

**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 5:00 p.m. on Thursday, February 22, 2018 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., Vice Chairman
E. Peter Elzi, Jr., Treasurer
Dan Bohl, Secretary
Allan H. Tenenbaum, Assistant Secretary

Absent (Excused)

O. Karl Kasch, Chairman

Staff in Attendance

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

Others in Attendance

John Smith, Hahn Smith Calkins, PC
Gordon Meurer, Kennedy/Jenks Consultants, Inc.
Sheela Stack, Ryley Carlock & Applewhite, Inc.
Scott Mefford, Hydrokinetics, Inc. (by phone)
Andy Cohen, Webb Strategic Communications
Carrie Bartow, CliftonLarsonAllen, LLP
Tim Flynn, Collins Cockrel & Cole (by phone)

CALL TO ORDER,
CONFIRMATION OF
QUORUM AND
APPROVAL OF
AGENDA

Upon motion by Director Elzi, seconded by Director Tenenbaum, 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 Kasch, Hill, Elzi, Bohl and Tenenbaum.

MINUTES

February 8, 2018

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

RESOLVED, that the minutes of the February 8, 2018 Board Meeting are hereby approved.

PAYMENT OF CLAIMS

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

RESOLVED, that the Board approve the payables dated February 22, 2018 for \$680,337.87.

CONSIDERATION OF
PROPERTY TRANSFER
FOR COPPERLEAF
TRACTS C5, C9, E18, &
E19

Upon motion by Director Bohl, seconded by Director Elzi, and adopted by a vote of 3-0 with Director Tenenbaum abstaining, it was...

RESOLVED, that the Board approve the Bargain and Sale Deed with SQRD and License Agreement with SQRD and the HOA , in substantial form presented with any additional changes approved by District Manager and Legal Counsel.

CONSIDERATION OF
CONTRACT WITH
INSITUFORM FOR 2018
SEWER CAPITAL
IMPROVEMENTS

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

RESOLVED, that the Board approve the contract with Insituform for 2018
Sewer Capital Improvements in the amount of \$235,058.00 in substantial
form presented with any additional changes approved by District Manager
and legal counsel.

CONSIDERATION OF
THE SIXTH CONTRACT
AMENDMENT TO
PROVIDE
ENGINEERING
SERVICES FOR ON-
CALL ASSISTANCE AT
THE NORTHERN
WATER TREATMENT
PLANT WITH CDM
SMITH, INC.

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

RESOLVED, that the Board approve the sixth contract amendment with
CDM Smith, Inc. in the amount of \$109,200 for On-Call Assistance at the
Northern Water Treatment Plant bringing the total contract amount to
\$512,860, 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 Tenenbaum and
unanimously adopted, it was...

RESOLVED, that the Board enter into Executive Session to have a
conference with the attorney for the District for the purposes of receiving
legal advice on the purchase, acquisition, lease, transfer, or sale of any
real, personal, or other property interest pursuant to 24-6-402(4)(a); for the
purposes of receiving legal advice on specific legal questions pursuant to
24-6-402(4)(b); determining positions relative to matters that may be
subject to negotiations pursuant to 24-6-402(4)(e).

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

RETURN TO OPEN
SESSION

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

RESOLVED, that the Board authorize the District Manager to execute a Contract to Buy and Sell Real Estate (Land) and any other documents necessary or desirable for the purchase of the property located at 21955 E. 160th Ave., Brighton, CO 80603, together with any water rights or ditch company shares. The Board hereby authorizes the sum of \$1,067,000.00 for said purchase. The contract shall be in substantially the same form as presented to the Board with modifications as approved by the District Manager and legal counsel.

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

FURTHER RESOLVED, that the District Manager and legal counsel are further authorized to negotiate the terms and conditions of the purchase by the District of the property located at 21955 E. 160th Ave., Brighton, CO 80603.

PAYMENT OF CLAIMS

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

RESOLVED, that the Board approve the payable dated February 23, 2018 for \$20,000.00

ADJOURNMENT

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

David J. Kaunisto
Acting Secretary