

**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, November 12, 2020 telephonically to preserve the health, safety, and welfare of the public in light of the imminent threat caused by the COVID-19 pandemic.

ATTENDANCE

Directors in Attendance

Martin Hill, Jr., Chairman
E. Peter Elzi, Jr., Vice Chairman
Monica Holland, Treasurer
Allan H. Tenenbaum, Assistant 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
Richard Maestas, Business Services Manager
Chris Douglass, Project Manager
Lan Hawley, Human Resources 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.
Brian Nazareus, Nazareus Stack Wombacher, LLC
Sheela Stack, Nazareus Stack Wombacher, LLC
Scott Mefford, Hydrokinetics, Inc.
Andy Cohen, Clermont Eliot, LLC
Carrie Bartow, CliftonLarsonAllen, LLP
Kelly DiNatale, DiNatale Water Consultants

CALL TO ORDER,
CONFIRMATION OF
QUORUM AND
APPROVAL OF
AGENDA

Upon motion by Director Tenenbaum, seconded by Director Holland,
and unanimously adopted, it was...

RESOLVED, that the Board call the meeting to order, confirm a quorum,
and approve the agenda.

CONFLICTS OF
INTEREST

The Board acknowledged the reaffirmation of potential conflicts of
interest by Directors Hill, Elzi and Tenenbaum.

MINUTES

October 22, 2020

Upon motion by Director Tenenbaum, seconded by Director Holland,
and unanimously adopted, it was...

RESOLVED, that the minutes of the October 22, 2020 Board Meeting
are hereby approved as amended.

PAYMENT OF CLAIMS

Upon motion by Director Tenenbaum, seconded by Director Holland,
and unanimously adopted, it was...

RESOLVED, that the Board approve the payables dated November 12,
2020 for \$702,098.16.

Upon motion by Director Tenenbaum, seconded by Director Holland,
and unanimously adopted, it was...

RESOLVED, that the Board ratify ACH transactions dated November
12, 2020 for \$180,536.16 and November 6, 2020 for \$716,510.

CONSIDERATION OF
QUITCLAIM VACATION
OF EASEMENTS AND
EASEMENT DEEDS
WITH KB HOME
COLORADO INC.,
STAACK COMMERCIAL
INVESTORS, LLC AND
STAACK DEVELOPERS,
INC. FOR COPPERLEAF
FILING NOS. 18 & 23

Upon motion by Director Elzi, seconded by Director Tenenbaum and unanimously adopted, it was...

RESOLVED, that the Board approve the following documents in substantial form presented with any additional changes approved by the District Manager and legal counsel:

1. Easement Deed from KB Home Colorado Inc. (Copperleaf 18, Tract K-2)
2. Easement Deed from KB Home Colorado Inc. (Copperleaf 18, Tracts K-4 & K-14)
3. Quitclaim Partial Vacation of Easement to KB Home Colorado Inc. (Copperleaf 18, Tract K-2)
4. Quitclaim Partial Vacation of Easement to KB Home Colorado Inc. (Copperleaf 18, Tract K-14)
5. Easement Deed from Staack Developers, Inc. (Copperleaf 23)
6. Quitclaim Partial Vacation of Easement to Staack Commercial Investors, LLC (Copperleaf 23, Lot 1, Block 1)
7. Quitclaim Vacation of Easement to Staack Commercial Investors, LLC (Copperleaf 23)

CONSIDERATION OF
CHANGE ORDER NO. 1
(CLOSEOUT) FOR THE
2020 WELL
DECOMMISSIONING OF
WELLS WD-1 AND
WPA-2 FROM CONROY
EXCAVATING, INC.

Upon motion by Director Elzi, seconded by Director Tenenbaum and unanimously adopted, it was...

RESOLVED, that the Board approve Change Order No. 1 (closeout) for the 2020 Well Decommissioning of Wells WD-1 and WPA-2 from Conroy Excavating, Inc. in the amount of \$13,098 with release of retainage, increasing the total contract amount to \$205,180, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
RESOLUTION 2020-011
ADOPTING A
SUBMETERING POLICY

Upon motion by Director Holland, seconded by Director Tenenbaum and unanimously adopted, it was...

RESOLVED, that the Board approve Resolution 2020-011 (attached) Adopting a Submetering Policy in substantial form presented with any additional changes approved by the District Manager and legal counsel.

CONSIDERATION OF
CHANGE ORDER NO. 3
FOR THE PHASE 2
NORTHERN WATER
TREATMENT PLANT
PROJECT FROM
GARNEY COMPANIES,
INC.

Upon motion by Director Tenenbaum, seconded by Director Holland and unanimously adopted, it was...

RESOLVED, that the Board approve Change Order No. 3 for the Phase 2 Northern Water Treatment Plant Project from Garney Companies, Inc., decreasing the contingency account by \$272,938.48 and leaving the new contingency fund total as \$632,738.52, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
ADDITIONAL
CONSTRUCTION
SERVICES AT WELL
WPA-3 FROM
KENNEDY JENKS
CONSULTANTS

Upon motion by Director Elzi, seconded by Director Tenenbaum and unanimously adopted, it was...

RESOLVED, that the Board approve additional Construction Services at Well WPA-3 from Kennedy Jenks Consultants in the amount of \$20,000, increasing the total contract amount to \$280,875 in substantial form presented with any additional changes approved by District Manager and legal counsel.

EXECUTIVE SESSION

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

RESOLVED, that the Board enter into Executive Session, pursuant to C.R.S., Section, 24-6-402(4)(a), Section 24-6-402(4)(b) and Section 24-6-402(4)(e), for the purposes of receiving legal advice on specific legal questions, discussing the purchase, acquisition, lease transfer or sale of real property, and determining positions relative to matters that may be subject to negotiations related to potential transmission of water to the District's Northern Water Treatment Plant from the Platte River, water rights matters, and associated delivery systems.

Upon completion of Executive Session, the Board reconvened in open session.

ADJOURNMENT

There being no further business to come before the Board, Director Hill, adjourned the meeting.

David J. Kaunisto
Acting Secretary