

**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 13, 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., 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
Chris Douglass, Project Manager
Lauren Florman, Customer Service Manager
Rebecca Bellamy, Programs Administrator
Lan Hawley, Human Resources Administrator
Diane Day, Accountant
Justin Blair, Engineer

Others in Attendance

Tamara Seaver, Icenogle Seaver Pogue, P.C.
Gordon Meurer, Kennedy/Jenks Consultants, Inc.
Brian Nazareus, Ryley Carlock & Applewhite, Inc.
Scott Mefford, Hydrokinetics, Inc.
Andy Cohen, Webb Strategic Communications
Carrie Bartow, CliftonLarsonAllen, LLP (by phone)
Jim Manire, Hilltop Securities Inc.

CALL TO ORDER,
CONFIRMATION OF QUORUM
AND APPROVAL OF AGENDA

Upon motion by Director Tenenbaum, seconded by Director Holland,
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 and Tenenbaum.

MINUTES

November 29, 2018

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

RESOLVED, that the minutes of the November 29, 2018 Board
Meeting are hereby approved.

PAYMENT OF CLAIMS

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

RESOLVED, that the Board approve the payables dated December 13,
2018 in the amount of \$1,606,353.75.

PUBLIC HEARING ON
PROPOSED 2019 BUDGET

Chairman Hill opened the hearing for public comment on the proposed
2019 Budget at 3:15 pm. Recognizing no members of the public were
present, Chairman Hill closed the public hearing.

CONSIDERATION OF
CONSTRUCTION
MANAGEMENT SERVICES
FOR PHASE 2 NORTHERN
WATER TREATMENT PLANT
WITH CDM SMITH INC.

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

RESOLVED, that the Board approve the CDM Smith Inc. proposal to
perform construction management services for the Phase 2 NWTP
project in the amount of \$2,537,190 in substantial form presented with
any additional changes approved by District Manager and legal counsel

CONSIDERATION OF
AGREEMENTS WITH BROWN
& CALDWELL FOR REVISED
MASTER AGREEMENT

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

RESOLVED, that the Board authorize the District Manager and legal
counsel to complete the revised Master Agreement with Brown &
Caldwell in substantial form presented with all additional changes
approved by District Manager and legal counsel; authorize Task Order
#1 in the amount of \$40,013 to Brown & Caldwell; authorize Task
Order #2 in the amount of \$18,000 to Brown & Caldwell and authorize
Shared Tasks in the amount of \$58,309 to Brown & Caldwell.

CONSIDERATION OF
CONTRACT AMENDMENT
FROM KENNEDY/JENKS
CONSULTANTS FOR 2018
SEWER CAPITAL
IMPROVEMENT PROJECT
ENGINEERING SERVICES

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

RESOLVED, that the Board approve the Kennedy/Jenks Consultants'
request for an additional \$12,400 for completion of the 2018 Sewer
Capital Improvements project with a final cost of \$35,382 in substantial
form presented with any additional changes approved by District
Manager and legal counsel.

CONSIDERATION OF
INSITUFORM CHANGE
ORDER 1 FOR 2018 SEWER
CAPITAL IMPROVEMENT
PROJECT

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

RESOLVED, that the Board approves the Change Order 1 from
Insituform Technologies, LLC, in the amount of \$7,482.95, increasing
the total contract amount to \$242,540.95 in substantial form presented
with any additional changes approved by District Manager and legal
counsel.

CONSIDERATION OF GRANT
OF EASEMENT TO SOUTH
METRO WISE AUTHORITY

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

RESOLVED, that the Board authorize the District Manager to execute
an easement deed to South Metro WISE Authority for the Quebec Street
Water Treatment Plant in substantial form presented with any additional
changes approved by District Manager and legal counsel.

CONSIDERATION OF
CONTRACT WITH GARNEY
COMPANIES, INC. FOR
WESTERN BOOSTER PUMP
STATION EQUIPMENT
REPLACEMENT
CONSTRUCTION SERVICES

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

RESOLVED, that the Board award the contract with Garney Companies, Inc. for the Western Booster Pump Station Equipment Replacement Project in the amount of \$1,574,681 in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
MODIFICATIONS OF RATES,
FEES & CHARGES

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

RESOLVED, that the Board approve and adopt the 2019 Rates, Fees & Charges effective January 1, 2019 as presented.

CONSIDERATION OF
RESOLUTION CERTIFYING
MILL LEVIES, ESTABLISHING
A BUDGET, AND APPROVING
APPROPRIATIONS FOR THE
2019 FISCAL YEAR

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

RESOLVED, that the Board approve the attached resolution regarding the adoption of the 2019 Budget and Mill Levy Certification.

EXECUTIVE SESSION

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

RESOLVED, that the Board enter into Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), Colorado Revised Statutes for purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instruct negotiators regarding the District's selection of bond and disclosure counsel for upcoming bond transactions; and pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), Colorado Revised Statutes for purposes of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instruct negotiators regarding District water supply within the Beebe Draw.

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

CONSIDERATION FOR
SETTLEMENT OF WATER
COURT CASE #15CW3065
WITH THE FARMERS
RESERVOIR AND IRRIGATION
COMPANY (FRICO)

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

RESOLVED, that the Board delegate the authority to approve the
settlement of the Water Court Case #15CW3065 with The Farmers
Reservoir and Irrigation Company (FRICO) to the District Manager in
consultation with the District's water counsel.

ADJOURNMENT

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



David J. Kaunisto
Acting Secretary