

**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, July 22, 2021 telephonically to preserve the health, safety, and welfare of the public in light of the imminent threat caused by 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
Rebecca A. Bellamy, Programs Administrator
Diane Day, Accountant

Others in Attendance

Tamara Seaver, Icenogle Seaver Pogue, P.C.
Gordon Meurer, Kennedy Jenks Consultants, Inc.
Sheela Stack, Nazerenus Stack & Wombacher
Scott Mefford, Hydrokinetics, Inc.
Andy Cohen, Clermont Eliot, LLC
Carrie Bartow, CliftonLarsonAllen, LLP

**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 as amended.

CONFLICTS OF
INTEREST

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

MINUTES

July 8, 2021

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

RESOLVED, that the minutes of the July 8, 2021 Board Meeting are hereby approved.

PAYMENTS OF CLAIMS

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

RESOLVED, that the Board approve the payables and ACH transactions dated July 22, 2021 for \$619,775.96.

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

RESOLVED, that the Board approve ACH transactions dated July 19, 2021 for \$17,506.64.

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

RESOLVED, that the Board ratify ACH transactions dated July 9, 2021 for \$6,627.89.

CONSIDERATION OF
RESOLUTION 2021-005
REGARDING
TERMINATION OF THE
DECLARATION OF
LOCAL DISASTER
EMERGENCY

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

RESOLVED, that the Board adopt Resolution 2021-005 Regarding Termination of the Declaration of Local Disaster Emergency, as extended, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
PROPOSAL FOR
CONSTRUCTION OF
THE ZONE 2 TANKS
ISOLATION VALVES
PROJECT FROM
AMERICAN WEST
CONSTRUCTION, INC.

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

RESOLVED, that the Board approve the proposal for Construction of the Zone 2 Tanks Isolation Valves Project from American West Construction, LLC, in the amount of \$595,000, in substantial form presented with any additional changes approved by District Manager and legal counsel.

EXECUTIVE SESSION

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

RESOLVED, that the Board enter into Executive Session at 5:32 PM 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) Aerotropolis Area Coordinating Metropolitan District and Aurora Highlands, LLC action in regard to the Northern Waterline and (b) a potential water rights purchase from Castle Pines North Metropolitan District

Upon completion of Executive Session at 6:05 PM, the Board reconvened in open session.

CONSIDERATION FOR
BIDS TO CASTLE PINES
NORTH
METROPOLITAN
DISTRICT

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

RESOLVED, that the Board approve the submittal of bids to Castle Pines North Metropolitan District for 105 shares of Fulton Irrigating Ditch Company and 0.5 shares of Platteville Milling and Irrigating Company and further authorize payment of the required earnest money deposit in the amount of 5% of the total bids being made, with all documents necessary to close on any of the water rights to be brought back to the Board for approval such that closing on the purchases can be accomplished by September 16, 2021 as required by the Request for Bids.

ADJOURNMENT

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

David J. Kaunisto
Acting Secretary