

RECORD OF PROCEEDINGS

MINUTES OF JOINT REGULAR MEETING

BOARD OF DIRECTORS

SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT

AND

PLATTE CANYON WATER AND SANITATION DISTRICT¹

Friday
June 27, 2025
Jefferson County, Colorado

The regular joint monthly meeting of the Board of Directors of the Southwest Metropolitan Water and Sanitation District (“Southwest”) and the Board of Directors of the Platte Canyon Water and Sanitation District (“Platte Canyon”) convened on Friday, June 27, 2025, at 8:30 a.m. in the Districts’ office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123. For purposes of convenience, the meeting could be attended virtually using Microsoft Teams so any Board member who could not physically attend, could attend by telephone or virtually.

The login and call-in information were included in the meeting notice so that interested members of the public could also attend virtually. Although jointly conducted, portions of the meeting pertained solely to one District or the other and, accordingly, at times only the vote of one Board or the other was required.

The following Southwest Directors were in attendance, to-wit:

Anthony M. Dursey
Ismael Gomez
Chuck Hause
Samuel Rivas, Jr.
Bernard J. Sebastian, Jr.

The following Platte Canyon Directors were in attendance, to-wit:

William D. Buckner
Anthony M. Dursey
Louis J. Fohn
Damien Mulvany
Mark Swatek

¹ and each District’s Water and Sanitary Sewer Activity Enterprise.

The following Platte Canyon staff members were physically present: Cynthia Lane, manager; Vanessa Shipley, financial administrator; Justin Roquemore, construction program manager; Armando Quintana, operations supervisor; Bridget Butterfield, communications and administrative services coordinator; Adam Morse, GIS/website/IT technician; and Chris Cochran, construction coordinator, attended the meeting virtually via Microsoft Teams.²

Also in attendance was Timothy J. Flynn, from Ireland Stapleton Pryor & Pascoe PC, legal counsel for both Districts.

CALL TO ORDER

The meeting was called to order by Southwest President Chuck Hause, who presided as Chair.

APPROVAL OF SOUTHWEST AGENDA

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve, as presented, the Southwest agenda. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

SOUTHWEST CONSENT AGENDA ITEMS

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve Southwest Consent Agenda Items No. 1 and No. 2, as set forth below:

1. Ratification of Interim Disbursements and Approval of Current Payables. The Southwest payables and supplemental disbursements for the month of June 2025, in the aggregate amount of \$309,756.91, represented by Southwest check nos. 21589 through 21618, inclusive, including any checks for less than \$5,000 written by the manager pursuant to prior Board authorization, as well as various electronic fund payments for utilities and other authorized electronic fund payment vendors.

2. Southwest Investment/Deposit Report. During the month of May 2025, Southwest did not: (i) purchase any treasury notes or other securities; (ii) sell or have any

² Southwest has no employees. The above-named personnel are Platte Canyon employees who, pursuant to contract with Platte Canyon, provide management, operation, and maintenance services for Southwest.

treasury notes or other securities mature or redeem; or (iii) purchase, renew, or rollover, any certificates of deposit.

With respect to consent agenda items No. 1 and No. 2, the Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

During the discussion of the payables, Vanessa Shipley commented on and explained the reason for the large check in the amount of \$125,469.12 to Core & Main LP. The check paid for fire hydrant and other parts necessary for planned maintenance activities.

SOUTHWEST ACTION ITEMS

There were no action items to come before the Southwest Board.

SOUTHWEST INFORMATION/DISCUSSION ITEMS.

1. **Perimeter Fencing for Districts Office.** The manager reviewed with the Board the terms and provisions of the three-year security plan previously developed for both Platte Canyon and Southwest. Part of that plan provides for additional perimeter fencing of the shared Southwest office because on the east side of the office it is easy for members of the general public to access the back maintenance area. Staff obtained multiple proposals for perimeter fencing and ultimately selected a proposal from Supreme Fencing which ranges from \$37,000 to \$43,000, depending on the extent of the fencing installed. This is an information item for the Board so they are aware a perimeter fence will be installed around Southwest's shared office in the near future.

2. **Update on D-Line Interceptor Project.** The manager updated the status of the D-Line Interceptor Project. The legals for the additional easements that are necessary from the City of Littleton are in the process of being finalized. It is anticipated that the project will be bid on or about July 7th or July 8th and the Board will be in a position to award a contract to the low bidder at the Board's August meeting. It is anticipated that construction can be accomplished during September, October, and November of 2025. Some of the work within for the Project is on property owned by Littleton, managed by South Suburban and subject to a Conservation Easement. The design engineers have been coordinating with South Suburban to address the requirements of both South Suburban and the holders of the Conservation Easement so the easements which have been submitted to

the City of Littleton for consideration can be granted hopefully prior to the time a contract is awarded in August.

SOUTHWEST NEW BUSINESS

There was no new business to come before the Southwest Board.

JOINT PARTICIPATION PORTION OF THE MEETING

Southwest President, Chuck Hause chaired the joint participation portion of the meeting.

APPROVAL OF JOINT MEETING AGENDA

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Southwest Director Dursey to approve the Joint Meeting Agenda, as presented. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

JOINT MEETING CONSENT AGENDA

1. Approval of the Minutes of the Boards’ May 23, 2025, Joint Regular Meeting. Following a brief discussion and review, a motion was made by Platte Canyon Director Dursey and seconded by Southwest Director Rivas to approve the minutes of the Boards’ May 23, 2025, joint regular meeting, as written. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The Chair then called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

The approved minutes will be presented to the members of each Board for signature as soon as practical, as further evidence of ratification, confirmation, and approval.

JOINT MEETING ACTION ITEMS

1. Financial Matters.

(a) **Platte Canyon Financial Statement.** The following unaudited Platte Canyon financial statement was presented to the Boards:

(i) Schedule of Revenues and Expenditures – Budget and Actual for the five-month period ending May 31, 2025.

Vanessa Shipley reviewed the line items that deviated from the adopted budget and provided the Boards with an explanation for the deviation.

At the conclusion of Vanessa Shipley’s review, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Buckner to accept the Platte Canyon financial statement as presented.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

It was noted that in accordance with last month’s meeting, only a single financial statement was presented to the Board for review at this meeting. A full set of financial statements will be presented on a quarterly basis.

(b) **Southwest Financial Statement.** The following unaudited Southwest financial statement was presented to the Boards:

(i) Schedule of Revenues and Expenditures – Budget and Actual for the five-month period ending May 31, 2025.

Following Vanessa Shipley’s review of the above-referenced financial statement, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest financial statement as presented.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

(c) **Platte Canyon Investment/Deposit Report.** The Boards reviewed a list of Platte Canyon’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Platte Canyon has in approved state depositories and authorized local government investment pools. As of May 31, 2025, Platte Canyon's investments and deposits totaled \$13,073,444.73, itemized as follows:

<u>Description</u>	<u>Amount</u>	<u>Percentage</u>
Checking	\$286,862.38	2.19%
Certificates of Deposit	\$250,000.00	1.91%
Colo Trust-Edge	\$862,881.45	6.60%
Colo Trust-Plus	\$4,625,687.87	35.38%
ColoTrust-Trust Account	\$30,901.13	0.24%
CSAFE-Core	\$4,006,583.04	30.65%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$1,509,704.37	11.55%
U.S. Government Agencies and Instrumentalities	\$1,500,824.49	11.48%
TOTAL	<u>\$13,073,444.73</u>	<u>100.00%</u>

The average yield on Platte Canyon’s investments for the month of May 2025, as calculated by staff, was 3.6461% per annum.

Following Vanessa Shipley’s review, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Fohn to accept the Platte Canyon Investment/Deposit Transaction Report.

The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

(d) **Southwest Investment/Deposit Report.** The Boards reviewed a list of Southwest’s investments in U.S. Government treasury notes, agency securities, certificates of deposit, and money market funds, together with a report showing the funds Southwest has in approved state depositories and authorized investment pools. As of May 31, 2025, Southwest’s investments and deposits totaled \$27,534,492.96, itemized as follows:

<u>Description</u>	<u>Amount</u>	<u>Percentage</u>
Checking	\$113,274.46	0.41%
Certificates of Deposit	\$249,000	0.90%
ColoTrust-Edge	\$943,742.62	3.43%
ColoTrust-Plus	\$3,511,125.84	12.75%
ColoTrust-Trust Account	\$2,900.17	0.01%
CSAFE-Core	\$2,750,891.28	9.99%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$10,976,992.09	39.87%
U.S. Government Agencies and Instrumentalities	\$8,986,566.50	32.64%
TOTAL	<u>\$27,534,492.96</u>	<u>100.00%</u>

The average yield on Southwest’s investments for the month of May 2025, as calculated by staff, was 2.9515% per annum.

Following Vanessa Shipley’s review of the Southwest Investment/Deposit Report, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest Investment/Deposit Report as presented.

The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

INFORMATION/DISCUSSION ITEMS

1. **Manager’s Report.** The manager presented to both Boards her written report

for the month of May 2025, a copy of which was included in the meeting packet.

(a) **District Goals.** The manager gave a brief overview of 2025 District Goals noting that to date all statutory requirements have been complied with and there have been no work safety or security violations. She also noted that the Districts are in the process of implementing District priority initiatives. A presentation regarding priority initiatives will be presented to both Boards in the future, especially the funding of capital improvements projects.

(b) **Tap Sales Activity.** The manager provided a brief overview of tap sales activity, especially within Southwest where tap sales have increased due to projects in South Santa Fe Park.

(c) **AWWA Conference.** The American Water Works Annual Conference was held the second week in June. Most Platte Canyon's staff was able to attend and benefit from the Conference.

(d) **Denver Water 2026 Rates.** Denver Water has begun the cost of service study process for 2026 rates and fees. The Distributor Rates And Fees Technical Consultant is currently in the process of reviewing the cost of service information provided by Denver. The manager expects Denver Water will increase rates for 2026 between 3%-5%.

(e) **ADA Accessibility.** There was a brief discussion by the manager and legal counsel regarding the ADA website accessibility requirements. Staff is working to adopt an Accessibility Plan, that will be posted on each District's website as soon as possible. Also, the manager noted that the current website hosting firm is becoming less and less responsive. Both Platte Canyon and Southwest are considering switching to Streamline in the future. Streamline is very much aware of and knowledgeable about website accessibility requirements.

(f) **District Specifications.** It was noted the City of Littleton has recently adopted both Platte Canyon's and Southwest's Sanitary Sewer Specifications by reference and posted them on Littleton's website. Legal counsel will research this matter to see if any kind of a disclaimer needs to be added to whatever Littleton is posting on its website.

(g) **Hydrant Nozzle Replacement Programs.** It was noted, briefly, that the fire hydrant nozzle replacement program for each District is complete or substantially complete as of the date of this meeting.

2. **Operations and Maintenance Summary Report.** Armando Quintana reviewed the operations and maintenance summary report for the month of May 2025. During the reporting period, neither Platte Canyon nor Southwest had any water or sanitary

sewer service interruptions. In addition, neither District sent any letters to residents advising of potential sewer service line problems due to root intrusion.

During May 2025, C&L Water Solutions repaired one water valve in Southwest and replaced one water valve in Platte Canyon. Platte Canyon staff is currently working with C&L to develop a list of remedial repairs that Platte Canyon and Southwest would like to schedule as soon as possible over the next month or two. At the Scott J. Morse Water Pump Station there were two incidents where the low discharge alarm was triggered. Browns Hill is in the process of repairing the electrical equipment that monitors discharge pressure. The alarms were triggered not because pressure was actually low but because the alarm system was malfunctioning. There were no incidents at Southwest's Hogback Water Pump Station during the month.

Platte Canyon staff attended monthly staff and safety meetings during May as usual. These meetings are conducted for review of operations, construction and safety training.

Armando Quintana then reviewed with the Board the status of the various capital projects orders each District has placed noting that delivery of some of the materials is expected in August. He also briefly reviewed the volume of locate requests in both Platte Canyon and Southwest, and Platte Canyon's contract service districts.

3. Construction Projects Report. Justin Roquemore, construction program manager, reviewed the capital projects reports for both Platte Canyon and Southwest. At the outset, the Board was reminded that the capital projects report focuses only on developer projects that are active. The capital projects report also includes each District's capital improvement projects.

As part of the report, Justin focused on the work that is being done in South Santa Fe Park, especially Evergreen Development's Daily Needs Project. Southwest also has a capital improvement project in the Woodmar Village Subdivision. Platte Canyon has a capital improvement project in the Columbine Hills area.

At the conclusion of his report he asked if there were any questions. No Board members had any questions for Mr. Roquemore.

NEW BUSINESS

There was no new business to come before the joint participation portion of the meeting.

PLATTE CANYON PORTION OF THE JOINT MEETING

CALL TO ORDER

Platte Canyon's President, Mark Swatek, called the Platte Canyon portion of the joint meeting to order and acted as Chair.

APPROVAL OF PLATTE CANYON AGENDA

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Mulvany to approve, as presented, the Platte Canyon Agenda. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

PLATTE CANYON CONSENT AGENDA ITEMS

Following a brief discussion, a motion was made by Platte Canyon Director Buckner and seconded by Platte Canyon Director Mulvany to approve Platte Canyon Consent Agenda Items No. 1 and No. 2, as set forth below:

1. **Ratification of Interim Disbursements and Approval of Current Payables.** Platte Canyon payables and supplemental disbursements for the month of June 2025, in the aggregate amount of \$425,432.24, represented by Platte Canyon check nos. 35891 through 35935, inclusive, including any checks for less than \$5,000 written by the manager pursuant to prior Board authorization, together with various electronic fund payments for employees' salaries, utilities, and other authorized electronic fund payment vendors.

2. **Platte Canyon Investment/Deposit Transaction Report.** During the month of May 2025, Platte Canyon did not: (i) purchase any treasury notes or other securities; (ii) sell or have any treasury notes or other securities mature or redeem; or (iii) purchase, renew, or rollover, any certificates of deposit.

With respect to Consent Agenda Items No. 1 and No. 2, the Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

ACTION ITEMS

There were no action items presented to the Platte Canyon Board at this time.

PLATTE CANYON INFORMATION/DISCUSSION ITEMS

1. **Update on 2026 Capital Improvement Projects and 2025 Election.** The manager informed the Platte Canyon Board that after reviewing in greater detail Platte Canyon’s 10-Year Capital Improvement Plan, she has determined that a number of Platte Canyon’s Capital Improvement Projects can be delayed by at least a year. This significantly changes the need to finance the 2026 Capital Improvement Program using bond proceeds. Accordingly, the will not request that the Platte Canyon Board approve a TABOR election for November of 2025. More information regarding Capital Improvement Program financing will be presented to both Boards at a future meeting.

2. **Contract for Design of Platte Canyon 2026 Capital Improvement Projects.** The manager then expressed her desire to award a contract for the design and construction of Platte Canyon’s Capital Improvement Projects for 2026 to JMT Engineering. A proposal from JMT has been received for the performance of that work for approximately \$180,000. Following a discussion, a motion was made by Platte Canyon Director Fohn and seconded by Platte Canyon Director Buckner to authorize the manager to sign a contract with JMT once it has been reviewed by legal counsel. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

PLATTE CANYON NEW BUSINESS

There was no new business to come before the Platte Canyon Board.

ADJOURNMENT OF SOUTHWEST MEETING

At this time, it was noted that there was no further business requiring the attendance of the Southwest Board. Accordingly, a motion to adjourn the Southwest portion of the

joint meeting was made by Southwest Director Hause and seconded by Southwest Director Rivas. The Chair called for a vote of the Southwest Board, and the vote was as follows:

Anthony M. Dursey	Aye
Ismael Gomez	Aye
Chuck Hause	Aye
Samuel Rivas, Jr.	Aye
Bernard J. Sebastian, Jr.	Aye

The Southwest meeting adjourned at approximately 9:30 a.m. at which time all Southwest Directors left the meeting.

PLATTE CANYON EXECUTIVE SESSION

Following a brief discussion, a motion was made by Platte Canyon Director Fohn and seconded by Platte Canyon Director Dursey to go into Executive Session pursuant to Section 24-6-402(4)(b), C.R.S. for the purpose of obtaining advice from counsel regarding the legal litigation alternatives that could be utilized to acquire an access easement needed across Bow Mar Owners, Inc. property in the area of the Bow Mar South recreational property. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

Whereupon the Platte Canyon Board went into Executive Session at approximately 9:30 a.m.

No actions were taken during the Executive Session which was not recorded because it constituted an attorney/client privileged communication. At approximately 9:45 a.m. the Platte Canyon Board returned to open public meeting.

AUTHORIZATION TO IMPLEMENT STEPS NECESSARY TO ACQUIRE ACCESS EASEMENT BY CONDEMNATION

Following a brief discussion, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Buckner authorizing legal counsel to prepare an appropriate resolution to initiate the acquisition of an Easement across BMOI property by condemnation. Legal counsel was also instructed to draft a Statement of Intent to Acquire Property that the Platte Canyon Board can review at its July meeting. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

ADJOURNMENT

There being no further business to come before the Platte Canyon Board, a motion to adjourn was made by Platte Canyon Director Fohn and seconded by Platte Canyon Director Mulvany. The Chair called for a vote of the Platte Canyon Board, and the vote was as follows:

William D. Buckner	Aye
Anthony M. Dursey	Aye
Louis J. Fohn	Aye
Damien Mulvany	Aye
Mark Swatek	Aye

Whereupon, the Platte Canyon Board of Directors meeting adjourned at approximately 9:55 a.m.

The next regular joint meeting of the Platte Canyon and Southwest Boards will be held on Friday, July 25, 2025, at 8:30 a.m. in the Platte Canyon and Southwest office located at 8739 West Coal Mine Avenue, Littleton, Colorado 80123.

Respectfully submitted,

Timothy J. Flynn, Recording Secretary

ATTORNEY STATEMENT

Pursuant to Section 24-6-402(4)(b), C.R.S., I, Timothy J. Flynn, state that I am general legal counsel for the Platte Canyon Water and Sanitation District and that I was present at the time the Board convened an Executive Session on Friday, June 27, 2025, at approximately 9:30 a.m. I further state that the Executive Session was not recorded because it constituted an attorney-client privileged communication, and that no electronic recording thereof was necessary. The Board did not adopt any proposed policy, position, rule, regulation or take any formal action during the Executive Session.

Date: _____

Signature: _____

Timothy J. Flynn

RECORD OF PROCEEDINGS

THE MINUTES OF THIS JOINT REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE SOUTHWEST METROPOLITAN WATER AND SANITATION DISTRICT AND THE BOARD OF DIRECTORS OF THE PLATTE CANYON WATER AND SANITATION DISTRICT ARE HEREBY RATIFIED, CONFIRMED AND APPROVED BY THE FOLLOWING NAMED INDIVIDUALS WHO, INDIVIDUALLY AND AS MEMBERS OF THE BOARD OF DIRECTORS OF SAID DISTRICTS, WAIVE ANY AND ALL NOTICE THAT MAY BE REQUIRED BY THE STATUTES OF THE STATE OF COLORADO PERTAINING TO THE CONVENING AND THE CONDUCTING OF THIS SPECIAL MEETING OF THE DISTRICTS' BOARDS OF DIRECTORS; AND THE UNDERSIGNED DO HEREBY CONSENT TO THE SAID MEETING BEING HELD ON THE DATE, AT THE TIME AND AT THE PLACE AS HEREINABOVE SET FORTH.

SOUTHWEST METROPOLITAN
WATER AND SANITATION DISTRICT

PLATTE CANYON WATER AND
SANITATION DISTRICT

Anthony M. Dursey

William D. Buckner

Ismael Gomez.

Anthony M. Dursey

Chuck Hause

Louis J. Fohn

Bernard J. Sebastian, Jr.

Damian. Mulvany

Samuel Rivas, Jr.

Mark Swatek