

**RESOLUTION OF  
THE BOARD OF DIRECTORS OF THE  
HAVANA WATER AND SANITATION DISTRICT**

**REGARDING AN AMENDMENT TO  
THE DISTRICT'S SCHEDULE OF FEES AND CHARGES**

At a special meeting of the Board of Directors of the Havana Water and Sanitation District, Arapahoe County, Colorado, held at 5:00 P.M., on Wednesday, March 11, 2020, at CliftonLarsonAllen LLP, 8390 East Crescent Parkway, Suite 300, Greenwood Village, Colorado at which a quorum was present, the following resolution was adopted:

**WHEREAS**, Havana Water and Sanitation District (the "District") is a special district organized and existing pursuant to Sections 32-1-101 *et seq.*, C.R.S.; and

**WHEREAS**, pursuant to Section 32-1-1001(1)(j), C.R.S., the Board of Directors of the District (the "Board") has the power to fix and from time to time increase or decrease fees, rates, tolls, penalties, or charges for services, programs, or facilities furnished by the District; and

**WHEREAS**, pursuant to Section 32-1-1006(1)(d), C.R.S., the Board has the power to assess reasonable penalties for delinquency in the payment of rates, fees, tolls, or charges or for any violations of the rules and regulations together with interest on delinquencies; and

**WHEREAS**, the District desires to amend its Schedule of Fees and Charges to provide for penalties for delinquency in the payment of rates, fees, tolls, and charges and for violations of the rules and regulations adopted by the District (the "Rules and Regulations"); and

**WHEREAS**, pursuant to Section 32-1-1001(2)(a), C.R.S., the governing body of any special district furnishing domestic water or sanitary sewer services directly to residents and property owners within or outside the special district's boundaries may only fix or increase fees, rates, tolls, penalties, or charges for such services after consideration of the action at a public meeting held at least thirty (30) days after providing notice as specified in Section 32-1-1001(2)(a), C.R.S.; and

**WHEREAS**, in accordance with Section 32-1-1001(2)(a)(IV), C.R.S., such notice was posted on a publicly accessible section of the Special District Association of Colorado's website on January 17, 2020 which is at least thirty (30) days before the public meeting at which the action was considered.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HAVANA WATER AND SANITATION DISTRICT AS FOLLOWS:**

Section 1. Amendment to Schedule of Fees and Charges. The Board hereby amends the Schedule of Fees and Charges and adopts penalties for violations of the Rules and Regulations and late fees for late payments of rates, tolls, charges, fines, fees, assessments, and/or penalties, as set forth in **Exhibit A**, attached hereto and incorporated herein by this

reference. The District's current Schedule of Fees and Charges, as amended hereby, is attached hereto in **Exhibit B** and incorporated herein by this reference.

Section 2. Actions to Effectuate Resolution. The District's manager and legal counsel are authorized and directed to take all actions necessary and appropriate to effectuate this Resolution and the imposition of any or all the fees contemplated hereunder. All actions not inconsistent with the provisions of this Resolution heretofore taken by the members of the Board, the District's manager and legal counsel, and the officers, agents, and employees of the District and directed toward effectuating the purposes stated herein are hereby ratified, approved, and confirmed.

Section 3. Repealer. All prior acts, orders, or resolutions, or parts thereof, by the District in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive any act, order, or resolution, or part thereof, heretofore repealed.

Section 4. Severability. If any section, paragraph, clause, or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining sections, paragraphs, clauses, or provisions of this Resolution, it being the intention that the various parts hereof are severable.

Section 5. Effective Date of Resolution. This Resolution is effective as of the date of adoption.

**[Remainder of page intentionally left blank.]**

Whereupon, a motion was made and seconded, and upon a majority vote this Resolution was approved by the Board.

**ADOPTED AND APPROVED THIS 11<sup>th</sup> DAY OF MARCH, 2020.**

**HAVANA WATER AND SANITATION  
DISTRICT**

By:

  
Howard M. Buchalter, President

ATTEST:

By:

  
William J. Kirven, III, Secretary

**EXHIBIT A  
TO RESOLUTION REGARDING AN AMENDMENT  
TO THE DISTRICT'S SCHEDULE OF FEES AND CHARGES**

AMENDMENT TO  
SCHEDULE OF FEES AND CHARGES

<b>PENALTIES FOR VIOLATIONS OF RULES AND REGULATIONS</b>	
Violations of the District's Rules and Regulations***	\$50.00 (first offense) \$75.00 (second offense) \$100 (third offense) \$200 (fourth & subsequent offenses)
***Pursuant to the District's Rules and Regulations, greater penalties may be assessed based on health, safety, and welfare considerations, and/or principles of deterrence according to the nature of the violation.	

<b>Miscellaneous Fees</b>	
Late Fee (charged in accordance with the District's Rules and Regulations)	\$15.00

**EXHIBIT B**  
**TO RESOLUTION REGARDING**  
**AN AMENDMENT TO SCHEDULE OF FEES AND CHARGES**  
**SCHEDULE OF FEES AND CHARGES, AS AMENDED**

**Exhibit B**  
**Havana Water & Sanitation District**  
**SCHEDULE OF FEES AND CHARGES**  
**Effective January 1, 2020<sup>1</sup>**

**SEWER TAP FEE SCHEDULE**

**RESIDENTIAL**

Tap Size	HAVANA WATER & SANITATION DISTRICT*			METRO WASTEWATER**		TOTAL TAP FEE
	SFE Equivalent	Water Assessment Fee	Sewer Tap Fee	SFE Equivalent	Fee	
75	1	\$ 462.88	\$ 1,454.75	1.00	\$ 4,340.00	\$ 6,257.63

**COMMERCIAL**

Tap Size	HAVANA WATER & SANITATION DISTRICT*			METRO WASTEWATER**		TOTAL TAP FEE
	SFE Equivalent	Water Assessment Fee	Sewer Tap Fee	SFE Equivalent	Fee	
75	1	\$ 462.88	\$ 1,454.75	2.00	\$ 8,680.00	\$ 10,597.63
100	2	\$ 925.75	\$ 2,909.50	4.80	\$ 20,832.00	\$ 24,667.25
150	4	\$ 1,851.50	\$ 5,819.00	11.00	\$ 47,740.00	\$ 55,410.50
200	8	\$ 3,703.00	\$ 11,638.00	20.00	\$ 86,800.00	\$ 102,141.00
300	18	\$ 8,331.75	\$ 26,185.50	43.00	\$ 186,620.00	\$ 221,137.25
400	36	\$ 16,663.50	\$ 52,371.00	86.00	\$ 373,240.00	\$ 442,274.50

**MULTI-FAMILY**

Tap Size	HAVANA WATER & SANITATION DISTRICT*			METRO WASTEWATER**		TOTAL TAP FEE
	SFE Equivalent	Water Assessment Fee	Sewer Tap Fee	SFE Equivalent	Fee	
75	1	\$ 462.88	\$ 1,454.75	2.00	\$ 8,680.00	\$ 10,134.75

\*Fees may change at any time. Please call the district office prior to making payment

\*\*Metro Wastewater fees increase each calendar year

**SEWER SERVICE FEE**

The sewer service fee is \$142.00 per SFE, billed every 6 months (\$284.00 per year)

**DEVELOPMENT REVIEW FEE**

The Development Review Fee is charged in increments of \$5,000.00 in accordance with the District's Rules and Regulations

<b>PENALTIES FOR VIOLATIONS OF RULES AND REGULATIONS</b>	
Violations of the District's Rules and Regulations***	\$50.00 (first offense) \$75.00 (second offense) \$100.00 (third offense) \$200.00 (fourth & subsequent offenses)
***Pursuant to the District's Rules and Regulations, greater penalties may be assessed based on health, safety, and welfare considerations, and/or principles of deterrence according to the nature of the violation.	

<b>Miscellaneous Fees</b>	
Return Check Fee	\$20.00
Late Fee (charged in accordance with the District's Rules and Regulations)	\$15.00

1. The Penalties for Violations and Late Fee are effective March 11, 2020