

METRO WATER RECOVERY

Minutes of the Regular Meeting of the Board of Directors

April 21, 2026

The Board of Directors of Metro Water Recovery, in the Counties of Adams, Arapahoe, Douglas, Jefferson, and Weld, and the City and County of Denver, State of Colorado, met in regular session at 6450 York Street, Denver, Colorado, Tuesday, April 21, 2026 at 5:30 p.m. in the Boardroom.

Chair Niyork called the meeting to order.

1. ROLL CALL

Treasurer Kieler called the roll.

Officers Present:

Sarah Niyork, South Adams
Marena Lertch, Aurora
Janet Kieler, Denver

Chair
Chair Pro Tem
Treasurer

Directors Present:

Curt Aldstadt, Westminster
Mike Barrett, Crestview*
Clint Blackhurst, Brighton*
Travis Bogan, Denver
Nadine Caldwell, Aurora
David Councilman, Pleasant View
Deborah Crisp, East Lakewood
Clark Davenport, Northwest Lakewood
James DeHerrera, Aurora
Mary Gearhart, Denver
Lee Jones, Berkeley
Joan Iler, Westridge
Craig Kocian, Arvada
Laura Kroeger, Lakewood
Bob LeGare, Aurora
Martin Majors, Fruitdale*

George Mazzotti, North Washington Street
Charlie Miller, Fort Lupton*
Jamie Miller, North Table Mountain*
Cat Olukotun, Aurora
Jason O'Shea, Thornton*
Josh Redman, Thornton*
Thomas Roode, Denver
Greg Sekera, Lakewood
Peter Spanberger, Denver
Mary Beth Susman, Denver
Dennis Towndrow, North Pecos
Dominic Vessa, Arvada
Johnny Watson, Aurora
Jennifer Williams, Denver*
Ronald Younger, Denver

Directors Absent:

Cody Berg, Applewood
Jolon Clark, Denver

Joe Drew, Wheat Ridge
Del Smith, Bancroft-Clover

Others Present:

Mickey Conway
Emily Jackson
Liam Cavanaugh
Betsy Jarvis
Yvonne Kohlmeier
Lydia Nkem

Chief Executive Officer (CEO)
Chief Legal Officer
Chief Operating Officer
Senior Administrative Assistant
Executive Assistant
Assistant to the CEO

*Attended virtually

2. PUBLIC COMMENT

There was no comment.

3. APPROVAL OF MINUTES

3.a Minutes of the Board of Directors Meeting on March 17, 2026

Chair Niyork asked if there were any corrections, deletions, or additions to the minutes of the Regular Meeting of the Board of Directors held March 17, 2026.

Director Davenport moved and Director DeHerrera seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held March 17, 2026.

The motion carried unanimously.

4. PROGRESS AND PROJECTION REPORTS

4.a Report by CEO

CEO Conway reviewed his written report, highlighting meetings with legislators during his attendance at the National Association of Clean Water Agencies (NACWA) 2026 Water Week held in Washington, D.C. and conversations with the Environmental Protection Agency's (EPA) Water representative regarding Metro Water Recovery's integrated planning efforts and EPA's offer of support in coordinating with Colorado Department of Public Health and Environment (CDPHE). Mr. Conway also noted his participation in a panel session, Shared Strength: Building Resilient Water Utilities Through Regional Governance at the Water Environment Federation's (WEF) American Water Works Association Utility Conference; his regular meetings with Nicole Rowan, the Director of CDPHE's Water Quality Control Division (WQCD); and Wastewater Worker Recognition Week and gave a brief update on the CEO's function and responsibilities as previously requested.

CEO Conway answered questions on his length of term as the President of NACWA and if letters from Connectors in support of Metro Water Recovery's integrated plan efforts would assist with approval.

Chair Niyork remarked on her attendance at NACWA's Water Week and appreciated CEO Conway and other Metro Water Recovery staff's connections and interactions with various congressional representatives.

4.b Report by Chief Legal Officer

Chief Legal Officer Jackson provided an update on the recent developments concerning the Uniform Commercial Code lien notice and the filing of a Verified Petition with Adams County District Court as the result of a Colorado Open Records Act (CORA) request for Metro Water Recovery's Purchasing Division and Information Technology Department records; provided an overview of her legal functions; noted briefing will begin with the Court of Appeals in the Farmers Reservoir and Irrigation Company (FRICO), Burlington Ditch Reservoir and Land Company, and Henrylyn Irrigation District; stated, as a goal for professional development she is joining ACT

Leadership Coaching; and, explained that the Legal Department is currently working on shoring up existing standard operating procedures and working with Human Resources for Legal Department staff advancement opportunities.

Ms. Jackson answered questions about CORA, the court's qualification to handle CORA items, and the specific CORA request received by Metro Water Recovery.

Director DeHerrera and Chair Niyork appreciated Ms. Jackson's acceptance of Director's feedback and how the additional updates provide touch points on her goals throughout the year.

5. REPORTS OF OFFICERS AND COMMITTEES

5.a Audit Committee

As Audit Committee Chair, Director DeHerrera provided an update on the April 9, 2026 Audit Committee meeting, stating the audit by Baker Tilly US, LLP issued an unmodified opinion, meaning a "clean audit" of Metro Water Recovery's 2025 Financial Statements; the internal 2026 risk assessment audit will focus on procurement, user administration, and change management; and, noted staff has completed six corrective action items.

5.b Meeting Minutes

There were no additions to the following meeting minutes:

Audit Committee	November 6, 2025
Operations Committee	April 7, 2026
Finance Committee	April 9, 2026
Executive Committee	April 14, 2026

6. NEW BUSINESS

Consent Agenda

6.a Consideration of Heating, Ventilation, and Air Conditioning High Priority Improvements Project (PAR 1392) Work Authorization No. 1, Engineer Amendment, and Appropriation

Director Sekera moved and Director Susman seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to enter into Work Authorization 1 (WA1) to acquire equipment and material and provide construction services to address high priority heating, ventilation, and air conditioning (HVAC) issues at the Northern Treatment Plant (NTP) as part of the HVAC High Priority Improvements Project (PAR 1392) (Project); and

WHEREAS, Metro initiated the Project study in 2020 to evaluate aging HVAC equipment at the Robert W. Hite Treatment Facility and concerns at the NTP which have emerged since startup of the plant in 2016; and

WHEREAS, Metro, RMH Group, Inc. (RMH), and Howell Construction (Howell) have completed final design of the Project; and

WHEREAS, Metro's *Purchasing and Contracts Policy* requires the Board of Directors to approve a Work Authorization with Howell to continue work and appropriate funds for the Project; and

WHEREAS, the Operations and Finance committees having reviewed the matter, recommend authorizing the Chief Executive Officer to (1) enter into WA1 with Howell in an amount not to exceed \$7,700,000, to acquire equipment and material and provide construction services to address high priority HVAC issues at the NTP as part of the Project, (2) amend the Professional Services Agreement with RMH in an amount not to exceed \$900,000 to provide engineering services for this purpose, and (3) appropriate \$8,755,000 from the Fixed Asset Replacement Fund Capital Project Account for WA1 of the Project; and

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

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into Work Authorization No. 1 with Howell Construction in an amount not to exceed \$7,700,000 to acquire equipment and material and provide construction services to address high priority heating, ventilation, and air conditioning (HVAC) issues at the Northern Treatment Plant as part of the HVAC High Priority Improvements Project (PAR 1392) (Project); and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized to amend the Professional Services Agreement with RMH Group, Inc. in an amount not to exceed \$900,000 to provide engineering services for Project; and

BE IT FURTHER RESOLVED the sum of \$8,755,000 (100 percent) from the Fixed Asset Replacement Fund Capital Project Account be and hereby is appropriated for this purpose.

The motion carried unanimously.

7.b Consideration of North Secondary Upgrades and Intensification Project (PAR 1411) Work Authorization No. 6, Engineer Amendment, and Appropriation

Director Sekera moved and Director Susman seconded the motion to adopt the following resolution:

WHEREAS, it is necessary for Metro Water Recovery, hereinafter referred to as "Metro," to enter into a Work Authorization No. 6 (WA6) under the Construction Manager-at-Risk Agreement for the North Secondary (NSEC) Upgrades and Intensification Project (PAR 1411) (Project) to construct a new Blower and Hydrocyclone Facility; and

WHEREAS, the NSEC was part of the original "Central Treatment Plant" construction in the mid-1960s and is approaching its process capacity; and

WHEREAS, while the Project is upgrading aeration equipment in the NSEC, it is also rehabilitating or replacing fixed assets which have reached the end of their operational lives or are currently showing signs of failure; and

WHEREAS, the work associated with WA6 is related to construction of a new Blower and Hydrocyclone Facility and negotiations are being finalized for a stipulated price not to exceed \$55,000,000; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to (1) enter into WA6 with PCL Construction, Inc. (PCL) in an amount not to exceed \$55,000,000 to construct a new Blower and Hydrocyclone Facility for the Project, (2) amend the Professional Services Agreement with Stantec Consulting Services, Inc. in the amount of \$9,060,050 to provide engineering services for this purpose, and (3) appropriate \$60,340,500 from the Fixed Asset Replacement Fund Capital Project Account and \$6,704,500 from the General Fund Capital Project Account for this purpose; and

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

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into Work Authorization No. 6 with PCL Construction, Inc. (PCL) in an amount not to exceed \$55,000,000 to construct a new Blower and Hydrocyclone Facility for the North Secondary Upgrades and Intensification Project (PAR 1411); and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized to amend the Professional Services Agreement with Stantec Consulting Services, Inc. in the amount of \$9,060,050 to provide engineering services for this purpose; and

BE IT FURTHER RESOLVED the sum of \$60,340,500 (90 percent) from the Fixed Asset Replacement Fund Capital Project Account and \$6,704,500 (10 percent) from the General Fund Capital Project Account be and hereby is appropriated for this purpose.

The motion carried unanimously.

Roll Call Agenda

6.c Consideration of Benefit Consulting Services

Director Crisp moved and Director Kroeger seconded the motion to adopt the following resolution:

WHEREAS, it is in the best interest of Metro Water Recovery, hereinafter referred to as "Metro," to enter into a one-year agreement with Brown & Brown Insurance to provide benefit consulting services for Metro's health insurance plans; and

WHEREAS, Metro 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, 2026; and

WHEREAS, on January 14, 2026, Metro posted a Request for Proposal (RFP) and on February 19, 2026, five firms submitted Proposals; and

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

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into a one-year agreement with Brown & Brown Insurance to provide benefit consulting services for Metro's health insurance plans at an estimated one-year cost of \$75,000 and enter into additional contract periods, not to exceed a total of five years, for a not-to-exceed amount of \$375,000; and

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

NOW, THEREFORE, BE IT RESOLVED the Chief Executive Officer be and hereby is authorized to enter into a one-year agreement with Brown & Brown Insurance to provide benefit consulting services for Metro's health insurance plans at an estimated one-year cost of \$75,000; and

BE IT FURTHER RESOLVED the Chief Executive Officer 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 Metro, for a not-to-exceed amount of \$375,000.

Chair Niyork called for a roll call vote which carried with 34 Directors voting Yes:

Curt Aldstadt	Janet Kieler	Jason O'Shea
Mike Barrett	Craig Kocian	Josh Redman
Clint Blackhurst	Laura Kroeger	Thomas Roode
Travis Bogan	Bob LeGare	Greg Sekera
Nadine Caldwell	Marena Lertch	Peter Spanberger
David Councilman	Martin Majors	Mary Beth Susman
Deborah Crisp	George Mazzotti	Dennis Towndrow
Clark Davenport	Charlie Miller	Dominic Vessa
James DeHerrera	Jamie Miller	Johnny Watson
Mary Gearhart	Sarah Niyork	Jennifer Williams
Joan Iler	Cat Olukotun	Ronald Younger
Lee Jones		

7. INDIVIDUAL DIRECTOR COMMENTS

Director Kocian requested clarification on statements in the Director Refresher: Voting section of the Legal Report. Ms. Jackson explained the first sentence stating "It is the duty

of every Board Director to vote on action items” is philosophical and the later sentence of “Directors cannot be compelled to vote” is more a fiduciary duty. She also offered to rewrite the section for clarity.

Director Davenport inquired if planting on building roof tops would help mitigate odor. CEO Conway stated he would pass this suggestion on to the innovation team.

Director Olukotun asked if low influent levels would have any impact on effluent levels. Mr. Cavanaugh explained it does but can be hard to qualify and this information can be found in the monthly Current Activities/Operational Performance Report.

8. OTHER INFORMATION

Chair Niyork noted the Board of Directors Spring Workshop is Thursday, April 30, 2026 at the Northern Treatment Plant Visitor Center.

9. ADJOURNMENT

Chair Niyork adjourned the meeting at 6:05 p.m.

MC:lmnyjk

Board of Directors Meeting Minutes
April 21, 2026



Sarah Nyork
Chair

ATTEST:

Grand Shur
Secretary - Treasurer