

**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 12, 2023 at the offices 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  
Martin Hill, Jr., Treasurer  
O. Karl Kasch, Secretary  
Mark Vagnerini, Asst. Secretary

**Staff in Attendance**

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

**Others in Attendance**

Tamara Seaver, Icenogle Seaver Pogue, P.C.  
Gordon Meurer, Kennedy Jenks Consultants, Inc.  
Brian Nazarenus, Nazarenus Stack Wombacher, LLC  
Scott Mefford, Hydrokinetics, Inc.  
Tania Hottman, 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, and  
unanimously adopted, it was...

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

---

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

---

MINUTES

**December 8, 2022**

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

RESOLVED, that the minutes of the December 8, 2022 Board Meeting  
are hereby approved.

---

---

PAYMENT OF CLAIMS

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

RESOLVED, that the Board ratify interim accounts payables dated December 28, 2022 for \$3,337,889.10.

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

RESOLVED, that the Board ratify ACH transactions dated December 13, 2022 for \$71,231.80; dated December 19, 2022 for \$114,745.66; and dated December 30, 2022 for \$1,304,851.20.

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

RESOLVED, that the Board approve payables dated January 12, 2023 for \$946,183.81.

---

CONSIDERATION OF  
ADOPTION OF  
RESOLUTION NO. 2023-  
001 ANNUAL  
RESOLUTION OF THE  
BOARD OF DIRECTORS  
OF EAST CHERRY  
CREEK VALLEY  
WATER & SANITATION  
DISTRICT

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

Resolution No. 2023-001 Annual Resolution of the Board of Directors of East Cherry Creek Valley Water & Sanitation District, in substantial form presented with any additional changes approved by District Manager and legal counsel.

---

CONSIDERATION OF  
UTILITY EASEMENT  
DEED WITH  
COPPERLEAF SFR  
OWNER, LLC FOR THE  
COPPERLEAF FILING  
NO. 28 DEVELOPMENT  
PROJECTS

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

Utility Easement Deed with Copperleaf SFR Owner, LLC for Copperleaf Filing No. 28 Development Projects, in substantial form presented with any additional changes approved by District Manager and legal counsel.

---

---

CONSIDERATION OF  
QUITCLAIM PARTIAL  
VACATION OF  
EASEMENT WITH  
COPPERLEAF  
MULTIFAMILY OWNER  
LLC, QUINCY WEST 30  
LLC, AND COPPERLEAF  
SFR OWNER LLC FOR  
THE COPPERLEAF  
FILING NO. 29  
DEVELOPMENT  
PROJECTS

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

Quitclaim Partial Vacation of Easement with Copperleaf Multifamily  
Owner LLC, Quincy West 30 LLC, and Copperleaf SFR 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.

---

CONSIDERATION OF  
ELECTION SERVICES  
AGREEMENT WITH  
COMMUNITY  
RESOURCE SERVICES  
OF COLORADO, LLC  
FOR MAY 2023  
ELECTION

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

Election Service Agreement with Community Resource Services of  
Colorado, LLC for May 2023 election service as presented, in substantial  
form presented with any additional changes approved by District  
Manager and legal counsel.

---

CONSIDERATION OF  
TASK ORDER NO. 21  
AND NO. 22 FOR 2023  
WATER RIGHTS  
ENGINEERING  
SERVICES FROM  
BROWN & CALDWELL

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

Brown and Caldwell Schedule of Hourly Billing Rates for 2023 and  
Approval of Task Order No. 21 and No. 22 for 2023 Water Rights  
Engineering Services from Brown & Caldwell, in substantial form  
presented with any additional changes approved by District Manager and  
legal counsel.

---

---

CONSIDERATION OF  
AGREEMENT FOR  
TEMPORARY LEASE OF  
NON-POTABLE WATER  
FROM THE TOWN OF  
ERIE BY EAST CHERRY  
CREEK VALLEY  
WATER & SANITATION  
DISTRICT

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

Agreement for Temporary Lease of Non-Potable Water from the Town  
of Erie by East Cherry Creek Valley Water & Sanitation District in  
substantial form presented with any additional changes approved by the  
District Manager and legal counsel.

---

CONSIDERATION OF  
NORTHERN PIPELINE  
OVERLAP CONSENT  
AGREEMENT  
AMENDMENT WITH  
METRO WASTEWATER  
RECLAMATION  
DISTRICT

Upon motion by Director Hill, seconded by Director Elzi and  
unanimously approved and ratified...

Northern Pipeline Overlap Consent Agreement Amendment with Metro  
Wastewater Reclamation District, in substantial form presented with any  
additional changes approved by District Manager and legal counsel.

---

CONSIDERATION OF  
THE NORTHERN  
PIPELINE OVERLAP  
CONSENT AGREEMENT  
AMENDMENT WITH  
AEROTROPOLIS AT  
THE TRIBUTARY T  
CROSSING

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

Northern Pipeline Overlap Consent Agreement Amendment with  
Aerotropolis at the Tributary T Crossing, in substantial form presented  
with any additional changes approved by District Manager and legal  
counsel.

---

CONSIDERATION OF  
AMENDMENT 1 FOR  
ENGINEERING  
SERVICES FOR THE  
NBPS AND SBPS SURGE  
ANTICIPATOR VALVE  
REPLACEMENT  
DESIGN FROM  
CAROLLO ENGINEERS,  
INC.

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

Amendment 1 for Engineering Services for the NBPS and SBPS Surge  
Anticipator Valve Replacement Design from Carollo Engineers, Inc. in  
the amount of \$34,286, increasing the total contract amount to \$154,342,  
in substantial form presented with any additional changes approved by  
District Manager and legal counsel.

---

---

CONSIDERATION OF  
CHANGE ORDER NO. 1  
NORTHERN SYSTEM  
SURGE ANTICIPATOR  
VALVE REPLACEMENT  
PROJECT FROM  
VELOCITY  
CONSTRUCTORS INC.

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

Change Order No. 1 for the Northern System Surge Anticipator Valve  
Replacement Project for \$83,676.00, increasing the total contract to  
\$766,223, in substantial form presented with any additional changes  
approved by District Manager and legal counsel.

---

CONSIDERATION OF  
TASK ORDER NO. 7-23  
FOR 2023 BACKFLOW  
PREVENTION AND  
CROSS CONNECTION  
CONTROL PROGRAM  
FROM KENNEDY  
JENKS CONSULTANTS

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

Proposal for Task Order No. 7-23 Backflow Prevention and Cross  
Connection Control Program from Kennedy Jenks Consultants, in the  
amount of \$67,700, in substantial form presented with any additional  
changes approved by District Manager and legal counsel.

---

CONSIDERATION OF  
BUDGET (CONTRACT)  
AMENDMENT FOR  
TASK ORDER NO. 7-22  
FOR 2022 BACKFLOW  
PREVENTION AND  
CROSS CONNECTION  
CONTROL PROGRAM  
FROM KENNEDY  
JENKS CONSULTANTS

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

Budget (Contract) Amendment for Task Order No. 7-22 Backflow  
Prevention and Cross Connection Control Program from Kennedy Jenks  
Consultants, in the amount of \$11,800, in substantial form presented with  
any additional changes approved by District Manager and legal counsel.

---

CONSIDERATION OF  
RESOLUTIONS 2023-002  
AND 2023-003  
RATIFYING A WATER  
RIGHTS APPLICATION  
AND DELEGATING  
AUTHORITY TO THE  
DISTRICT MANAGER  
REGARDING DISTRICT  
WATER RIGHTS  
ADJUDICATION CASES

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

Resolution 2023-002 ratifying the application in Case No. 22CW3209 for  
Holton Reservoir and Adopt Resolution 2023-003 Water Rights  
Authority Delegation, 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 4:29 PM.

A handwritten signature in cursive script, appearing to read "D. J. Kaunisto", is written over a horizontal line.

David J. Kaunisto  
Acting Secretary