

**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, January 28, 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
Allan H. Tenenbaum, Assistant Secretary

Absent (Excused)

O. Karl Kasch, Secretary

Staff in Attendance

David J. Kaunisto, District Manager
Rick Clark, Senior Engineering Advisor
Chris Douglass, Project Manager
Scott Niebur, Operations Manager
Richard Maestas, Business Services 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.
Brian Nazareus, Nazareus Stack Wombacher, LLC
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 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 Hill, Elzi and Tenenbaum.

MINUTES

January 14, 2021

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

RESOLVED, that the minutes of the January 14, 2021 Board Meeting are
hereby approved.

PAYMENTS OF CLAIMS

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

RESOLVED, that the Board approve the payables and ACH transactions
dated January 28, 2021 for \$2,115,151.01.

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

RESOLVED, that the Board ratify ACH transactions dated January 19
and January 25, 2021 for \$170,306.

CONSIDERATION OF
UTILITY REPAIR TASK
ORDER SERVICES
CONTRACT WITH
EMERGENCY PIPE
REPAIRS AND
EXCAVATING, LLC

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

RESOLVED, that the Board approve the Utility Repair Task Order Services Contract from Emergency Pipe Repairs and Excavating LLC, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
THE METRO
WASTEWATER
RECLAMATION
DISTRICT CROSSING
OF THE NORTHERN
PIPELINE

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

RESOLVED, that the Board authorize the filing with the court of a stipulation regarding Metropolitan Wastewater Reclamation District's (Metro's) immediate possession of property burdened by East Cherry Creek Valley Water and Sanitation District easements as presented by Counsel, and further that the Board delegate the authority to staff and counsel to negotiate the terms of a permanent consent to overlap agreement, with the final agreement to be brought back to the Board of Directors for approval.

CONSIDERATION OF
LANDSCAPE
AGREEMENT WITH
ARAPAHOE COUNTY
AND RESOLUTION
2021-002 FOR THE ECCV
OFFICE EXPANSION
AND SHOP BUILDING
PROJECT

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

RESOLVED, that the Board approve the Landscape Agreement with Arapahoe County and Resolution 2021-002 for the ECCV Office Expansion and Shop Building Project, in substantial form presented with any additional changes approved by District Manager and legal counsel.

CONSIDERATION OF
PROPOSAL FOR
PROFESSIONAL
ENGINEERING
SERVICES FOR EAST
CHERRY CREEK
VALLEY WATER AND
SANITATION
DISTRICT'S
EMERGENCY
RESPONSE PLAN

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

RESOLVED, that the Board approve a contract with Kennedy Jenks for East Cherry Creek Valley Water and Sanitation District's Emergency Response Plan in the amount of \$63,164.00, in substantial form presented with any additional changes approved by District Manager and legal counsel.

EXECUTIVE SESSION

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

RESOLVED, that the Board enter into Executive Session pursuant to C.R.S., Section 24-6-204(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 regarding (a) terms for closing out several water intergovernmental agreements with the City of Aurora and (b) FRICO Mediation matters.

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