

# RECORD OF PROCEEDINGS

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## MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, February 20, 2020, at 6:30 p.m. at the  
Balterra Clubhouse, 2654 South Danube Place, Aurora,  
Colorado 80013

Attendance: A special meeting of the Board of Directors of the Sterling Hills West Metropolitan District was scheduled in compliance with the laws of the State of Colorado, with the following Directors in attendance:

Juliet Uhlott, President  
Michael Lenz, Treasurer  
Alberteen Ransom, Secretary  
CJ Matthews, Assistant Secretary

Also present were:

Jennifer L. Ivey, Icenogle Seaver Pogue, P.C.  
Ted Laves, Colorado Special District Management and  
Operations  
Andrew Earles, Ph.D., P.E., Wright Water Engineers, Inc.  
("WWE")  
Diane Bowser - visitor

Call to Order/  
Declaration of Quorum: Director Uhlott, noting the presence of a quorum, called to order the special meeting of the Board of Directors (the "Board") of the Sterling Hills West Metropolitan District (the "District") at approximately 6:30 p.m.

Conflicts of Interest: Ms. Ivey advised the Board that pursuant to Colorado law, certain disclosures by the Board members may be required prior to taking official action at the meeting. The Board then reviewed the agenda for the meeting, following which each Board member confirmed the contents of any written disclosure previously made, stating the fact and summary nature of any matters, as required under Colorado law, to permit official action to be taken at the meeting.

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Approval of/Additions to/Deletions from Agenda: After review and discussion, upon the motion of Director Matthews and second of Director Lenz, the Board unanimously approved the agenda as presented.

Public Comment for Matters Not on Agenda: None.

Review of Detention Pond Renovation Project Request for Proposal Contract Documents/Insurance Requirements: Dr. Earles reviewed his memorandum regarding recommendations for contractor selection for pond rehabilitation work dated February 13, 2020, the bids received, and WWE's proposal for additional services, all of which were included in the meeting packet.

Dr. Earles reported on the status of receiving a permit from the City of Aurora ("Aurora") and licenses from Aurora and from XCEL. WWE has received final permit application comments from Aurora but expects that Aurora will not issue the actual permit until said licenses are issued. WWE is pursuing the licenses vigorously but cannot predict when they will be received.

Dr. Earles observed that because of delays in receiving licenses from Aurora and XCEL, the project may not be able to start until the 2020 spring wet season and in that case commencing construction in the fall would be more practical and potentially less expensive. Dr. Earles stated that WWE estimates construction work should take about three months, but the required time could be less depending upon the contractor and the weather.

Dr. Earles reported that the two bids received had come in higher than anticipated but that the bids received were not outside of an acceptable range given the large number of similar construction projects occurring in Colorado at this time. Because both bids exceed the amount appropriated in the 2020 budget Dr. Earles suggested starting the project in the fall of 2020 and splitting the project into two phases with phase one being completed in 2020 and phase two being completed in 2021.

Director Lenz asked about when funds would be available in 2021 to pay the contractor given that tax revenues will not be received until March. Ms. Ivey will consult the District's accountant for her opinion on cash flows.

After review and discussion, upon the motion of Director Matthews and second of Director Ransom, the Board unanimously approved

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the designating of Edge Contracting, Inc. as its preferred bidder and directed Mr. Laves to promptly notify them, Dr. Earles to work with Edge Contracting, Inc. to develop a phased schedule with a start date in the fall, and Ms. Ivey to negotiate a contract with those terms. The Board further instructed Mr. Laves to notify Western States Reclamation, Inc. of the Board's decision and to indicate that the District might return to them if circumstances change.

After review and discussion, upon the motion of Director Lenz and second of Director Matthews, the Board unanimously approved the proposal for Additional Services from Wright Water Engineers, Inc., which was included in the Board packet, in an amount to exceed \$37,825.00.

Adjourn:

There being no further business to come before the Board, upon motion of Director Uhlott, second of Director Ransom and unanimous vote, the meeting was adjourned at 7:02 p.m.

*Matthew V. Ransom 6/14/2020*  
Secretary of the Meeting

*(Meeting minutes 2/20/2020)*