

Emails 2015

From: HOA Resident

> Sent: Friday, May 15, 2015 2:13 PM

> To: Knight, Don

> Subject: Estates of Rockrimmon bad road conditions

>> Councilman Don Knight

> I am a resident of the new Estates at Rockrimmon subdivision being built out by Century Communities just west of Rockrimmon on Vindicator behind the Safeway grocery store. As you may know the original development was developed by Chuck Helgenberger who subsequently went into bankruptcy and the Pueblo Bank took over the property. The property was basically dormant for several years till sometime in late 2012 when the development was bought out of bankruptcy by Century Communities. Century Communities has built 37 homes and is close to completing construction activities on the last 9 lots in the subdivision. Through the course of the construction activities we as residents have dealt with poor road conditions for over to two years. Much of the damage to the roads has been caused by the construction truck activity generated by the Century Communities contractors with trucks delivering concrete, drywall, rock, dirt & gravel fill, equipment trucks etc. About 1-1/2 years ago Mike Fenton, President of Century Communities, had stated that the roads in the subdivision were not taken over by the city when the subdivision went into bankruptcy. With this statement Mr. Fenton had told numerous home owners in the subdivision, myself included, that Century Communities would make the necessary repairs to restore the streets to a good condition. Then last year around September 2014 Mr. Fenton began to tell everyone that the streets were turned over to the city several years ago by the original developer and that Century Communities was not responsible for the conditions of the street. At times the street conditions were so bad that normal cars were bottoming out on the ruts and damage caused by the heavy trucks in the subdivision. Because of the conditions of the streets Century Communities did perform some repairs, mainly Crown Haven Circle and a little bit of Winter Haven Drive, but there still exists a lot of poor conditions on these streets. If left unrepaired the streets will continue to deteriorate rapidly.

> Currently the conditions of the other streets within Colorado Springs is relatively poor with numerous potholes and general damage over the years. With the councilmen political races and the mayoral election recently the discussion about the street conditions and the pot holes was in the forefront. My CONCERN is that given that the city can't effectively repair the current streets I don't want the city to accept the streets in our subdivision, Estates at Rockrimmon and incur the current damaged streets and for the city to become liable and responsible for the repairs.

> Please note the pictures and descriptions of the current road damage conditions in attached Word document. I can be available to meet with you and walk through the subdivision with you and show you the road conditions I have identified in the attached document.

-----Original Message-----

From: Easton, Travis W.

Sent: Monday, May 18, 2015 1:01 PM

To: Carlentine, Ronn

Cc: Wysocki, Peter

Subject: FW: Estates of Rockrimmon bad road conditions

This is the correct subdivision Ronn. Based on our conversation earlier today, I will let the resident know that this is ours to maintain (unfortunately).

Travis W. Easton, P.E.

Public Works Director
30 S. Nevada Avenue, Suite 401
Colorado Springs, CO 80901
teaston@springsgov.com
Office: 719-385-5457
Cell: 719-313-1609

From: Wysocki, Peter
Sent: Monday, May 18, 2015 3:20 PM
To: Easton, Travis W.; Carlentine, Ronn
Subject: RE: Estates of Rockrimmon bad road conditions
Travis, check with Tim Mitros or Steve Kuehster to make sure we actually accepted the roads for maintenance. We (meaning PWD) should have done a final inspection once they were completed.
PETER WYSOCKI, AICP
Director of Planning and Development | City of Colorado Springs, CO
30 South Nevada, Street | PO Box 1575 Mail Code 155 | Colorado Springs, CO 80901
Tel: 719.385.5347

From: HOA Resident
To: McDowell Maren
Cc: Farkas, Corey J.; Easton, Travis W.; Heather Smith (heather@warrenmgmt.com)
Subject: RE: Estates of Rockrimmon bad roads continue March 2018 - more to do
Date: Monday, February 26, 2018 8:43:46 AM
Maren

Heather's email address is Heather Smith (heather@warrenmgmt.com). I have copied her on this message also. The streets are driveable but it doesn't present a very good image for a subdivision that has \$500,000 plus homes in it and there are three homes for sale in the subdivision and they have been on the market for a long time, at least 6 months or more and I think the condition of the streets is a detrimental factor in the lack of sales. The comment about the city owning the streets came from Century Communities, Mike Fenton. He made this comment several years ago and I think he was just trying to divert and distract.

R

2017

From: R
Sent: Monday, June 19, 2017 9:00 PM
To: Knight, Don
Cc: Easton, Travis W.; Farkas, Corey J.; Martinez, Brian
Subject: Estates of Rockrimmon continued bad road conditions - need to fix
Mr. Knight

I wrote to you back in 2015 concerning the public city roads within my subdivision, The Estates of Rockrimmon, which is off of Vindicator Drive just west of Rockrimmon. For two years the tax assessment on my house has gone up each year as I also assume has happened to the 44 other homes in our subdivision and the road conditions in front of my house and in the subdivision have steadily deteriorated downwards. I think this negatively affects the retail / resale value of my house if I ever want to sell. When you drive into the subdivision off of Vindicator Drive the road is very rocky and rolly and does not convey the image or impression of a good new high value home subdivision. I know that

the city has enough road repairs to perform over the next several years and good progress has been made, but I don't know or understand why the city doesn't require Century Communities, the subdivision developer, to repair the roads that they damaged within the Estates of Rockrimmon since Century caused most of the damage due to their construction activities. Century purchased the subdivision out of bankruptcy from the original developer's bank and I assume they save a large amount of money from the bankruptcy sale. Below is a series of photos of the roadway and curb damage with a description and location of the damage. As you can see in some of the pictures the road damage areas have been identified and marked with white paint by city employees over the last two years but no corrective actions / repairs have been made by anyone.

Sincerely

R

From: Knight, Don

Sent: Tuesday, June 20, 2017 4:50 PM

To: R

Cc: Easton, Travis W.; Farkas, Corey J.; Martinez, Brian

Subject: RE: Estates of Rockrimmon continued bad road conditions - need to fix

Mr B,

I remember (and still have) your e-mails from May and August of 2017. I have been working with the head of our Public Works trying to ensure we do not accept the bad roads. Unfortunately this is another instance where the builder has left and did not leave enough cash deposit to handle the warranty. So the problem is all ours now and we have to work it in with all the other road issues facing us. I know this is not what you wanted to hear, nor what I wanted to hear. The good news, for what it is worth, is that since Mr Easton has come onboard, the City has stopped this practice.

Don Knight

Colorado Springs City Council, District 1

107 N Nevada Ave, Ste 300

Colorado Springs, CO 80901

719-385-5487

719-368-0729 (cell)

From: S

Sent: Thursday, August 31, 2017 12:23 PM To: City Engineering

Subject: Road Reconstruction Request

Our community has made several attempts and requests of fix our roads and nothing has happened. I feel further explanation is necessary.

BackStory: Several decades ago a builder came in to develop a small community of homes that is now called the Estates at Rockrimmon. The builder went bankrupt and the only thing left were the roads. These roads sat idle with no traffic for several decades. As you are aware, roads need to be driven on so the car "oils" keep the pavement from drying up and failing. Several years back a builder bought up the bankrupt land from the city and fully developed the community. With heavy construction equipment necessary to build these homes the roads failed quickly. I am defining failed as full cave-ins (sometimes a foot or more in depth), severe road buckling, and spidering of the asphalt causing pot holes and further damage. Often the level of failing would make the road impassable. The builder has paid an exorbitant amount to repair what they have damaged with dig-out repairs. To make matters worse the soil is fairly active and with all the rain has amplified the failing of the road. The builder has completed the neighborhood and has now fully stepped away from any responsibility. I understand there is a process for the builder to "release" the road and for the city to "accept" the road responsibility. I don't believe

the builder has adhered to this process and appears they will not. They are currently being bought out and absolved themselves of all responsibility. The local Middle School uses these roads and often experience very high traffic despite the condition which further accelerates the deterioration. Our neighborhood experiences far more traffic because of this than what normal neighborhood streets would experience. At this point the road is in such bad condition we have resulted in homeowners putting out traffic cones to identify severe hazards and road base in the collapsed parts to make due. The subgrade is obviously compromised and the roads needs to be completely reconstructed. With 2c going though and with our property taxes increasing significantly there is obvious funding to make the repairs. If any roads meet the definition of high priority it would be these streets. As a community we request you consider this as a high priority due to the school and ongoing safety issues. This letter should be received as official notification of the current and ongoing safety issues. Please address this promptly.
Thanks for your time and consideration. S

From: McDowell, Maren
Sent: Thursday, August 31, 2017 12:41 PM
To: Easton, Travis W.; Farkas, Corey J.
Subject: FW: Road Reconstruction Request

I responded to him and requested that we talk on the phone.

The thing that somewhat bothered me was the last line: "This letter should be received as official notification of the current and ongoing safety issues."

After discussions this week about potholes and liability, I wonder if the neighborhood is angling to sue. Will let you know what S Says after we talk, but wanted you to be aware-
Maren

From: Easton, Travis W.
Sent: Thursday, August 31, 2017 12:54 PM
To: McDowell, Maren; Farkas, Corey J.
Subject: RE: Road Reconstruction Request

Yes, I thought the same. Thanks for forwarding Maren. Corey, can we get in there and address the potholes (like that large one pictured a few days ago in R's email? That would help shore us up. Obviously, the larger issue still remains, and I know filling the potholes is throwing money away, but perhaps it will buy us some time.

Travis W. Easton, P.E.
Public Works Director
City of Colorado Springs
30 S. Nevada Ave., Suite 401
Colorado Springs, CO 80901
Office: 719-385-5457
Cell: 719-313-1609
teaston@springsgov.com

2018

From: McDowell, Maren [<mailto:mmcdowell@springsgov.com>]
Sent: Monday, February 26, 2018 8:25 AM
To: HOA Resident
Cc: Farkas, Corey J.; Easton, Travis W.

Subject: RE: Estates of Rockrimmon bad roads continue March 2018 - more to do
Hi R,

I have reached out to Heather to try to set up a meeting but have yet to hear back from her. We understand that your streets continue to be a major problem, but I need to address one line in your email specifically: "Overall I have been told that these streets had been accepted into the City's possession." R, this is not true. I do not know where this information was miscommunicated, but it is inaccurate. We are still trying to find solutions but as of yet, the streets are not part of our inventory, and we still do not have a responsibility for fixing them at this point. I'll be in touch when we hopefully connect with Heather.

Maren McDowell
Citizen Relations and Information Specialist
City of Colorado Springs, Dept. of Public Works
30 S. Nevada Ave., Suite 401
Colorado Springs, CO 80901
Office: 719-385-5460
mmcdowell@springsgov.com

From: Heather Smith

To: HOA Resident; McDowell, Maren

Cc: Farkas, Corey J.; Easton, Travis W.

Subject: RE: Estates of Rockrimmon bad roads continue March 2018 - more to do

Date: Monday, February 26, 2018 8:42:39 AM

Thank you for this R! The community streets are still not in the city inventory, so we must continue to put pressure on Century to address these issues. I am going to forward this inventory to Century and see what response we can get.

Respectfully,

Heather

Smith, CMCA, AMS

Community Association Manager

Colorado License Number AM. 2624

The Warren Management Group, Inc. AAMC

An Accredited Association Management Company

1720 Jet Stream Dr., Ste 200, Colorado Springs, CO 80921

Ph (719) 685-7833 Fax (719) 534-9177

From: R

To: McDowell Maren

Cc: Farkas, Corey J.; Easton, Travis W.; Heather Smith (heather@warrenmgmt.com)

Subject: RE: Estates of Rockrimmon bad roads continue March 2018 - more to do

Date: Monday, February 26, 2018 8:43:46 AM

Maren

Heather's email address is Heather Smith (heather@warrenmgmt.com). I have copied her on this message also. The streets are driveable but it doesn't present a very good image for a subdivision that has \$500,000 plus homes in it and there are three homes for sale in the subdivision and they have been on the market for a long time, at least 6 months or more and I think the condition of the streets is a detrimental factor in the lack of sales. The comment about the city owning the streets came from Century Communities, Mike Fenton. He made this comment several years ago and I think he was just trying to divert and distract.

R

From: Ladley, Jack
To: Farkas, Corey J.
Cc: Higbee, Gary; Minnis, Chelsea
Subject: Estates at Rockrimmon
Date: Friday, May 11, 2018 8:22:00 AM
Attachments: Scanned from a Xerox Multifunction Printer.pdf
Corey,

Attached are several Citizen Requests/Complaints for the "Estates at Rockrimmon". My gut tells me this is the tip of the iceberg and we are soon going to see a groundswell of hate and discontent from this subdivision. Gary will continue to address specific issues as they arise. However, like most of the complaints indicate, we need to find a solution to this problem. Is this something we can turn the contracted programs onto for a full scale project?

Jack

From: Farkas, Corey J.
To: Easton, Travis W.
Cc: McDowell, Maren
Subject: FW: Estates at Rockrimmon
Date: Friday, May 11, 2018 8:48:17 AM
Attachments: Scanned from a Xerox Multifunction Printer.pdf

Hi Travis,

This is rearing its ugly head once again... I don't believe this will ever get any better, so I would like to make a plan to address the issue. We will get the assess, recommended fix and costs to you ASAP.

Best Regards,

Corey J. Farkas

Public Works Operations & Maintenance Division Manager

Public Works

City of Colorado Springs

(719)385-6734

cfarkas@springsgov.com

From: Farkas, Corey J.
To: Ladley, Jack
Subject: RE: Form submission from: Street Maintenance Request Form
Date: Sunday, July 15, 2018 4:56:35 PM
No direction yet. We have a recommended fix, from AECOM, but have not made a decision as to how to proceed. I think we should just knock it out, but have not gotten concurrence. I will speak with Travis tomorrow.

Best Regards

Corey J. Farkas

Public Works Operations & Maintenance Division Manager

Public Works

City of Colorado Springs

(719)385-6734

cfarkas@springsgov.com

From: Knight, Don [mailto:dknight@springsgov.com]

Sent: Saturday, October 6, 2018 8:58 AM

To: R; M

Cc: Easton, Travis W. <teaston@springsgov.com>; McDowell, Maren <mmcdowell@springsgov.com>;

Farkas, Corey J. <cfarkas@springsgov.com>

Subject: RE: Estates of Rockrimmon bad road conditions

Mr B and Ms Y,

I was able to tour the street work being done in your neighborhood on Weds afternoon. I hope you are as pleased and impressed with the job our Public Works department is doing as I was. I know it has been 3 years and 5 months since Mr B first wrote me in his e-mail below and 2 years since Ms Y reached out to me. And I know this is a lot longer than either myself or Mr Travis Easton, our Public Works Director, or his staff had hoped it would take to find a solution. I hope you understand this was a problem Mr Easton inherited when he join the City shortly before Mr B's first letter but one he and his staff never lost sight of during this time. In fact, the paving was able to be done now instead of next year due to some ingenious moving of money by our Public Works staff when another project had to be slipped into 2019. (Ironically, I am also the City Council District rep for the community of that project who now have to wait until next spring/summer to get their roads that are in equal bad shape repaired). As I stated in my replies to both of you back then, street repair falls under the Mayor and our Public Works department; I was only an outside observer. So any and all thanks needs to go to Travis and his staff. I know the workers are appreciating the donuts your community is providing them. Switching gears slightly, I visited the Estates right during the rush of Eagle View Middle School students being let out so was able to witness firsthand the traffic issue you are facing. As you have been told, it is not financially realistic for your community to now purchase the streets to make the Estates a gated community. However Maren McDowell did do some checking for me, including talking to your HOA Manager, and verified the path way from Crown Haven Circle to the fence line is private property belonging to the HOA and not a City easement. So while there is no legal avenue the City has to prohibit parents from driving on your streets, there should be some legal recourse available to your HOA to prevent students from trespassing along the walkway. I would recommend speaking to a lawyer on your options for posting and enforcing no-trespassing signs and measures.

Don Knight

Colorado Springs City Council, District 1

107 N Nevada Ave, Ste 300

Colorado Springs, CO 80901

719-385-5487

719-368-0729 (cell)