

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
July 25, 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, July 25, 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 (by Teams)
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 (by Teams)
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; Alyssa Quinn, assistant 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 July 2025, in the aggregate amount of \$269,426.87, represented by Southwest check nos. 21619 through 21656, 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 June 2025, Southwest: (i) did not purchase any treasury notes or other securities; (ii) on June 15, 2025

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.

a Southwest treasury note matured generating \$1,500,000 in principal proceeds, plus accrued interest; and (iii) on June 11, 2025 Southwest renewed a \$150,000 certificate of deposit at Fowler State Bank for a term of one-year maturing on June 11, 2026 and earning interest at the rate of 4% per annum.

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

SOUTHWEST ACTION ITEMS

1. **Approval of Intergovernmental Agreement with Westend Ridge Intergovernmental Agreement.** The manager and legal counsel reviewed an Intergovernmental Agreement between Southwest and Westend Ridge Metropolitan District (“Westend”), which limits the extent to which Westend can exercise water and sanitary sewer service authority inside the boundaries of Southwest. Execution of the Intergovernmental Agreement by Westend was a condition precedent to Southwest consenting to the organization and operation of Westend within the territorial boundaries of Southwest.

Following a brief discussion, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to approve the Intergovernmental Agreement and authorize the Agreement to be signed by the Southwest President and Secretary. 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 INFORMATION/DISCUSSION ITEMS.

1. **ADA Technology Accessibility Advisement.** The manager and legal counsel reviewed with the Board Ireland Stapleton’s July 11, 2025 legal advisement letter regarding Technology Accessibility Standards.

In 2021 Colorado legislation was passed, and is now codified in Section 24-85-103, C.R.S., that establishes accessibility standards for all internal and external web-based

content to make sure that the information technology systems used by governmental entities in the State of Colorado comply with the Americans with Disabilities Act (“ADA”). In May of this year the Governor’s Office of Information Technology adopted rules found at 8 Colorado Code of Regulations 1501-11 which further describe and set forth the accessibility standards and compliance parameters for information technology systems employed by public entities, including accessibility standards for documents posted on public entity websites. There are certain exceptions to full compliance with the standards if a governmental entity has made a best effort attempt and can show evidence of the entity’s good faith towards removing accessibility barriers. One of the ways in which an entity can comply is by publishing on its website a digital accessibility plan that shows evidence of the public entity’s good faith progress towards removing accessibility barriers across its inventory of information and communication technology, which plan is annually renewed and updated.

Legal counsel and the manager informed the Board that staff is currently working to develop an appropriate digital accessibility plan that will be posted on both Platte Canyon and Southwest’s website in the near future. In addition, the Districts will be soon utilizing a different entity to host their websites. The new entity, Streamline, is very knowledgeable with respect to ADA standards and performs thorough and constant testing of its clients’ websites to ensure compliance with the digital content standards required by Colorado law.

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 Swatek and seconded by Platte Canyon Director Buckner 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’ June 27, 2025, Joint Regular Meeting. Following a brief discussion and review, a motion was made by Southwest Director Sebastian and seconded by Platte Canyon Director Fohn to approve the minutes of the Boards’ June 27, 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 Statements. The following unaudited Platte Canyon financial statements were presented to the Boards:

(i) Statement of Net Position dated June 30, 2025 showing Platte Canyon’s assets, liabilities and net position;

(ii) Statement of Revenue, Expenses and Changes in Net Position for the six-month period ending June 30, 2025; and

(iii) Schedule of Revenue and Expenditures – Budget and Actual for the six-month period ending June 30, 2025.

Vanessa Shipley reviewed the above-referenced financial statements with the Platte Canyon Board and where necessary explained any deviation in the unaudited financial statements from Platte Canyon’s adopted budget.

At the conclusion of Vanessa Shipley’s review, a motion was made by Platte Canyon Director Swatek and seconded by Platte Canyon Director Fohn to accept the Platte Canyon financial statements 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

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

(i) Statement of Net Position dated June 30, 2025 showing Southwest’s assets, liabilities and net position;

(ii) Statement of Revenue, Expenses and Changes in Net Position for the six-month period ending June 30, 2025; and

(iii) Schedule of Revenue and Expenditures – Budget and Actual for the six-month period ending June 30, 2025.

Following Vanessa Shipley’s review of the above-referenced financial statements, a motion was made by Southwest Director Sebastian and seconded by Southwest Director Rivas to accept the Southwest financial statements 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 June 30, 2025, Platte Canyon's investments and deposits totaled \$13,166,701.89, itemized as follows:

<u>Description</u>	<u>Amount</u>	<u>Percentage</u>
Checking	\$170,602.57	1.30%
Certificates of Deposit	\$250,000.00	1.90%
Colo Trust-Edge	\$866,913.44	6.58%
Colo Trust-Plus	\$4,806,152.98	36.50%
ColoTrust-Trust Account	\$542,060.69	4.12%
CSAFE-Core	\$4,021,088.14	30.54%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$1,009,131.96	7.66%
U.S. Government Agencies and Instrumentalities	\$1,500,752.11	11.40%
TOTAL	\$13,166,701.89	100.00%

The average yield on Platte Canyon’s investments for the month of June 2025, as calculated by staff, was 3.7019% 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 Report 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

(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 June 30, 2025, Southwest’s investments and deposits totaled \$27,556,207.69, itemized as follows:

<u>Description</u>	<u>Amount</u>	<u>Percentage</u>
Checking	\$13,649.38	0.05%
Certificates of Deposit	\$249,000	0.90%
ColoTrust-Edge	\$948,152.46	3.44%
ColoTrust-Plus	\$3,502,152.04	12.71%
ColoTrust-Trust Account	\$1,615,952.84	5.86%
CSAFE-Core	\$2,760,850.36	10.02%
Treasury Bills	\$0.00	0.00%
Treasury Notes	\$9,479,551.60	34.40%
U.S. Government Agencies and Instrumentalities	\$8,986,899.01	32.61%
TOTAL	<u>\$27,556,207.69</u>	<u>100.00%</u>

The average yield on Southwest’s investments for the month of June 2025, as calculated by staff, was 3.0203% 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 reviewed with both Boards her written manager’s report for the month of July 2025, a copy of which was included in the meeting packet and discussed the following matters:

(a) **District Goals.** The status of the efforts to achieve the Districts’ goals for 2025 is set forth on the first page of the manager’s report which was briefly summarized by the manager.

(b) **Perimeter Fence Program.** The installation of a fence to preclude members of the public from accessing the back portions of the Southwest/Platte Canyon office building property has been delayed slightly due to delays in fabricating the fence materials. Southwest’s contractor should have the necessary fence materials soon and it is expected that the fence will be installed by the end of August 2025.

(c) **Denver Water 2026 Rates.** The manager confirmed that Denver Water is continuing to work on its rates for 2026. Information regarding Denver Water's cost of service study has been delivered to the Distributor Rates and Fees Technical Advisory Committee. The Committee's rate consultant is currently in the process of reviewing the cost of service information provided by Denver. The manager continues to expect Denver Water will increase rates for 2026 will increase between 3%-5%.

(d) **Hydrant Repair Program.** Alyssa Quinn reported to the Board that certain parts ordered for the fire hydrant replacement program including the necessary gaskets apparently were not ordered by the local distributor. This oversight was recently discovered, and it's now anticipated that the materials necessary to complete the fire hydrant nozzle replacement program will be delivered soon. As of the date of this meeting, 28 fire hydrants in Southwest have been rehabilitated. The few remaining Southwest fire hydrants scheduled for nozzles replacement will be completed once the new nozzles and gaskets are received.

Work will commence on the remaining Platte Canyon fire hydrants requiring nozzle replacement once the new nozzles are received. It is expected that the new nozzles will be received on or before August 11, 2025.

(e) **Platte Canyon Sewer Specifications.** Legal Counsel has contacted the City Attorney for Littleton requesting that the reference to Platte Canyon's sewer specifications on Littleton's website be removed. Littleton was further advised that any use of Platte Canyon's sewer specifications is done so by Littleton at its own risk and the specifications are being used in their as-is condition without any warranties by Platte Canyon. Legal counsel will follow up with the Board with respect to this matter at a future meeting.

2. **Operations and Maintenance Summary Report.** Armando Quintana reviewed the operations and maintenance summary report for the month of June 2025. During the reporting period, neither Platte Canyon nor Southwest had any sanitary sewer service interruptions. Southwest had no water service interruptions; however, Platte Canyon experienced a break on a waterline located at 7141 W. Glasgow Place on June 11, 2025. Armando Quintana reviewed a PowerPoint presentation which included photographs showing the repair efforts that were undertaken. It was noted the waterline break caused a significant loss of asphalt in affected portion of W. Glasgow Place. The repair was performed by C&L Water Solutions.

During June 2025, C&L Water Solutions performed a scheduled remedial repair of a valve in Southwest. No remedial repairs were performed, however, in Platte Canyon.

During June staff attended the monthly staff and safety meetings, which are held to review operations, construction and safety training. Also, during June a number of Platte

Canyon staff attended the ACE show in Denver and also certain staff members took a tour of Aurora Water facilities on June 12, 2025.

Armando Quintana informed the Board that a written report concerning Platte Canyons contract service operations was included in the meeting packet.

3. Construction Projects Report. Justin Roquemore, construction program manager, reviewed the Capital Projects Report for both Platte Canyon and Southwest. In Platte Canyon the disinfection and clear water lab analysis have been completed on the S. Depew Street and W. Ottawa Ave. to W. Rowland Pl. project. All domestic service line transfers to the new main on S. Depew St. have been completed. Further all collector street tie-ins and waterline abandonments have been completed. Once this project is completed and following a two-week break, the contractor will begin working on Phase II of Platte Canyon's 2025 waterline replacement program.

In Southwest crews have begun marking utility trench lines and milling to the full width in preparation for excavation of the replacement of asbestos cement pipe with 6-inch PVC in S. Everett Way from West Peakview Drive to S. Estes Street. Finally, Justin Roquemore noted an Invitation to Bid has been published for Southwest's 2025 sewer rehabilitation projects and it is contemplated that a bid summary will be presented to the Southwest Board at the Southwest August meeting.

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 Fohn 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 Fohn and seconded by Platte Canyon Director Buckner 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 July 2025, in the aggregate amount of \$401,327.92, represented by Platte Canyon check nos. 35935 through 35972, 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 June 2025, Platte Canyon did not purchase any treasury notes or other securities. On June 15, 2025, a Platte Canyon treasury note matured generating \$500,000 in principal proceeds to Platte Canyon, plus accrued interest. On June 11, 2025, Platte Canyon renewed a \$150,000 certificate of deposit at Fowler State Bank that matures on June 11, 2026, and bears interest at the rate of 4% per annum.

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 ACTION ITEMS

1. Authorization to Acquire an Access Easement Across Property Owned by Bow Mar Owners, Inc. Legal counsel and the manager reviewed with the Board Platte Canyon Resolution 2025-8-1 which authorizes Platte Canyon to exercise its power of

condemnation to acquire an access easement needed for Platte Canyon manhole located near the Bow Mar Lake spillway on property owned by the Bow Mar South Homeowners Association. It was noted, however, that the access easement needs to extend over and across property owned by Bow Mar Owners, Inc. The efforts of the Platte Canyon to obtain this access easement were recalled by legal counsel and the Board. Because those negotiations were unsuccessful, Platte Canyon now needs to begin the steps to acquire the Access Easement by condemnation. The first step in that process is to approve a resolution authorizing the use of Platte Canyon’s condemnation authority. At the conclusion of the discussion, a motion to adopt Resolution 2025-8-1 which authorizes Platte Canyon to acquire the needed access easement by condemnation, was made by Platte Canyon Director Mulvany and seconded by Platte Canyon Director Buckner. The Chair called for a vote, and the vote was as follows:

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

As part of approving Resolution 2025-8-1 the Board also authorized legal counsel to make a final offer to Bow Mar Owners, Inc. in the hopes the offer will be accepted and the necessity for initiating a condemnation action avoided.

PLATTE CANYON INFORMATION/DISCUSSION ITEMS

1. **ADA Technology Accessibility Advisement.** Legal counsel and the manager advised the Platte Canyon Board that the ADA Technology Accessibility Advisement given to Platte Canyon was the same as the advisement discussed during the Southwest portion of the joint meeting. Accordingly, the Platte Canyon Board did not feel the need to visit this subject a second time. All Platte Canyon Board members acknowledged receipt of the Ireland Stapleton Legal Advisement Letter.

2. **Report on Platte Canyon Succession Plan.** The manager had distributed to the Platte Canyon Board prior to the meeting a written succession plan. There was a brief discussion concerning the succession plan, but no formal action was taken by the Platte Canyon Board at this time. The written succession plan identifies those jobs that are key to Platte Canyon and Southwest’s operation and sets forth a path for making sure there is a smooth transition in the event any of these key employees were to leave Platte Canyon for any reason.

PLATTE CANYON NEW BUSINESS

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

ADJOURNMENT

There being no further business to come before this joint regular meeting of the Southwest and Platte Canyon Boards, a motion was made by Platte Canyon Director Fohn and seconded by Platte Canyon Director Buckner to adjourn. 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

Whereupon, this joint regular meeting of the Southwest and Platte Canyon Boards of Directors adjourned at approximately 9:45 a.m. The next regular joint meeting of the Boards will be held on Friday, August 24, 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

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

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Damian. Mulvany

Samuel Rivas, Jr.

Mark Swatek