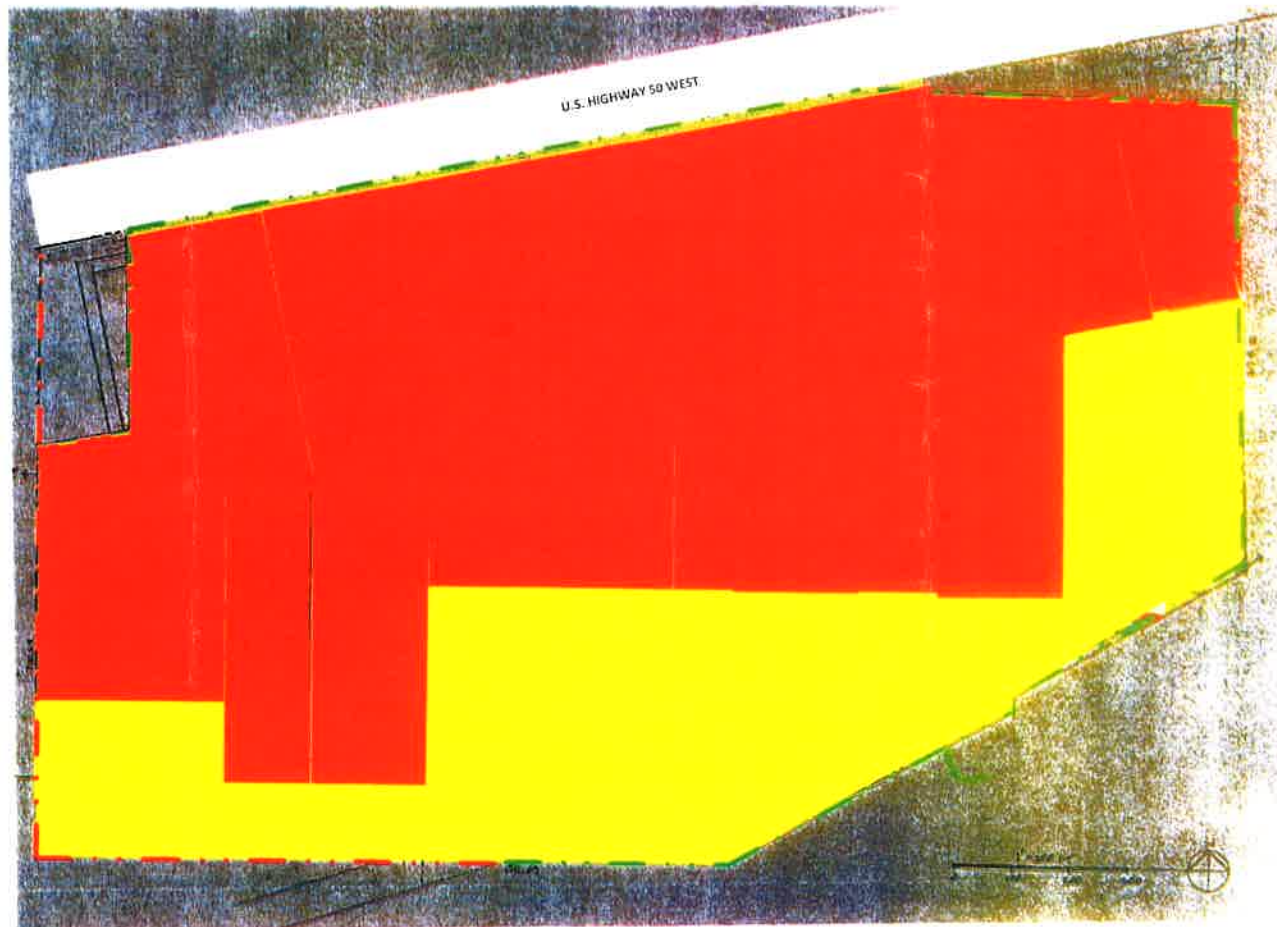
NOTICE: This plat is subject to the provisions of the laws of the State of Colorado relating to the annexation of territory to a town. The undersigned, the owner of the property herein described, has read and approves the annexation to the town of Poncha Springs, Colorado.

LEGEND:
 (S) denotes a Surveyed 5" Diameter Pole with a 3 1/2" Brass Cap Stamped STATE SURVEY 5011 CAL 10 --- 811 5012 11 1946 18 400 4000
 (B) denotes a Recovered 5/8" Stake with a 1 3/4" Steel Disk Stamped 8753
 (D) denotes a Recovered 1/2" Stake with a 1 1/4" Steel Disk Stamped 8753
 (C) denotes a Recovered 3/4" Stake with a 1 1/4" Steel Disk Stamped 8753
 (O) denotes a Recovered 1/2" Stake with a 3 1/2" Plastic Cap Stamped "N.S. 1988" - 6 with 181 181
 (W) denotes a Recovered 5/8" Stake with a 3" Plastic Cap Stamped "N.S. 1988" - 6 with 181 181
 (N) denotes a Recovered 1/2" Stake with a 3 1/2" Plastic Cap Stamped "N.S. 1988" - 6 with 181 181
 (P) denotes a Recovered 5/8" Stake with a 1 1/2" Plastic Cap Stamped "N.S. 1988" - 6 with 181 181
 (L) denotes a Recovered 3/4" Stake with a 3" Plastic Cap Stamped "LAWRENCE R. PACE 11 10 1966"
 (R) denotes a Recovered 1/2" Stake with a 3" Plastic Cap Stamped 85 5000
 (E) denotes Overhead Electric and Telephone Lines
 (S) denotes a Survey Line
 (---) denotes a Fence Line
 (---) denotes a Power Line
 (---) denotes a Power Pole
 (---) denotes a Stream Bed
 (---) denotes a Stream Bed
 (---) denotes a Stream Bed

MOLTZ ANNEXATION ZONE MAP

--- EXISTING TOWN BOUNDARY
 --- NEW TOWN BOUNDARY

LEGEND	
	T1 - NATURAL ZONE (PUBLIC)
	T1 - NATURAL ZONE (PRIVATE)
	T2 - RURAL ZONE
	T3 - SUB-URBAN ZONE
	T4 - GENERAL URBAN ZONE
	T5 - URBAN CENTER ZONE
	SD1 - BUSINESS PARK DISTRICT
	SD2 - INDUSTRIAL PARK DISTRICT
	SD3 - FAIRCROUNDS DISTRICT
	SD4 - URBAN REBORT DISTRICT
	CS - CIVIC SPACE
	CONSERVATION EASEMENT
	IRRIGATION DITCH

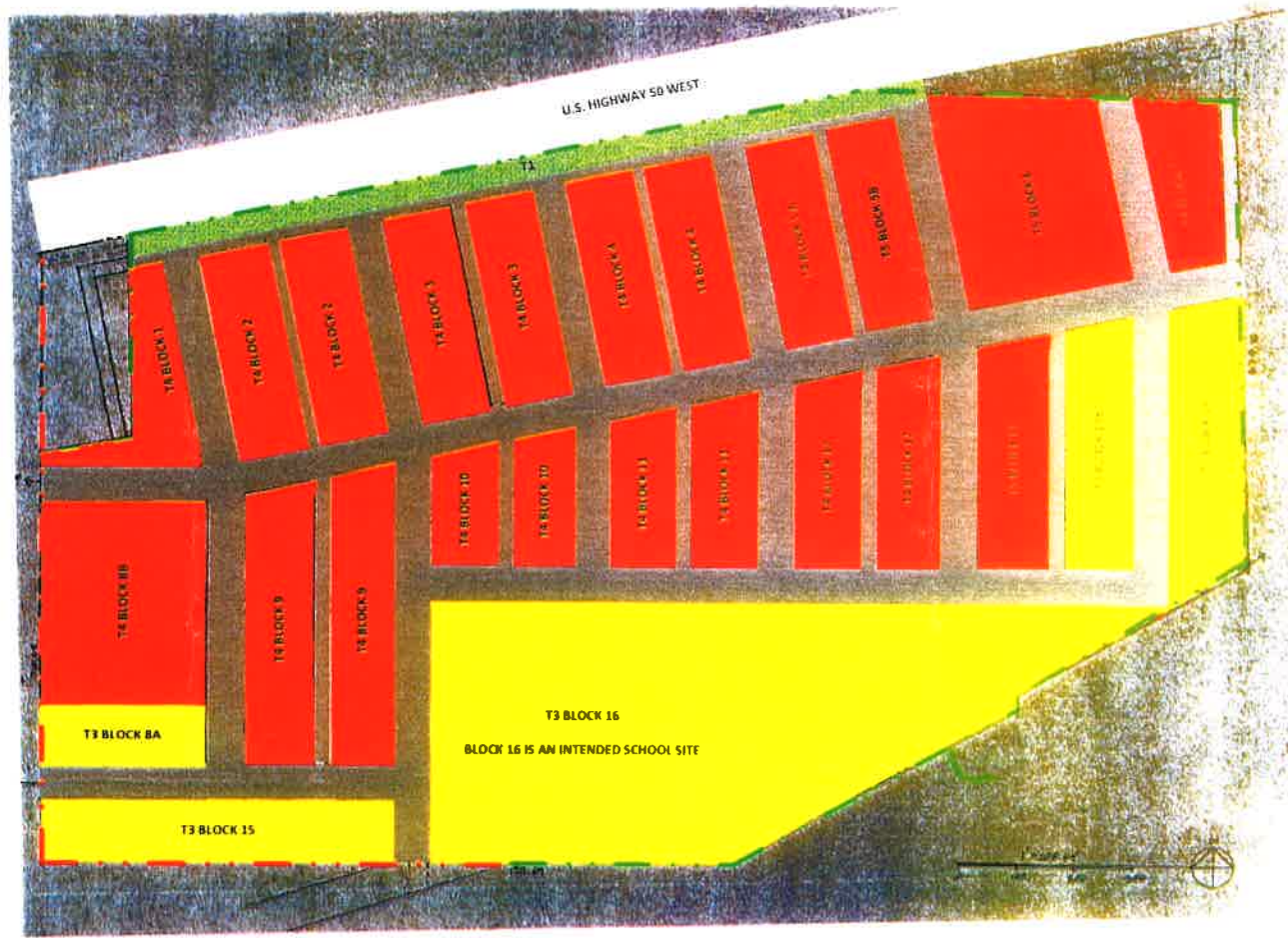


MOLTZ ANNEXATION ZONE MAP

*Conceptual Only
(likely to change)*

--- EXISTING TOWN BOUNDARY
 --- NEW TOWN BOUNDARY

LEGEND	
	T1 - NATURAL ZONE (PUBLIC)
	T1 - NATURAL ZONE (PRIVATE)
	T2 - RURAL ZONE
	T3 - SUB-URBAN ZONE
	T4 - GENERAL URBAN ZONE
	T5 - URBAN CENTER ZONE
	BD1 - BUSINESS PARK DISTRICT
	BD2 - INDUSTRIAL PARK DISTRICT
	BD3 - FAIRGROUND DISTRICT
	BD4 - URBAN RESORT DISTRICT
	CS - CIVIC SPACE
	CONSERVATION EASEMENT
	IRRIGATION DITCH



TOWN OF PONCHA SPRINGS, COLORADO
RESOLUTION INITIATING ANNEXATION PROCEEDINGS

NOTICE IS HEREBY GIVEN that a Petition for Annexation of property hereinafter described has been presented to the Board of Trustees of the Town of Poncha Springs, Colorado and found to be in apparent compliance with the applicable provisions of law. The Board of Trustees has adopted a Resolution setting a public hearing to be held at 6:30 P.M. on March 23rd, 2020, at the Poncha Springs Town Hall, 333 Burnett Avenue, Poncha Springs, Colorado 81242, to determine if the proposed annexation complies with the applicable provisions of law.

Any person may appear at the hearing and present evidence and arguments to be considered by the Board of Trustees. The Resolution provides as follows:

TOWN OF PONCHA SPRINGS, COLORADO

RESOLUTION #2020-1

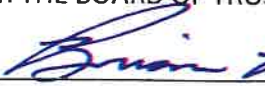
BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO AS FOLLOWS:

1. That annexation proceedings be initiated upon a Petition for Annexation of the following described property to the Town, which Petition appears to be in substantial compliance with the applicable provisions of Chapter 31, Article 12, Colorado Revised Statutes.
2. Description of property proposed for annexation: See, attached **Exhibit A**.
3. Therefore, 6:30 P.M. on March 23rd, 2020 is hereby established as the date and time, and the Poncha Springs Town Hall, 333 Burnett Avenue, in Poncha Springs, Colorado 81242, as the place, for a public hearing to be held to determine if the proposed annexation complies with Sections 31-12-104 and 31-12-105, C.R.S. or such parts thereof as may be required to establish eligibility under Part 1 of Chapter 31, Article 12 of said statutes.

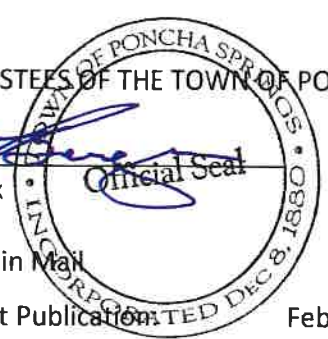
PASSED, APPROVED AND ADOPTED this 27th day of January 2020, the vote upon roll call being as follows:

For: 5
Against: 1
Abstain: 0
Absent: 1

FOR THE BOARD OF TRUSTEES OF THE TOWN OF PONCHA SPRINGS, COLORADO


Brian Berger, Town Clerk

By: 
Ben Scanga, Mayor



Published in the Mountain Mail

Publish Weekly: First Publication: February 3rd, 2020
 Second Publication: February 10th, 2020
 Third Publication: February 17th, 2020
 Fourth Publication: February 24th, 2020

EXHIBIT A

Legal Description of Proposed Annexation

The Land referred to herein below is situated in the County of Chaffee, State of Colorado, and is described as follows:

A tract of land located within the Southwest quarter of the northwest quarter (SW1/4 NW ¼) and the South east quarter of the Northwest quarter (SE1/4 NW1/4) of Section 11 Township 49 North Range 8 East of the New Mexico Principal Meridian, Chaffee County, Colorado described as follows:

Beginning at a point on the Southerly right-of-way boundary of U.S. Highway No. 50 from whence the Southwest corner marked stone in place, of said Section 11 bears South 18° 14' 5" West, 4184.4 feet and from whence a brass capped right-of-way marker at Station 2082-00 bears South 79° 00' 1" West, 1299.1 feet to said right-of-way marker, thence leaving the Southerly high way right-of-way boundary South 00° 31.5' East along a fence 351.04 feet to a fence corner, thence South 80° 15.8' West along a fence, 155.95 feet to a fence corner on the West boundary of said Section 11 as fenced; thence South 00° 18.7' West along the Southerly boundary of said Southwest ¼ of the Northwest ¼ as fenced, 1211.69 feet to the centerline of the Harrington Ditch; thence North 61° 24' 53" East, 566.03 feet along the centerline of said ditch; thence North 01° 05.6' West, 25.04 feet; thence North 60° 46.1' East, 460.78 feet; thence North 01° 05' 36" West, 834.21 feet; thence North 89° 28.5' West, 664.02 feet to the point of beginning

Also know by street address as: TBD

And assessor's schedule or parcel no.: 380511200034

PETITION FOR ANNEXATION

TO: The Town Board of Trustees of the Town of Poncha Springs, Colorado

The undersigned ("Petitioners"), being the owners of more than fifty percent (50%) of property proposed to be annexed, exclusive of streets and alleys, which property is described in Exhibit "A" attached hereto and made a part hereof (the "Property"), hereby petitions the Town Council of the Town of Poncha Springs for annexation of the Property as the "Paul V. Moltz Parcel" (Assessor Parcel No. 380511200034) in accordance with the provisions of Part 1 of Article 12 of Title 31, C.R.S., as amended.

In support of this petition, Petitioners state:

1. It is desirable and necessary that the Property be annexed to the Town of Poncha Springs, Colorado.
2. The requirements of the applicable provisions of Sections 31-12-104 and 31-12-105, C.R.S. exist or have been met.
3. Not less than one-sixth of the perimeter of the Property is contiguous with the Town of Poncha Springs.
4. A community of interest exists between the Property and the Town of Poncha Springs.
5. The Property is urban or will be urbanized in the near future.
6. The Property is integrated with or capable of being integrated with the Town of Poncha Springs.
7. In establishing the boundaries of the Property, no land held in identical ownership has been divided into separate parts or parcels without the written consent of the landowner unless separated by a dedicated street, road or other public way.
8. No land held in identical ownership comprising twenty (20) acres or more which has a valuation for assessment in excess of Two Hundred Thousand Dollars (\$200,000.00) for the preceding tax year has been included in the boundary of the Property without the written consent of the landowner.
9. The boundaries of the Property to be annexed includes the full width of any county road abutting any of the property to be annexed.
10. No annexation proceedings have been commenced for the annexation of all or part of the Property to another municipality.

11. Annexation of the Property will not result in the detachment of area from any school district or attachment of area to another school district.

12. Prior to the hearing before the Town Board of Trustees on whether to annex the Property, the Petitioners and the Town shall have entered into an annexation agreement which shall govern and control the development of the Property within the Town (the "Annexation Agreement"). Annexation of the Property shall be conditioned upon the Town Board of Trustees' approval of the Annexation Agreement. Upon the effective date of the ordinance annexing the Property and approving the Annexation Agreement ("Annexation Ordinance"), the Property shall be subject to all of the terms and provisions of the Annexation Agreement.

13. Except as modified by the terms and provisions of the Annexation Agreement, upon the effective date of the Annexation Ordinance, all lands within the Property shall become subject to all ordinances, resolutions, rules and regulations of the Town of Poncha Springs, except for general property taxes of the Town of Poncha Springs, if any, which shall become effective on January 1st of the next succeeding year following the effective date of the Annexation Ordinance.

14. Petitioners are the owners of more than fifty percent (50%) of the territory included in the area proposed to be annexed, exclusive of streets and alleys, and comprise more than fifty percent (50%) of the landowners of such area, exclusive of streets and alleys and said owners attesting to the facts and agreeing to the conditions herein will negate the necessity of an annexation election.

15. The legal description of the land owned by each signer of this Petition for Annexation is set forth on Exhibit "B" attached hereto and incorporated herein by this reference;

16. Accompanying this petition are four copies of an annexation map showing the seal of a registered engineer or land surveyor, containing:

- a. A written legal description of the boundaries of the Property proposed to be annexed;
- b. The boundary of the Property and the boundary of the Property contiguous with the Town of Poncha Springs and any other municipality abutting the Property;
- c. The location of each ownership tract of un-platted land, there being no platted land on the Property;
- d. The total acreage, more or less, of the Property;
- e. The total length of the perimeter of the boundary of the Property and the length of the boundary of the Property contiguous with the Town of Poncha Springs;
- f. The width of any county roads abutting the Property.

17. No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will become effective.

18. The area proposed to be annexed is located within: Chaffee County, Salida R32J School District, Chaffee County Fire Protection District, the Health District of Heart of the Rockies Regional Medical Center, the Upper Arkansas Water Conservancy District, Salida Regional Library District, and the Chaffee County Pest Control District.

19. The mailing address of each Petitioner and the date of signing of each Petitioners' signature are shown on this Petition.

20. The Property is not presently a part of any incorporated town, city and county, or city.

21. Petitioners agree that provision of water service to the Property shall take place as provided in the Annexation Agreement. Petitioners understand that the Town of Poncha Springs does not provide municipal sewer services. Failure to provide such services to the Property shall not be cause for disconnection of the Property at any future time.

22. No vested rights to use or develop the Property in any particular way, as defined in Section 24-68-101, et seq., C.R.S. have been requested by Petitioners from any governmental entity, other than those requested and included in the Annexation Agreement.

23. The Petitioners shall pay all fees and costs incurred by the Town in processing this Petition for Annexation through the annexation hearing before the Town Board of Trustees.

24. The Petitioners acknowledge that upon the effective date of the Annexation Ordinance, subject to the terms and provisions of the Annexation Agreement, the Property, the owners thereof, and uses thereon will be subject to all taxes and fees imposed by the Town. The Property, the owners thereof, and the uses thereon are also bound by any taxes imposed and voter authorization under Article X, Section 20 adopted prior to annexation of the Property. The Petitioner waives any claims it may have under Article X, Section 20 of the Colorado Constitution related to such taxes and fees.

25. The Petitioners shall have the right in their sole and absolute discretion to withdraw this Petition for Annexation at any time subsequent to the second reading approval of the ordinance annexing the Property to the Town, but prior to the effective date of such ordinance.

WHEREFORE, the undersigned Petitioners request that the Town of Poncha Springs approve the annexation of the Property.

Petitioners:

Paul V. Moltz

By:


Paul V. Moltz

Dated:

12-4-19

Address: PO Box 1914,
Buena Vista, CO 81211-1914

AFFIDAVIT OF CIRCULATOR

The undersigned, being of lawful age, who being first duly sworn upon oath, deposes and says:

That (he or she) was the circulator of the foregoing Petition for Annexation of lands to the Town of Poncha Springs, Colorado, and that the signature thereon of Paul V. Moltz was witnessed by affiant and is the signature of the person whose name it purports to be


Circulator - Kent Townsend

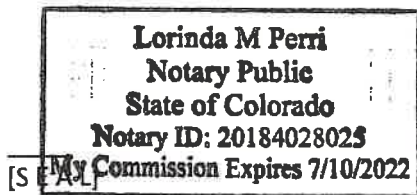
STATE OF COLORADO)

COUNTY OF Chaffee) ss.

On the 9th of Dec, 2019, before me personally came Kent Townsend to me known, and known to me to be the individual described in, and who executed the foregoing instrument, and who acknowledged to me that he or she executed the same.

Witness my hand and official seal.

My Commission expires: 7/10/2022




Notary Public

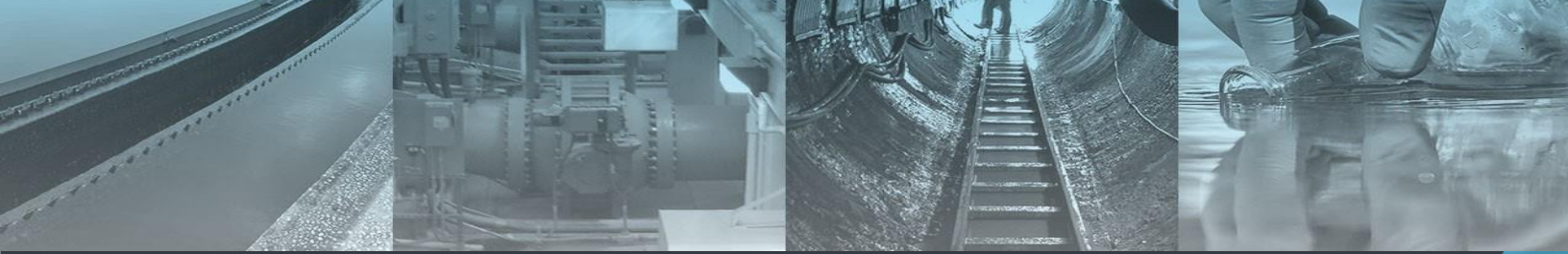
Exhibit "A"
to Petition for Annexation

Legal Description of the Property

The Land referred to herein below is situated in the County of Chaffee, State of Colorado, and is described as follows:

A tract of land located within the Southwest quarter of the Northwest quarter (SW1/4 NW1/4) and the Southeast quarter of the Northwest quarter (SE1/4 NW1/4) of Section 11, Township 49 North, Range 8 East of the New Mexico Principal Meridian, Chaffee County, Colorado, described as follows:

Beginning at a point on the Southerly right-of-way boundary of U.S. Highway No. 50 from whence the Southwest corner (marked stone in place) of said Section 11 bears South 18° 14.5 West, 4184.4 feet, and from whence a brass capped right-of-way marker at Station 2082+00 bears South 79° 00.1 West, 1299.7 feet; thence proceeding around the tract herein described, South 79° 00.1 West, 1299.1 feet to said right-of-way marker; thence leaving the Southerly highway right-of-way boundary, South 00° 31.5' East along a fence, 351.04 feet to a fence corner; thence South 80° 15.8' West along a fence, 155.95 feet to a fence corner on the West boundary of said Section 11 as fenced; thence South 00° 18.7' West along the Southerly boundary of said Southwest 1/4 of the Northwest 1/4 as fenced, 1211.69 feet to the centerline of the Harrington Ditch; thence North 61° 24' 53" East, 566.03 feet along the centerline of said ditch; thence North 01° 05.6' West, 25.04 feet; thence North 60° 46.1' East, 460.78 feet; thence North 01° 05' 36" West, 834.21 feet; thence North 89° 28.5' West, 664.02 feet to the point of beginning.



City of Salida
Technical Memorandum

Providence Infrastructure Consultants
300 Plaza Drive, Suite 320
Highlands Ranch, Colorado 80129
(303) 997-5035
www.providenceic.com



Poncha Interceptor Flow Analysis

Task:	002
Project Number:	210003
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Lead Authors:	Terry McEnany, P.E.
Reviewed by:	Casey Mahoney, P.E.

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1 INTRODUCTION

The City of Salida (“City”) provides sewage collection and treatment according to an intergovernmental agreement with the Town of Poncha Springs. Poncha Springs is experiencing rapid growth, and the Poncha Interceptor (PI) sewer flow is being monitored for comparison with the pipeline capacity. Upper and lower PI flow meter data were collected from January 2020 to March 2022 and compared with the estimated flows and peaking factors from the Master Plan dated December 16, 2019. This Technical Memorandum (TM) presents updated Poncha Springs service area flow meter data and growth projections for City capital improvements planning.

2 GROWTH PROJECTIONS FOR THE PONCHA SPRINGS SERVICE AREA

Poncha Springs sewer accounts are classified in the Salida accounting system as either Residential or Commercial User Class, RUC and CUC, respectively. The sewer accounts are assumed to have single service connections. There are no multifamily residential accounts in the Poncha Springs accounting system. Commercial accounts are assigned to the institutional customers in the service area, such as schools.

The 2019 Sewer Master Plan identified three categories of land parcels using geographical information system data, maps, planned developments and/or land zoning in the Poncha Springs service area. The land parcels are categorized as:

- Existing customers who currently have a service connection
- Planned development with subdivided parcels that are in various stages of the review process. Phased developments with approved agreements are indicated as such.
- Vacant parcels with “unknown” plans for future growth (may not currently be annexed into the Town of Poncha Springs)

These three categories of land parcels in the Poncha Springs service area are identified in Figure 1, Poncha Springs Parcel Development Status. Parcels shaded in green are ‘Existing’ customers. Those shaded yellow are currently ‘planned’ developments. The red areas are ‘unknown’ vacant parcels that may develop in the future. Figure 1 is also provided in 11”x17” format in Appendix A.

2.1 Existing Customers

The City of Salida provided information on Poncha Springs sewer service accounts as of September 2021. Table 2-1 presents the annual growth rate from 2019 to 2021 based on the number of residential and commercial service connections that were estimated in the sewer master plan and the current accounting system.

Table 2-1 Existing Customer Accounts in the Poncha Springs Service Area

User Class	2019 (units)	2021 (units)	Annual Increase (%)
Residential (RUC)	410	552	11.5
Commercial (CUC)	73	71	-0.9

The annual increase in residential sewer connections over the last three years is significant with 142 RUC units added, whereas the commercial accounts have decreased slightly.

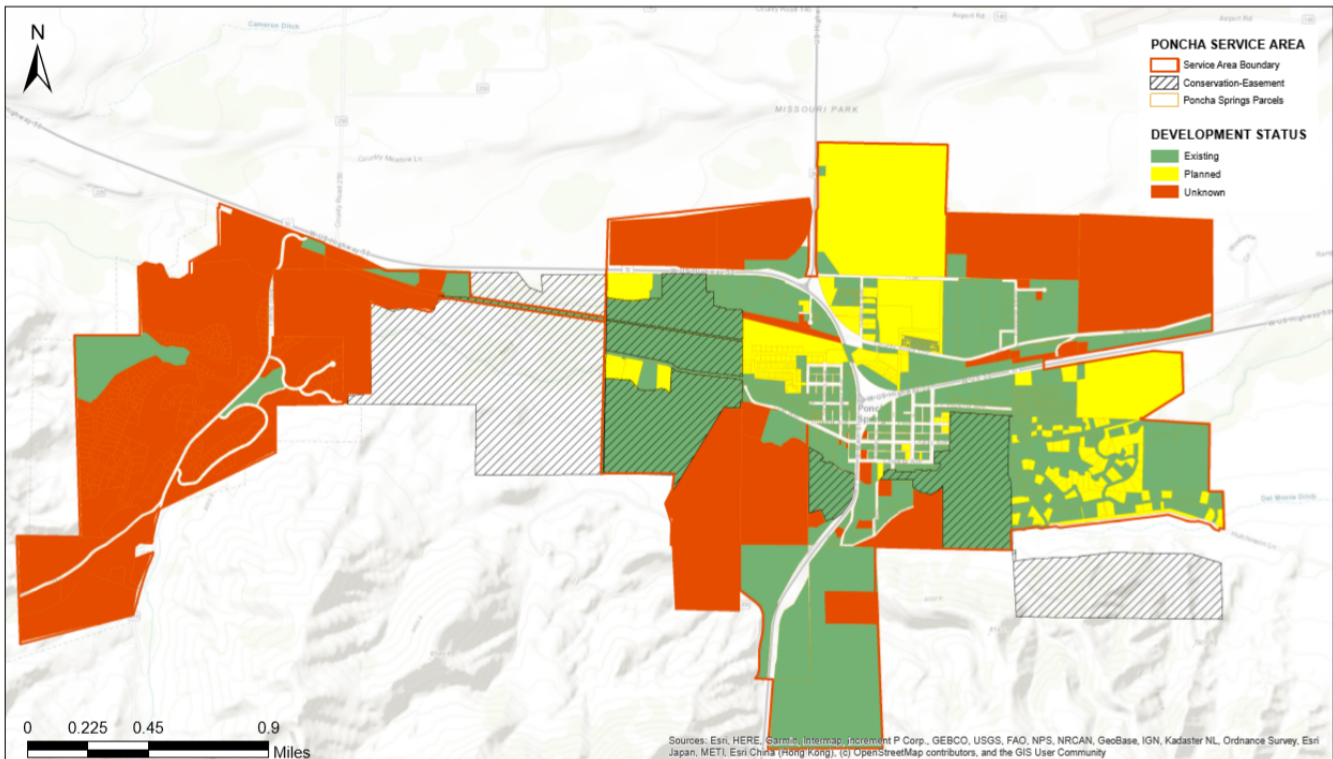


Figure 1 Poncha Springs Parcel Development Status (2021)

2.1.1 Development Density

The assumed density of residential development was reviewed using data from platted developments and field verification of the buildings constructed. Crossroads Village is now constructed with 61 RUC units on 9.08 acres, or an average density of 0.15 acres/unit. The total area of Tailwind Village I is 28.2 acres, of which 9.1 acres are platted for commercial development. The average residential density for Tailwind Village I is 0.13 acres/unit, assuming 148 RUC units in single, duplex, and multi-family lots. Tailwind Village II will likely have a similar density of RUC units. The Quarry Station development has more single-family residences planned: 100 units within 28.12 acres, or 0.28 acres/unit. The Little River Ranch has significantly larger lots between 0.5 and 1.0 acres/unit. Based on this limited review, the assumed density of 0.21 acres/unit is reasonable for future development planning of vacant parcels.

2.2 Planned Development

Changes in planned development of residential and commercial parcels occur for several reasons. Some planned developments have been built out and become existing customers (no longer planned units), which decreases the number of units in this category. The Little River Ranch development planned for 75 residential lots. There are 54 RUC units remaining to be constructed within Little River Ranch. Crossroads Village was platted for 61 RUC units which are now constructed and connected to the system. The Quarry Station development had 100 RUC units planned and 22 are now constructed, leaving 78 remaining as planned RUC units. The Tailwinds Village I development had 148 planned RUC units comprising single family, duplex, and multi-family apartment buildings. The remaining units to be constructed include 48 RUC units and 4.4 acres of commercial area. The number of new RUC units added to the list of existing service connections since 2018 totals 204 based on the evaluation of new construction in these four developments.

Parcels that had previously been in the planning stages but have reverted to unknown status may also change the number of planned units. The Poncha Mesa Senior Center that was planned in the Ute Development parcel has been abandoned. The former Poncha Mesa Senior Center parcel consists of 9.5 acres and is assumed to be fully developed in the future as high density single-family residential lots. From the Master Plan, an analysis of representative subdivision density indicates an average of 0.21 acres per residence. Based on this assumption, the former Poncha Mesa Senior Center will have 45 RUC units of future development.

Development in Poncha Springs West has been abandoned. Any new plans for development of the Friend Ranch area will require resubmittal for review and approval. The planned units for Poncha Springs West are assessed as unknown (refer to Section 2.3.1).

As development plans take shape, the density or break down of user class may also change. The Tailwind Village II is the second phase development recently platted from a vacant parcel. The challenge with the Tailwind Village II development is that significant portions of the parcel are platted as “Mixed Use” which has no definitive indication of density or use. As a result, the area described in the plat as Outlot 2 (30.89 ac) will be allocated as unknown using the original assumptions in the 2019 Master Plan for breakdown of user class (½ RUC, ¼ CUC, and ¼ Park).

A total of 1,144 RUC units are currently identified as planned development in the Poncha Springs East area, as shown in Table 2-2. The total area planned for commercial development is 35.1 acres. Applying the unit loading for planned RUC and CUC connections, the estimated average annual wastewater load as of 2021 is 129,221 gpd.

Table 2-2 Poncha Springs East - Planned Developments as of September 2021

Development Name	Single-Family Residences	Multi-Family Residences	RUC (Units)	CUC ** (Acres)	Notes
Crossroads Village	45	16			Built out in 2021; no lots remain
Loves Truck Stop*				4.9	CUC lots (2 total)
Poncha Meadows I	119	20	139	13.5	Approved phases
Poncha Meadows* (Unplatted)	176	330	506	13.5	Future phases
Ute Development	55	80	135		No change
Poncha Mesa Senior Center (former)	45	-	45	-	No longer planned – assumed to be 100% SFR in the future.
Quarry Station	51 (22 built)	49	100 - 22 = 78	0.95	22 of the 51 SFRs are built
Tailwind I	84 (68 built)	64 (32 built)	148 - 100 = 48	4.4	2 CUC lots remain undeveloped
Tailwind II *	65	64	129	5.26	Phase 1 is platted; Phase 2 is unknown “Mixed Use”
Poncha Town Center	-	-	-	6.9	Phase 1 is built, 6 CUC lots remain
Old Poncha Springs	10		10	4.3	6 CUC lots on Halley’s Ave remain
Little River Ranch	54	-	54	-	Approx. 54 lots remain
	Totals (Parcels or Acres)		1,144	35.1	509 RUCs are approved by City

* Development (or phase) does not currently have an approved agreement with the City of Salida.

** For commercial lots, 1.96 acres/lot is assumed.

2.3 Unknown Future Development

Unknown future development comprises large parcels of land surrounding existing areas of the Town of Poncha Springs, or small vacant lots within the Town’s boundary. Two regions of the Town were evaluated in the Salida Sewer Master Plan: Poncha Springs West and Poncha Springs East

2.3.1 Poncha Springs West

The areas identified as Poncha Springs West include the Friend Ranch development, which is currently vacant and not connected to the Salida sewer collection system. The assumptions that were developed for the Salida Sewer Master Plan for Poncha Springs West are carried forward except that the planned RUC units were moved to unknown future status. Sewer use projections are shown in Table 2-3.

Table 2-3 Planned and Future Sewer Use Projections for Poncha Springs West

Sewer User Class	Planned Development		Unknown Future Development	
	Units	Acres	Units	Acres
RUC	-	-	232	250.2
CUC	-	-	-	24.0

2.3.2 Poncha Springs East

Future development in Poncha Springs East has been updated from the master planning effort based on the new plat for Tailwind Village II. Phase 1 of Tailwind Village II has defined lots that are now planned as indicated above. However, Outlot 2 in Phase 2 of the development remains unknown. The total area and allocation of Outlot 2 sewer classification is 30.89 acres divided as ½ RUC and ¼ CUC with the remaining assumed to be used for a park.

Potential for infill of vacant lots within the existing sewer service area have changed slightly from the Master Plan. Table 2-4 presents the updated projections for planned development and future vacant parcels.

Table 2-4 Planned and Future Sewer Use Projections for Poncha Springs East

Sewer User Class	Planned Development		Unknown Development (Future)	
	Units	Acres	Units	Acres
RUC	1,144	-	228	261
CUC	-	35	4	71

2.4 Overall Growth Projections

Several planned developments are under construction in the Poncha Springs East area, which will likely continue annual growth at the current pace for several more years. Development in Poncha Springs West is unknown and moved from planned to unknown status. The former Poncha Mesa Senior Center is assumed to be developed as single family residential. Tables 2-5 and 2-6 provide the updated status of existing sewer user class units and build-out projections for planned and unknown development.

Table 2-5 Poncha Springs Service Area Build-Out Characterization (2021)

User Class	Existing		Planned Development		Unknown Development (Future)	
	(units)	(acres)	(units)	(acres)	(units)	(acres)
Residential User Class (RUC)	552	-	1,144	-	460	511
Commercial User Class (CUC)	71	-	-	35	4	95

For parcels that do not have subdivided lots, the areas were converted to an assumed number of lots based on the characteristic density of residential and commercial developments. Residential lots are assumed to have an average area of 0.21 acres per lot. For commercial lots, 1.96 acres/lot is assumed. Table 2-6 provides the total numbers of RUC and CUC connections estimated at full-buildout conditions in the Poncha Springs service area.

Table 2-6 Poncha Springs Service Area Buildout User Class Units (2021)

User Class	Existing (units) ^A	Planned (units) ^B	Unknown Development (units)	Full Buildout (units)
Residential User Class (RUC)	552	1,144	2,892 ^C	4,588
Commercial User Class (CUC)	71	18	52 ^D	141

Notes:

- A. 'Existing' units totaled from Salida accounting records.
- B. 'Planned' units totaled from subdivision development layout mapping.
- C. Total 'Unknown' residential units are calculated based upon varying development density direction from the Town on a parcel by parcel basis. Within the 'Unknown' developments, 460 individual residential units were identified in addition to 511 acres at 4.76 residential parcels per acre planning density from the Master Plan.
- D. 'Planned' and 'Unknown' Commercial acres were converted to commercial units using the 1.96 acres/parcel figure from Table 6 of TM3.

The number of full buildout units determined in this 2021 update for Poncha Springs did not change significantly from the original estimates in the Master Plan.

3 PONCHA INTERCEPTOR FLOW PROJECTIONS

Flow projections for the sewer master plan reflect the planned and unknown future development within the Poncha Springs service area. The unit flow for RUC connections was calculated during the master planning effort using winter water usage records to be 110 gpd/unit. CUC connections were allocated 188 gpd/unit. To verify the original calculations, the RUC unit flow rate was determined from the average daily flow of wastewater in the Poncha Interceptor at low season (Jan – Apr) in 2020 to be 66,800 gpd, and in 2021 to be 63,650 gpd. Subtracting the flow from 72 CUC connections assumed in 2020 at a unit flow of 188 gpd/unit, the flow contribution from residential connections in 2020 was 53,275 gpd. Assuming 502 RUC connections, the unit flow for residential development was calculated to be 106 gpd/ RUC unit. At 552 RUC connections in 2021, the unit load was calculated to be 91 gpd/RUC connection. This analysis verifies the original unit flow rates determined during the 2019 Master Plan, which will continue to be used for this update of flow projections.

Average annual flows listed in Table 3-1 for existing, planned, and unknown developments are based on the unit loads and density developed for the Master Plan.

Table 3-1 Poncha Springs Service Area Average Annual Flows at Build-Out (2021)

User Class	Existing (gpd)	Planned Development (gpd)	Unknown Development (gpd)	Total (gpd)
Residential User Class (RUC)	61,000	126,000	318,000	505,000
Commercial User Class (CUC)	13,000	3,000	10,000	26,000
TOTALS	74,000	129,000	328,000	531,000

3.1 Upper and Lower Flow Meter Data for the Poncha Interceptor

Two flow meters were installed in the Poncha Interceptor identified as the ‘Upper Meter’ (MH-049) and ‘Lower Meter’ (MH-036, 413 Rainbow Road). The Upper Meter only monitors flows from the Poncha Springs service area, whereas the Lower Meter also captures flow from a small portion of the Salida service area. Data recorded from the meters was downloaded on September 24, 2021 for analysis and comparison with previous projections.

3.1.1 Upper Flow Meter Data

The Upper Meter existing condition peak hour flow (PHF) modeled in 2019 was 23% of the 615 gpm total capacity, and the PHF calculated using metered data collected from January 2020 to January 2021 was 44% of total capacity. Using data collected from September 2020 to September 2021, the PHF increased to 56% of total capacity. Table 3-2 provides the Upper Meter flow metric summary, including annual average daily flow (AADF), maximum monthly flow (MMF), peak hour flow (PHF), peaking factor (PF), and the percent capacity of PHF. Full metered and modeled data for the Upper Meter is shown in Appendix B.

Table 3-2 Upper Meter Summary

Flow Metric	Sept. 2021 Metered	Jan. 2021 Metered	2019 Modeled
AADF (gpm)	88	63	41
MMF (gpm)	212	128.9	72
PHF (gpm)	347	269	139
PF	4.0	4.3	3.4
PHF % Capacity	56%	44%	23%

3.1.2 Lower Flow Meter Data

The Lower Meter monitors flows in a section of sewer identified as the ‘controlling segment’ during the 2019 Master Plan. The peak hour flow (PHF) modeled in 2019 at this controlling segment was 37% of the 615 gpm total capacity. The PHF calculated using metered data collected from January 2020 to January 2021 remained at 37% of the 615 total capacity. Using data collected from September 2020 to September 2021, the PHF increased to 53% of total capacity. Table 3-3 provides the Lower Meter flow metric summary. Full metered and modeled data for the Lower Meter is shown in Appendix C.

Table 3-3 Lower Meter Summary

Flow Metric	Sept. 2021 Metered	Jan. 2021 Metered	2019 Modeled
AADF (gpm)	98	74	67
MMF (gpm)	211	136	118
PHF (gpm)	328	225	228
PF	3.3	3.0	3.4
PHF % Capacity	53%	37%	37%

3.2 Pipe Capacity and Flow Projections

Ensuring future sewer loads can be accommodated by the Poncha Interceptor requires a capacity analysis to develop a timeline for pipeline replacement. Future flow projections are developed to predict timelines, and can be estimated using different methods, each with varying assumptions. The two primary methods used herein are: 1) extrapolate the metered flow data, and 2) estimate flows from population and growth projections. Using metered data to develop projections is the preferred method. However metered data limitations and variables include: inadequate historical metered data (data collection began in January 2020 and is incomplete), major variations in 2020 and 2021 precipitation and groundwater depths, and the Upper and Lower Flow Meters have slightly different contributing service areas. A combination of these two methods is required to account for these data limitations and variables.

Unit flow rates developed in the Master Plan were similar to the winter metered data, and therefore used in the projection calculations. In this analysis, growth is defined as single family equivalents (SFE) which was estimated by the number of residential and commercial connections to the system. Upper Meter flows are labeled in Figure 2 as “Poncha”, and lower meter flows labeled “Controlling Segment”. Buildout of all known Poncha Springs service area planned developments is 1,848 SFE.

Using Upper Meter flow data from September 2020 to September 2021, a PF of 4.0 was calculated from the Poncha AADF and Poncha PHF. The single family equivalents were applied to project flow rate growth at buildout, starting with the 2021 average annual daily and peak hour flows measured at the meter. The projections for peak hour flow rate are carried into the future using a PF of 4.0. Refer to the Poncha AADF and Poncha PHF in Figure 2.

Using Lower Meter (Controlling Segment) flow data, a PF of 3.34 was calculated. Projecting flows at the Controlling Segment followed the same approach as the Upper Meter (Poncha) flows projections. The only differences in calculations between the Poncha and Controlling Segment flow projections are the starting points and the peaking factors. It is interesting to note that the estimated 1,848 buildout SFE corresponds with the pipeline capacity (615 gpm) at the Controlling Segment assuming a peaking factor of 3.34.

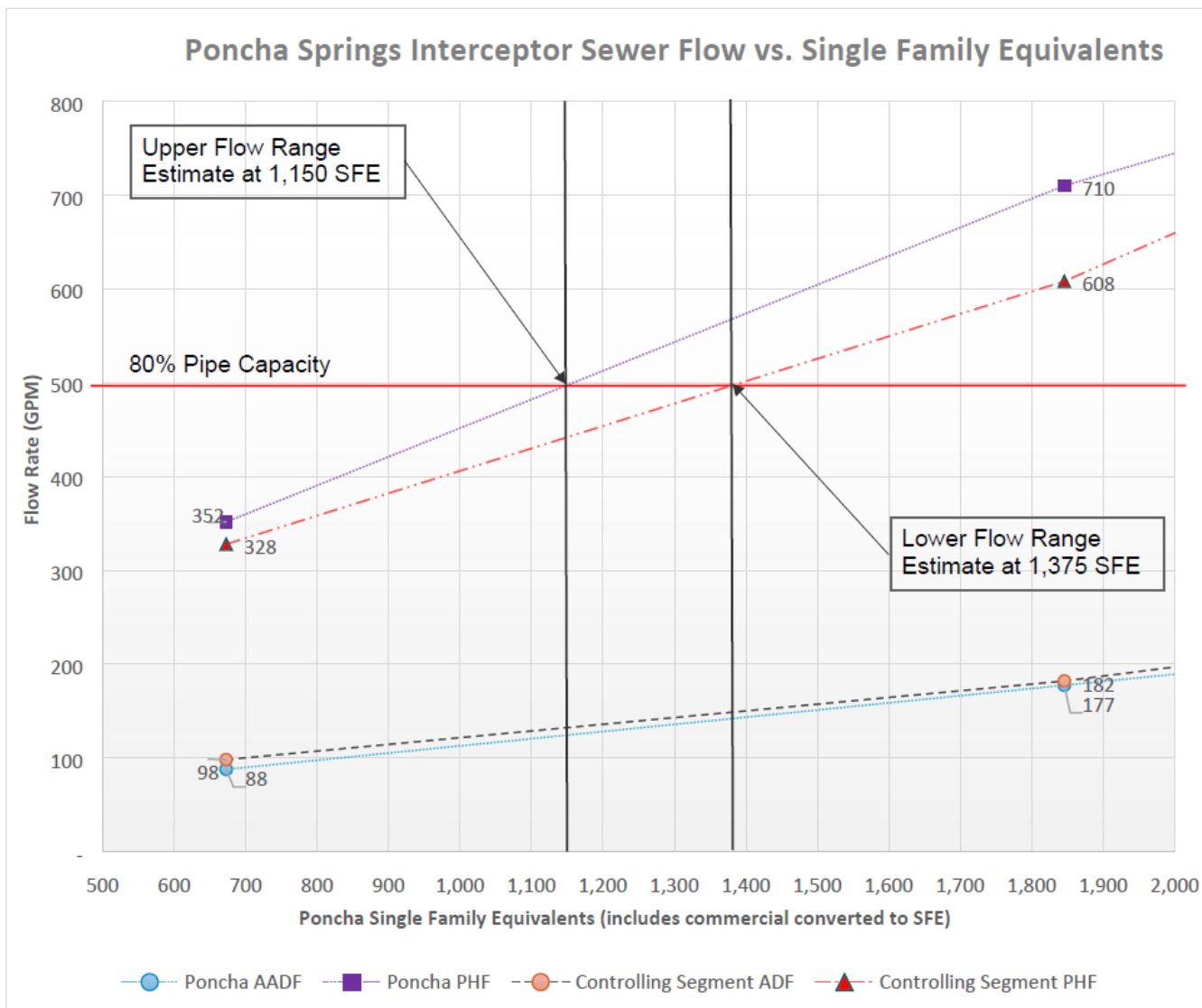


Figure 2 Poncha Interceptor Projected Sewer Flow vs. Single Family Equivalents

3.3 Timeline for Improvements

Providence Infrastructure Consultants recommends using 80% of the pipeline capacity for the critical timeframe to begin construction of improvements, or $0.8 \times 615 \text{ gpm} = 492 \text{ gpm}$. This occurs when the number of single family equivalents in the service area is between 1,150 and 1,375 (refer to Figure 2).

Predicting the rate that single family equivalents will be added to the Poncha Springs service area provides an indication of the time available to plan for the replacement project. Assuming 100 SFE/year growth starting from 673 existing single family equivalents, the City has between 4.8 and 7.0 years to plan. Using a less aggressive growth rate of 50 SFE/year, the planning horizon extends to provide between 9.5 and 14.0 years before 80% capacity is reached.

4 EVALUATION OF ALTERNATIVE IMPROVEMENTS

Two alternatives were considered for improving the capacity for conveying wastewater flows from Poncha Springs to the Salida Wastewater Treatment Plant:

1. Replace Existing Pipeline in Highway 50
2. Install New Interceptor along CR-120

The evaluation provides a general overview of the improvements for the project. Several primary advantages and disadvantages of each alternative are also included in the discussion.

4.1 Alternative 1: Replace Existing Pipeline in Highway 50

The existing pipeline was constructed in 1975 along Highway 50. Alternative 1 consists of installation of an 18-inch pipeline to replace the existing PVC sewer main. Approximately 19,000 linear feet (LF) of new pipeline is anticipated for this alternative. An updated estimate of probable cost for Alternative 1 is \$15,000,000.

Alternative 1 **advantages** are:

- Sewer location provides service to the largest area of potential development.
- Single point of flow monitoring for Poncha Springs service area

Alternative 1 **disadvantages** are:

- Impacts during construction along Highway 50 (mostly limited to eastbound lanes).

4.2 Alternative 2: Install New Interceptor along CR-120

Installation of a new interceptor would allow diversion of wastewater along County Road 120 from a connection near Pahlone Parkway. Options to connect into the Salida collection system include:

- a) Tying in at Holman Avenue and conveying flow in the West Salida Interceptor (along 14th Street) which is a 15-inch pipe,
- b) Tying in at Highway 50 and Holman Avenue, which requires a highway crossing and upsizing of the Poncha Interceptor downstream of Holman Avenue,
- c) Tying in at Highway 50 and CR-125, which requires a highway crossing and upsizing the Poncha Interceptor downstream of CR-125.

Any of these connection points have complications. Option a) does not require a crossing of Highway 50 but does require an inverted siphon east of CR-125, which is unacceptable due to maintenance issues.

Option b) would require both an inverted siphon and a crossing of Highway 50.

Option c) is the only option that avoids the inverted siphon. However, a crossing is required at Highway 50 and approximately 10,000 LF of pipeline would have to be replaced in Highway 50 downstream of the connection point. Option c) is the only viable alternative but there is likely to be very little, if any, cost savings for Alternative 2c compared with Alternative 1. Alternative 2c would also have a deferred cost for a future replacement project for the section of the Poncha Interceptor that is not replace (CR-125 to Poncha Springs). This option also adds

additional line maintenance due to the additional infrastructure and potential for infiltration into the sewer system.

Alternative 2 **advantages** are:

- Diverts flows from existing sewer in Highway 50.
- Smaller service area allows for installation of a smaller pipeline to the tie-in point

Alternative 2 **disadvantages** are:

- A significant portion of the Poncha Interceptor would still have to be upsized.
- Crossing of drainage requires an inverted siphon, which is a significant maintenance issue.
- Sewer improvements required to accommodate tie-in to Salida service area may require a crossing of Highway 50 and related downstream sewer improvements.
- Impacts during construction along CR-120 include complete closure.
- Multiple utility conflicts in CR-120 include water and gas lines.

4.3 Preferred Alternative

Replacing the existing pipeline in Highway 50 (Alternative 1) has the least impact to traffic and existing utilities during construction. It also maintains a single pipeline for all wastewater from Poncha Springs which reduces maintenance and future replacement costs. The total cost for Alternative 1 is based on significantly more detail than what was developed for Alternative 2c, which has many unknown factors, such as utility conflicts, and a future cost for maintenance and replacement of the Poncha Interceptor above the tie-in point. Based on our judgement, Alternative 2c would not have a cost advantage over Alternative 1. As such, Alternative 1 is preferred.

5 CONCLUSIONS

The timeline for replacing the Poncha Interceptor with an 18-inch pipeline is based on the flow capacity of the existing pipe, the existing flow, and projected flow from planned developments. Existing wastewater flow is continuously measured in the lower flow meter in the Poncha Interceptor where it is considered the critical section of the pipeline (least capacity). The impacts of development were graphed with projected flows in the sewer versus single-family equivalents (SFE) constructed. The rate of growth was estimated to be from 50 to 100 SFE/year. The peak hour flow would reach the critical flow threshold by 2026 at the higher estimated growth rate and by 2031 at the lower estimated growth rate.

The number of planned Residential User Class units identified in the Poncha Springs service area is 1,144, of which 509 are already approved by the City of Salida. It is estimated that 18 Commercial User Class units will be developed within 35.1 acres of planned developments in Poncha Springs.

Two pipeline alignments were considered for the project. Alternative 1 consists of the replacement of the existing pipeline along Highway 50. Alternative 2 looked at an alignment in County Road 120 with three options to connect back into the collection system.

- Option a) connects into the West Salida Interceptor.

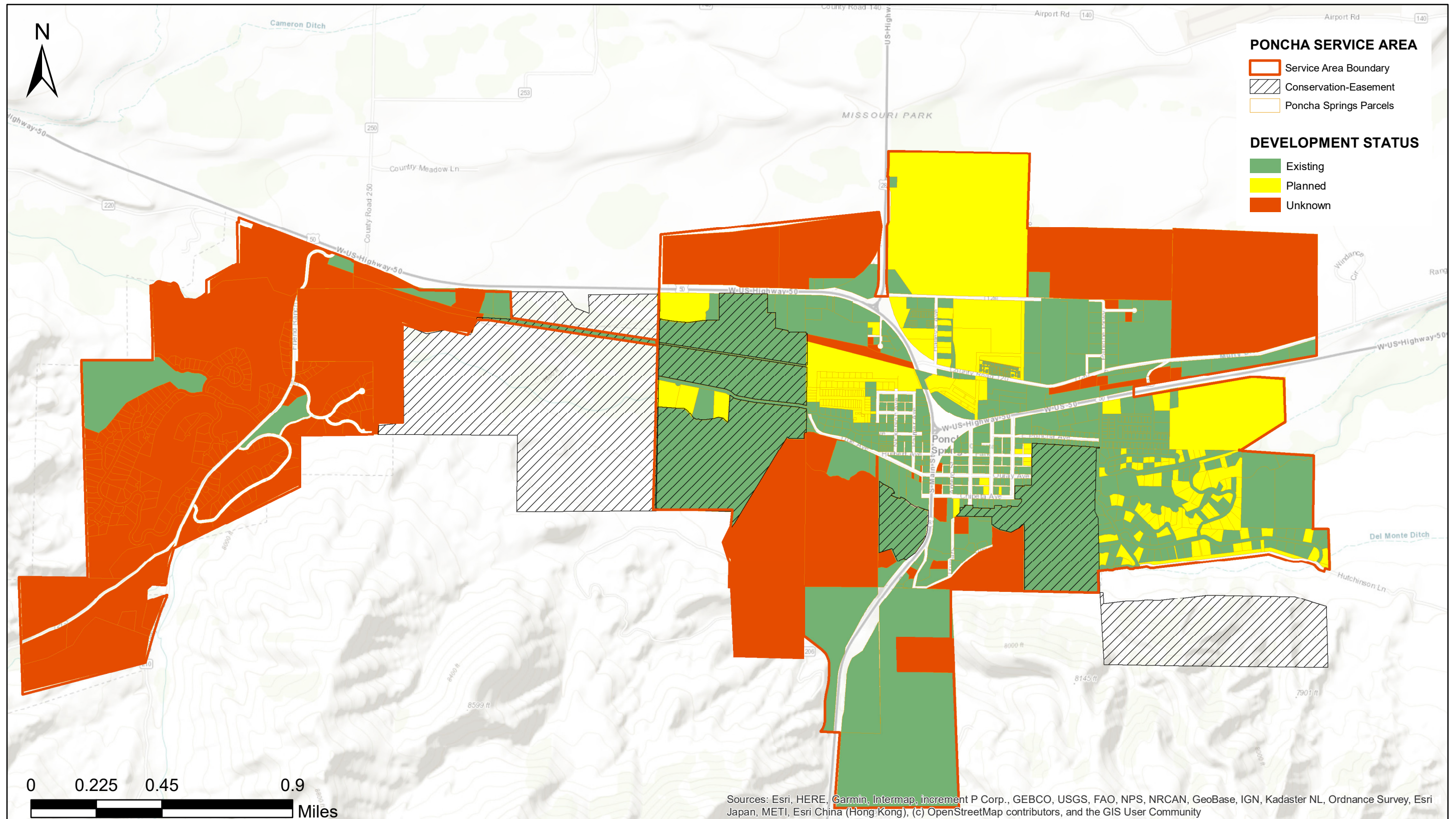
- Option b) connects to the Poncha Interceptor at Holman Avenue and Highway 50
- Option c) connects to the Poncha Interceptor at County Road 125 and Highway 50

Option c) is the only point of connection for Alternative 2 that avoids an inverted siphon east of County Road 125. However, Option c) would require a crossing of Highway 50 and replacement of approximately 10,000 LF of the Poncha Interceptor east of County Road 125, which negates any cost savings of the alternative alignment. The disadvantages of Alternative 2 include the additional maintenance for new pipelines, deferred cost for future replacement of the existing Poncha Interceptor, complete closure of County Roads 120 or 125 during construction, and utility conflict constraints. An updated opinion of project cost brings the total for Alternative 1 to \$15 million and for Alternative 2c, \$15.5 million. The preferred alignment is Alternative 1.

APPENDIX A

FIGURE 1

PONCHA SPRINGS PARCEL DEVELOPMENT STATUS (2021)



CITY OF SALIDA SEWER BUILD-OUT PLAN

FIGURE 1 - PONCHA SPRINGS PARCEL DEVELOPMENT STATUS (2021)

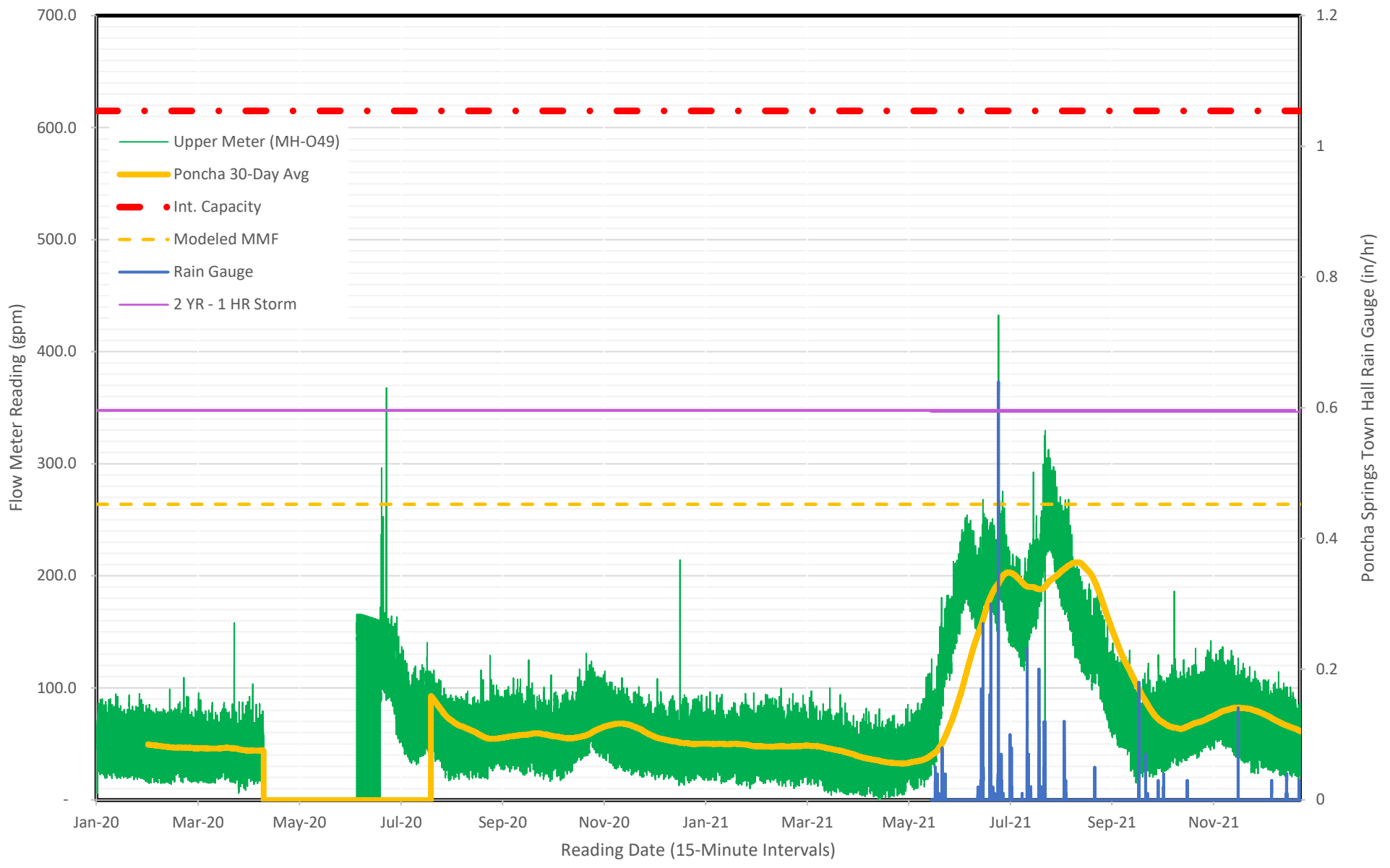


APPENDIX B

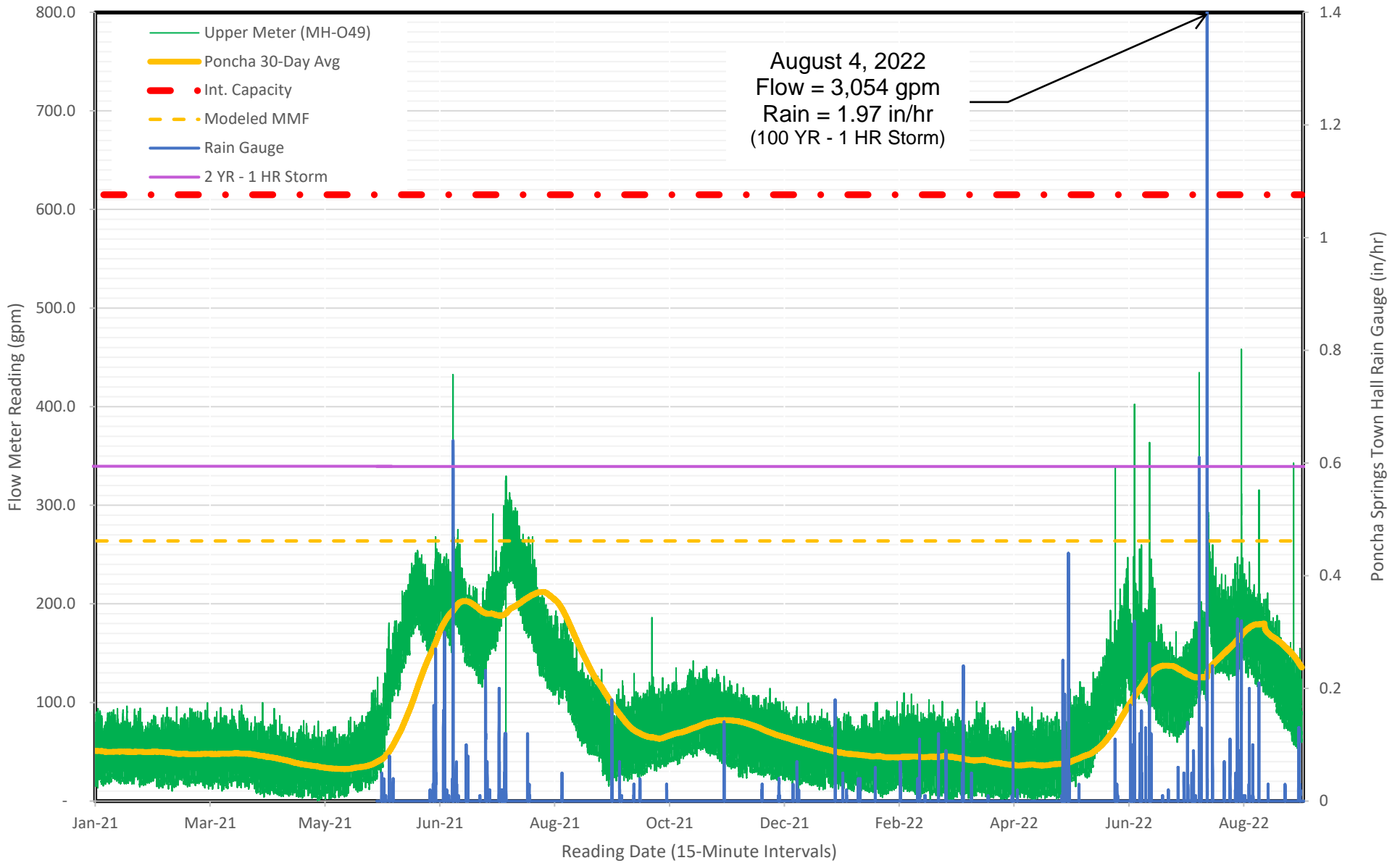
UPPER METER

METERED VS. MODELED DATA

PONCHA INTERCEPTOR UPPER FLOW METER EXISTING CONDITIONS
Poncha Interceptor Sewer Meter (MH-049) Flow Chart, January 2020 - September 2021



PONCHA INTERCEPTOR UPPER FLOW METER EXISTING CONDITIONS Poncha Interceptor Sewer Meter (MH-049) Flow Chart, January 2021 - September 2022

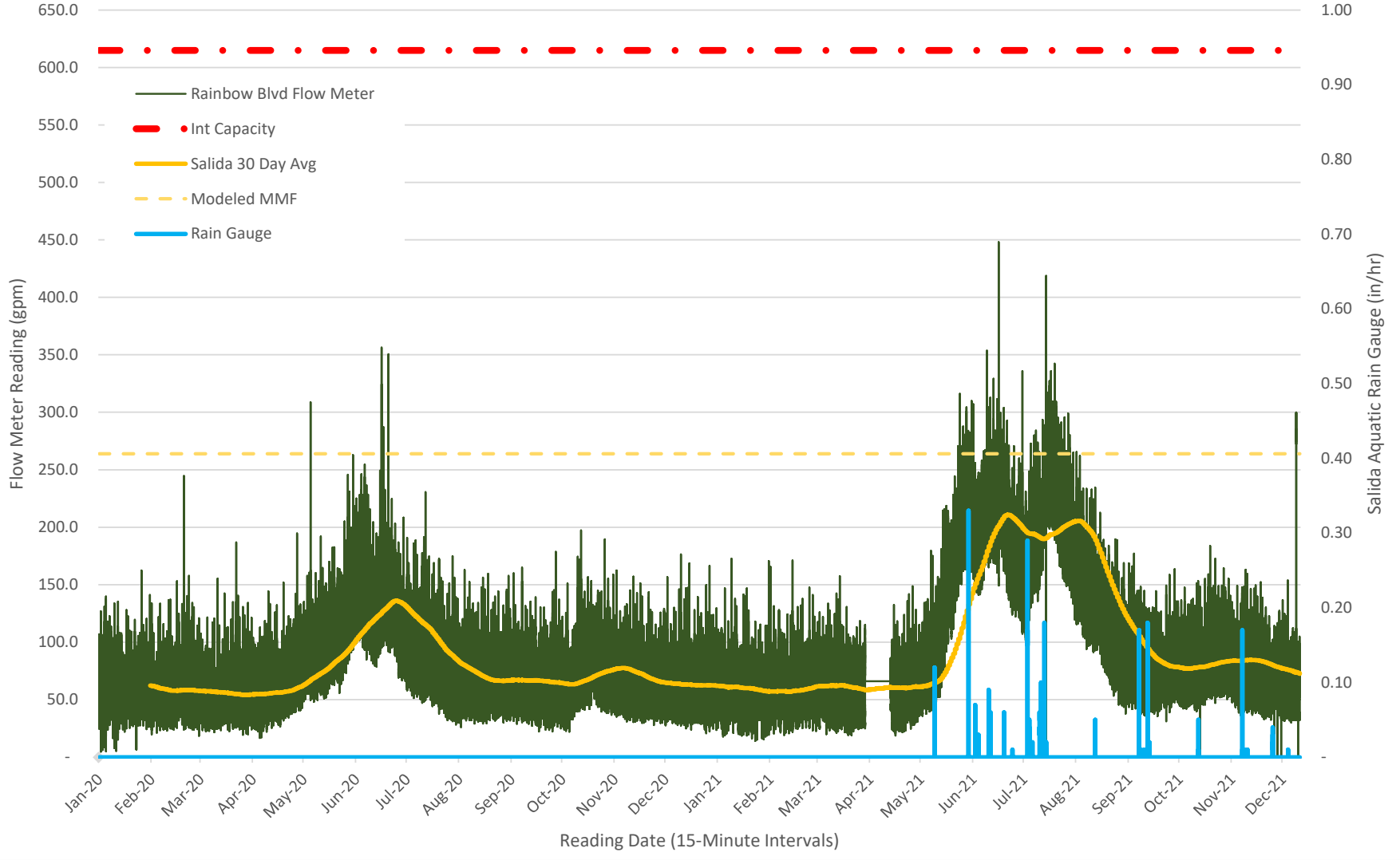


APPENDIX C

LOWER METER

METERED VS. MODELED DATA

PONCHA INTERCEPTOR LOWER FLOW METER EXISTING CONDITIONS
Poncha Interceptor Sewer Meter (MH-036, 413 Rainbow Rd.) Flow Chart, January 2020 - December 2021



PONCHA INTERCEPTOR LOWER FLOW METER EXISTING CONDITIONS
Poncha Interceptor Sewer Meter (MH-036, 413 Rainbow Rd.) Flow Chart, January 2021 - September 2022

