

**EAST CHERRY CREEK VALLEY  
WATER AND 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, October 13, 2022 in person as well as telephonically.

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**ATTENDANCE**

**Directors in Attendance**

Monica Holland, Chair  
E. Peter Elzi, Jr., Vice Chair  
Martin Hill, Jr., Treasurer  
Mark Vagnerini, Asst Secretary

**Absent (Excused)**

O. Karl Kasch, Secretary

**Staff in Attendance**

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

**Others in Attendance**

Tamara Seaver, Icenogle Seaver Pogue, P.C.  
Gordon Meurer, Kennedy Jenks Consultants, Inc.  
Bill Wombacher, Nazarens Stack Wombacher, LLC  
Scott Mefford, Hydrokinetics, Inc.  
Andy Cohen, Clermont Eliot, LLC  
Carrie Bartow, CliftonLarsonAllen, LLP  
Peter Forbes, Carver Schwarz McNab Kamper & Forbes, LLC

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CALL TO ORDER,  
CONFIRMATION OF  
QUORUM AND  
APPROVAL OF  
AGENDA

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

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

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DIRECTOR EXCUSED

Director Hill moved to excuse Director Kasch's absence from the Board Meeting. The motion was seconded by Director Vagnerini and approved unanimously by the Board.

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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 has been filed with the Secretary of State at least seventy-two hours prior to the meeting.

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MINUTES

**September 22, 2022**

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

The minutes of the September 22, 2022 Board Meeting.

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PAYMENT OF CLAIMS      Upon motion by Director Elzi, seconded by Director Vagnerini, and unanimously adopted and approved...

The payables and ACH transactions dated October 13, 2022 for \$1,019,617.83.

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

The ACH transactions dated October 6, 2022 for \$618,600.

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CONSIDERATION OF  
UTILITY EASEMENT  
DEED WITH  
COPPERLEAF  
MULTIFAMILY  
OWNER, LLC FOR THE  
COPPERLEAF FILING  
NO. 29 DEVELOPMENT  
PROJECTS

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

Utility Easement Deed with Copperleaf Multifamily Owner, LLC for the Copperleaf Filing No. 29 Development Projects, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
UTILITY EASEMENT  
DEED WITH QUINCY  
WEST COMMERCIAL  
INVESTORS, LLC FOR  
THE COPPERLEAF  
FILING NO. 29  
DEVELOPMENT  
PROJECTS

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

Utility Easement Deed with Quincy West Commercial Investors, LLC for the Copperleaf Filing No. 29 Development Projects, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
NORTHERN PIPELINE  
OVERLAP CONSENT  
AGREEMENT WITH  
LENNAR COLORADO,  
LLC AT MURPHY  
CREEK EAST  
SUBDIVISION FILING  
NO. 1

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

Northern Pipeline Overlap Consent Agreement with Lennar Colorado, LLC at Murphy Creek East Subdivision Filing No. 1, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
SPECIAL WARRANTY  
DEED FROM SQRD TO  
THE DISTRICT FOR  
TRACT B25 AND  
EASEMENT  
AGREEMENTS WITH  
APRD AND  
COPPERLEAF HOA

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

Special Warranty Deed from SQRD to the District for Tract B25 and the  
Easement Agreements with APRD and Copperleaf HOA, in substantial  
form presented with any additional changes approved by District  
Manager and legal counsel.

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CONSIDERATION OF  
AMENDMENT 1 TO  
CONSTRUCTION  
(LIGHT) UTILITY  
REPAIR TASK ORDER  
SERVICES CONTRACT  
FROM EMERGENCY  
PIPE REPAIRS &  
EXCAVATION LLC

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

Amendment 1 to Construction (Light) Utility Repair Task Order Services  
Contract from Emergency Pipe Repairs & Excavation LLC in the amount  
of \$235,000, increasing the total contract to \$985,000, in substantial form  
presented with any additional changes approved by District Manager and  
legal counsel.

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CONSIDERATION OF  
SPOT WATER LEASE  
AGREEMENT  
BETWEEN THE  
ARAPAHOE COUNTY  
WATER AND  
WASTEWATER  
AUTHORITY AND EAST  
CHERRY CREEK  
VALLEY WATER &  
SANITATION DISTRICT

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

Spot Water Lease Agreement between the Arapahoe County Water and  
Wastewater Authority and East Cherry Creek Valley Water & Sanitation  
District, in substantial form presented with any additional changes  
approved by District Manager and legal counsel.

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CONSIDERATION OF  
PURCHASING WATER  
METERS AND  
RELATED MATERIALS  
2023 METER  
REPLACEMENT  
PROGRAM

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

Purchase of water meters and related materials from Badger Meter, for  
delivery in 2023, in a total amount not to exceed \$694,000.

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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 ECCV water main boring damage.

Director Elzi seconded the motion, which was approved by the Board at 4:08 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 4:32 PM

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ADJOURNMENT

There being no further business to come before the Board, Director Holland, adjourned the meeting at 4:34 PM.



David J. Kaunisto  
Acting Secretary