

MINUTES OF MEETING

OF THE BOARD OF DIRECTORS OF THE DOMINION WATER & SANITATION DISTRICT ACTING THROUGH ITS STERLING RANCH WATER ACTIVITY ENTERPRISE AND

ITS STERLING RANCH WASTEWATER ACTIVITY ENTERPRISE HELD NOVEMBER 19, 2024

A regular meeting of the Board of Directors of the Dominion Water & Sanitation District (“District” or “DWSD”) acting through its Sterling Ranch Water Activity Enterprise and its Sterling Ranch Wastewater Activity Enterprise, was held on November 19, 2024, at 12:00 p.m. at the offices of Dominion Water & Sanitation District - 9250 E. Costilla Ave., Suite 400, Greenwood Village, Colorado 80112. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Harold Smethills

John Ostermiller

David Kerr

Richard Shaw; DWSD – Special Advisor to the DWSD Board

Brock Smethills was absent and excused

Director Jeffrey LaForte was absent and excused.

Also, in attendance were:

Andrea Cole; DWSD – General Manager

Cynthia Fisher; DWSD – Finance Director

Pam Grover; DWSD – Capital Programs Manager

Evan Bahn; DWSD – Director of Operations

Britta Strother; DWSD – Director of Planning

Blair Dickhoner, Esq.; White Bear Ankele Tanaka & Waldron - District General Counsel

Cody Berg; Carollo Engineers – Rate Consultant

Brian Peterson; Sterling Ranch DevCo – Financial & Rate Advisor

Call to Order/Declaration of Quorum

Director Ostermiller noted that a quorum was present and called the meeting to order at 12:10 p.m.

Disclosure of conflicts of interest

Mr. Dickhoner reported that conflicts of interest were filed with the Secretary of State’s Office and the Board timely and in accordance with Colorado law, and those disclosures were acknowledged by the Board.

Review and consider approval of Agenda

Ms. Cole informed the Board that there was one modification to add to the Agenda item 8(d) for Reynolds The Keep to install gates and repairs to damaged assets. Upon a motion duly made by Director Kerr, seconded by Director H. Smethills, and, upon vote, unanimously carried, the Board approved the Agenda.

Review and consider approval of the Minutes of the October 15, 2024, Regular Board Meeting and the November 11, 2024, Special Meeting

Ms. Cole asked the Board if there were any modifications to the October 15, 2024, Regular Board Meeting Minutes and the November 11, 2024, Special Meeting Minutes. There were no modifications and upon a motion, duly made by Director H. Smethills and seconded by Director Ostermiller, a unanimous affirmative vote of the Board, the Board approved the Minutes of the October 15, 2024, Regular Board Meeting and the November 11, 2024 Special Board Meeting.

Board Study Session

Ms. Cole reviewed the Monthly Staff Report with the Board.

Public Comments

None.

Communications Update:

None.

Britta Strother exited the meeting.

Consent Agenda:

The Board reviewed the items on the Consent Agenda. Mr. Ostermiller made a motion to approve the Consent Agenda items. Upon a motion duly made by Director H. Smethills, seconded by Director Kerr and, upon vote, unanimously carried, the Board approved, ratified, and adopted the following Consent Agenda items:

- Review and consider approval of claims totaling **\$1,451,363**, represented on the Accounts Payable Report for the month of October 2024.
- Review and ratify the vendor purchase agreement with **ISCO 5800** for a refrigerated sampler to collect effluent data to inform the design of the Chatfield Basin Water Reclamation Facility, in an amount not to exceed **\$11,616**.
- Review and ratify the vendor purchase agreement with **TDMA** for a flowmeter and signature data logger to collect effluent data to inform the design of the Chatfield Basin Water Reclamation Facility, in an amount not to exceed **\$9,447**.
- Review and ratify the Independent Contractor Agreement with **WESCO Construction** and Services for the installation of a submersible pump at the high zone tank, in an amount not to exceed **\$25,000**.
- Review and ratify Amendment No. 2 to the Independent Contractor Agreement with **Providence Infrastructure Consultants, Inc.** for continued design support for miscellaneous items associated with the Eastern Regional Pipeline, in an amount not to exceed **\$30,000**.

Consultant Agreements and Work Orders/ Change Orders:

- Ms. Cole provided a brief description of work performed by Cogent, under the proposed Independent Contractor Agreement (ICA) for the purchase of a redundant high zone pump to be located at the Moore Water Treatment Plant, in an amount not to exceed **\$120,133.23**. On a motion made by Director Ostermiller, seconded by Director Kerr, and upon vote, unanimously carried, the Board approved the ICA.

- Ms. Cole provided a brief description of work performed by HPM, under the proposed Amendment No. 2 (Exhibit E to the original CMAR Agreement) to the Filing 7 Lift Station CMAR Agreement with for the Guaranteed Maximum Price (GMP) for an amount not to exceed **\$3,844,695**. On a motion made by Director Ostermiller, seconded by Director Kerr, and upon vote, unanimously carried, the Board approved the ICA.
- Ms. Cole provided a brief description of work performed by Stantec Consulting Services, Inc., under the proposed Independent Contractor Agreement (ICA) for the Northwest Douglas County Regional Water Opportunities Reconnaissance Study, in an amount not to exceed **\$150,000**, to be cost shared equally with the Parties. On a motion made by Director H. Smethills, seconded by Director Kerr, and upon vote, unanimously carried, the Board approved the ICA.
- Ms. Cole provided a description of work for Reynolds – The Keep to repair damaged assets and to install a gate. On a motion made by Director H. Smethills, seconded by Director Kerr, and upon vote, unanimously carried, the Board approved the work by Reynolds.

Evan Bahn and Pam Grover exited the meeting.

Board Matters

None.

District Management Matters:

- Ms. Cole discussed with the board the District's Amended and Restated Public Records Request Policy. Discussion ensued and Director H. Smethills moved, and Director Ostermiller seconded and upon vote the Board approved the Amended Policy.

Financial Matters:

Ms. Fisher introduced Carollo Engineering that conducted Dominion's rates and fees study for 2025. Mr. Berg from Carollo presented the results of the Rate Study to the board. Discussion ensued on the results and Mr. Berg exited the board meeting.

Ms. Cole then provided an update on Salinity Management Discussion at WISE Workshop on October 22nd and discussion ensued. Ms. Fisher provided an update on the Auditor RFP process and updated timelines. Ms. Cole briefly recapped the long-term 2024 CIP and the board requested that the approval be tabled to the December meeting.

Ms. Fisher provided a brief overview of the 2025 Rates and Fee Schedule and Ms. Cole requested that the board Adopt the Fee Resolution to be effective January 1, 2025. Director H. Smethills moved the Fee Schedule and was seconded by Director Kerr and upon vote the Board approved the Resolution.

Executive Session:

There was no executive session.

Legal Matters

Ms. Cole discussed the following legal matters including (1) Adopt Annual Administrative Resolution, (2) Adopt Resolution Calling Election, and (3) Permanent Pipeline Easement Deed – Douglas County. Requesting additional easement on Douglas County property for the utility easement along the Eastern Regional Pipeline. Director H. Smethills moved to have all the legal items that was seconded by Director Kerr and upon voting the Board approved all Legal Matters discussed.

Administrative Matters

None.

Other Matters

The Board determined that they would have a quorum for the Regular Board Meeting on December 17, 2024, at 12:00 p.m. at the offices of DWSD

Adjournment

There being no further matters to come before the Board, the meeting was adjourned at 3:12 p.m.

The foregoing constitutes a true and correct copy of the Minutes of the above-described meeting.

DocuSigned by:

Andrea Cole

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Secretary for the Meeting