

METRO WATER RECOVERY

Minutes of the Regular Meeting of the Board of Directors

September 21, 2021

The Board of Directors of Metro Water Recovery, in the Counties of Adams, Arapahoe, Douglas, Jefferson, and Weld, and the City and County of Denver, State of Colorado, met in regular session in-person and via conference call at 6450 York Street, Denver, Colorado, Tuesday, September 21, 2021 at 5:30 p.m. in the Metro Boardroom.

Chairman Twombly called the meeting to order.

1. OATH OF OFFICE

The following Directors have been appointed by their Member Municipality to complete a two-year term of office expiring June 30, 2023.

Appointed Director

Doug Lazure
Jennifer Williams

Member Municipality

City and County of Denver
City and County of Denver

The following Directors have been reappointed by their Member Municipality for a two-year term of office expiring June 30, 2023.

Reappointed Director

Peter Baertlein
Deborah Crisp
Robert Duncanson
Andrew Johnston
Bill Ray
Michael Sapp
Peter Spanberger
Dennis Towndrow

Member Municipality

City and County of Denver
East Lakewood Sanitation District
City and County of Denver
City and County of Denver
City of Arvada
City and County of Denver
City and County of Denver
North Pecos Water and Sanitation District

2. ROLL CALL

Secretary Niyork called the roll.

Officers Present:

Scott Twombly, Thornton
Andrew Johnston, Denver
Sarah Niyork, South Adams
Jo Ann Giddings, Aurora

Chairman
Chairman Pro Tem
Secretary
Treasurer

Directors Present:

Peter Baertlein, Denver
Jane Bais DiSessa, Brighton
Greg Baker, Aurora
Nadine Caldwell, Aurora
John Chavez, Berkeley
David Councilman, Pleasant View

Laura Kroeger, Lakewood
Doug Lazure, Denver
Bob LeGare, Aurora
Charles Long, Thornton
Martin Majors, Fruitdale*
Steve Pott, Applewood

Deborah Crisp, East Lakewood
Clark Davenport, Northwest Lakewood*
John Dingess, Aurora
Robert Duncanson, Denver
Tammy Hitchens, Westminster
Joan Iler, Westridge
Kathryn Jensen, North Table Mountain*
Janet Kieler, Denver

Michael Sapp, Denver
Del Smith, Bancroft-Clover
Peter Spanberger, Denver
Mary Beth Susman, Denver
Amerigo Svaldi, North Washington Street
Dennis Towndrow, North Pecos
Jennifer Williams, Denver*
Ronald Younger, Denver

Directors Absent:

Phil Burgi, Wheat Ridge
Craig Kocian, Arvada
Kathy Laurienti, Crestview

Bill Ray, Arvada
Bob Roth, Aurora
Greg Sekera, Lakewood

Others Present:

Mickey Conway
Emily Jackson
Mitch Costanzo
Molly Kostelecky
Yvonne Kohlmeier
Brittany Peshek*
*Attended via conference call.

Chief Executive Officer (CEO)
General Counsel
Deputy CEO/Director of Engineering
Director of Administrative Services
Senior Administrative Assistant
Administrative Analyst

3. PUBLIC COMMENT

There was no comment.

4. APPROVAL OF MINUTES

4.a Minutes of the Board of Directors Meeting on August 17, 2021.

Chairman Twombly asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held August 17, 2021.

Director Smith moved and Director Iler seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held August 17, 2021.

The motion carried unanimously.

5. PROGRESS AND PROJECTION REPORTS

5.a Report by CEO

CEO Conway reviewed his written report, highlighting the August Defined Benefit Plan and Defined Contribution Plan Retirement Board meetings, noting staff participation is almost equally split between the two plans. Mr. Conway also stated the New Director Orientation was successful and reminded Directors the upcoming Fall Workshop on October 28, 2021 will be held at the Northern Treatment Plant Visitors Center. He noted the Wastewater 101 – Education Corner topic this month was an overview of Lift Stations.

5.b Report by General Counsel

General Counsel Jackson provided an update stating the court granted Metro Water Recovery's Motion to Stay in the Donald Temples litigation, noting Metro will be working through the discovery process for the next couple of months.

6. REPORTS OF OFFICERS AND COMMITTEES

6.b Meeting Minutes

There were no additions to the following meeting minutes:

Defined Benefit Retirement Plan Board	May 27, 2021
Defined Contribution Retirement Plan Board	May 27, 2021
Operations Committee	September 7, 2021
Finance Committee	September 9, 2021
Executive Committee	September 14, 2021

7. NEW BUSINESS

Consent Agenda

7.a Consideration of Resolution Recognizing Employees' Years of Service

Director Caldwell moved and Director Susman seconded the motion to adopt the following resolution:

WHEREAS, by the year ending December 31, 2021, certain employees of Metro Water Recovery, hereinafter referred to as "Metro," will have completed five, ten, fifteen, twenty, twenty-five, thirty, and thirty-five years of faithful service on behalf of Metro Water Recovery and the people of the Denver metropolitan area; and

WHEREAS, it is right and proper such loyal service be recognized by the Board of Directors on behalf of the people served by Metro;

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of Metro Water Recovery by this resolution hereby recognizes the loyal and faithful service rendered by:

35 YEARS OF SERVICE

Jorge Garcia

Glenn Shepard

30 YEARS OF SERVICE

Robert Bucklin

Mitchell Costanzo

Daniel J Lehnerz

Orin Padgett

Sherman Papke

Jerardo Reyes

Robert Rodriguez

Shawn Tobin

25 YEARS OF SERVICE

Laura L Cook

Robert Magana

Nancy L Nobbe

20 YEARS OF SERVICE

<i>Thomas M Acampora</i>	<i>Douglas C Bockman</i>	<i>Earl P Chappell</i>
<i>Michael P Coff</i>	<i>Matthew D Duncan</i>	<i>Dallas J Gavito</i>
<i>Sarah A Gomez</i>	<i>Paul G Harrison</i>	<i>Cameron Steele</i>
<i>Tawnya M Thorfinson-Bennett</i>	<i>Brandon T Tymkovich</i>	<i>Melanie S Verke</i>
	<i>Gabriel A Vigil</i>	

15 YEARS OF SERVICE

<i>Huey C Kuo</i>	<i>James M McNear</i>	<i>Kelley M Merritt</i>
<i>Amy J Mirabile</i>	<i>Brenda L Olivas</i>	<i>Renee A Paplow</i>
<i>Joseph T Schroeder</i>	<i>Gabriel Sisneros</i>	<i>David T Tatham</i>
<i>Darwin C Verke</i>		<i>William E Williams</i>

10 YEARS OF SERVICE

<i>Benjamin E Bailey</i>	<i>Michael A Carney</i>	<i>Liam M Cavanaugh</i>
<i>Luke E Davidsmeyer</i>	<i>Ryan D Foraker</i>	<i>Mark R Hofmeister</i>
<i>Jason A Menor</i>	<i>Theodore D Mott</i>	<i>Jordan Parman</i>
<i>William J Pieper</i>	<i>Anthony S Pino</i>	<i>Amy L Rushton</i>
<i>Andrew H Tillman</i>		<i>Russell T Yurack</i>

5 YEARS OF SERVICE

<i>Elizabeth J Arenas</i>	<i>Miranda N Avila</i>	<i>Matthew S Bradford</i>
<i>Elias B Carson</i>	<i>Justin A Crandall</i>	<i>Kirk A Davidsmeyer</i>
<i>Mackenzie E DeWindt</i>	<i>Samuel A Feldman</i>	<i>Amy R Franks</i>
<i>Emily E Jackson</i>	<i>Derek J Karsten</i>	<i>Caitlin M Koplitz</i>
<i>Viktoria S Kosinska</i>	<i>Kristin M Libberton</i>	<i>Robert L Michael</i>
<i>Patrick O Moncrief</i>	<i>Brittany N Peshek</i>	<i>Mark K Petersen</i>
<i>Daniel Rebstock</i>	<i>Christopher D Rowe</i>	<i>Scott S Shafer</i>
<i>Steven D Summers</i>	<i>Christeen R Thyfault</i>	<i>Jesse A Turpin</i>
<i>Jonathan R Westlund</i>		<i>Kristen B Wisdom</i>

BE IT FURTHER RESOLVED awards and certificates of five, ten, fifteen, twenty, twenty-five, thirty, and thirty-five years of service be tendered to the above-named employees to express the appreciation of this Board of Directors and the people whom it represents.

The motion carried unanimously.

7.b Consideration of Resolution Recognizing Directors' Years of Service

Director Caldwell moved and Director Susman seconded the motion to adopt the following resolution:

WHEREAS, by the year ending December 31, 2021, certain members of the Board of Directors of Metro Water Recovery, hereinafter referred to as "Metro," will have completed five, ten, twenty, and thirty-five years of faithful service on behalf of Metro and the people of the Denver metropolitan area; and

WHEREAS, it is right and proper such loyal service be recognized by the Board of Directors on behalf of the people Metro serves;

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of Metro Water Recovery by this resolution recognizes the loyal and faithful service rendered by:

35 YEARS OF SERVICE

*John Dingess, City of Aurora
Kathryn Jensen, North Table Mountain Water and Sanitation District*

20 YEARS OF SERVICE

*Charles Long, City of Thornton
Ronald Younger, City and County of Denver*

10 YEARS OF SERVICE

Andrew Johnston, City and County of Denver

5 YEARS OF SERVICE

Joan Iler, Westridge Sanitation District

BE IT FURTHER RESOLVED certificates of five, ten, twenty, and thirty-five years of service be tendered to the above-named Directors to express the appreciation of the Metro Water Recovery Board of Directors and the people whom it represents.

Chairman Twombly recognized and thanked Directors Iler and Johnston, noting for Directors Long and Younger 20 years is like a second career, and he appreciates the significant amount of time spent as Directors and Officers, and he remarked on the 35-year commitment made by Directors Dingess and Jensen who also have held various Officer positions, stating their attendance at over 400 meeting cycles equates to several thousands of hours of time put in with Metro Water Recovery. Chairman Twombly, on behalf of the full Board, thanked these Directors for their service and dedication.

The motion carried unanimously.

7.c Consideration of Peracetic Acid System Improvements Project (PAR 1400)

Director Caldwell moved and Director Susman seconded the motion to adopt the following resolution:

WHEREAS, it is necessary Metro Water Recovery, hereinafter referred to as "Metro," enter into an Agreement for Professional Services to provide design phase services for the Peracetic Acid (PAA) Disinfection System Improvements Project (Project); and

WHEREAS, Metro received approval of PAA as its permanent disinfection system in October 2020; and

WHEREAS, the existing, temporary PAA system is reaching the end of its useful life, and now Metro requires the experience of a qualified consultant to evaluate and

design the modifications necessary for the PAA disinfection system at the Robert W. Hite Treatment Facility (RWHTF); and

WHEREAS, pursuant to Metro's *Purchasing and Contracting Policies*, a Request for Proposal was posted on April 29, 2021, and a Selection Committee made up of Metro staff and Directors determined CDM Smith, Inc. (CDM Smith) to be the best qualified proposer; and

WHEREAS, CDM Smith and Metro staff have negotiated a fee in the amount of \$1,948,675 to provide these services; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into an Agreement with CDM Smith to provide design phase services for this Project; and

WHEREAS, the Executive Committee, after having reviewed the matter, concurs in the recommendation of the other committees;

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into a Professional Services Agreement with CDM Smith, Inc, in the amount of \$1,948,675 to provide design phase services for the Peracetic Acid (PAA) Disinfection System Improvements Project (Project); and

BE IT FURTHER RESOLVED the sum of \$2,200,000 (100 percent) be and hereby is appropriated from the General Fund for this Project.

The motion carried unanimously.

Roll Call Agenda

7.d Consideration of Appointment to the Defined Benefit Plan Retirement Board

Director Smith moved and Director Dingess seconded the motion to adopt the following resolution:

WHEREAS, one member of the Defined Benefit Plan Retirement Board (DB Retirement Board) of Metro Water Recovery, hereinafter referred to as "Metro," has retired and his term will expire on July 31, 2023; and

WHEREAS, members of the DB Retirement Board continue to serve until they are reappointed or replaced, and it is necessary appointments be made to fill these positions; and

WHEREAS, the Chairman of the Board, Scott Twombly, recommends appointing Metro Director West to the DB Retirement Board to complete a two-year term expiring on July 31, 2023; and

NOW, THEREFORE, BE IT RESOLVED Metro Water Recovery Director West be and hereby is appointed to the Defined Benefit Plan Retirement Board for the term of October 1, 2021 through July 31, 2023.

Chairman Twombly called for a roll call vote which carried with 30 Directors voting Yes:

Peter Baertlein
Jane Bais DiSessa
Greg Baker
Nadine Caldwell
John Chavez
David Councilman
Deborah Crisp
John Dingess
Robert Duncanson
Jo Ann Giddings

Tammy Hitchens
Joan Iler
Kathryn Jensen
Andrew Johnston
Janet Kieler
Laura Kroeger
Doug Lazure
Bob LeGare
Charles Long
Sarah Niyork

Steve Pott
Michael Sapp
Del Smith
Peter Spanberger
Mary Beth Susman
Amerigo Svaldi
Dennis Towndrow
Scott Twombly
Jennifer Williams
Ronald Younger

8. INDIVIDUAL DIRECTOR COMMENTS

There was none.

9. OTHER INFORMATION

There was none.

10. ADJOURNMENT

Chairman Twombly adjourned the meeting at 5:45 p.m.

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