
RECORD OF PROCEEDINGS

**MINUTES OF THE BOARD OF DIRECTORS OF
THE ARAPAHOE COUNTY WATER AND WASTEWATER AUTHORITY**

HELD: October 11, 2023

13031 E. Caley Ave.
Centennial, CO 80111

ATTENDANCE:

Present either in person or via Zoom were Directors: Geri Santos-Rach, Jeff Baker, Jessica Campbell-Swanson, Perry Deeds, and Tom Wood. Directors Doyle Tinkey and Brad Cromer were absent and excused. Director Derek Killebrew was absent and not excused. Also in attendance either in person or via Zoom, were Steve Witter, Matt Vigil, Bill Veydovec, Patty Pratt, Sandor Rebek, Ed Trujillo, Jacob Abbott, and Legal Counsel Ron Fano. The guest in attendance was Alan Leak, Respec.

CALL TO ORDER:

Director Santos-Rach called the meeting to order at 9:02 a.m. The Pledge of Allegiance was recited.

ADOPTION OF THE AGENDA:

Director Baker made a motion to adopt the agenda as presented. The motion was seconded by Director Wood and passed 5 to 0.

PUBLIC FORUM

No one came forward to address the Board.

CONSENT AGENDA

Director Santos-Rach reported that a last-minute correction had been made to the minutes from September 13, 2023, stating that what the directors had in their packets was different from the minutes they would be approving. Director Wood then made a motion to approve the Consent Agenda as presented, replacing the corrected set of minutes. The motion was then seconded by Director Baker and passed unanimously 5 to 0.

The Consent Agenda consisted of the following:

1. Request for Approval of corrected Minutes of the Board of Directors of the Arapahoe County Water and Wastewater Authority - from September 13, 2023.
2. Request for Approval of Payment Register for September 2023

GENERAL BUSINESS ACTION ITEMS

ITEM No. 3 – Discussion and Possible Action Regarding ACWWA Flow Project Agreements (Possible Executive Session)

Mr. Witter explained that ACWWA still had not received the agreements pertinent to this project; staff are hoping they will be available for discussion and possible action at the next meeting. The Board asked that either legal counsel involved with the ACWWA Flow Project and/or Bob Lembke be present at the next meeting, if the agreements were not ready then to explain the delay.

ITEM No. 4 – Discussion and Presentation Regarding ACWWA’s 2024 Draft Annual Budget

Mr. Vigil presented the 2024 draft annual budget, first explaining actual spend through June of 2023. There was extensive discussion regarding future planning. Mr. Vigil said the next steps would be to return to the Board in December with a finalized 2024 draft annual budget and proposed rate increases for 2024.

ITEM No. 5 – Discussion and Possible Action Regarding the Approval of 2023 Audit Engagement

Mr. Vigil reported that ACWWA is required to conduct an annual financial statement audit. RubinBrown has been ACWWA’s auditors for over a decade and for purposes of history, efficiency and consistency, staff is seeking approval to engage this firm once again to conduct the 2023 audit of financial statements. Mr. Vigil reported that the Finance Committee is also recommending this choice. After a brief discussion Director Wood moved to approve the engagement of Rubin Brown, LLP to perform the audit of the 2023 financial statements. The motion was seconded by Director Campbell-Swanson and passed unanimously 5 to 0.

ITEM No. 6 – Discussion and Presentation of ACWWA’s Strategic Asset Management Plan

Mr. Witter stated that at the most recent meeting of the Water Resources and Capital Projects Committee (PWRCP) staff extensively revealed the Strategic Asset Management Plan (SAMP) reporting that with the assistance of consultants Kennedy Jenks, it took over twelve months to develop. The PWRCP suggested that because it is so detailed and in the interest of time, a high-level discussion would be more appropriate for the Board. Mr. Witter stated that the intent was to develop a “road map,” a long-term, sustainable program that aligns with ACWWA’s mission and vision, explaining that this will help to create a new culture on how assets are considered and addressed. Extensive discussion took place regarding the Risk Management aspect of the report and how everything is evaluated based on the risk of something breaking and what are the consequences of if it

breaks. The Board complimented staff on the very comprehensive report and look forward to seeing the implementation.

REPORTS

ITEM No. 11 – General Manager’s Report to the Board of Directors

Mr. Witter gave an update on the new building, reporting that the former owners have paid rent through November. A Request for Qualifications (RFQ) has been issued for the annex building; and a transition/move committee made up of various ACWWA employees has been created to ensure the move is smooth.

Mr. Witter reported that the Settlement Agreement with Jacobs regarding the JWPP reconversion project and the Memorandum of Understanding regarding same with Cottonwood Water and Sanitation District (CWSD) have both been signed. The settlement funds have been received by CWSD and staff from both ACWWA and CWSD will be working to formulate a plan for the JWPP. Mr. Witter thanked the staff and board members that were instrumental in getting this matter settled.

Mr. Witter reported that settlement of the Valley Country Club Lift Station Failure case is close to being completed. There are a few documents that require signature that are still outstanding.

ITEM No. 12 – Financial and Administration Report

Mr. Vigil reported that revenue to date is still low, but not as dramatic as it was during the earlier summer months. ACWWA’s investment income is close to \$2.1M.

ITEM No. 13 – Legal Report

Mr. Fano reported that South Metro Water Supply Authority is taking the lead in the analysis of whether to join the potential class action lawsuit surrounding PFAS, which was mentioned at the last board meeting. Mr. Fano will keep the board updated on this issue.

Mr. Fano also commented that ACWWA’s legal fees will hopefully be lower in 2024 with the settlement of the two matters listed in the GM Report.

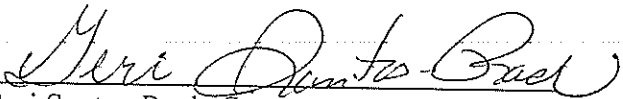
ITEM No. 14 – Updates – No further report necessary at this time.

ADJOURNMENT

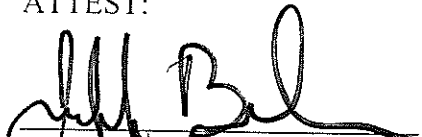
At 10:18 a.m., the meeting was adjourned.

Approved: _____ 11-8-_____ 2023.

ARAPAHOE COUNTY WATER AND
WASTEWATER AUTHORITY


Geri Santos-Rach, Secretary

ATTEST:


Jeff Baker, Director