**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, December 14, 2017 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., 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  Diane Day, Accountant  Rebecca A. Bellamy, Programs Administrator  **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.  Pete Webb, Webb Strategic Communications  Janece Soendker, CliftonLarsonAllen, LLP  Tim Flynn, Collins Cockrel & Cole (by phone) |
| CALL TO ORDER, CONFIRMATION OF QUORUM AND APPROVAL OF AGENDA | Upon motion by Director Hill, 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 Kasch, Hill, Elzi, Bohl and Tenenbaum. |
| MINUTES | **November 30, 2017**  Upon motion by Director Elzi, seconded by Director Tenenbaum, and unanimously adopted, it was…  RESOLVED, that the minutes of the November 30, 2017 Board Meeting are hereby approved. |
| PAYMENT OF CLAIMS | Upon motion by Director Tenenbaum, seconded by Director Bohl, and unanimously adopted, it was...  RESOLVED, that the Board approve the payables dated December 14, 2017 for $ 1,158,413.02. |
| PUBLIC HEARING ON PROPOSED 2018 BUDGET | After opening the hearing for public comment on the proposed 2018 Budget at 3:15 pm and receiving none, Director Hill closed the public hearing. |
| CONSIDERATION OF RESOLUTION CERTIFYING MILL LEVIES, ESTABLISHING A BUDGET, AND APPROVING APPROPRIATIONS FOR THE 2018 FISCAL YEAR | Upon motion by Director Tennenbaum, seconded by Director Elzi and unanimously adopted, it was…  RESOLVED, that the Board adopt the attached Resolution regarding adoption of the 2018 budget and mill levy certification. |
| CONSIDERATION OF MODIFICATIONS TO 2018 RATES, FEES & CHARGES | Upon motion by Director Hill, seconded by Director Elzi and unanimously adopted, it was…  RESOLVED, that the Board adopt the attached 2018 Rates, Fees & Charges effective January 1, 2018. |
| CONSIDERATION OF RESOLUTION TO CHANGE THE NORTHERN PROJECT CONSTRUCTION FUND FEE TO THE SUSTAINABLE WATER ASSURANCE FEE | Upon motion by Director Bohl, seconded by Director Tenenbaum and unanimously adopted, it was…  RESOLVED, that the Board approve the resolution to rebrand The Northern Project Construction Fund Fee to the Sustainable Water Assurance Fee in January of 2018. |
| CONSIDERATION OF RESOLUTION 2017-003 CONCERNING THE APPLICATION FOR VARIOUS WATER RIGHTS | Upon motion by Director Hill, seconded by Director Elzi and unanimously adopted, it was…  RESOLVED, that the Board adopt the attached Resolution ratifying the application for various Water Rights. The Board hereby ratifies and approves any action taken by Ryley Carlock & Applewhite prior to the passage of this Resolution with regard to this matter. |
| CONSIDERATION OF PROPOSAL FROM KENNEDY/JENKS CONSULTANTS TO PERFORM THE 2018 ANNUAL SANITARY SEWER SYSTEM PROGRAM MANAGEMENT AND GREASE AND SAND/OIL INTERCEPTOR REVIEW PROGRAM | Upon motion by Director Elzi, seconded by Director Bohl, and unanimously adopted, it was…  RESOLVED, that the Board approve the standard form Agreement for Consulting Services with Kennedy/Jenks Consultants for the 2018 Sanitary Sewer System Program Management at a cost of $84,978; and the 2018 Grease and Sand/Oil Interceptor Program in the amount of $20,000, in substantial form presented with any additional changes approved by District Manager and legal counsel. |
| CONSIDERATION OF TASK ORDER #24 FROM BROWN & CALDWELL FOR WATER RIGHTS ENGINEERING - 2018 | Upon motion by Director Tenenbaum, seconded by Director Elzi and unanimously adopted, it was…  RESOLVED, that the Board approve Task Order #24 from Brown & Caldwell in the amount of $137,970 for water rights engineering associated with the 2017 and 2018 Substitute Water Supply Plan, in substantial form presented with any additional changes approved by District Manager and legal counsel. |
| CONSIDERATION OF PROPOSAL FROM BROWN & CALDWELL FOR ENGINEERING SERVICES SHARED WITH ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY (ACWWA) – Q1 AND Q2 - 2018 | Upon motion by Director Elzi, seconded by Director Bohl and unanimously adopted, it was…  RESOLVED, that the Board approve the proposal from Brown & Caldwell for 1st and 2nd Quarter of 201b Engineering Services shared with ACWWA in the amount of $43,953 for water rights engineering services for four specific water court cases, an allowance for shared opposition cases, overall project management and a 25% contingency allowance, in substantial form presented with any additional changes approved by District Manager and legal counsel. |
| EXECUTIVE SESSION | Upon motion by Director Bohl, seconded by Director Elzi 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 specific legal questions pursuant to 24-6-402(4)(b) and 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 |
| ADJOURNMENT | There being no further business to come before the Board, Director Hill, adjourned the meeting.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  David J. Kaunisto  Acting Secretary |

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