

**RECORD OF PROCEEDINGS
MINUTES OF THE SPECIAL MEETING
OF THE EXECUTIVE BOARD OF
FALCON AREA WATER AND WASTEWATER AUTHORITY**

HELD: Monday, December 16, 2024, at 1:00 p.m.
LOCATION: 2138 Flying Horse Club Drive, Colorado Springs, CO 80921 and
via video and audioconference

ATTENDANCE:

The special meeting of the Executive Board of Falcon Area Water and Wastewater Authority, El Paso County, Colorado (the "Board") was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

F qwi rru'Ukø r rg, President"
lko 'O qtrg{, Xløg'Rtgukf gpv'*****
Peggy Libbey, Ugetgvct { IVtgcuwgt *****
Loren Moreland, Assistant Secretary'*****
Charles Collins, Assistant Secretary"

There are two vacancies on the Board.

Also in attendance were Sarah Steph and Nate Lenz of Classic Homes, Seef Le Roux of CliftonLarsonAllen, Nicole R. Peykov, Esq. of Spencer Fane LLP and members of the public.

CALL TO ORDER:

Ms. Peykov noted for the record that a quorum was present, and on behalf of the Executive Board, called the meeting to order at 1:03 p.m.

CONFLICTS OF INTEREST:

Ms. Peykov noted that disclosure statements had been filed on behalf of the members of the Executive Board with the Office of the Colorado Secretary of State and with the Secretary of the Authority. Upon motion duly made, seconded and unanimously carried, the Board directed that said disclosures be incorporated herein.

APPROVAL OF THE AGENDA:

Upon motion duly made, seconded, and upon unanimously carried, the Board approved the agenda as amended.

PUBLIC COMMENT:

The Board heard comments from Catherine Golebiewski regarding the rate hearing.

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CONSTRUCTION CONTRACT CONSIDERATION:

It was noted this item is the same as item 9c below.

MINUTES:

The Board reviewed the minutes of the meeting held on November 19, 2024. Upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the minutes as presented.

FINANCIAL MATTERS:

Claims. Mr. Le Roux presented the claims to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the claims as presented.

Cash Sheet. Mr. Le Roux presented the cash position sheet to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the cash position sheet as presented.

Capital Outlay Summary. Mr. Le Roux presented the summary to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the summary as presented.

Requisition No. 44. Mr. Le Roux presented the requisition to the Board. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the ratification of the requisition as presented.

PUBLIC HEARINGS ON RATE ADJUSTMENT AND INCREASE:

Rate Set Public Hearing. Ms. Peykov reported that proper notice had been made to allow the Board to hold a public hearing to set rates for the Authority. Director Stimple presented the rate increase options from FCS Group to the Board. The public hearing was opened. Catherine Golebiewski addressed the Board regarding a comparison of rates with other providers and water issues. Director Stimple noted that the Authority's rates are generally lower than other providers and that the Authority has addressed complaints and explained that several of the issues that occurred were a result of ongoing construction. The public hearing was closed. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved a six percent increase for each of the next three years.

Bulk Rate for District Water Usage Hearing. Ms. Peykov reported that proper notice had been made to allow the Board to hold a public hearing to set a bulk rate for district water usage for the Authority. Director Stimple presented the bulk rate proposal to the Board. The public hearing was opened. No members of the public commented, and the public hearing was closed. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved a bulk rate for district water usage.

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ATTORNEY'S ITEMS:

None.

DIRECTOR ITEMS:

Consider Approval of Additional Amendment to Sanitary Sewer Service Agreement with Meridian Service Metropolitan District (Tap Purchase). Director Stimple presented the amendment to the Board, noting that growth has been slower than anticipated than when the IGA was first entered into twelve years ago and that the amendment addresses the delay and modifies when the Authority must purchase taps from Meridian Service Metropolitan District. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the amendment as presented.

Consider Approval of Intergovernmental Agreement with Woodmen Hills Metropolitan District (Water and Wastewater Operation and Maintenance Services). Director Stimple presented the agreement to the Board, noting that Woodmen Hills Metropolitan District will operate the Authority's water and sewer system and that approximately thirty percent of the total project costs would be shared with Woodmen Hills Metropolitan District. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the agreement as presented.

Consider Award of Bar-X Segment 1B Contracts. It was noted that the bid package was opened the previous week and that RESPEC provided recommendations of the contract awards to the Board. Discussion ensued regarding Core and Main's failure to provide a bid bond. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved awarding Ferguson the contract for major materials. Discussion ensued regarding the general installation bids and RESPEC's recommendation. Further discussion occurred regarding Gordon's lack of experience with large projects. Following such discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved awarding Pate the contract for general installation.

OTHER BUSINESS:

Director Libbey presented the 2025 ORC Water Professionals contract to the Board, noting the price increase. Discussion ensued. Following discussion, upon motion duly made, seconded, and upon vote unanimously carried, the Board approved the contract as presented.

EXECUTIVE SESSION:

Not needed.

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ADJOURNMENT:

There being no further business to come before the Board and upon motion duly made, seconded, and unanimously carried, the meeting was adjourned at 1:39 p.m.

The foregoing minutes constitutes a true and correct copy of the minutes of the above-referenced meeting and was approved by the Executive Board of Falcon Area Water and Wastewater Authority.

Peggy Libbey

Secretary to the Board