

**EAST CHERRY CREEK VALLEY
WATER & SANITATION DISTRICT**

**MINUTES OF A MEETING OF
THE BOARD OF DIRECTORS**

A regular meeting of the Board of Directors of East Cherry Creek Valley Water & Sanitation District was held at 3:00 p.m. on Thursday, September 14, 2023 at the office of the East Cherry Creek Valley Water & Sanitation District located at 6201 South Gun Club Road, Aurora, Colorado 80016.

ATTENDANCE

Directors in Attendance

Monica Holland, Chair
E. Peter Elzi, Jr., Vice Chair
Marty Hill, Treasurer
O. Karl Kasch, Secretary
Mark Vagnerini, Asst. Secretary

Staff in Attendance

David J. Kaunisto, District Manager
Scott Niebur, Operations Manager
Michelle Probasco, Projects Manager
Lauren Florman, Customer Service Manager
Tawna Scalese, Business Services Manager
Kris LaGuardia, IT Manager
Rick Clark, Senior Engineering Advisor
Rebecca Bellamy, Programs Administrator
Diane Day, Senior Accountant

Others in Attendance

Shannon Smith Johnson, Icenogle Seaver Pogue, P.C.
Gordon Meurer, Kennedy Jenks Consultants, Inc.
Brian Nazarenus, Nazarenus Stack Wombacher, LLC
Scott Mefford, Hydrokinetics, Inc.
Andy Cohen, Clermont Eliot, LLC
Carrie Bartow, CliftonLarsonAllen, LLP

CALL TO ORDER,
CONFIRMATION OF
QUORUM AND
APPROVAL OF AGENDA

Upon motion by Director Holland, seconded by Director Hill...

The meeting of the Board of Directors was called to order, a quorum confirmed, and the agenda approved.

CONFLICTS OF INTEREST

Legal counsel advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosures previously made, as applicable, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

Director Elzi disclosed his interests and association with The Bromley Companies. This disclosure is associated with approval of items on the agenda that may affect his interests.

Legal counsel advised that written disclosure of this interest had been filed with the Secretary of State at least seventy-two hours prior to the meeting.

MINUTES

August 24, 2023

Upon motion by Director Hill, seconded by Director Vagnerini, and unanimously adopted, and approved...

The minutes of the August 24, 2023 Board Meeting.

PAYMENT OF CLAIMS

Upon motion by Director Vagnerini, seconded by Director Hill, and unanimously adopted, and approved...

The payables and ACH transactions dated September 14, 2023 for \$1,211,021.38.

Upon motion by Director Vagnerini, seconded by Director Hill, and unanimously adopted, and ratified...

The ACH transactions dated September 7, 2023 for \$736,772.

CONSIDERATION OF
NORTHERN PIPELINE
OVERLAP CONSENT
AGREEMENT WITH
AEROTROPOLIS AREA
COORDINATING
METROPOLITAN DISTRICT
OF AURORA HIGHLANDS
SUBDIVISION FILING NO. 9
STORM SEWER CROSSING

Upon motion by Director Holland, seconded by Director Kasch, and unanimously adopted, and approved...

Northern Pipeline Overlap Consent Agreement with Aerotropolis Area Coordinating Metropolitan District of Aurora Highlands Subdivision Filing No. 9 Storm Sewer Crossing, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
AMENDMENT 1 TO TASK
ORDER NO. 5-23 FOR THE
2023 GREASE AND
SAND/OIL INTERCEPTOR
REVIEW PROGRAM
FROM KENNEDY JENKS
CONSULTANTS

Upon motion by Director Kasch, seconded by Director Hill, and unanimously adopted, and approved...

Amendment 1 to Task Order No. 5-23 for the 2023 Grease and Sand/Oil Interceptor Review Program from Kennedy Jenks Consultants, in the amount of \$4,366, increasing the overall contract amount to \$26,566, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
TEMPORARY LICENSE
AGREEMENT
AMENDMENT
EXTENSION WITH GSE
CONSTRUCTION
COMPANY, INC. AT WELL
SA-7 SITE

Upon motion by Director Hill, seconded by Director Vagnerini, and unanimously adopted, and approved...

Temporary License Agreement Amendment Extension with GSE Construction Company, Inc. at Well SA-7 Site, in substantial form presented with any additional changes approved by District Manager and legal counsel.

EXECUTIVE SESSION

Director Holland moved that the Board convene in Executive session, pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to participation in settlements of 3M and Dupont PFAS multi-district class action litigation and related matters.

Director Hill seconded the motion, which was approved by the Board at 3:47 PM.

The Executive Session included all voting members of the Board; staff and others in attendance as noted above.

Director Holland reconvened open session at 4:02 PM.

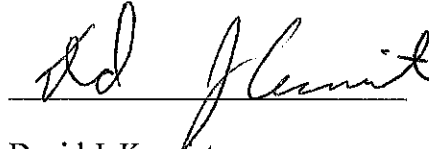
CONSIDERATION TO
ENGAGE SPECIAL
LITIGATION COUNSEL TO
REPRESENT ECCV
REGARDING PFAS
LITIGATION

Upon motion by Director Hill, seconded by Director Vagnerini, and
unanimously adopted, and approved...

To engage Ken Sansone and SL Environmental Law Group as special
litigation counsel to represent ECCV regarding PFAS litigation and
settlement matters and authorize the District Manager to sign the
engagement letter regarding the same, following the review and approval
of general counsel, in substantial form presented with any additional
changes approved by District Manager and legal counsel.

ADJOURNMENT

There being no further business to come before the Board, Director
Holland adjourned the meeting at 4:04 PM.



David J. Kaunisto
Acting Secretary