

RECORD OF PROCEEDINGS

CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT

REGULAR MEETING OF THE BOARD OF DIRECTORS

AUGUST 16, 2016

The regular meeting of the Board of Directors of the Cherry Creek Valley Water and Sanitation District was held at the District Offices, 2325 S. Wabash Street, Arapahoe County, Colorado, at 7:00 p.m. on August 16, 2016.

PRESENT

Paul Hanley – Chairman
Mark Lampert – Vice Chairman
William MacPhee – Secretary/Treasurer
Frederick Norman – Director
Bradley Rastall - Director

OTHERS PRESENT

John Warford – Manager
Chuck Buchanan – Maintenance Supervisor
Lisa Glenn – Office Manager/Accountant
Darryl Farrington – Semple, Farrington & Everall, P.C.
Eric Hein – Merrick & Company
Carmine Iadarola – AquaSan Network
Kevin Barney – Manhard Consulting
John Griffis – Buccaneer Development
Nathan Rosemann – Rosemann & Associates, P.C.
Susan Stanton – The Stanton Solution

Mr. Hanley, Chairman of the Board, called the meeting to order at 7:02 p.m.

The first item on the agenda was approval of the agenda. Mr. Hanley noted that the agenda had been updated to move the Denver Jewish Senior Living to the beginning of the meeting. The Board unanimously approved the updated agenda.

Next, Mr. Warford explained that the professionals designing the Denver Jewish Senior Living Center were at the Board meeting to get approval from the Board for the sewer alignment in their development plan. There are two options available for the sewer alignment. Option 1 is leaving the existing sewer in its current alignment under the old S. Wabash St., but that option leaves the sewer line under parking spaces and landscaping. Option 2 is to move the sewer line into the drive of the designed development parking lot to facilitate District access for maintenance and emergencies. With Option 2, the slope of the sewer is slightly less than what

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is required in the District's rules and regulations, but based on the preliminary review by Mr. Warford and the District's engineer, Mr. Hein from Merrick & Company, the reduced slope would be acceptable and would be preferable to Option 1. However, Mr. Hein said certain numbers and layout of the new sewer line and service lines would need to be reviewed by Merrick before the design could be approved by the District. Mr. Hein would also like to have the laterals from the Denver Jewish Day School that tie into the existing line be potholed to make sure the slope is adequate on the laterals extending to the new sewer line if relocated further west. After discussion, the Board unanimously approved Option 2 subject to further review by Merrick as stated. Mr. Barney, Mr. Griffis, Mr. Rosemann, and Ms. Stanton left the meeting at 7:28 p.m.

Mr. Lampert requested that the July 19, 2016 minutes reflect the resolution number for the resolution prohibiting camping on District property. The Board unanimously approved the July 19, 2016 minutes as revised, the June Financial Report, and the June Payment of Bills.

Mr. Hanley opened the meeting for public comment at 7:29 p.m. There were no members of the public present; therefore, the public comment period was closed at 7:29 p.m.

The Board discussed the Water Consultant Report from Mr. Iadarola, which included the following topics.

- Mr. Iadarola announced AquaSan's resignation from working with the District. He expressed his thanks in working with the District for 33 years. The Board thanked him for his service. AquaSan will be available to assist the District with its water rights and monthly reporting during the transition period.
- Wabash Complex – The District pumped 152,000 gallons for the Country Club and the Country Club pumped 1.8 million gallons last week, which was a challenge for the Country Club and most likely will need help meeting its augmentation requirements from the District in the coming weeks. AquaSan approved the accounting forms in Case 93CW121 for the Colorado Division of Parks and Wildlife application. The decree has been issued. A three day trial is set up for Arapahoe County Water and Wastewater Authority. A settlement should be made before the case would need to go to trial. Grandview has stated their comments mirror Cherry Creek Valley Water's comments on the case.
- Metro District – Mr. Iadarola urges the Board to include in its service plan, should it pursue becoming a Metro District, the reuse of water (treatment, collection, and distribution of water and wastewater) and energy production and distribution.

The Engineering Report from Mr. Hein included the following topics:

- Updates on the status of the 2016 Capital Improvement Projects – Florida Sewer,

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Dayton St. Waterline, High Line Canal Sewer, and the Creekside Waterline.

- Merrick is preparing coordinates for the Denver Water license agreement for the District to construct the sewer in the High Line Canal property for service to new development on S. Uinta Wy.
- Updates on the status of Developer Projects - Nara Hookah, Sky Mark Apartments, Valentia Court, Willowmiss, Highline Ridge, Iliff Avenue Townhomes, and Falling Water.
- Awaiting County Commissioner approval for the Drainage Project north of the District office. Mr. Farrington added that all parties have signed the drainage easement and the addendum to the drainage agreement and the Board of County Commissioners approved the project today. Contracts have been written up for the contractor that will be submitted to the District and Wabash Marketplace.
- The non-potable water supply plan will be discussed later in the meeting.

Mr. Farrington reported that he revised the non-potable rules and regulations that were approved by the Board at the last meeting, primarily to clarify that the use of non-potable water was not necessarily just for irrigation only and a general clean up. The Board unanimously ratified the revision of the non-potable rules and regulations.

Next on the agenda was the Manager's Report from Mr. Warford.

- There are no new developments regarding the Emergency Plan.
- Mr. Warford requested a special meeting to discuss other aspects of the non-potable water supply plan, change in consultants and office staff. The Board agreed on having a special meeting on September 6th at 7:00 pm.
- The developer added a hand written warranty to the conveyance of lines document for Valentia Court. The Board unanimously voted to have Mr. Farrington prepare an addendum to the conveyance document to show the one year probationary period is over for Valentia Court.
- Mr. Warford met with Metro Wastewater, Denver Public Works, the developers of Cherry Tree Estates and their engineer and attorney. Mr. Hanley recused himself from this discussion since the attorney is a member of his firm. Metro and Denver Public Works are negotiating how to get sewer service to the development.
- Mr. Warford will discuss the Denver Water efficiency credit pilot program with Denver Water staff before further discussion with the District Board.

The following points were made during the discussion of the District's non-potable water

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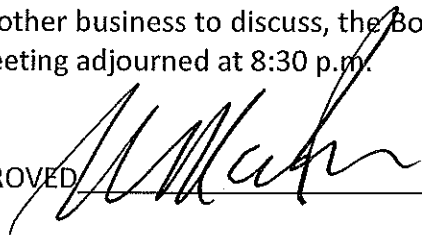
supply plan.

- Mr. Hein reported on how the District can respond to SEMSWA's comments from the meeting at Arapahoe County in June. Merrick will prepare a letter to SEMSWA's Technical Review Committee asking for a variance regarding the sedimentation basin in the floodplain. Merrick reviewed Urban Drainage modeling for the 2013 floodplain update and did not identify any apparent errors. Merrick prepared their own model using their own topography and the results agreed with the Urban Drainage model. Preliminary modeling results indicate it may be possible to push the floodplain boundary toward the creek with earthen fill to an extent without impacting the water surface elevation.
- Mr. Hein pointed out that the Iliff Ave bridge over Cherry Creek might be acting as a flow restriction, causing a backwater upstream at the proposed reservoir site. The proposed Iliff Ave road improvement drawings from Arapahoe County were brought out and reviewed. They show a wider roadway over the creek, but it is not clear if a new bridge is proposed, or if the existing bridge will be modified/widened.
- The permitting process for the reservoir is on hold until the issues with SEMSWA can be resolved.
- There is no update on the High Line canal letter of Intent since Denver Water indicated their response will take up to three or four months.

Regarding the Metro District conversion, Mr. Hanley is waiting to get maintenance figures on similar medians from Arapahoe County regarding the District maintaining the new median in E. Iliff Ave. between S. Quebec St. and S. Parker Rd.

There being no other business to discuss, the Board unanimously voted to adjourn. Mr. Hanley declared the meeting adjourned at 8:30 p.m.

READ AND APPROVED



DATED

9-20-16