

**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, May 13, 2021 telephonically, to preserve the health, safety, and welfare of the public in light of the imminent threat caused by the COVID-19 pandemic.

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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

**Others in Attendance**

Tamara Seaver, Icenogle Seaver Pogue, P.C.  
Gordon Meurer, Kennedy Jenks Consultants, Inc.  
Brian Nazarenus, Nazarenus Stack Wombacher, LLC  
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 Elzi, seconded by Director Tenenbaum, 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

**April 22, 2021**

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

RESOLVED, that the minutes of the April 22, 2021 Board Meeting are hereby approved.

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PAYMENT OF CLAIMS

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

RESOLVED, that the Board approve payables dated May 13, 2021 for \$1,429,528.93.

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

RESOLVED, that the Board ratify ACH transactions dated May 6, 2021 for \$871,891.60.

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CONSIDERATION OF  
REVISION TO UTILITY  
EASEMENT WITH  
PUBLIC SERVICE  
COMPANY OF  
COLORADO FOR  
ELECTRICAL SUPPLY  
TO THE SOUTH  
BOOSTER PUMP  
STATION

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

RESOLVED, that the Board approve the Revision to Utility Easement with Public Service Company of Colorado for electrical supply to the South Booster Pump Station, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
FINAL ACCEPTANCE  
OF THE PUBLIC  
STORAGE  
REDEVELOPMENT

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

RESOLVED, that the Board approve the Final Acceptance of the Public Storage Redevelopment, in substantial form presented with any additional changes approved by District Manager and legal counsel.

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CONSIDERATION OF  
RESOLUTION 2021-004  
TO IMPOSE  
EMERGENCY  
TEMPORARY WATER  
RESTRICTIONS

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

RESOLVED, that the Board approve Resolution 2021-004 to Impose  
Emergency Temporary Water Restrictions, and delegating authority to the  
District Manager to establish, adjust, and eliminate the restrictions as  
necessary.

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CONSIDERATION OF  
AGREEMENTS  
BETWEEN EAST  
CHERRY CREEK  
VALLEY WATER AND  
SANITATION DISTRICT  
AND LOWER LATHAM  
DITCH COMPANY AND  
LOWER LATHAM  
RESERVOIR COMPANY

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

RESOLVED, that the Board approve the Agreements between East Cherry  
Creek Valley Water and Sanitation District and Lower Latham Ditch  
Company and Lower Latham Reservoir Company, in substantial form  
presented with any additional changes approved by District Manager and  
legal counsel and subject to any final legal adjustments.

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EXECUTIVE SESSION

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

RESOLVED, that the Board enter into Executive Session at 4:00PM  
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 Aerotropolis Area Coordinating Metropolitan District and Aurora  
Highlands, LLC action in regard to the Northern Waterline.

Upon completion of Executive Session at 4:37PM, 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