MINUTES
FOR THE BOARD OF DIRECTORS
OF THE SOUTH ADAMS COUNTY WATER AND SANITATION DISTRICT
MAY 11, 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 May 11, 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
James M. Mock, General Counsel
Dawn Fredette, District Clerk/Legal Assistant
Theresa Friess, Community Affairs Specialist

Consultants/Others Present:
Steve Hibbeler – Muller Engineering Co.
Glenn Hamilton (and wife Laura) - Muller Engineering Co.
Marc Johns - City of Brighton Interim Utilities Manager
Jon Lohmer - Resident
Jocelyn Hittle, Amelie Cordero and Olivia Cordero – Family members of President Cordero

1 CALL TO ORDER
2 President Cordero called the meeting to order at 6:00 p.m. and then led everyone in the
3 Pledge of Allegiance. It was noted that a quorum was present for conducting the meeting.
Ms. Fredette was then asked to provide a preliminary election report as DEO for the May 3, 2022 Regular Election. Ms. Fredette stated that the election had gone smoothly and that the deadline to receive any additional UOCAVA ballots for counting had been today at 5:00 p.m. She noted that no additional UOCAVA ballots were received by the deadline so the preliminary election results naming René Bullock, Rebecca Irene Toczyłowski and William Frew as the three winners would remain unchanged. Ms. Fredette also indicated that the Canvass Board would be meeting the next day, Thursday, May 12, to review and consider officially certifying the election results.

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 the Board would like to see any changes to the Agenda. There were no changes made to the Agenda.

APPROVAL OF MINUTES

President Cordero asked the Board for any comments on the Minutes from the Regular Meeting held on April 13, 2022. There were no comments. President Cordero then called for a MOTION to approve the Minutes from the Regular Meeting held on April 13, 2022. Director McNeely moved and Director Ennis seconded. The MOTION passed unanimously.

PUBLIC COMMENT

May 11, 2022
Page 2
President Cordero called for public comments and stated that members of the public have
three minutes to address the Board.

Mr. Jon Lohmer addressed the Board. Mr. Lohmer indicated that he had mailed
correspondence to the District on January 3, 2022, asking about the Notice of Proposed Rate and
Fee Increases for 2022, but that he never received a response. Mr. Lohmer distributed copies of
his letter to the Board members and Managers prior to the meeting.

Mr. Lohmer also inquired about the unavailability of candidate information for the District’s
recent election held on May 3. The Board directed Mr. Moreno to follow up with Mr. Lohmer
regarding his questions.

There were no other comments from the public and the Public Comments portion of the
meeting was closed.

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. Authorize the lease of 2,500 acre-feet of excess 5K water supplies to FRICO for the
   year 2022
2. Approve a Task Order with Brown and Caldwell for an amount of $80,411.00 to
   provide engineering services for the Landmark site communication project
3. Direct staff to file Statements of Opposition in Water Court Case No. 22CW3034
4. Approve Partial Pay Request #9 to Vortex Services, LLC in the amount of
   $1,063,456.51 for the Irrigation Transmission Main Construction Project
5. Authorize the President to sign a letter re-appointing Ms. Sarah Niyork to the Metro
   Water Recovery Board of Directors representing the District’s interests
6. Approve Electronic Payments
7. Approve the Bill Paying Process

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

ACTION ITEMS

ACTION ITEM 1 – Approval of the revisions to the District’s Design and Construction
Standards for Water and Wastewater Facilities

Mr. Coufal discussed that staff had completed their amendments and modifications to the
District’s Design and Construction Standards, noting that the changes will be applied to new
projects as they come in. Mr. Moreno added that the updates have been in progress for a long
time but that with the approval of the Board this is now a living document to which staff will be
able to make minor modifications on an ongoing basis moving forward.

May 11, 2022
Page 3
President Cordero noted that this Board has always been supportive of sustainable
development and he thanked staff for their work on the modifications to the document.

President Cordero called for a **MOTION** to approve the revisions to the District’s Design
and Construction Standards for Water and Wastewater Facilities with any future adjustments as
authorized by the District Manager. Director Scanlon moved and Director Frew seconded. The
**MOTION** passed unanimously.

**ACTION ITEM 2 - Approval of a contract with Vortex Services, LLC for $4,376,441.40**
and Amendment #2 with Muller Engineering Company, Inc. for construction management
and observation services for $199,923.00, for a total not to exceed project cost in the
amount of $4,576,364.00 for the District’s 2022 Water Line R&R Project

Mr. Coufal discussed that this project is the bulk of the 2022 Water Line R&R Project.
However, due to costs, it is being recommended that there be a reduction in the scope of work.
Discussion ensued.

Mr. Moreno discussed the Engineer’s estimate of probable construction costs being less than
the bid submitted by Vortex. He also noted that due to the current climate of bidding and costs,
the scope of work is being reduced for now to be mindful of the budget. Additional discussion
ensued regarding budgetary concerns for 2022.

Mr. Moreno further talked about tabling projects for 2022 until the market stabilizes.
However, he noted that the only remaining major project for 2022 is the Sand Creek lift station.
There was further discussion and Mr. Coufal talked about the added costs of materials the
District has encountered this summer.

Following discussion, President Cordero called for a **MOTION** to approve the contract with
Vortex Services, LLC for $4,376,441.40, and Amendment #2 with Muller Engineering
Company, Inc. for construction management and observation services for $199,923.00, for a
total not to exceed project cost in the amount of $4,576,364.00 for the District’s 2022 Water Line
R&R Project. Director McNeely moved and Director Ennis seconded. The **MOTION** passed
unanimously.

**ACTION ITEM 3 – Approve an IGA among the District, Denver Water, and City of
Brighton for delivery of water from Denver Water through the District’s system to
Brighton; and a proposed IGA between the District and City of Brighton addressing
service issues by SACWSD to the following Brighton areas: Fuller Estates, Shiraba Park,
School District 27-J Maintenance Facility, and Singh Sabha Temple**

Mr. Scott stated that these IGAs had been discussed at last month’s Board meeting, noting
that since then District staff has met with City of Brighton staff to resolve outstanding issues.
Mr. Johns of the City of Brighton has been working particularly hard on this matter.

Mr. Scott went on to discuss the three-way IGA between the District, Denver Water, and
Brighton, noting the only change to the IGA since last month was to the carriage fee. The
 carriage fee was adjusted to reflect no additional treatment by the District to the water received
from Denver Water. Rather, the carriage fee will cover some additional chlorination, pumping,
and system components used to transport the water. Discussion ensued on how the water will
bypass the Klein water treatment facility and why the contract rate is reasonable.

Mr. Scott then discussed the two-way IGA between the District and the City of Brighton,
noting that this IGA identifies the four areas in Brighton that need to be disconnected from the
District’s system and the associated timelines.

President Cordero spoke about being pleased with the collaboration between the District and
Brighton, that cross-jurisdiction cooperation with regard to water matters is important in the
West, and he thanked both teams for their work on these agreements.

President Cordero called for a **MOTION** to approve an IGA among the District, Denver
Water, and City of Brighton for delivery of water from Denver Water through the District’s
system to Brighton; and a proposed IGA between the District and City of Brighton addressing
service issues by SACWSD to the following Brighton areas: Fuller Estates, Shiraba Park, School
District 27-J Maintenance Facility, and Singh Sabha Temple Director Scanlon moved and
Director Frew seconded. The **MOTION** passed unanimously.

**DISCUSSION ITEMS**

**DISCUSSION ITEM 1 – Water Meters Supply**

Mr. Coufal discussed the current supply issues regarding water meters. He noted that the
vendor is searching for more meters and other districts are in the same situation. He talked about
conversations with other vendors and manufacturers, and because of those conversations, staff
has concluded that the District is with the right vendor and manufacturer. Mr. Coufal added that
the District is in the process of repurposing and refurbishing older meters.

Discussion ensued regarding the possibility of using a flat rate. Director McNeely indicated
that she would not be in favor of using a flat rate without having more information as to what
that would entail.

**DISCUSSION ITEM 2 – Communication Plan Update**

Ms. Friess discussed progress on the 2022 Communications Plan. She began with the
website redesign project, noting there has been a lot of interest following the RFP and that the
vendor will be chosen by early June. Ms. Friess also discussed recent community outreach
events, such as National Drinking Water Week which included hosting events and providing
tours for the Chamber of Commerce and an environmental justice group called Cultivando, and a
presentation to each fifth-grade class at Turnberry Elementary School. The presentations at
Turnberry included an art contest for the students to show how drinking water impacts their daily
lives. A winner from each class will receive tickets to Paradise Island and the option to enter a
national contest with the American Water Works Association.

Ms. Friess also discussed continuing to improve District communications through social
media, bill inserts and the District’s website, noting that updated information on emerging
contaminants had recently been added to the website. Other topics discussed by Ms. Friess
included work on the Emergency Water Plan which has involved reaching out to other local
agencies, the goal of having the new website by the end of the year, developing information
videos to share with District customers, hosting another telephone town hall meeting, and
partnering on events with the Chamber of Commerce and local school districts. Discussion
ensued regarding positive feedback received on the new vendor for customers to pay their bills
online.

The Board thanked Ms. Friess for all the activity and work that’s been happening. Mr.
Moreno discussed the Commerce City Memorial Day parade, noting that the District will be
participating to recognize those who have served our country. The District will have a truck at
the parade along with banners and a mascot. The Board and Mr. Moreno again expressed their
appreciation for all of Ms. Friess’s efforts.

**DISCUSSION ITEM 3 – Utility Billing Update**

Mr. Jefferson again thanked President Cordero and Director Scanlon for their service on the
Board. He then proceeded to discuss billing updates, which included being closer to reducing
the billing gap and being almost ready to send a billing flyer to customers regarding the new
billing system. Mr. Jefferson also stated that he had spoken with all the members of the public
who were at the last meeting. Discussion ensued about the reduced number of calls being
received regarding billing issues and that the number of complaints has gone down.

**DISCUSSION ITEM 4 – DROP Awards for outgoing Board Members**

Mr. Moreno expressed that is an honor to present these DROP awards on behalf of the
District. He began with discussing Director Scanlon and his accomplishments over his six years
on the Board. Mr. Moreno’s comments referred to Director Scanlon being instrumental in the
water softening plant and his participation in those public meetings, and being involved in a
number of other infrastructure and R&R improvements, as well as the delivery of wastewater to
Metro Wastewater. Mr. Moreno further noted that he appreciated Director Scanlon’s tough
questions, keeping things light and his sense of humor.

The Board also thanked Director Scanlon for his service and added their comments. Their
comments referred to his willingness to give back to the community, keeping everyone informed,
and being enthusiastic for the Board meetings. Legal Counsel and the Managers also gave
comments and thanked Director Scanlon. Their comments referred to Director Scanlon being a
great advocate for the community, always being at outreach events, and his community
involvement in the water softening project. Director Scanlon expressed that it’s been a pleasure
working with this board, and that he appreciates their interaction and forward thinking of the
District.

Mr. Moreno then discussed the contributions of President Cordero during his eight years on
the Board. He talked about President Cordero always encouraging people to speak up, his
mentorship, the difficult process to replace the previous District Manager, his involvement in
collaborating with Metro Wastewater regarding a regional interceptor and in obtaining a
permanent water supply along Tower Road. Mr. Moreno further noted that President Cordero’s
display of leadership has been phenomenal and that he’s been involved in $100,000,000 of
District improvements. Mr. Moreno ended by stating President Cordero is a community
champion, has considerable knowledge and experience, and always asked great questions.
The Board then proceeded to thank President Cordero and added their comments. Their comments referred to his professionalism, being able to learn so much from him, his knowledge of community and politics and paving the way for those who continue to serve on the Board. They further noted that President Cordero is well respected and they’re very appreciative of his perspective and insightfulness.

Mr. Mock then acknowledged President Cordero’s family in attendance at the meeting. Mr. Mock and the Managers also thanked President Cordero and talked about his accomplishments and leadership qualities. Comments referred to his involvement in the water softening project, his political advice and ability to run meetings and keep things on course, asking the tough questions and helping staff formulate what they needed to do. Additional comments mentioned the first horizontal collection well in the state, appreciating his creativity, staff benefitting from his leadership, and the District being a better community partner thanks to President Cordero.

President Cordero thanked his family and the Board. He stated that he’s thankful to the Board for having elected him as Chair of the Board, and he’s thankful to staff for answering his questions. President Cordero concluded by thanking everyone involved in the District, noting that the District is on its way to a whole other level.

Mr. Moreno added that the District has nominated President Cordero for the 2022 SDA Board Member of the Year Award, noting that the winner will be formally announced at the SDA Annual Conference in September.

EXECUTIVE SESSION
The Board determined that an Executive Session was not needed.

In conclusion, there were no additional comments from any Board members and the meeting was adjourned.

ADJOURNMENT
President Cordero called for a MOTION to adjourn at 7:15 p.m. Director Frew moved and Director Scanlon seconded. The MOTION passed unanimously.

Respectfully submitted,

[Signature]

Secretary

May 11, 2022
Page 7