
RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY**

HELD: June 10, 2020

13031 E. Caley Ave.
Centennial, CO 80111

ATTENDANCE:

Present via Zoom Video Conferencing were Directors: Doyle Tinkey, Geri Santos-Rach, Nancy Sharpe, Jeff Baker, Tom Wood, and Brad Cromer. Also in attendance via Zoom Video Conferencing were Steve Witter, Emily Lowell, Tony Campbell, Kevin McBrien, Patty Pratt, Sandor Rebek, Savana Dumler, and Legal Counsel Ron Fano. The guests in attendance via Zoom Video Conferencing were Alan Leak, of Respec, Carrie Bartow and Matt Vigil of Clifton Larson Allen, and Legal Counsel Steve York of TriStar.

CALL TO ORDER:

Director Tinkey called the video conference meeting to order at 9:03 a.m. The Pledge of Allegiance was recited.

ADOPTION OF THE AGENDA:

Director Tinkey made a motion to adopt the Agenda as presented. The motion was seconded by Director Sharpe and passed 6 to 0, as follows:

Doyle Tinkey – Yes
Tom Wood – Yes
Nancy Sharpe – Yes
Jeff Baker – Yes
Geri Santos-Rach – Yes
Brad Cromer – Yes

PUBLIC FORUM

No one came forward to address the Board.

CONSENT AGENDA:

Director Tinkey made a motion to approve the Consent Agenda as presented. The motion was seconded by Director Santos-Rach and passed 6 to 0, as follows:

Doyle Tinkey – Yes
Tom Wood – Yes
Nancy Sharpe – Yes
Jeff Baker – Yes
Geri Santos-Rach – Yes
Brad Cromer – Yes

The Consent Agenda consisted of the following:

1. Request for Approval of Minutes of the Board of Directors of the Arapahoe County Water and Wastewater Authority - from May 13, 2020
2. Request for Approval of Payment Register
3. Request for Approval of Chloramine Conversion Study
4. Request for Acceptance of ACWWA's 2021 Budget Development and Approval Timeline

GENERAL BUSINESS ACTION ITEMS

ITEM No. 5 – Update on VCC Lift Station Failure Investigation

Mr. Witter gave a brief background on the Valley Country Club (VCC) Lift Station failure and introduced Legal Counsel Steve York from Tri-Star to discuss the findings regarding the potential cause of the failure. Mr. York reported that through forensics, it appears that when the pipe was installed by a CDOT contractor, it may not have been installed deep enough or that when the high-pressure gas line was installed by Xcel, it was installed too deep. The as-builts for the high-pressure gas line have been requested and will be evaluated. Mr. York reported that it has almost been one year since the failure and per Colorado law, there is a two-year statute of limitations in which to file a lawsuit from the date of the incident. Mr. York reported we still have plenty of time and is confident that all parties involved are on notice. Mr. York indicated that if any of the Directors have any questions, they could call his cell phone directly.

ITEM No. 6 – Introduction of Matt Vigil and Carrie Bartow of Clifton Larson Allen

Mr. Witter introduced Matt Vigil and Carrie Bartow of Clifton Larson Allen who will be assisting ACWWA with some of its financial management responsibilities. Mr. Vigil will be the point person for day-to-day financial matters and both Ms. Bartow and Mr. Vigil will attend ACWWA's monthly Board meetings.

ITEM No. 7 – Discussion and Possible Action Related to the Chambers Reservoir

Mr. McBrien gave a brief history of the project and stated that Phase 1 was nearly completed. In anticipation of Phase 2, bids were requested. Mr. McBrien reported that the Planning Water Resources and Capital Projects (PWRCP) Committee and staff recommend that ACWWA contract with Raven CLI for the supplying and installation of

the liner system in the amount of \$2,320,000; contract with Fiore & Sons for the general civil construction contractor services in the amount of \$3,589,309; and AECOM Construction for the oversight and administration in the amount of \$394,000, to complete the Chambers Reservoir Project. The bids for Raven and Fiore both include the 10% requested contingency. Mr. McBrien also reported that ACWWA was approved for a \$2.5M CWCB loan. Staff has been working diligently with all parties to identify and adjust the certain items with each of the contracts, hoping to achieve some cost savings. The estimated construction time is 135 days. After discussion, Director Tinkey moved to approve the three contracts for Chambers Reservoir Phase 2, as presented, in the amounts as presented, for a total of \$6,303,309. The motion was seconded by Director Sharpe and passed 6 to 0 as follows:

Doyle Tinkey – Yes
Tom Wood – Yes
Nancy Sharpe – Yes
Jeff Baker – Yes
Geri Santos-Rach – Yes
Brad Cromer – Yes

ITEM No. 8 – Discussion Regarding the Evaluation and Design of a New Administration Building

Mr. Witter gave an overview of a proposed new administration building, including what it might look like and where it might be located. Mr. Witter set forth numerous reasons why a new building is necessary for ACWWA, including but not limited to the fact that the current building is at its maximum capacity. He also reported on the various steps that staff has taken to research the need and how it might be met. Ms. Lowell then explained that the deliverable for this next phase will be the next level of design with a preliminary layout of the building, but not a full set of construction drawings. The Board asked staff to consider various items like the construction of a metal building and working with a commercial real estate professional regarding the possibility of purchasing a building that is already constructed, and designing the footprint of the building to initially be smaller with the ability to expand. Ms. Lowell indicated that staff is already considering these suggestions. After discussion, Director Wood moved to approve the authorization of the requested \$110,000 (including contingency) for Intergroup Architects to do the next phase of their proposal which includes design development/planning submittal/survey as well as starting the process of the Conditional Letter of Map Revision (CLOMR) for the proposed site. The motion was seconded by Director Baker and passed 6 to 0 as follows:

Doyle Tinkey – Yes
Tom Wood – Yes
Nancy Sharpe – Yes
Jeff Baker – Yes
Geri Santos-Rach – Yes
Brad Cromer – Yes

ITEM No. 9 – Discussion and Possible Action Regarding Valley Country Club Request for Additional Water Supply

Mr. Rebek reported that Valley Country Club (VCC) has recently requested an additional 20-acre feet of irrigation water for the month of August 2020. Staff is continuing to evaluate whether ACWWA will have excess water to sell, which as always will be dependent on weather conditions over the next few months. Any agreement with VCC would be contingent on ACWWA determining in its sole discretion if it has excess water to sell. Mr. Rebek presented three different pricing options including applying the current tiered commercial rates, ignoring the water that is already supplied under the current agreement; applying the current tiered commercial rates, including the water that is already supplied; and using ACWWA’s “Construction Hydrant Meter Rate.” After discussion, Director Cromer moved to approve that ACWWA staff have authorization to begin formal discussions with Valley Country Club regarding additional water supply for August 2020, contingent on staff and legal review, while applying the current commercial rates, including the water that is already supplied. The motion was seconded by Director Wood and passed 6 to 0 as follows:

Doyle Tinkey – Yes
Tom Wood – Yes
Nancy Sharpe – Yes
Jeff Baker – Yes
Geri Santos-Rach – Yes
Brad Cromer – Yes

ITEM No. 10 – Discussion Regarding Board/Committee Meeting Coordination in June/July

Mr. Witter explained that currently, at the staff level, there are no actionable items that need Board consideration and that a July regular meeting is not necessary. Mr. Witter explained that necessary Committee meetings will proceed as scheduled on July 1. After a brief discussion, Director Wood moved to cancel the regular Board meeting currently scheduled for July 8, 2020. The motion was seconded by Director Cromer and passed 6 to 0 as follows:

Doyle Tinkey – Yes
Tom Wood – Yes
Nancy Sharpe – Yes
Jeff Baker – Yes
Geri Santos-Rach – Yes
Brad Cromer – Yes

The Board directed staff to keep them updated on various items via a General Manager’s Report.

ITEM No. 11 – General Manager’s Report to the Board of Directors

Mr. Witter gave a brief update on how ACWWA has reacted to the COVID-19 Pandemic. The Board recommended to staff that Termination Notification letters be sent out to those customers who are behind on paying their bills when the Governor’s Executive Order expires.

Ms. Lowell gave an update on the work at the JWPP. She indicated that the samples collected for the required Whole Effluent Toxicity (WET) test have passed, but Jacobs is not quite ready to present them to CDPHE. There are still issues to be resolved, including phosphorus and sulfide levels. Jacobs is developing process flow changes on how to manage these levels to provide a BTS discharge within the existing permit limits. The recommendation for modifications to the existing process for the BTS is expected to be submitted for review and comment next week and both ACWWA and CWSD staff will evaluate the recommendation and the proposed path forward. ACWWA staff will also speak with CWSD regarding any damages (outside of the liquidated damages) that have been incurred due to increased treatment costs at LTCWRF as well as the reduction in flow that we are currently receiving from the JWPP. The Board directed staff to provide, at the next Board meeting, the summary of results from the WET tests and any other testing that are being conducted.

ITEM No. 12 – Committee Updates – No report necessary at this time.

ITEM No. 13 – Staff Updates

- A. Development Report – No report necessary at this time.
- B. Monthly Financial Statements – No report necessary at this time.
- C. Legal Report – Mr. Fano reported he had nothing to report.

ITEM No. 14 – Informational Updates

- A. Water Informational Dashboard – No report necessary at this time.
- B. Customer Service and Website Activity – No report necessary at this time.
- C. Investments – No report necessary at this time.
- D. Billing Activities – No report necessary at this time.

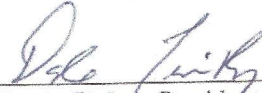
ADJOURNMENT

At 10:48 a.m. Director Santos-Rach made a motion to adjourn the meeting. The motion was seconded by Director Wood and passed 6 to 0, as follows:

- Doyle Tinkey – Yes
- Tom Wood – Yes
- Nancy Sharpe – Yes
- Jeff Baker – Yes
- Geri Santos-Rach – Yes

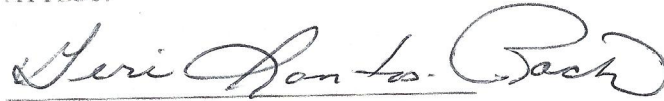
Approved: 08/12/ 2020.

ARAPAHOE COUNTY WATER AND
WASTEWATER AUTHORITY



Doyle Tinkey, President

ATTEST:



Geri Santos-Rach, Secretary