

**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, January 27, 2022 in person as well as telephonically as limited space capacity considerations at ECCV are in place in the light of the COVID-19 pandemic.

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
Chris Douglass, Project Manager
Scott Niebur, Operations Manager
Lauren Florman, Customer Service Manager
Tawna Scalese, Business Services 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
Andy Cohen, 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 Kasch....

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

CONFLICTS OF
INTEREST

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

MINUTES

January 13, 2022

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

The minutes of the January 13, 2022 Board Meeting.

PAYMENTS OF CLAIMS

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

The payables and ACH transactions dated January 27, 2022 for \$1,660,215.06.

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

The ACH transactions dated January 19, 2022 for \$87,262.15.

CONSIDERATION OF
ADOPTION OF
RESOLUTION NO. 2022-
002 OF THE BOARD OF
DIRECTORS OF THE
EAST CHERRY CREEK
VALLEY WATER AND
SANITATION DISTRICT
2022 REGULAR
SPECIAL DISTRICT
ELECTION
RESOLUTION

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

Resolution No. 2022-002 of the Board of Directors of the East Cherry Creek Valley Water and Sanitation District 2022 Regular Special District Election Resolution.

CONSIDERATION OF
TASK ORDER NO. 1-22
FOR THE 2022
SANITARY SEWER
MAINTENANCE
PROGRAM FROM
GUILDNER PIPELINE
MAINTENANCE, INC.

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

Task Order No.1-22 for the 2022 Sanitary Sewer Maintenance Program
from Guildner Pipeline Maintenance, Inc. in the amount of \$311,800, in
substantial form presented with any additional changes approved by the
District Manager and legal counsel.

CONSIDERATION OF
TASK ORDER NO. 5-22
FOR THE 2022 GREASE
AND SAND/OIL
INTERCEPTOR REVIEW
PROGRAM FROM
KENNEDY JENKS
CONSULTANTS

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

Task Order No. 5-22 for the 2022 Grease and Sand/Oil Interceptor
Program from Kennedy Jenks Consultants, in the amount of \$21,162, in
substantial form presented with any additional changes approved by the
District Manager and legal counsel.

CONSIDERATION OF
TASK ORDER NO. 6-22
FOR THE 2022
SANITARY SEWER
MAINTENANCE
PROGRAM FROM
KENNEDY JENKS
CONSULTANTS

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

Task Order No. 6-22 for the 2022 Sanitary Sewer Maintenance Program
from Kennedy Jenks Consultants, in the amount of \$87,491, in
substantial form presented with any additional changes approved by the
District Manager and legal counsel.

CONSIDERATION OF
WATER SUPPLY
AGREEMENT
BETWEEN THE CITY OF
LONGMONT AND EAST
CHERRY CREEK
VALLEY WATER AND
SANITATION DISTRICT,
ARAPAHOE COUNTY
WATER AND
WASTEWATER
AUTHORITY, AND
UNITED WATER AND
SANITATION DISTRICT

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

The Water Supply Agreement between the City of Longmont and East
Cherry Creek Valley Water and Sanitation District, Arapahoe County
Water and Wastewater Authority, and United Water and Sanitation
District, in substantial form presented with any additional changes
approved by the 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 AND
SANITATION DISTRICT

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

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

CONSIDERATION OF
LOW-INCOME
HOUSEHOLD WATER
ASSISTANCE
PROGRAM WATER
VENDOR AGREEMENT
WITH THE COLORADO
DEPARTMENT OF
HUMAN SERVICES

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

The Low-Income Household Water Assistance Program Water Vendor
Agreement with the Colorado Department of Human Services, in
substantial form presented with any additional changes approved by the
District Manager and legal counsel.

EXECUTIVE SESSION

Director Hill moved that the Board convene in Executive Session,
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 complaint filed by ARTA, AACMD and various
other parties related to disputes regarding the Northern Waterline.

Director Holland seconded the motion, which was approved by the Board
at 5:50 PM.

The Executive Session included all voting members of the Board, staff
and others in attendance as noted above.

Director Hill reconvened open session at 6:01 PM

DELEGATION OF
AUTHORITY

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

Following Board Discussion, Director Kasch moved that the Board of
Directors delegate authority to Dave Kaunisto as District Manager, with
the final concurrence from General Counsel, to finalize negotiations with
ARTA and related parties with respect to a settlement agreement to end
pending litigation related to the Northern Line.

ADJOURNMENT

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

David J. Kaunisto
Acting Secretary