

**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, January 13, 2022 at the offices of the East Cherry Creek Valley Water and Sanitation District located at 6201 South Gun Club Road, Aurora, Colorado 80016.

ATTENDANCE

Directors in Attendance

Martin Hill, Jr., Chairman
E. Peter Elzi, Jr., Vice Chairman
Monica Holland, Treasurer
O. Karl Kasch, Secretary
Allan H. Tenenbaum, Assistant Secretary

Staff in Attendance

David J. Kaunisto, District Manager
Rick Clark, Senior Engineering Advisor
Scott Niebur, Operations Manager
Lauren Florman, Customer Service Manager
Chris Douglass, Project Manager
Lan Hawley, Human Resources Administrator
Diane Day, Accountant
Rebecca A. Bellamy, Programs Administrator

Others in Attendance

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

CALL TO ORDER,
CONFIRMATION OF
QUORUM AND
APPROVAL OF
AGENDA

Upon motion by Director Holland, seconded by Director Elzi, 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, Kasch and Tenenbaum.

MINUTES

December 9, 2021

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

RESOLVED, that the minutes of the December 9, 2021 Board Meeting
are hereby approved.

PAYMENT OF CLAIMS

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

RESOLVED, that the Board ratify payables dated December 28, 2021 for
\$1,440,727.12.

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

RESOLVED, that the Board ratify ACH transactions dated December 17
for \$127,502.89 and December 30, 2021 for \$594,330.60.

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

RESOLVED, that the Board approve payables dated January 13, 2022
for \$407,895.94.

CONSIDERATION OF
ADOPTION OF
RESOLUTION NO. 2022-
001 ANNUAL
RESOLUTION OF THE
BOARD OF DIRECTORS
OF EAST CHERRY
CREEK VALLEY
WATER AND
SANITATION DISTRICT

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

RESOLVED, that the Board adopt Resolution No. 2022-001 Annual
Resolution of the Board of Directors of East Cherry Creek Valley Water
and Sanitation District.

CONSIDERATION OF
CHANGES TO THE
EMPLOYEE
HANDBOOK

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

RESOLVED, that the Board approve the changes to the Employee
Handbook as presented.

CONSIDERATION OF
TASK ORDER NO. 4-22
FOR DESIGN AND
CONSTRUCTION
SERVICES FOR THE
2022 WELL SA-1
REDRILLING PROJECT
FROM KENNEDY
JENKS CONSULTANTS

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

RESOLVED, that the Board approve Task Order No. 4-22 for Design
and Construction Services for the 2022 Well SA-1 Redrilling Project
from Kennedy Jenks Consultants in the amount of \$95,194, in substantial
form presented with any additional changes approved by District
Manager and legal counsel.

CONSIDERATION OF
PURCHASE AND SALE
AGREEMENT VIA A
QUIT CLAIM DEED FOR
WPA-2 LAND WITH
WINMAC, LTD

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

RESOLVED, that the Board approve the Purchase and Sale Agreement
via a Quit Claim Deed for WPA-2 land with WINMAC, Ltd, in
substantial form presented with any additional changes approved by
District Manager and legal counsel.

CONSIDERATION OF
AUGMENTATION
STATION USE
AGREEMENTS
BETWEEN THE
CENTRAL COLORADO
WATER
CONSERVANCY
DISTRICT AND EAST
CHERRY CREEK
VALLEY WATER AND
SANITATION DISTRICT

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

RESOLVED, that the Board approve the Augmentation Station Use Agreements between the Central Colorado Water Conservancy District and East Cherry Creek Valley Water and Sanitation District, in substantial form presented with any additional changes approved by District Manager and legal counsel.

EXECUTIVE SESSION

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

RESOLVED, that the Board enter into Executive Session at 3:48 PM pursuant to C.R.S., Section 24-6-402(4)(b) and Section 24-6-402(4)(e) for the purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations related to (a) a complaint filed by ARTA, AACMD and various other parties related to disputes regarding the Northern Waterline, and (b) a settlement in Water Court Case No. 19CW3090 regarding the City of Westminster's change of Standley Lake Shares and related agreements by and between the City of Westminster, ECCV, United Water and Sanitation District and Arapahoe County Water and Wastewater Authority.

Upon completion of Executive Session at 4:44 PM, the Board reconvened in open session.

CONSIDERATION OF
WATER SALE AND
DELIVERY
AGREEMENT WITH
CITY OF
WESTMINSTER AND
INTERNAL
AGREEMENT
BETWEEN EAST
CHERRY CREEK
VALLEY WATER AND
SANITATION DISTRICT,
ARAPAHOE COUNTY
WATER AND
WASTEWATER
AUTHORITY, AND
UNITED WATER AND
SANITATION DISTRICT
CONCERNING THE
ALLOCATION OF
WATER RECEIVED
FROM WESTMINSTER

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

RESOLVED, that the Board approve the Water Delivery Agreement with
City of Westminster and Internal Agreement between East Cherry Creek
Valley Water and Sanitation District, Arapahoe County Water and
Wastewater Authority, and United Water and Sanitation District
concerning the Allocation of Water received from Westminster, in
substantial form presented with any additional changes approved by
District Manager and legal counsel.

CONSIDERATION OF
TASK ORDERS NO. 17
AND NO. 18 FOR 2022
WATER RIGHTS
ENGINEERING
SERVICES FROM
BROWN & CALDWELL

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

RESOLVED, that the Board approve Task Orders No. 17 and No. 18 for
2022 Water Rights Engineering Services from Brown & Caldwell, 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 Hill,
adjourned the meeting.

David J. Kaunisto
Acting Secretary