METRO WASTEWATER RECLAMATION DISTRICT

Minutes of the Regular Meeting of the Board of Directors
July 19, 2016

The Board of Directors of the Metro Wastewater Reclamation District, 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 the Board Room, 6450 York Street, Denver, Colorado, Tuesday, July 19, 2016, at 5:30 p.m.

Chairman Adler called the meeting to order.

1. OATH OF OFFICE

The following Directors have been reappointed by his/her Member Municipality for a two-year term of office, July 1, 2016, to June 30, 2018.

<table>
<thead>
<tr>
<th>Reappointed Director</th>
<th>Member Municipality</th>
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</thead>
<tbody>
<tr>
<td>Tom Bellinger</td>
<td>Bancroft Clover</td>
</tr>
<tr>
<td>Charlie Brown</td>
<td>City and County of Denver</td>
</tr>
<tr>
<td>Cheryl Cohen-Vader</td>
<td>City and County of Denver</td>
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<tr>
<td>Ronald Younger</td>
<td>City and County of Denver</td>
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</tbody>
</table>

The following Directors have been appointed by his/her Member Municipality for a two-year term of office, July 1, 2016, to June 30, 2018.

<table>
<thead>
<tr>
<th>Appointed Director</th>
<th>Member Municipality</th>
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<tbody>
<tr>
<td>Ingrid Lindemann</td>
<td>City of Aurora</td>
</tr>
<tr>
<td>Scott Twombly</td>
<td>City of Thornton</td>
</tr>
<tr>
<td>Joan Iler</td>
<td>Westridge Sanitation District</td>
</tr>
</tbody>
</table>

2. ROLL CALL

Secretary Baertlein called the roll.

Officers Present:
Pete Adler, Arvada                                      Chairman
Dan Mikesell, Aurora                                     Chairman Pro Tem
Peter Baertlein, Denver                                   Secretary
Phil Burgi, Wheat Ridge                                   Treasurer

Directors Present:
Curt Aldstadt, Westminster                                 Andrew Johnston, Denver
Thomas Bellinger, Bancroft-Clover                          Joan Iler, Westridge
Charlie Brown, Denver                                     Ingrid Lindemann, Aurora
Nadine Caldwell, Aurora                                   Martin Majors, Fruitdale
Philip Cipri, Berkeley                                    Jill Martin, Crestview
Cheryl Cohen-Vader, Denver                                James McClung, Alameda
Thomas Colchin, Applewood                                  Claude Off, East Lakewood
David Councilman, Pleasant View                            Kim Schoen, Brighton
John Dingess, Aurora                                       Gerry Schulte, Lakewood
George Dumas, Aurora                      Amerigo Svaldi, North Washington Street
John Ennis, South Adams County            Scott Twombly, Thornton
Steve Garcia, Denver                      Celia VanDerLoop, Denver
Phillip Hansen, North Pecos              Ronald Younger, Denver
Kathryn Jensen, North Table Mountain

Directors Absent:
Mark Hunter, Lakewood                      Charles Long, Thornton
Craig Kocian, Arvada                      Barbara Puls, Denver

Others Present:
Catherine Gerali                          District Manager
Robert Thomas                             Deputy Manager/Director of Environmental Services
Mickey Conway                             General Counsel
Brenda Hungerford                         Assistant to the District Manager

3. PUBLIC COMMENT

There was no comment.

4. APPROVAL OF MINUTES

Chairman Adler asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held June 21, 2016.

Director Younger moved and Director Johnston seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held June 21, 2016.

The motion carried unanimously.

5. PROGRESS AND PROJECTION REPORTS

5.a Report by District Manager

District Manager Gerali reviewed her written report, and answered questions related to the Northern Treatment Plant and the METROGRO Farm’s (Farm’s) harvest operation.

5.b Report by General Counsel

Mr. Conway reviewed his written report; there were no questions.

6. REPORTS OF OFFICERS AND COMMITTEES

There were no additions to the following meeting minutes:

- Nominating Committee: May 17, 2016
- Operations Committee: July 5, 2016
- Finance Committee: July 7, 2016
- Executive Committee: July 12, 2016
7. **NEW BUSINESS**

**Consent Agenda**

7.a **Consideration of Cost Allocation Percentages for the 2017 Annual Charges for Service (0716-7.a)**

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

WHEREAS, it is necessary that the Board of Directors of the Metro Wastewater Reclamation District, hereinafter referred to as the “Metro District,” adopt the Cost Allocation Percentages for the 2017 Annual Charges for Service; and

WHEREAS, Schedule B of the Sewage Treatment and Disposal Agreement (Service Contract) provides that the Metro District annually review its total costs to determine the percentage of those costs associated with the parameters used for the allocation of Annual Charges for Service; and

WHEREAS, staff of the Metro District has calculated the percentages for the allocation of total costs to the various charging parameters; and

WHEREAS, the Operations, Finance, and Executive Committees have reviewed the Cost Allocation Percentages and recommend their approval;

NOW, THEREFORE, BE IT RESOLVED that Schedule B of the Sewage Treatment and Disposal Agreement (Service Contract) between the Metro District and its Member Municipalities be and hereby is amended effective January 1, 2017, in the form attached hereto; and

BE IT FURTHER RESOLVED that as a result of this amendment to the Service Contract, Exhibit B of the Special Connector Agreement between the Metro District and its Special Connectors be and hereby is similarly amended effective January 1, 2017.

The motion carried unanimously.

7.b **Consideration of 2017 Sewer Connection Charge Rate (0716-7.b)**

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

WHEREAS, the Metro Wastewater Reclamation District, hereinafter referred to as the “Metro District,” has established a Sewer Connection Charge; and

WHEREAS, Section 509 of the Sewage Treatment and Disposal Agreement (Service Contract) between the Metro District and its Member Municipalities, and Section 507 of the Special Connector Agreement between the Metro District and its Special Connectors, provide that the Sewer Connection Charge may be changed by resolution duly enacted by action of the Board of Directors of the Metro District; and
WHEREAS, it is necessary that the Sewer Connection Charge be established for 2017 for each single family residential equivalent (SFRE), such charge to be effective January 1, 2017; and

WHEREAS, based on current methodology, after having reviewed the matter, staff of the Metro District recommends maintaining the Sewer Connection Charge for 2017 at $4,220; and

WHEREAS, the Operations and Finance Committees of the Metro District, after having reviewed the matter, recommend the Metro District adopt the staff recommendation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Sewer Connection Charge, be and hereby is maintained at $4,220 for each single family residential equivalent, effective January 1, 2017.

The motion carried unanimously.

7.c Consideration of 2017 Large-User Exception Capital Investment Fractions (0716-7.c)

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

WHEREAS, the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," has established a Sewer Connection Charge and a Large-User Exception to the Sewer Connection Charge; and

WHEREAS, Section 509 of the Sewage Treatment and Disposal Agreement (Service Contract) between the Metro District and its Member Municipalities, and Section 507 of the Special Connectors Agreement between the Metro District and its Special Connectors provide for adoption of a Sewer Connection Charge and implementation of a Large-User Exception; and

WHEREAS, the Service Contract and Section 7.5.1 of the Metro District Rules and Regulations provide for reviewing the Large-User Exception Capital Investment Fractions annually; and

WHEREAS, staff of the Metro District recommends the Metro District adopt the following Capital Investment Fractions for 2017:

Flow = 0.5617
Biochemical Oxygen Demand (BOD) = 0.1699
Suspended Solids (SS) = 0.1775
Total Kjeldahl Nitrogen (TKN) = 0.0909
WHEREAS, the Operations and Finance Committees of the Metro District, after having reviewed the matter, recommend the Metro District adopt the staff recommendation; and

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

NOW, THEREFORE, BE IT RESOLVED that the Capital Investment Fractions for flows and loadings used to calculate Sewer Connection Charges for Large Users, effective January 1, 2017, be and hereby are adopted as follows:

<table>
<thead>
<tr>
<th>Flow</th>
<th>0.5617</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOD</td>
<td>0.1699</td>
</tr>
<tr>
<td>SS</td>
<td>0.1775</td>
</tr>
<tr>
<td>TKN</td>
<td>0.0909</td>
</tr>
</tbody>
</table>

The motion carried unanimously.

7.d **Consideration of 2017 Reactivation Charge (0716-7.d)**

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

WHEREAS, the Metro Wastewater Reclamation District, hereinafter referred to as the “Metro District,” has established a Reactivation Charge for sewer connections to the Metro District System; and

WHEREAS, Section 7.6.3 of the Metro District’s Rules and Regulations provides that the Reactivation Charge shall be set by the Board of Directors and may be adjusted from time to time by resolution of the Board of Directors in accordance with the approved methodology; and

WHEREAS, it is necessary that the Reactivation Charge be established for 2017; and

WHEREAS, the methodology approved by the Board of Directors for calculating the Reactivation Charge, and the historic practice of rounding to the nearest $5, results in a Reactivation Charge for the year 2017 of $130 per single family residential equivalent (SFRE) for each year a connection has been inactive beyond ten years; and

WHEREAS, the Operations and Finance Committees of the Metro District, after having reviewed the matter, recommend the Board of Directors adopt a Reactivation Charge for 2017 of $130 per SFRE for each year beyond ten that a connection has been inactive as defined by the Metro District’s Rules and Regulations; and

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

NOW, THEREFORE, BE IT RESOLVED that the Reactivation Charge for 2017 as set forth in Section 7.6.3 of the Metro District’s Rules and Regulations be and
hereby is established at $130 per single family residential equivalent for each year beyond ten that a connection has been inactive as defined by the Metro District's Rules and Regulations.

The motion carried unanimously.

Roll Call Agenda

7.e Consideration of Utility Relocation Agreement with the Colorado Department of Transportation (0716-7.e)

Director Brown moved and Director Colchin seconded the motion to adopt the following resolution:

WHEREAS, it is necessary that the Metro Wastewater Reclamation District, hereinafter referred to as the “Metro District,” enter into a Utility Relocation Agreement (URA) with the Colorado Department of Transportation (CDOT) regarding the Central 70 Design Build Project (Project); and

WHEREAS, the Project consists of comprehensive improvements by CDOT to the I-70 corridor through Denver between Pecos Street and Chambers Road; and

WHEREAS, protection or relocation of Metro District interceptors and/or facilities may be required where they interfere with construction of the Project; and

WHEREAS, staffs of the Metro District and CDOT have negotiated a URA which would govern the terms and conditions of such protection or relocation of Metro District facilities and the determination of who must pay for the cost of the work; and

WHEREAS, entering into the URA does not commit any funds of the Metro District; and

WHEREAS, the Operations and Finance Committees, after having reviewed the matter, recommend authorizing the District Manager to enter into the URA with CDOT; and

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

NOW, THEREFORE, BE IT RESOLVED that the District Manager be and hereby is authorized to enter into a Utility Relocation Agreement with the Colorado Department of Transportation regarding protection or relocation of Metro District interceptors and/or facilities which interfere with construction of the Central 70 Design Build Project.

Chairman Adler called for a roll call vote which carried unanimously with 31 Yes votes. Directors voting Yes:

Pete Adler          John Dingess          Jill Martin
Curt Aldstadt      George Dumas          James McClung
Peter Baertlein    John Ennis           Dan Mikesell
Chairman Adler reviewed the slate of officers recommended by the Nominating Committee at the June 21, 2016, Board of Directors meeting for the upcoming term of office:

Chairman Daniel Mikesell, City of Aurora  
Chairman Pro Tem Philip Burgi, Wheat Ridge Sanitation District  
Secretary Peter Baertlein, City and County of Denver  
Treasurer Gerald Schulte, City of Lakewood

Chairman Adler asked if there were any nominations from the floor; there were none. He closed the nominations.

Director Dingess moved and Director Colchin seconded the motion to elect the slate of officers recommended by the Nominating Committee.

The motion carried unanimously.

7. NEW BUSINESS (continued)

Consent Agenda

7.f Consideration of Board Resolution Memorializing the Election of Officers (0716-7.f)

Director Bellinger moved and Director Johnston seconded the motion to adopt the following resolution; Chairman Adler read the names of Officers elected to serve for the 2016–2017 term:

WHEREAS, it is necessary that the Board of Directors of the Metro Wastewater Reclamation District, hereinafter referred to as the “Metro District,” elect a new slate of Officers as per the Metro District Bylaws (Bylaws); and

WHEREAS, the Bylaws provide that the Board of Directors elect new Officers annually during the regular meeting of the Board of Directors in the month of July; and

WHEREAS, the Board of Directors has held such election and wishes to memorialize by resolution that the following Board Members have been elected as officers for the 2016-2017 term:

Daniel Mikesell  Chairman of the Board
Philip Burgi  Chairman Pro Tem
WHEREAS, the Bylaws provide that the Chairman of the Board and Treasurer of the Metro District have certain signing authorities for Metro District documents; and

WHEREAS, the payroll and bank systems used by the Metro District require electronic signatures which take a certain period to process and record, and the newly elected Chairman and Treasurer will immediately submit signatures for processing; and

WHEREAS, while processing the new electronic signatures, payroll checks and bank documents may need to be processed and recorded, requiring interim signature authority; and

WHEREAS, since the immediate past Chairman and Treasurer have recorded electronic signatures, Metro District staff recommends the immediate past Chairman and Treasurer be granted interim authority to sign Metro District documents until such time as signatures of the new Chairman and Treasurer are processed and recorded;

WHEREAS, the Operations and Finance Committees, after having reviewed the matter, recommend the slate of officers elected by the Board of Directors of the Metro District be memorialized by resolution and the immediate past Chairman and Treasurer be granted interim signing authority for electronic signature-required documents until such time as the newly elected Chairman and Treasurer can have their electronic signatures recorded and processed; and

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

NOW, THEREFORE, BE IT RESOLVED that the slate of officers elected by the Board of Directors of the Metro District be and hereby are memorialized by resolution and the immediate past Chairman and Treasurer be and hereby are granted interim signing authority for electronic signature-required documents until such time as the signatures of the newly elected Chairman and Treasurer are recorded and processed and that such interim authority be granted on an annual basis to the immediate past Chairman and Treasurer.

The motion carried unanimously, and Chairman Adler turned over the meeting to incoming Chairman Mikesell.

Chairman Mikesell thanked the Board of Directors for its vote of confidence and thanked the other officers for agreeing to serve. He acknowledged Director Adler’s accomplishments as Chairman, thanked him for the benefit of his leadership and time, and presented him with a commemorative plaque. Director Adler thanked the officers who served with him, as well as Directors who agreed to be on committees under his leadership; and he expressed appreciation for Office of the Manager staff.
9. **INDIVIDUAL DIRECTOR COMMENTS**

   There were no comments.

10. **ADJOURNMENT**

   The meeting adjourned at 5:54 p.m.
(SEAL)

Chairman

ATTEST:

Secretary