

METRO WATER RECOVERY

Minutes of the Regular Meeting of the Board of Directors

December 19, 2023

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 at 6450 York Street, Denver, Colorado, Tuesday, December 19, 2023 at 5:36 p.m. in the Boardroom.

Chair Johnston called the meeting to order.

1. ROLL CALL

Secretary Giddings called the roll.

Officers Present:

Andrew Johnston, Denver
Sarah Niyork, South Adams
Jo Ann Giddings, Aurora
Del Smith, Bancroft-Clover

Chair
Chair Pro Tem
Secretary
Treasurer

Directors Present:

Curt Aldstadt, Westminster
Bonnie Baird, Alameda
Greg Baker, Aurora
Mike Barrett, Crestview
Travis Bogan, Denver
Phil Burgi, Wheat Ridge
Nadine Caldwell, Aurora
John Chavez, Berkeley
David Councilman, Pleasant View
Deborah Crisp, East Lakewood
Clark Davenport, Northwest Lakewood
James DeHerrera, Aurora
Mary Gearhart, Denver
Joan Iler, Westridge
Sharon Israel, Arvada
Janet Kieler, Denver
Craig Kocian, Arvada

Laura Kroeger, Lakewood
Doug Lazure, Denver*
Bob LeGare, Aurora
Marena Lertch, Aurora
Martin Majors, Fruitdale*
Charlie Miller, Fort Lupton*
Jamie Miller, North Table Mountain
Steve Pott, Applewood
Josh Redman, Thornton
Greg Sekera, Lakewood
Peter Spanberger, Denver
Mary Beth Susman, Denver
Amerigo Svaldi, North Washington Street
Dennis Towndrow, North Pecos
Scott Twombly, Thornton
Jennifer Williams, Denver*
Ronald Younger, Denver*

Directors Absent:

Clint Blackhurst, Brighton
Thomas Roode, Denver

Others Present:

Mickey Conway
Emily Jackson
Liam Cavanaugh
Martin Alvis

Chief Executive Officer (CEO)
General Counsel
Deputy CEO/Chief Operating Officer (COO)
Director of Operations

Dawn Ambrosio	Chief Strategy Officer
Molly Kostelecky	Chief Financial Officer
Andrew Nelson	Director of Engineering
Sherman Papke	Chief Technical Officer
Tanja Rauch-Williams	Director of Technology and Innovation
Jennifer Robinett	Director of Environmental Services
Orren West	Director of Maintenance
Tom Acampora	Transmission Operations Manager
Gregory Clark	Data Analytics Engineer
Michael Coff	Resource, Recovery, and Reuse Work Planner Senior
Daniel Dopler	Senior Robert W. Hite Treatment Facility Operations Manager
Jim Dorsch	Senior Water Quality Manager
Sarah Gomez	Northern Treatment Plant (NTP) Electrical and Instrumentation Supervisor
Alyse Greenberg	Communications Specialist
Mark Hofmeister	Principal Engineer
Myles Howard	Staff Engineer
Yvonne Kohlmeier	Executive Assistant
Kristin Libberton	Organizational Training Specialist
Bill Marquez	Information Technology (IT) Applications Manager
Sean Morris	IT Service Desk Analyst II
Jim Nickolette	Operations Work Planner Senior
Lydia Nkem	Assistant to the CEO
Rienna Nuber	Senior Communications Manager
Melissa Ortega	Strategic Sourcing Specialist
Brittany Peshek	Legal Administrator
Ravi Raj	Senior Business Intell Solution Architect
Edyta Stec-Uddin	Senior Wastewater Infrastructure Planner
Tawnya Thorfinson	Inventory Control Specialist
Christeen Thyfault	NTP Facilities Maintenance Supervisor
Aiden Travers	Staff Engineer
*Attended virtually	

2. PUBLIC COMMENT

There was no comment.

3. RECOGNITION OF METRO WATER RECOVERY EMPLOYEES

CEO Conway recognized employee teams who had noteworthy contributions and accomplishments during 2023, noting a job well done and looking forward to the coming year.

4. RECOGNITION OF THE 2023 BOARD CHAIR AWARD RECIPIENT

Chair Johnston announced the 2023 Board Chair Award Winner, Operations Work Planner Senior Jim Nickolette, and expressed appreciation for his impeccable work ethic, plant knowledge, fostering of teams, and focus on continuous improvement for Metro Water Recovery.

The Board gave a standing ovation for Mr. Nickolette.

Mr. Cavanaugh congratulated Mr. Nickolette and pointed out his enthusiasm to educate not only his own team but also other Metro Water Recovery staff on the ins and outs of the functions of Metro's wastewater treatment stream.

All staff members left except for CEO Conway, Ms. Jackson, Mr. Cavanaugh, Ms. Ambrosio, Ms. Kostecky, Mr. Papke, Ms. Kohlmeier, Ms. Nkem, and Ms. Peshek.

5. APPROVAL OF MINUTES

5.a Minutes of the Board of Directors Meeting on November 21, 2023

Chair Johnston asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held November 21, 2023.

Director Kieler moved and Director Councilman seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held November 21, 2023.

The motion carried unanimously.

6. PROGRESS AND PROJECTION REPORTS

6.a Report by CEO

CEO Conway reviewed his written report, highlighting the two National Association of Clean Water Agencies (NACWA) 2024 National Environmental Achievement Awards Metro Water Recovery has received and recognition letters to Metro for its exemplary work from the Colorado Department of Public Health and Environment and the Denver Department of Public Health and Environment in support of Governor Polis declaring Wastewater Utility Appreciation Week, Nov. 23 – Dec. 1, 2023. He also noted the Rocky Mountain Water Quality Analysts Association's Equipment Quality Assurance/Quality Control workshop was hosted by Metro which included a pipette rodeo.

Ms. Ambrosio answered a question regarding the amount of awards Metro Water Recovery has received this year, noting they will be included in the year-end review.

CEO Conway explained the acronym RMWEA stands for Rocky Mountain Water Environment Association.

6.b Report by General Counsel

General Counsel Jackson provided an update on the recent developments concerning the Farmers Reservoir and Irrigation Company (FRICO), Burlington Ditch Reservoir and Land Company, and Henrylyn Irrigation District litigation, stating the judge agreed with some of Metro Water Recovery's motions to amend the complaint and the trial will be rescheduled for late spring 2024. Ms. Jackson also stated Metro now has a sponsor for the Administrative Warrant Authority bill for the upcoming 2024 Legislative Session.

Director DeHerrera expressed appreciation for the additional history provided on NTP, stating it was helpful to know how the plant came to fruition, especially with the Todd

Creek Village Metropolitan District connection request on the agenda for Board approval.

7. REPORTS OF OFFICERS AND COMMITTEES

7.a Rules and Regulations Committee

Chair Johnston announced Directors Marena Lertch, Jamie Miller, Sarah Niyork, Peter Spanberger, and Scott Twombly will be the members of the new Rules and Regulations Committee starting in January 2024.

7.b Meeting Minutes

There were no additions to the following meeting minutes:

Defined Benefit Plan Retirement Board	August 24, 2023
Defined Contribution Plan Retirement Board	August 24, 2023
Operations Committee	December 5, 2023
Finance Committee	December 7, 2023
Executive Committee	December 12, 2023

8. NEW BUSINESS

Consent Agenda

8.a Consideration of Adoption of the 2023 Second Amended Budget

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

WHEREAS, the 2023 Annual Budget of Metro Water Recovery, hereinafter referred to as "Metro," was originally adopted by Metro's Board of Directors in June 2022 Resolution 0622-B7.b and the First Amended 2023 Budget was adopted by the Board in June 2023 in Resolution 0623-B7.f; and

WHEREAS, in a situation where unanticipated expenditures required for the operation of Metro are encountered, the annual budget may be changed and a supplemental appropriation authorized under C.R.S. § 29-1-109; and

WHEREAS, inflationary economic conditions and operational conditions throughout 2023 caused operational expenses to exceed the First Amended 2023 Operating Budget and associated appropriation; and

WHEREAS, the Second Amended 2023 Budget of Metro has been prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee of Metro's Board of Directors; and

WHEREAS, the Board duly published a notice concerning the Second Amended 2023 Budget as required under C.R.S. § 29-1-106, and held a public hearing pursuant

to C.R.S. § 29-1-108 on November 21, 2023 on said Budget, as provided for in Section 901B of the 2009, 2012, 2019, and 2020 Bond Resolutions; and

WHEREAS, the Operations and Finance committees of Metro, after having reviewed the matter, recommend adopting a Second Amended Budget for the fiscal year 2022, all funds totaling \$172,829,821; and

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

NOW, THEREFORE, BE IT RESOLVED the Second Amended Budget for fiscal year 2023 for all funds totaling \$172,829,821, as prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee, be and hereby is adopted.

The motion carried unanimously.

8.b Consideration of Appropriation of the 2023 Second Amended Budget

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

WHEREAS, the 2023 Annual Budget of Metro Water Recovery, hereinafter referred to as "Metro," was originally adopted by Metro's Board of Directors in June 2022 in Resolution 0622-B7.b, the First Amended 2023 Budget was adopted by the Board in June 2023 in Resolution 0623-B7.f, and the appropriations associated with the 2023 Budget and First Amended 2023 Budget were adopted in Resolution 0622-B7.c and Resolution 0623-B7.g; and

WHEREAS, in a situation where unanticipated expenditures are required for the operation of Metro, the annual budget may be changed, and a supplemental appropriation authorized under C.R.S. § 29-1-109; and

WHEREAS, inflationary economic conditions and operational conditions throughout 2023 caused operational expenses to exceed the First Amended 2023 Operating Budget and associated appropriation; and

WHEREAS, the Second Amended 2023 Operating Budget of Metro has been prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee of Metro's Board; and

WHEREAS, the Operations, Finance, and Executive committees recommend adoption of the Second Amended 2023 Annual Budget in Resolution 1223-B8.a; and

WHEREAS, it is incumbent upon the Board to appropriate the necessary amounts for the purposes set forth in the adopted Second Amended 2023 Annual Budget;

NOW, THEREFORE, BE IT RESOLVED \$4,446,000 be and hereby is appropriated as set forth in the Second Amended 2023 Annual Budget Appropriation Summary attached hereto and made a part hereof.

The motion carried unanimously.

8.c Consideration of Rescinding Unexpended Appropriations

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

WHEREAS, a project of Metro Water Recovery has been completed and it is now necessary certain unexpended appropriations be rescinded; and

WHEREAS, the total of the unexpended appropriations is as follows:

General Fund Capital Project	\$6,935.52
Account	
Total Unexpended Appropriations	<u>\$6,935.52</u> ; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend such appropriations be rescinded; and

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

NOW, THEREFORE, BE IT RESOLVED the unexpended balances of the appropriations set forth in the attached Schedule of Appropriations To Be Rescinded—December 2023 be and hereby are rescinded.

The motion carried unanimously.

8.d Consideration of the Biosolids Master Plan (PAR 1404) Professional Study Services Agreement and Appropriation

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

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as “Metro,” to enter into an Agreement for Professional Study Services to provide study services for the Biosolids Master Plan (PAR 1404) (Project); and

WHEREAS, solids processing and handling facilities were most recently evaluated under the 2018 Facility Plan; and

WHEREAS, since the completion of the 2018 Facility Plan, several key milestones have been met and the regulatory landscape continues to evolve, which presents Metro with additional considerations, challenges, and opportunities; and

WHEREAS, these recent developments necessitate a more comprehensive approach as a holistic Biosolids Master Plan, which will not only review the estimated costs and validate the thickening and digestion alternatives identified in the 2018 Facility Plan, but also provide an updated assessment of the existing solids processing and handling facilities, review available technologies, evaluate biosolids treatment

alternatives, and develop implementation strategies and updated costs for future capital improvements over a 20-year planning horizon; and

WHEREAS, pursuant to the bid process in Metro's *Purchasing and Contracts Policy*, a Request for Proposal (RFP) was posted on July 6, 2023, proposals were received on August 11, 2023, and three vendors were shortlisted for presentations and interviews on September 7, 2023; and

WHEREAS, the Selection Committee, comprised of Metro staff members and Board Directors, unanimously ranked Brown & Caldwell (B&C) the highest of the three firms; and

WHEREAS, B&C and Metro staff have negotiated a fee up to an amount of \$2,439,000 to provide study services to produce the Biosolids Master Plan; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into an Agreement with B&C to provide study services for this Project and appropriate \$2,900,000 from the General Fund Capital Project Account 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 Study Services Agreement with Brown & Caldwell, up to an amount of \$2,439,000, to provide study services for the Biosolids Master Plan (PAR 1404) (Project); and

BE IT FURTHER RESOLVED the sum of \$2,900,000 (100 percent) be and hereby is appropriated from the General Fund Capital Project Fund for this Project.

The motion carried unanimously.

Roll Call Agenda

8.e Consideration of New Special Connector Request: Todd Creek Village Metropolitan District

Director Kieler moved and Director Kroeger seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to approve the request of Todd Creek Village Metropolitan Village (Todd Creek) to become a Special Connector to Metro; and

WHEREAS, Todd Creek does not own or operate a central wastewater treatment facility, nor does it send flows to any other wastewater treatment facility; and

WHEREAS, on July 22, 2022, Todd Creek submitted a formal request to become a Special Connector to Metro; and

WHEREAS, in its request to become a Special Connector, Todd Creek has requested Metro provide sanitary sewer services to the undeveloped areas of its Metro Service Area as well as its office building; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into a *Special Connectors Agreement* with Todd Creek to become a Special Connector to Metro; 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 *Special Connectors Agreement*, in a form substantially similar to Attachment A, with Todd Creek Village Metropolitan Village to become a Special Connector to Metro.

CEO Conway noted that in the Operations Committee meeting Director Gearhart asked questions concerning the quality of water Metro Water Recovery would be receiving from Todd Creek. He explained Todd Creek's drinking water runs through a reverse osmosis (RO) process, so is very high quality, before domestic use and ultimately to wastewater treatment. He noted that Todd Creek's long-term plan is to continue to implement RO for at least the next decade or so. Mr. Conway noted NTP has the capacity to handle the projected 6.8 million gallons per day to be received from Todd Creek in the future and if Todd Creek discontinued its RO treatment, the water received by Metro could increase in salinity, which would be similar to the other source waters in the area and the water received from other Connectors in the area. **[Note:** Director Gearhart's question and the information relating to Todd Creek's water quality were noted by Mr. Papke, who represented Metro in the Finance Committee meeting where Mr. Conway was out on sick leave.]

Director Gearhart expressed appreciation for the follow up on previous conversations regarding the matter and stated from a City and County of Denver (Denver) perspective, she would be voting against the item due to her concern with the source water quality and whether acceptance of these flows in the future could affect some of Denver's current and future economic development. She also stated the assumptions made in the northeastern region community planning efforts twenty years ago are different today and requested a deeper conversation be held at committees before voting on adding Todd Creek as a Special Connector, similar to the discussion the Executive Committee had on the topic.

Director Kieler expressed appreciation for the process made by staff to deliver information through the various committee meetings, and stated she also planned to vote no, as the discussion on water quality did not come up in the Finance Committee. She also noted her unique experience in water quality impacts her decision and explained Director Gearhart's comments caused her to further analyze the agenda item and bring the discussion to the Executive Committee. Her understanding was the item would remove existing septic systems but came to realize the item will address future development. She expressed concern that this connection could impact the regulatory challenges at NTP and industry in the area. Director Kieler went on to say she had questions about the water supply, stating RO is not a sustainable

practice, and that Todd Creek is not in compliance with its discharge permit for its drinking water treatment, and she would expect the state to take action. She asked if Todd Creek's discharge would come to Metro Water Recovery regardless, whether directly or indirectly (through Fort Lupton or another avenue). Director Kieler felt a no vote is appropriate and stated wastewater would be left holding the bag because people make decisions to develop without thinking about quality versus quantity.

Director Kocian expressed appreciation for staff's time and analysis spent in giving a positive recommendation, noting much conversation was generated between Executive Committee members and staff which resulted in a different analysis on the part of some of the Board members who only heard minimal context during Operations and Finance committee meetings. He asked if the Chair would be interested in tabling this item in the interest of further discussion at the committee level.

Chair Johnston expressed appreciation for the question. He noted that the item had been brought to the Board's attention through the legal reports and through an information item the previous month and questioned what would be accomplished by tabling this item. He also noted that the question of tabling this item had been discussed at the Executive Committee, which unanimously (with one abstention) decided not to table the item and move it forward.

Director Kieler stated that was a fair recap by Chair Johnston of the discussion held at the Executive Committee, noting she abstained at Executive Committee even though the rest of the committee was ready to move forward as she felt she needed to bring her unique experience to this item and her concerns about potential future issues associated with Todd Creek's service area and water resources.

Director LeGare stated he participated in the Executive Committee discussion and reached the conclusion to move forward with the item as NTP has a 28 million gallons per day (MGD) capacity and Todd Creek's total expected discharge would be approximately 6 MGD. He noted Metro Water Recovery should not deny service due to water quality issues because Metro is an organization that treats wastewater.

Director Giddings recognized there were circumstances which could become issues in the future, and even though they cannot be completely anticipated at this time, she is in support of this item.

Director Twombly noted Todd Creek will move forward with its development regardless of the Board's vote and that Metro Water Recovery would likely treat the flows if Todd Creek sent them through another connector such as Thornton or Fort Lupton. He remarked he had more confidence in Metro to work on and address the salinity issue than someone else.

Director Spanberger stated this was the first time he heard about this issue and questioned what would be the consequence of delaying the item a month to obtain more information.

Director Smith noted Metro staff has proposed hosting a meeting of regional stakeholders on the salinity issue and implications on domestic and industrial dischargers. He also noted that Todd Creek's discharge will end up in the South Platte River regardless of the Board's decision. He stated he had decided with the

Executive Committee to move the item forward but supported continuing larger conversations with the community.

Director Kocian noted his concern was better articulated by Director Spanberger that some of the Board members have more information than others. He also stated Metro Water Recovery is in water treatment, not in the land use business, and Metro built the system anticipating change and will continue to do so. Director Kocian remarked he intended to vote yes.

Director Sekera agreed with Directors Kocian and Spanberger, noting he was concerned some of the Board members felt they were not fully informed on the issue and asked to wait another month or two for Board members to become better informed.

Director LeGare asked if there was a reason why the Board could not have a Todd Creek 101 session at this time, rather than wait a month to vote.

Director Jamie Miller noted she was not privy to the Executive Committee discussion but was at the Operations Committee meeting where this was talked about. She agreed Metro Water Recovery is not in the land use business but exists to treat water and should there be an issue later, regulations and added surcharges can be employed. She also noted Metro built NTP with the intent of expanding and bringing high quality wastewater treatment to the area. She stated when this was discussed during the Operations Committee, she was comfortable moving forward but maybe a 101 session is needed at some point.

Ms. Jackson answered a question from Director Williams concerning a discussion during Executive Committee about not being able to charge Todd Creek differently stating all members and special connectors pay annual charges based on flows and loading of domestic waste and noting the pretreatment program does not apply to domestic wastewater. She also noted the Board could, in the future, potentially add additional charge parameters to the Annual Charges calculation, but it would be the same for all Connectors.

Director Jamie Miller noted it is unknown what salt levels would go to the NTP until Todd Creek's RO process is shut down.

Mr. Conway stated that Todd Creek's RO drinking water process produces clean water but acknowledged that if Todd Creek changes its process, it could increase the Total Dissolved Solids (TDS) being received. He noted that currently Metro's permit does not have limits for TDS, but that may change in the future, along with limits for other contaminants. Mr. Conway remarked a regional approach to managing salinity is the preferred long-term solution. He also noted that delaying a vote on the matter would not have significant impact and also that staff would be happy to do a "Todd Creek 101". He noted that staff could not confidently answer every question about potential future limits, but it was clear the answer to a long-term approach to managing TDS will require significant amounts of work and stakeholder alignment.

Ms. Jackson answered a timeframe question from Chair Johnston, stating Todd Creek first approached Metro Water Recovery in early 2022, the Board was informed in the fall of 2022, and legal updates were given to the Board for a little over a year. An

information item was brought to the Board in November 2023 as well, per staff's protocol on significant issues.

Chair Johnston asked if there was a time constraint for executing the contract with Todd Creek. Ms. Jackson replied they wanted to join this year to pay the 2023 sewer connection charge rate, but there were no legal constraints on executing the contract in the future.

Ms. Kostelecky answered a question from Chair Johnston stating the difference between 2023 and 2024 sewer connection charge rate for the requested one building. The difference would be an increase of approximately \$1,000 if Todd Creek were to become a Special Connector in 2024 instead of 2023.

Director Gearhart asked for the NTP master plan to accommodate this salinity question in a more significant way.

Mr. Conway noted Director Williams had also suggested the NTP master plan address the salinity of source waters in the area along with the potential for industrial growth. He also stated future limits could have effects on industrial pretreatment permits, which would be expected to become more stringent for the NTP regardless of the amount and type of domestic flow received at NTP. He stressed that Metro is not trying to pick "winners and losers" and staff does not believe that this consideration involves a choice between accepting domestic wastewater or industrial wastewater at the NTP, as future limits are likely to require all dischargers to come to a regional, long-term solution. He stated this should be a topic for a future Board workshop for longer discussion.

Director Kroeger noted she felt the issue was becoming confused and the Board should consider accepting a Connector to the NTP from the region it was built to serve; the decision should be whether to allow the connection and then deal with the technical questions at a later time.

Director Bogan asked if there were other opportunities to address the questions raised by Directors Gearhart and Kieler and if approving this connection now would limit Metro's options in prohibiting certain contaminants or limiting flow from Todd Creek in the future.

Mr. Conway responded that the approval would allow Todd Creek to send all domestic flow without exception, as all other Connectors have the right to do. The Board could consider changes to the *Metro Water Recovery Rules and Regulations Governing the Operations, Use, and Services of the System* addressing the charges for various types of loadings Metro Water Recovery will accept. He also noted there are no treatment of salts at the NTP and therefore no reason, at this time, to substantiate a charge for same. Ms. Jackson explained that under the statute, whatever charge parameters are in place are applied uniformly to all Connectors. She also noted Todd Creek's current discharge would come from one building with expected growth in the future, and if the item was delayed, Todd Creek would be subject to the same contractual terms and conditions as other Connectors if and when it joined in the future.

Director Davenport stated there are two issues: (1) the Todd Creek Special Connector request and (2) there is a group of Board members without knowledge of what was discussed by other committees and in the future the Board will need better communication.

Director Twombly stated there is an unknown of what Todd Creek is going to send to NTP but that could apply to all existing Connectors. He also noted, as an example, Thornton could send significant future domestic flows or industrial flows that could result in overall higher salinity at any time into Metro Water Recovery's system, so to reject Todd Creek is questionable, and that ultimately this is more of a regional issue.

Director LeGare asked if abstaining was allowed. Ms. Jackson answered that abstaining was allowed, and pursuant to the bylaws would be counted as a no vote.

Director Kieler commented that two standing committees and the Executive Committee recommended moving forward with a vote on Todd Creek being added as a Special Connector and recommended moving forward with a roll call vote.

Director Kocian voiced a concern that in moving forward there was the possibility of a no vote as some Board members feel they have not heard all they need to hear and that some directors had not been here for the past year to receive the updates.

Director Kocian moved to table this issue, scheduling it as an item in the January 2024 Joint Committee meeting.

Director Younger seconded the motion.

Chair Johnston questioned whether the Board could table as a motion was on the floor.

Director Younger called point of order.

Ms. Jackson stated the motion to table the Todd Creek agenda item is proper and seconded. She concurred with Director Kocian that the motion to table item 8.e could be heard as a roll call vote.

Chair Johnston stated there is a motion to table item 8.e which will now be the roll call vote to satisfy the necessity for a roll call at this meeting and having a motion and second, the floor is open for comments.

Mr. Conway noted that staff would be happy to provide more information on the item, but requested if this item is tabled it be moved to February for staff to be fully prepared.

Director Kocian said yes if Director Younger would accept the change to February.

Director Younger accepted the change.

Director Giddings clarified that a vote of "yay" signified the Director would like for the item to be tabled, and a vote of "nay" signified the director did not want the item to be tabled.

Chair Johnston stated there is a motion on the floor for a roll call vote to table item 8.e. He clarified a yes vote means the item is tabled until February 2024 with presentations during the committee meetings and a vote at the February Board meeting. A no vote means not tabling item 8.e and going back to consider the original item of Todd Creek as a new Special Connector.

Chair Johnston called for a roll call vote on tabling item 8.e Consideration of New Special Connector Request: Todd Creek Village Metropolitan District which did not carry with 15 Directors voting Yes to table this item:

Greg Baker	Mary Gearhart	Greg Sekera
Mike Barrett	Joan Iler	Peter Spanberger
Travis Bogan	Sharon Israel	Mary Beth Susman
John Chavez	Craig Kocian	Jennifer Williams
James DeHerrera	Doug Lazure	Ronald Younger

And the following 23 Directors voting No to table this item:

Curt Aldstadt	Andrew Johnston	Sarah Niyork
Bonnie Baird	Janet Kieler	Steve Pott
Phil Burgi	Laura Kroeger	Josh Redman
Nadine Caldwell	Bob LeGare	Del Smith
David Councilman	Marena Lertch	Amerigo Svaldi
Deborah Crisp	Martin Majors	Dennis Towndrow
Clark Davenport	Charlie Miller	Scott Twombly
Jo Ann Giddings	Jamie Miller	

Chair Johnston stated the weighted voting showed 55 percent voted no and 45 percent voted yes. The motion to table item 8.e Consideration of New Special Connector Request: Todd Creek Village Metropolitan District did not pass. He noted the next step is the original roll call item 8.e on whether or not to approve Todd Creek as a Special Connector.

Director Jamie Miller asked if in this vote a yes vote means to approve the connection.

Chair Johnston answered a yes vote brings Todd Creek on as a Special Connector and any abstain votes will count as a no vote.

Chair Johnston called for a roll call vote which carried with 32 Directors voting Yes:

Curt Aldstadt	James DeHerrera	Jamie Miller
Bonnie Baird	Jo Ann Giddings	Sarah Niyork
Greg Baker	Joan Iler	Steve Pott
Mike Barrett	Sharon Israel	Josh Redman
Travis Bogan	Andrew Johnston	Greg Sekera
Phil Burgi	Craig Kocian	Del Smith
Nadine Caldwell	Laura Kroeger	Mary Beth Susman
John Chavez	Bob LeGare	Amerigo Svaldi
David Councilman	Marena Lertch	Dennis Towndrow
Deborah Crisp	Martin Majors	Scott Twombly
Clark Davenport	Charlie Miller	

And the following six Directors voting no:

Mary Gearhart
Janet Kieler

Doug Lazure
Peter Spanberger

Jennifer Williams
Ronald Younger

Chair Johnston stated the weighted voting showed 78 percent voted yes and 22 percent voted no; therefore, Todd Creek is approved as a Special Connector by the Board. He thanked everyone for their participation in the discussion and for bringing expert experience to the dialogue.

9. INDIVIDUAL DIRECTOR COMMENTS

Director DeHerrera requested additional information on salinity in water sources and discharges be made available at future meetings.

Chair Johnston stated after going through the December Executive Committee Agenda, salinity is a bigger regional topic and issue, as well as other contaminants, in wastewater being delivered to Metro Water Recovery and to expect more information in the upcoming year.

Director Giddings appreciated the administration staff for organizing and setting up the reception prior to the Board meeting.

10. OTHER INFORMATION

Chair Johnston informed Board members to expect year-end expense vouchers soon and to promptly return them for processing. He also reminded Directors of the Thursday, January 4, 2024 Joint Operations / Finance meeting beginning at 7:30 a.m.

11. ADJOURNMENT

Chair Johnston adjourned the meeting at 7:08 p.m.

MC\lmn\yjk