

METRO WASTEWATER RECLAMATION DISTRICT

Minutes of the Regular Meeting of the Board of Directors March 16, 2021

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 via a GoToMeeting at 6450 York Street, Denver, Colorado, Tuesday, March 16, 2021 at 5:30 p.m. in the Metro District Environmental Services A conference room.

Chairman Twombly called the meeting to order.

1. OATH OF OFFICE

The following Director has been appointed by his Member Municipality to complete a two-year term of office that expires June 30, 2023.

Appointed Director

Clark Davenport

Member Municipality

Northwest Lakewood Sanitation District

Chairman Twombly informed the Board of Director Sanchez's resignation and announced his successor, Kathryn Laurienti, who will represent Crestview Sanitation District beginning in April.

2. ROLL CALL

Secretary Caldwell called the roll.

Officers Present:

Scott Twombly, Thornton
Andrew Johnston, Denver
Nadine Caldwell, Aurora
Stephen Gay, Westminster

Chairman
Chairman Pro Tem
Secretary
Treasurer

Directors Present:

Peter Baertlein, Denver
Phil Burgi, Wheat Ridge
David Councilman, Pleasant View
Deborah Crisp, East Lakewood
Clark Davenport, Northwest Lakewood
John Dingess, Aurora
Robert Duncanson, Denver
Jo Ann Giddings, City of Aurora
Joan Iler, Westridge
Kathryn Jensen, North Table Mountain
Janet Kieler, Denver
Craig Kocian, Arvada
Laura Kroeger, Lakewood
Bob LeGare, Aurora

Charles Long, Thornton
Martin Majors, Fruitdale
Dan Mikesell, Aurora
Sarah Niyork, South Adams
Steve Pott, Applewood
Bill Ray, Arvada
Michael Sapp, Denver
Greg Sekera, Lakewood
Del Smith, Bancroft-Clover
Peter Spanberger, Denver
Mary Beth Susman, Denver
Amerigo Svaldi, North Washington Street
Dennis Towndrow, North Pecos
Ronald Younger, Denver

Directors Absent:

John Chavez, Berkeley
Christopher Pacheco, Denver

Barbara Puls, Denver
Kim Schoen, Brighton

Others Present:

Mickey Conway
Emily Jackson
Mitch Costanzo
Dawn Ambrosio
Ruth Kedzior
Jennifer Robinett
Brandy DeLange
Yvonne Kohlmeier
Lydia Nkem
Brittany Peshek

District Manager
General Counsel
Deputy District Manager/Director of Engineering
Director of Strategy and Communication
Assistant to the District Manager
Director of Environmental Services
Government Affairs Liaison
Administrative Assistant
Executive Assistant
Administrative Analyst

3. PUBLIC COMMENT

There was no comment.

4. APPROVAL OF MINUTES

4.a Minutes of the Board of Directors Meeting on February 16, 2021

Chairman Twombly appointed Director Smith to make motions and Director Niyork to make seconds throughout the meeting.

Chairman Twombly asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held February 16, 2021.

Director Smith moved and Director Niyork seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held February 16, 2021.

The motion carried unanimously.

5. PROGRESS AND PROJECTION REPORTS

5.a Report by District Manager

District Manager Conway reviewed his written report, highlighting the Nuisance Struvite and Dewaterability Improvements Project (PAR 1280) and the installation of the MagPrex™ Reactor, stating a progress update will be given at the upcoming Spring Workshop.

Mr. Conway reflected on the Board of Directors' one-year anniversary of virtual meetings noting the March 2020 Board meeting was not only the first virtual meeting but a shelter-in-place order was issued during the meeting for those present in the Boardroom, yet Chairman Baertlein ran the meeting with calm professionalism. He also thanked the Board for its support during the past year and noted the Metro District has pulled together as a community, especially the past weekend when some staff members were on site for two days doing a phenomenal job operating the plants during the snowstorm.

Mr. Conway answered a question regarding staff participation in the Metro District's retirement plans.

Mr. Conway and General Counsel Jackson provided a definition for a self-resolving permit violation.

Mr. Conway answered a question explaining how the Metro District formulates positions on legislative bills, stating if a member Connector has a position on any bill, especially in relation to the District, they should communicate with Government Affairs Liaison Brandy DeLange. He also answered a question on the Low-Income Utility Relief Bill, stating the bill allows municipalities to create their own programs.

Mr. Conway and Ms. Jackson answered questions on the possibility the stimulus fund will expedite or help pay for Denver's Lead Reduction Program.

Chairman Twombly remarked there has been a lot of work and adjustments made during the last year and he looks forward to transitioning back to in-person meetings and scheduling plant tours, especially to showcase the new MagPrex™ which looks like the world's largest blender.

5.b Report by General Counsel

General Counsel Jackson reported there are no new litigation developments.

Ms. Jackson gave an update on the Navigable Waters Protection Rule (NWPR), stating the United States Court of Appeals for the Tenth Circuit vacated the district court's order staying Colorado from participating in the NWPR.

Ms. Jackson answered questions on the definition of navigable water and if any other states besides Colorado were able to get an injunction.

6. REPORTS OF OFFICERS AND COMMITTEES

6.b Meeting Minutes

There were no additions to the following meeting minutes:

Defined Benefit Plan Retirement Board	November 12, 2020
Defined Contribution Plan Retirement Board	November 12, 2020
Operations Committee	March 2, 2021
Finance Committee	March 4, 2021
Executive Committee	March 9, 2021

7. NEW BUSINESS

Consent Agenda

7.a Consideration of Service Contract for Benefits Consultant

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

WHEREAS, it is in the best interest of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to enter into a one-year agreement with Gallagher Benefit Services, Inc. (Gallagher) to provide benefit consulting services for the Metro District and the Metro District's health insurance plans; and

WHEREAS, the Metro District requires the services of a benefit advisor to provide advice and consulting regarding all health insurance plans, including all voluntary benefits, and the current agreement for benefit consulting services expires on March 31, 2021; and

WHEREAS, on December 4, 2020 the Metro District posted a Request for Proposal (RFP) and on December 31, 2020 five firms submitted Proposals; and

WHEREAS, the Proposals were evaluated by Metro District staff using a wide range of criteria based on Metro District needs, and Gallagher was selected to provide benefit consulting services for the Metro District; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the District Manager to enter into a one-year agreement with Gallagher to provide benefit consulting services for the Metro District and the Metro District's health insurance plans at an estimated one-year cost of \$56,400 and enter into additional contract periods, not to exceed a total of five years, for a not-to-exceed amount of \$282,000; and

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

NOW, THEREFORE, BE IT RESOLVED the District Manager be and hereby is authorized to enter into a one-year agreement with Gallagher Benefit Services, Inc. to provide benefit consulting services for the Metro District and the Metro District's health insurance plans at an estimated one-year cost of \$56,400; and

BE IT FURTHER RESOLVED the District Manager be and hereby is authorized to enter into additional contract periods, not to exceed a total of five years, if determined to be in the best interest of the Metro District, for a not-to-exceed amount of \$282,000.

The motion carried unanimously.

Roll Call Agenda

7.b Consideration of Genuine Auto Parts Vehicle Repair Parts and Accessories Contract

Director Iler moved and Director Niyork seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of the Metro Wastewater Reclamation District, hereinafter referred to as the "Metro District," to enter into a one-year agreement with Genuine Auto Parts DBA National Automotive Parts Association (NAPA) to supply auto parts for the Metro District's vehicle/equipment fleet; and

WHEREAS, the Metro District contracts with suppliers for auto parts for use in Metro District vehicles which the Metro District does not stock in its warehouse, and the current auto parts supplier contracts expires in March 2021; and

WHEREAS, Metro District staff evaluated its viable cooperative agreement options for auto part suppliers and determined NAPA would provide the best value for the Metro District; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the District Manager to enter into a one-year agreement with NAPA

to supply auto parts for the Metro District's vehicle/equipment fleet and enter into additional contract periods, not to exceed a total of five years; and

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

NOW, THEREFORE, BE IT RESOLVED the District Manager be and hereby is authorized to enter into a one-year agreement with Genuine Auto Parts DBA National Automotive Parts Association to supply auto parts for the Metro District's vehicle/equipment fleet; and

BE IT FURTHER RESOLVED the District Manager be and hereby is authorized to enter into additional contract periods, not to exceed a total of five years, if determined to be in the best interest of the Metro District.

Chairman Twombly called for a roll call vote which carried with 32 Directors voting Yes:

Peter Baertlein	Kathryn Jensen	Bill Ray
Phil Burgi	Andrew Johnston	Michael Sapp
Nadine Caldwell	Janet Kieler	Greg Sekera
David Councilman	Craig Kocian	Del Smith
Deborah Crisp	Laura Kroeger	Peter Spanberger
Clark Davenport	Bob LeGare	Mary Beth Susman
John Dingess	Charles Long	Amerigo Svaldi
Robert Duncanson	Martin Majors	Dennis Towndrow
Stephen Gay	Dan Mikesell	Scott Twombly
Jo Ann Giddings	Sarah Niyork	Ronald Younger
Joan Iler	Steve Pott	

8. INDIVIDUAL DIRECTOR COMMENTS

Director Baertlein thanked District Manager Conway for reminding him of interesting challenges at the Board of Directors meeting one year ago.

9. OTHER INFORMATION

Chairman Twombly and District Manager Conway responded to a question on having an in-person Board Workshop this summer instead of a virtual one in the Spring.

10. ADJOURNMENT

Chairman Twombly adjourned the meeting at 6:01 p.m.

MC\raklyjk

