

**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.

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**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

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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.

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CONFLICTS OF  
INTEREST

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

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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.

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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.

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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.

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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.

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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.

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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.

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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.

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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)(c) 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.

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

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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.

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

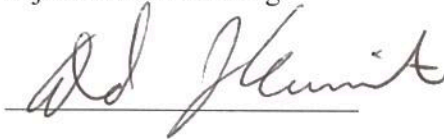
Upon motion by Director Holland, seconded by Director Elzi and  
unanimously adopted, it was...

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.

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ADJOURNMENT

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



David J. Kaunisto  
Acting Secretary