MINUTES
FOR THE BOARD OF DIRECTORS
OF THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT
MARCH 9, 2022
REGULAR MEETING AT 6:00 P.M.

Regular Board Meeting
A duly called Regular Meeting of the Board of Directors of the South Adams County Water and Sanitation District (the “District”) was held on March 9, 2022, at 6:00 p.m. in the District’s Aragon Boardroom at 6595 E. 70th Avenue, Commerce City, Colorado, in accordance with the applicable statutes of the State of Colorado. All Board members received the Agenda and meeting packet in advance of or at the meeting, and the non-confidential portions of those materials were incorporated by reference into the public portion of the meeting and these meeting minutes.

Board Members Present (thereby constituting a quorum):
Mizraim Cordero, President
Heidi McNeely, Ph.D., Vice President
Vicki Ennis, Secretary
William Frew, Treasurer
Michael Scanlon, Director

SACWSD Staff/Legal Present:
Abel Moreno, District Manager
Kipp Scott, Water Systems Manager
Byron Jefferson, Administrative Services Manager
Jeff Coufal, Distribution & Collections Manager
Mark Cubbon, WW Operations & Maintenance Supervisor
James M. Mock, General Counsel
Dawn Fredette, District Clerk/Legal Assistant

Consultants/Others Present:
Glenn Hamilton, Muller Engineering Co.
Jenna Lowry, City of Commerce City (via videoconference)

CALL TO ORDER
President Cordero called the meeting to order at 6:02 p.m. and then led everyone in the Pledge of Allegiance.

DISCLOSURES OF CONFLICTS OF INTEREST
President Cordero called for Disclosures of Potential Conflicts of Interest. Mr. Mock noted that the Board had received, and staff had filed with the Secretary of State’s office more than 72
hours prior to the meeting certain disclosures of potential conflicts of interest statements for the Directors indicating their conflicts or potential conflicts as shown below.

President Cordero has submitted a standing potential conflict of interest letter stating that he is an employee of United Airlines. United Airlines has significant business with the City and County of Denver. The District has a potential adversarial relationship with the City and County of Denver related to water contamination.

Director Frew has submitted a standing potential conflict of interest letter stating that he is an employee and part-owner of Sunshine Plumbing Heating and Air. The Company provides various plumbing, heating, and air conditioning services throughout the Metro Denver Area, including within the boundaries of the District.

Director Ennis is an employee of Brighton School District 27J and from time to time the School District has business before the District.

Director Scanlon is a Director of the Adams 14 Education Foundation, a non-profit that supports education and literacy programs.

President Cordero asked if the Board members had any additional potential conflicts of interest to disclose. There were none.

**AGENDA REVIEW**

President Cordero asked if there were any changes to the Agenda. No changes were made.

**APPROVAL OF MINUTES**

President Cordero called for a MOTION to approve the Minutes from the Regular Meeting held on February 9, 2022. Director Scanlon moved and Director Frew seconded. The MOTION passed unanimously.

**PUBLIC COMMENT**

President Cordero called for public comments and stated that members of the public have three minutes to address the Board. There were no public comments.

**CONSENT AGENDA**

President Cordero inquired whether any Board member would like to discuss any particular Consent Agenda item. No Board member expressed a desire to discuss or move an item from the Consent Agenda and Director Cordero then read the following Consent Agenda items:

1. Approve purchase of Neptune Technology Group meter equipment from Core & Main in the amount of $99,680.20
2. Approve Amendment No. 1 to Intergovernmental Agreement with Adams County for Dahlia Street Improvements Project
3. Approve Partial Pay Request #7 to Vortex Services, LLC in the amount of $1,211,853.06 for the Irrigation Transmission Main Construction Project
4. Approve purchase of GAC F300 from Calgon Carbon in the amount of $38,063 per
   contract for a total not to exceed amount of $418,693
5. Approve Electronic Payments
6. Approve the Bill Paying Process

President Cordero called for a **MOTION** to approve the Consent Agenda items. Director
Ennis moved and Director McNeely seconded. The **MOTION** passed unanimously.

**ACTION ITEMS**

**ACTION ITEM 1 - Resolution Proclaiming March 14–20, 2022, as “Fix A Leak Week”**

Mr. Scott discussed the significant amount of water lost in homes and businesses due to
leaks. He noted that “Fix A Leak Week” is an annual event sponsored by the EPA’s WaterSense
program. Mr. Scott further explained that this year the event is being held the week of March
14-20 and that staff is asking the Board to recognize the event with a resolution of support. He
also discussed the activities that the District will do to highlight the week.

Discussion ensued regarding annual participation in “Fix A Leak Week” going forward.

President Cordero then called for a **MOTION** to approve the Resolution Proclaiming March
14–20, 2022, as the District’s “Fix A Leak Week.” Director Frew moved and Director Scanlon
seconded. The **MOTION** passed unanimously.

**ACTION ITEM 2 - Contract with Distribution System Resources, Ltd. in an amount not
to exceed $100,000 for fire hydrant and valve exercising services**

Mr. Coufal explained that this is routine annual maintenance, noting that staff will assess the
system and needed repairs will be done. Discussion ensued regarding valves and pressure
testing. Director Scanlon suggested working in conjunction with the Fire Department to ensure
proper fire hydrant pressure.

President Cordero called for a **MOTION** to approve the contract with Distribution System
Resources, Ltd. in an amount not to exceed $100,000 for fire hydrant and valve exercising
services. Director Scanlon moved and Director Frew seconded. The **MOTION** passed
unanimously.

**ACTION ITEM 3 - Authorize the District Manager to enter into a purchase agreement
for real property at 8271 Counter Drive in Henderson, Colorado**

Mr. Moreno explained that this is a unique opportunity for the District considering the
District had previously determined that more robust equipment was needed at its Counter Drive
lift station. He discussed recently being made aware of this adjoining property coming on the
market, and that by purchasing the property the District would be able to increase infrastructure
at the lift station.

Mr. Moreno further discussed the lift station assessment done a few years ago, emergency
response times, and improvement options that were discussed at that time. However, staff
determined those options to be too costly.
Mr. Moreno then stated that there would be additional discussion in Executive Session regarding the asking price.

**DISCUSSION ITEMS**

**DISCUSSION ITEM 1 – Proposed Sand Creek Business Area Urban Renewal Tax Increment Financing**

Mr. Moreno introduced Jenna Lowry who attended the meeting virtually. Ms. Lowry works in the City Manager’s office at the City of Commerce City. Mr. Moreno proceeded to discuss the letter received from the City regarding the proposed Sand Creek Business Area Urban Renewal Area, located at approximately 48th Avenue and Holly Street. He noted that this location is within the Denver Water service area. Mr. Moreno further explained that the City is seeking to keep a portion of the District’s mill levy to develop this blighted area, which is similar to the arrangement between the City and the District for the redevelopment of the Mile High Greyhound Park.

Mr. Jefferson explained that the District would be losing just a very miniscule amount of its mill levy, and that there would be no impact on future operations.

Ms. Lowry then provided some additional information regarding the planned redevelopment, noting it includes six different taxing entities and that the area is 65 acres of undeveloped property. Ms. Lowry further talked about timing for presenting the plans to City Council, and that the City hopes to come to an agreement to better this area for the entire community.

Discussion ensued regarding the development plan and what the City would like to see built. Ms. Lowry indicated that the City was approached by a developer who was interested in cleaning up the site and then building a commercial distribution site to include six different industrial distribution centers. She noted that the specific types of distribution have not yet been finalized. Ms. Lowry further noted that the area can’t be residential and that the tax increment financing is needed for this project because of the environmental cleanup.

Mr. Moreno concluded by stating that this topic was brought before the Board at this time just for discussion purposes, but that there will be an actual agreement with the City at the next meeting on which the Board can take action.

**EXECUTIVE SESSION**

Mr. Mock stated a motion for the Board to consider to enter into Executive Session under §24-6-402(4)(b & e), C.R.S., for the purpose of receiving legal advice from the District’s legal counsel and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators related to the possible Counter Drive Lift Station Land Purchase; and any other matters that are properly authorized to be discussed in Executive Session. The Board of Directors may take public action on any matter discussed in executive session following any executive session.

The Board of Directors may take public action on any matter discussed in executive session following any executive session.
Director McNeely made a **MOTION** at 6:28 p.m. for the Board to enter into Executive Session, pursuant to the motion stated above by Mr. Mock. Director Ennis seconded. The **MOTION** passed unanimously, and the Board entered into Executive Session.

At 7:01 p.m., a **MOTION** was made by Director Scanlon for the Board to return to Regular Session. Director Frew seconded and the **MOTION** passed unanimously.

Mr. Mock stated for the record that, the portions of the Executive Session that were not recorded constituted privileged attorney-client communications.

Following Executive Session, there was additional discussion regarding the purchase of the real property at 8271 Counter Drive. The Board noted that it had provided staff with direction on how to proceed with negotiations.

Mr. Moreno also discussed the installation of community showers being planned by Commerce City and Adams County for the homeless population and that Staff may be back at a Board meeting in the future to discuss further. He further discussed related items of concern to the District.

In conclusion, President Cordero asked if the Board members had additional comments on any matters. There were no additional comments by any Board members.

**ADJOURNMENT**

President Cordero called for a **MOTION** to adjourn at 7:05 p.m. Director Frew moved and Director Scanlon seconded. The **MOTION** passed unanimously.

Respectfully submitted,

![Signature]

Vicki Ennis
Secretary

Attorney Attestation as to not recording portions of an Executive Session:

I, James M. Mock, hereby attest that the portion of the Executive Session discussion not recorded constituted privileged attorney-client communications.

![Signature]

James M. Mock

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