METRO WATER RECOVERY

Minutes of the Regular Meeting of the Board of Directors

June 16, 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, June 16, 2026 at 5:30 p.m. in the Boardroom.

Chair Niyork called the meeting to order.

1. OATH OF OFFICE

The following Directors have been reappointed by their Member Municipalities for two-year terms of office expiring June 30, 2028.

Reappointed Director	Member Municipality
James DeHerrera	City of Aurora
Lee Jones	Berkeley Water and Sanitation District
Bob LeGare	City of Aurora
Martin Majors	Fruitdale Sanitation District

2. ROLL CALL

Secretary Smith called the roll.

Officers Present:

Sarah Niyork, South Adams	Chair
Marena Lertch, Aurora	Chair Pro Tem
Del Smith, Bancroft-Clover	Secretary
Janet Kieler, Denver	Treasurer

Directors Present:

Curt Aldstadt, Westminster
Mike Barrett, Crestview
Clint Blackhurst, Brighton
Travis Bogan, Denver*
Nadine Caldwell, Aurora
Jolon Clark, Denver*
Deborah Crisp, East Lakewood*
Clark Davenport, Northwest Lakewood
James DeHerrera, Aurora
Mary Gearhart, Denver*
Joan Iler, Westridge
Lee Jones, Berkeley
Craig Kocian, Arvada
Laura Kroeger, Lakewood
Bob LeGare, Aurora
Marty 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
Greg Sekera, Lakewood
Peter Spanberger, Denver
Bud Starker, Wheat Ridge
Mary Beth Susman, Denver
Dennis Towndrow, North Pecos*
Jennifer Williams, Denver
Ronald Younger, Denver

Directors Absent:

Cody Berg, Applewood
David Councilman, Pleasant View
Dominic Vessa, Arvada
Johnny Watson, Aurora

Others Present:

Mickey Conway	Chief Executive Officer (CEO)
Emily Jackson	Chief Legal Officer
Molly Kostelecky	Chief Financial Officer
Betsy Jarvis	Senior Administrative Assistant
Yvonne Kohlmeier	Executive Assistant
Lydia Nkem	Assistant to the CEO

*Attended virtually

3. PUBLIC COMMENT

There was no comment.

4. APPROVAL OF MINUTES

4.a Minutes of the Board of Directors Meeting on May 19, 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 May 19, 2026.

Director Susman moved and Director DeHerrera seconded the motion to approve the minutes of the Regular Meeting of the Board of Directors held May 19, 2026.

The motion carried unanimously.

5. PROGRESS AND PROJECTION REPORTS

5.a Report by CEO

CEO Conway reviewed his written report, appreciated Directors who attended the summer Town Hall and Field Day, highlighted the recently completed Listening Tours which resulted in a beneficial exchange of ideas and questions on what is coming in the future for Metro Water Recovery, and gave an update on the consultant hired to complete the framework for the Thermal Energy Plan (PAR 1480).

5.b Report by Chief Legal Officer

Chief Legal Officer Jackson provided an update on the recent developments concerning the closing of the 76th General Assembly and how Metro Water Recovery was involved during this session, highlighting the two bills Metro was most engaged with – HB26-1030 Data Center Clean Energy Modernization and SB26-142 Concerning the Development of Thermal – and noted the briefing stage has begun in the Farmers Reservoir and Irrigation Company (FRICO), Burlington Ditch Reservoir and Land Company, and Henrylyn Irrigation District case.

CEO Conway answered a question on Metro Water Recovery's relationship with the Colorado Department of Public Health and Environment (CDPHE) in relation to the upcoming governor election.

Ms. Jackson and CEO Conway answered a question on how data centers might impact Metro Water Recovery's influent temperature goals, and how much authority and / or restrictions Metro can enforce on data center flow.

Director Spanberger asked for a deeper understanding of the conversations Metro Water Recovery staff is having with CDPHE and the Environmental Protection Agency (EPA) at an upcoming workshop.

Chair Niyork noted Director Barrett should connect offline with CEO Conway and Ms. Jackson for assistance with Crestview Water and Sanitation District and an industrial partner. She also applauded Erin Bertoli, Director of External Affairs and Summer Hill, Government Affairs Liaison, for their work during the 2026 legislative session and the panel discussion held at the Northern Treatment Plant (NTP) with Congressman Gabe Evans which focused on per- and polyfluoroalkyl substances (PFAS) policy, regulation, and impacts on Colorado water management entities.

6. REPORTS OF OFFICERS AND COMMITTEES

6.a Nominating Committee

Director Aldstadt gave an overview of the May 19, 2026 meeting of the Nominating Committee. He noted that the Committee received expressions of interest from several Directors and that the Committee based its decisions on a number of factors, including representation of larger and smaller Connectors, how Board officers had typically served two one-year terms, and other factors which had been considered by the Committee for a number of years. He also presented the Nominating Committee's recommendations for officer positions for the next term:

Board Chair – Marena Lertch, City of Aurora
Chair Pro Tem – Del Smith, Bancroft-Clover Water and Sanitation District
Secretary – Janet Kieler, City and County of Denver
Treasurer – Josh Redman, City of Thornton

Director Smith expressed appreciation for the background on Metro Water Recovery's Board and the less controversial officer selections.

Director Kieler appreciated Director Aldstadt's summary on the rationale for the consideration of various factors for selection of Officers. She stated she had sent the Nominating Committee the email asking the Committee to reconsider officer term lengths, spoke on the amount of years it takes to move through the officer ranks, questioned the practice of not having more than one officer from the City and County of Denver on the Board at a time, and encouraged the Board Chair and members to continue this conversation. She then noted she believes the City and County of Denver and other cities are underrepresented in comparison to their flows and loads.

Director Williams thanked Director Aldstadt for the Nominating Committee's consideration and reiterated her continued efforts to be an officer at some point.

As a member of the Nominating Committee, Director Kroeger appreciated Director Kieler's candor and expressed support for the regional representation philosophy in the nomination of the officers.

Director Kieler responded by asking the Board to consider one-year terms versus two years, realizing the pros and cons of the two-year experience versus one, and stated it is not uncommon in other industries for officers to serve only one year in each position.

Chair Niyork shared her perspective on the benefit of serving for two years in a single officer position versus one, especially for the position of Chair.

Director Younger recollected that an individual could be nominated from the floor during the voting proceedings and his understanding has always been officers represent Metro Water Recovery over a specific municipality.

Chair Niyork stated the election for officers will be held at the July Board meeting and if someone wants to put anyone on the floor for a position, other than the Nominating Committee's proposed selections, then a secret vote would be held.

6.b Meeting Minutes

There were no additions to the following meeting minutes:

Defined Benefit Plan Retirement Board Meeting	February 19, 2026
Defined Contribution Plan Retirement Board Meeting	February 19, 2026
Operations Committee	June 2, 2026
Finance Committee	June 4, 2026
Executive Committee	June 9, 2026

7. NEW BUSINESS

Consent Agenda

7.a **Consideration of Adoption of the 2027 Annual Budget and Annual Charges for Service**

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, the proposed 2027 Annual Budget of Metro Water Recovery, hereinafter referred to as "Metro," has been prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee of Metro's Board of Directors; and

WHEREAS, the Board duly published a notice concerning the proposed 2027 Annual Budget as required under C.R.S. § 29-1-108 and held a public hearing on May 19, 2026 on said Budget, as provided for in Section 901B of the 2019, 2020, 2025, and 2026 Bond Resolutions; and

WHEREAS, the Operations and Finance committees of Metro, after having reviewed the matter, recommend:

- adoption of the 2027 Annual Budget for all funds totaling $219,603,300,
- adoption of 2027 Annual Charges for Service of $196,376,216,
- adoption of the 2027 Operating Budget of $162,493,300,
- adoption of 2027 budget for new and replacement equipment and vehicle purchases of $3,485,000, which will be funded as follows: $530,000 from the Operations and Maintenance Fund and $2,955,000 from the Fixed Asset Replacement Fund,

- approving $53,625,000 for the 2027 Debt Service Fund,
- approving all required internal fund transfers for the 2027 Annual Budget and cash flow requirements; and

WHEREAS, the Defined Benefit Plan Retirement Board (DB Retirement Board) recommends:

- contributing $13,044,251 to Metro's Defined Benefit Retirement Plan on or after the first business day in January 2027, pursuant to the Actuarial Determined Contribution as of January 1, 2026; and

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

NOW, THEREFORE, BE IT RESOLVED the 2027 Annual Budget of $219,603,300, as prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee, be and hereby is adopted as the 2027 Annual Budget for Metro; and

BE IT FURTHER RESOLVED:

- The Annual Charges for Service for 2027 be and hereby are adopted at $196,376,216; and
- The Operating Budget for 2027 be and hereby is adopted at $162,493,300; and
- The new and replacement equipment and vehicle purchases budget for 2027 be and hereby is adopted at $3,485,000, which will be funded as follows: $530,000 from the Operations and Maintenance Fund and $2,955,000 from the Fixed Asset Replacement Fund; and
- The 2027 Debt Service Fund be and hereby is adopted at $53,625,000; and
- All required internal fund transfers for the 2027 Annual Budget and cash flow requirements be and hereby are approved; and
- The contribution of $13,044,251 to Metro's Defined Benefit Retirement Plan on or after the first business day of January 2027, pursuant to the Actuarial Determined Contribution as of January 1, 2026, be and hereby is approved.

The motion carried unanimously.

7.b Consideration of 2027 Annual Budget Appropriation

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, the Chief Executive Officer of Metro Water Recovery, hereinafter referred to as "Metro," with the advice and counsel of the Finance Committee of Metro's Board of Directors, prepared an Annual Budget for the fiscal year beginning January 1, 2027; and

WHEREAS, the Operations, Finance, and Executive committees recommend adoption of the proposed 2027 Annual Budget; and

WHEREAS, the Board further reviewed said proposed Budget to determine its adequacy to meet the obligations of Metro for the fiscal year 2027 and, having found the 2027 estimated revenues and expenditures reasonable, adopted said Budget on June 16, 2026; and

WHEREAS, it is incumbent upon the Board to appropriate the necessary amounts for the purposes set forth in the adopted 2027 Annual Budget;

NOW, THEREFORE, BE IT RESOLVED $219,603,300 be and hereby is appropriated as set forth in the 2027 Annual Budget Appropriation Summary attached hereto and made a part hereof.

The motion carried unanimously.

7.c Consideration of Adoption of the First Amended 2026 Annual Budget and Annual Charges for Service

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, the 2026 Annual Budget of Metro Water Recovery, hereinafter referred to as "Metro," was adopted by Metro's Board of Directors in June 2025 by Resolution for the fiscal year 2026; and

WHEREAS, the annual budget may be amended under C.R.S. § 29-1-109 for unanticipated expenditures required for the operation of Metro; and

WHEREAS, the First Amended 2026 Annual Budget of Metro has been prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee of Metro's Board; and

WHEREAS, the Board duly published a notice concerning the First Amended 2026 Annual Budget as required under C.R.S. § 29-1-108 and held a public hearing on May 19, 2026 on said Budget as provided for in Section 901B of the 2019, 2020, 2025, and 2026 Bond Resolutions; and

WHEREAS, the Operations and Finance committees of Metro, after having reviewed the matter, recommend:

- adoption of the First Amended 2026 Operating Budget of $154,686,700 (original budget of $151,424,800, additional budget of $3,261,900),
- adoption of Amended 2026 capital expenditures for new and replacement equipment and vehicle purchases of $4,018,800, which will be funded as follows: $985,000 from the Operations and Maintenance Fund and $3,033,800 from the Fixed Asset Replacement Fund,
- adoption of Amended 2026 debt expenditures of $50,872,000; and

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

NOW, THEREFORE, BE IT RESOLVED the amended 2026 Operating Budget of $154,686,700, as prepared by the Chief Executive Officer with the advice and counsel of the Finance Committee, be and hereby is adopted as the 2026 Amended Budget for Metro; and

BE IT FURTHER RESOLVED:

- The Amended 2026 capital expenditures for new and replacement equipment and vehicle purchases be and hereby is adopted at $4,018,800, which will be funded as follows: $985,000 from the Operations and Maintenance Fund and $3,033,800 from the Fixed Asset Replacement Fund; and
- The Amended 2026 debt expenditures be and hereby is adopted at $50,872,000.

The motion carried unanimously.

7.d Consideration of First Amended 2026 Annual Budget Appropriation

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, the Chief Executive Officer of Metro Water Recovery, hereinafter referred to as "Metro," with the advice and counsel of the Finance Committee of Metro's Board of Directors, prepared an amended Annual Operating Budget for the fiscal year beginning January 1, 2026; and

WHEREAS, the Operations, Finance, and Executive committees recommend adoption of the First Amended 2026 Annual Operating Budget; and

WHEREAS, it is incumbent upon the Board to appropriate the necessary amounts for the purposes set forth in the amended 2026 Annual Operating Budget;

NOW, THEREFORE, BE IT RESOLVED $4,453,900 be and hereby is appropriated as set forth in the amended 2026 Annual Operating Budget Supplemental Appropriation Summary attached hereto and made a part hereof.

The motion carried unanimously.

7.e Consideration of Rescinding Unexpended Capital Appropriations

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, a number of projects of Metro Water Recovery, hereinafter referred to as "Metro," have been completed, and it is now necessary to rescind certain unexpended appropriations; and

WHEREAS, the total of the unexpended appropriations is as follows:

General Fund Capital Project Account	$ 6,677,341.37
Fixed Asset Replacement Fund	1,284,676.99
Total Unexpended Appropriations	$ 7,962,018.36; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend such appropriations be rescinded; and

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

NOW, THEREFORE, BE IT RESOLVED the unexpended balances of the appropriations set forth in the attached Schedule of Appropriations To Be Rescinded June 2026 be and hereby are rescinded.

The motion carried unanimously.

7.f Consideration of Cost Allocation Percentages for the 2027 Annual Charges for Service

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, it is necessary the Board of Directors of Metro Water Recovery, hereinafter referred to as “Metro,” adopt the Cost Allocation Percentages for the 2027 Annual Charges for Service; and

WHEREAS, Section 508 of the *Sewage Treatment and Disposal Agreement* (*Service Contract*) and Section 506 of the *Special Connectors Agreement* require Metro to annually review its total costs, including operation, maintenance, replacement, and capital costs, to determine the percentage of those costs associated with parameters used for the allocation of Annual Charges for Service;

WHEREAS, in accordance with Schedule B of the *Service Contract* and Exhibit B of the *Special Connectors Agreement,* staff conducted the annual review of Metro’s costs to determine the percentage of total 2027 costs associated with annual flow, biochemical oxygen demand, suspended solids, and total Kjeldahl nitrogen; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend adopting the 2027 Cost Allocation Percentages; and

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

NOW, THEREFORE, BE IT RESOLVED Schedule B of the *Sewage Treatment and Disposal Agreement* (*Service Contract*) between Metro and its Member Municipalities, attached hereto, be and hereby is amended effective January 1, 2027; and

BE IT FURTHER RESOLVED as a result of this amendment to the *Service Contract*, Exhibit B of the *Special Connector Agreement* between Metro and its Special Connectors be and hereby is similarly amended effective January 1, 2027.

The motion carried unanimously.

7.g Consideration of Certification of 2027 Annual Charges for Service

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, Article VI, Section 602, of the *Sewage Treatment and Disposal Agreement* (*Service Contract*) and the *Special Connectors Agreement* provide that on or before the first day of September next preceding each fiscal year, Metro Water Recovery, hereinafter referred to as “Metro,” shall make and deliver to each Member Municipality, Special Connector, and Special Corporate Connector subject to payment to Metro of any service charge or any annual charge fixed thereby for such fiscal year, Metro’s Certificate stating the amount of the charge; and

WHEREAS, the Chief Executive Officer and staff of Metro have prepared such an Annual Charges for Service for 2027; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend adopting and certifying the 2027 Annual Charges for Service; and

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

NOW, THEREFORE, BE IT RESOLVED the 2027 Annual Charges for Service 2027 Annual Payment (Attachment A) be and hereby are adopted and certified; and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized and instructed to deliver on or before September 1, 2026 to each Member Municipality, Special Connector, and Special Corporate Connector subject to payment to Metro Water Recovery of any service charge or annual charge, the 2027 Annual Charges for Service as provided in Attachment A.

The motion carried unanimously.

7.h Consideration of Annual Charges Customer Category Assignments and Customer Equivalent Connection Unit Values

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, Section 4 of the *Metro Water Recovery Rules and Regulations Governing the Operation, Use, and Services of the System (Rules and Regulations)* dictates the Chief Executive Officer shall recommend customer category assignments and Customer Equivalent Connection Unit (CECU) values to Metro Water Recovery, hereinafter referred to as “Metro,” Board of Directors for certification by September 1 each year; and

WHEREAS, Metro staff reviews flows and loadings on a regular basis for all connections and uses this information to recommend changes to customer categories; and

WHEREAS, Metro staff reviewed flows and loadings of all customer connections and determined no changes were needed to the customer categories and CECU values as of January 1, 2027; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend certifying the Annual Charges Customer Category Assignments and CECU Values effective January 1, 2027, as shown on the 2027 Chart of Category Assignments (Attachment A); and

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

NOW, THEREFORE, BE IT RESOLVED the Annual Charges Customer Category Assignments and Customer Equivalent Connection Unit (CECU) Values, as shown on the 2027 Chart of Category Assignments (Attachment A), be and hereby are certified and are effective January 1, 2027.

The motion carried unanimously.

7.i Consideration of Certification of the Final Adjustment to the 2025 Annual Charges for Service

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, Section 605 of Article VI of the *Sewage Treatment and Disposal Agreement* (*Service Contract*) and the *Special Connectors Agreement* of Metro Water Recovery, hereinafter referred to as "Metro," provides the final adjustment of any charge for any fiscal year shall be made on or before the last day of June next, following the last day of that fiscal year; and

WHEREAS, Section 606 of the *Service Contract* and the *Special Connectors Agreement* further provides a hearing be held on the proposed final adjustments of any charges made by Metro; and

WHEREAS, a hearing was held on the Final Adjustments to the 2025 Annual Charges for Service at the regular meeting of the Board of Directors on May 19, 2026; and

WHEREAS, the Operations, Finance, and Executive committees, after having reviewed the proposed Final Adjustments to the 2025 Annual Charges for Service, recommend their adoption; and

WHEREAS, the Final Adjustments to the 2025 Annual Charges for Service have been reviewed by the Board of Directors and found to be reasonable;

NOW, THEREFORE, BE IT RESOLVED the Final Adjustments to the Annual Charges for Service for the year 2025, as set forth in the attached schedule of Connector Flows, Loadings, and Charges, be and hereby are certified to be the Final Adjustments to Member Municipalities and Special Connectors of Metro for the fiscal year 2025.

The motion carried unanimously.

7.j Consideration of Chemical Contracts ─ Dewatering Emulsion Polymer

Director Davenport moved and Director Younger seconded the motion to adopt the following resolution:

WHEREAS, it is necessary that Metro Water Recovery, hereinafter referred to as "Metro," purchase a supply of dewatering emulsion polymer used to condition anaerobically digested biosolids during the centrifugation process at the Robert W. Hite Treatment Facility; and

WHEREAS, to ensure the polymer products would meet Metro's performance criteria, performance trials were conducted, and bids were accepted from the participants with the goal of finding the most cost-effective product to meet process needs; and

WHEREAS, notification of the statement of interest and qualification (SOIQ) and performance trial requirements were limited and issued to Polydyne Inc. (Polydyne) and Solenis, LLC (Solenis); and

WHEREAS, Polydyne will be the primary supplier of dewatering emulsion polymer, as the lowest-cost bidder submitting a bid at a price of $2.67 per pound, with a total estimated one-year price of $3,754,450, and Solenis will be the secondary supplier, submitting a bid at a price of $3.20 per pound with a total estimated one-year price of $3,928,698; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into a one-year contract effective August 1, 2026 through July 31, 2027 with Polydyne as the primary supplier of dewatering emulsion polymer at a price of $2.67 per pound, and a one-year contract with Solenis as the secondary supplier at a price of $3.20 per pound; 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 contract effective August 1, 2026 through July 31, 2027 with Polydyne, Inc. as the primary supplier of dewatering emulsion polymer at a price of $2.67 per pound, and a one-year contract with Solenis LLC as the secondary supplier at a price of $3.20 per pound; and

BE IT FURTHER RESOLVED the Chief Executive Officer be and hereby is authorized to enter into additional contract periods for the aforementioned contracts, not exceeding a total of five years, with potentially new unit prices, if he deems such extensions to be in the best interest of Metro.
The motion carried unanimously.

7.k Consideration of Strategic Property Acquisition 2025-2035 Project (PAR 1473) Property Acquisition Adjacent to METROGRO Farm

Director Davenport moved and Director Younger 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 purchase property adjacent to the METROGRO North Farm (Farm) to support Metro farming operations under the Strategic Property Acquisition 2025-2035 Project (PAR 1473) (Project); and

WHEREAS, a property has become available for purchase near the Farm providing strategic benefit to Metro's farming operations; and

WHEREAS, Metro had the land appraised on November 28, 2025, which came in at $470,000; and

WHEREAS, Metro staff recommend acquiring the property using the appropriation under the Project and using the appraised value as the basis for the offer; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to negotiate the purchase of the property adjacent to the Farm; 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 negotiate the purchase of the property adjacent to the METROGRO North Farm utilizing appropriated funds from the Strategic Property Acquisition 2025-2035 Project (PAR 1473).

The motion carried unanimously.

Roll Call Agenda

7.I Consideration of Thermal Energy Program Support Project (PAR 1484) Task Order-Based Short Form Agreement and Appropriation

Director DeHerrera 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 task order-based agreement to provide utility management advisory services for Thermal Energy Program Support Project (PAR 1484) (Project); and

WHEREAS, Metro is developing a wastewater thermal energy program to advance its organizational objectives of reducing effluent temperature, recovering thermal energy from wastewater, and pursuing opportunities to beneficially use and monetize this resource; and

WHEREAS, Metro requires a consultant with expertise in energy utility planning and management to serve as an Owner's Advisor, supporting the development and execution of the Thermal Energy Program; and

WHEREAS, on October 30, 2025, Metro issued a Request for Statement of Qualifications (SOQ) to consultants with experience in strategic energy planning and utility management services and received SOQs from five firms; and

WHEREAS, following evaluation of the SOQs, four firms were invited to submit proposals under a Request for Proposal (RFP) issued January 22, 2026; and

WHEREAS, a Selection Committee comprised of Metro staff and Board Directors ranked Ever-Green Energy, LLC (Ever-Green) as the most qualified and capable of performing the required services of the firms; and

WHEREAS, the Operations and Finance committees, after having reviewed the matter, recommend authorizing the Chief Executive Officer to enter into a task order-based agreement and any necessary task orders with Ever-Green to provide utility management advisory services for the Project and appropriate $1,500,000 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 a task order-based agreement and any necessary task orders with Ever-Green Energy, LLC. to provide utility management advisory services for Thermal Energy Program Support Project (PAR 1484); and

BE IT FURTHER RESOLVED $1,500,000 (100 percent) be and hereby is appropriated from the General Fund Capital Project Account for this purpose.

Chair Niyork called for a roll call vote which carried with 33 Directors voting Yes:

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

8. INDIVIDUAL DIRECTOR COMMENTS

Director Younger thanked CEO Conway for the education and information given in today's presentation at NTP.

Director Davenport informed the Board of the passing of Northwest Lakewood Sanitation District's Board member and Secretary, James D. "Jim" Zimmerman.

9. OTHER INFORMATION

Chair Niyork recognized Director Charlie Miller's transitioning off of Metro Water Recovery's Board of Directors and the City of Fort Lupton appointing his replacement, Jo Ann Rossi.

Director Miller thanked Board members, stating he learned a lot and hopes to return one day.

CEO Conway thanked Director Miller for his time on the Board.

10. ADJOURNMENT

Chair Niyork adjourned the meeting at 6:16 p.m.

MC:lmn\yjk

(SEAL)

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Chair

ATTEST:

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Secretary