

**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, July 8, 2021. All participation in this meeting was via online and telephone conference in order to preserve the health, safety, and welfare of the public in light of the threat caused by the COVID-19 pandemic, in order to mitigate the spread of the COVID-19 virus.

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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  
Rebecca Bellamy, Programs Administrator  
Diane Day, Accountant

**Others in Attendance**

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

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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.

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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

**June 24, 2021**

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

RESOLVED, that the minutes of the June 24, 2021 Board Meeting are  
hereby approved.

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PAYMENT OF CLAIMS

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

RESOLVED, that the Board approve payables dated July 8, 2021 for  
\$1,147,945.13.

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

RESOLVED, that the Board ratify Interim ACH transactions dated July  
7, 2021 for \$736,766.

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

RESOLVED, that the Board ratify Interim ACH transactions dated June  
25, 2021 for \$1,250.

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CONSIDERATION OF  
FIRST AMENDMENT TO  
TEMPORARY  
CONSTRUCTION  
EASEMENT  
AGREEMENT WITH  
JEFFERSON COUNTY

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

RESOLVED, that the Board approve the First Amendment to Temporary Construction Easement Agreement with Jefferson County, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
UTILITY ACCESS  
EASEMENT WITH  
INTERMOUNTAIN  
RURAL ELECTRIC  
ASSOCIATION

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

RESOLVED, that the Board approve the Utility Access Easement with Intermountain Rural Electric Association, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
RELEASE AND  
TERMINATION OF  
TEMPORARY  
CONSTRUCTION  
EASEMENT  
AGREEMENT WITH  
ACKARD NORTH, LLC

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

RESOLVED, that the Board approve the Release and Termination of Temporary Construction Easement Agreement with Ackard North, LLC, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
CHANGE ORDER NO. 4  
FOR THE ECCV  
HEADQUARTERS  
EXPANSION AND  
REMODEL PROJECT  
FROM HPM, INC.

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

RESOLVED, that the Board approve Change Order No. 4 for the ECCV Headquarters Expansion and Remodel Project from HPM, Inc., increasing the total contract amount to \$3,229,294, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
CHANGE ORDER NO. 4  
FOR THE PHASE 2  
NORTHERN WATER  
TREATMENT PLANT  
PROJECT FROM  
GARNEY COMPANIES,  
INC.

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

RESOLVED, that the Board approve Change Order No. 4 for the Phase 2  
Northern Water Treatment Plant Project from Garney Companies, Inc.,  
increasing the completion date to December 23, 2021, in substantial form  
presented with any additional changes approved by District Manager and  
legal counsel.

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CONSIDERATION OF  
LEASE AGREEMENT  
FOR USE OF THE  
FULTON DITCH  
AUGMENTATION  
STATION BETWEEN  
SOUTH ADAMS  
COUNTY WATER &  
SANITATION DISTRICT  
AND EAST CHERRY  
CREEK VALLEY  
WATER & SANITATION  
DISTRICT

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

RESOLVED, that the Board approve the Lease Agreement for use of the  
Fulton Ditch Augmentation Station between South Adams County Water  
& Sanitation District and East Cherry Creek Valley Water & 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 Elzi, seconded by Director Hill and unanimously  
adopted, it was...

RESOLVED, that the Board enter into Executive Session at 3:33 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 4:45 PM, the Board reconvened in  
open session.

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ADJOURNMENT

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

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David J. Kaunisto  
Acting Secretary