

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

STERLING HILLS WEST METROPOLITAN DISTRICT

Held: Thursday, February 25, 2021, at 6:30 p.m. via Zoom Online Meeting at <https://bit.ly/37TvpwV> or by telephone conference Dial-In Number: 1-346-248-7799; Meeting ID: 970 5351 6496, Passcode: 771813 in order to preserve the health, safety, and welfare of the public in light of the imminent threat caused by the COVID-19 pandemic and due to the state of emergency declared by Governor Polis, as amended and extended, corresponding executive orders and public health orders, as amended and extended, and CDC recommendations against gathering in large groups in order to mitigate the spread of the COVID-19 virus. Notices advising members of the public of the login URL and call in-number to join the meeting were posted on the District's website and at the District's regular posting locations.

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.

The following directors were in attendance:

Juliet Uhlott, President (*via zoom/telephone conference*)
Michael Lenz, Treasurer (*via zoom/telephone conference*)
Alberteen Ransom, Secretary (*via zoom/telephone conference*)
CJ Matthews, Asst. Secretary (*via zoom/telephone conference*)
Christine Hatter, Asst. Secretary (*via zoom/telephone conference*)

Also present were:

Jennifer L. Ivey, Icenogle Seaver Pogue, P.C. (*via zoom/telephone conference*); Edward W. (Ted) Laves, Colorado Special District Management and Operations (*via zoom/telephone conference*); Debra Sedgeley, CliftonLarsonAllen LLP (*via zoom/telephone conference*); Andrew Earles, Wright Water Engineers, Inc. (*via zoom/telephone conference*); Chris Loftus, Stream Design, LLC (*via zoom/telephone conference*); and Joe Schneider, Western

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States Reclamation, Inc. (via zoom/telephone conference).

1. Call to Order /
Declaration or 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 6:31 P.M.
2. Approval of/Additions
to/ Deletions from
Agenda: After review and discussion, upon the motion of Director Uhlott and second of Director Matthews, the Board unanimously approved the agenda as modified to table various items for consideration at the March meeting.
3. Director Matters -
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.
4. Public Comment for
Matters Not on
Agenda: None.
5. Approval of Stream
Landscape
Architecture and
Planning’s Design for
the Detention Pond: This Item was discussed after agenda Item 6.
6. Approval of Western
States Reclamation’s
Proposal to Design
and Install an
Irrigation System in
and around the
Detention Pond and to
install Plantings in the
Detention Pond: Mr. Schneider presented the Western States Reclamation’s proposal to design and install an irrigation system in and around the detention pond. It was noted that the proposal that is being considered is specific to irrigation improvements and that the landscape planting improvements will be bid as part of a separate process. The Board discussed the need for irrigation lines at the bottom of the detention pond. Dr. Earles stated that he would be mindful of having irrigation that would result in any water accumulating in the bottom of the detention pond but stated that the use of irrigation on an as-needed basis to establish plants or in drought conditions would be acceptable. Mr. Schneider noted that the incremental cost of the irrigation at the bottom of the pond is

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approximately \$4,000.00. Mr. Loftus noted that this cost is low and therefore would be desirable for plant establishment. Mr. Schneider noted that with removal of these lines the irrigation system would provide no coverage for the bottom of the detention pond. The Board discussed the use of minimal landscaping at the bottom of the detention pond and use of native grasses that discourage infiltration of cattails. Mr. Loftus noted that establishment of those types of grasses requires optimal watering and soil amendment to ensure they germinate and establish themselves before cattails can take hold. Following review and discussion, upon the motion of Director Matthews and second of Director Ransom, and unanimous vote the Board approved Western States Reclamation's proposal for irrigation improvements in an amount not-to-exceed \$33,370 inclusive of the irrigation lines and heads to allow irrigation in the bottom of the detention pond.

Director Uhlott departed the meeting at this time.

Director Matthews inquired if it would be possible to meet with Director Lenz and Messrs. Loftus and Schneider on site to discuss the landscape plan. Mr. Loftus suggested that this trip be set up in conjunction with his on-site visit to collect soil samples to save on additional costs for the District. Dr. Earles stated that he would check in with his team but that the soil in the piles of topsoil removed from the pond should be ready for sampling once they dry out from the recent snowstorm.

Director Matthews inquired about the District's budget capacity to cover the cost overruns. Ms. Sedgeley reviewed the current financial situation and noted that if needed, the District has a reserve for irrigation replacements in the amount of \$150,000 that can be used for cost overruns. It was also noted that the Edge Contracting, Inc. contract has \$43,000 included for landscaping that will be reduced since the landscape architecture plan is being implemented and bid to another contractor and that this reduction would assist in covering the cost of the change orders and other increased expenses for the pond renovation.

Approval of Stream
Landscape
Architecture and
Planning's Design for

Mr. Loftus reviewed with the Board Stream's 80% design drawings of the landscape architecture plan for the detention pond. Director Lenz noted that the plants that repel prairie dogs need to be along the top of the detention pond. Mr. Loftus stated that these

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the Detention Pond: plants are more prone to grow in drier conditions and therefore this is consistent with his planting plan. Upon inquiry regarding size and placement of plants to ensure that certain plants are not obscured by others, Mr. Loftus explained that the landscape architecture plan will not produce a manicured landscape and will be more natural and “messy” in appearance. Mr. Loftus stated that there are opportunities to decrease costs in the planting material by removing some of the plugs and potted plants. Mr. Schneider also noted that some of the wildflower seed mixes could be eliminated to save \$500 - \$1,000. Dr. Earles stated that he would not suggest value engineering anything that would jeopardize plant establishment at the bottom of the detention pond. Director Lenz inquired about the City of Aurora’s ability to require that the District remove the vegetation from the detention pond as they have in the past. Dr. Earles stated that the landscape architecture plan will be approved by the City of Aurora. Mr. Schneider stated that successfully establishing new vegetation and preventative maintenance including the removal of new cattails are the keys to preventing cattails from becoming established. He also stated that his preventative maintenance plan for the first year includes this task. Mr. Loftus stated that his next deliverable is the final design plans and asked for feedback on the 80% design. Director Lenz suggested the removal of some of the shrubs/trees. Director Matthews suggested that additional plugs and plants need to be considered to ensure that the bottom of the pond has adequate vegetation. Ms. Ivey inquired about the timing of the various approvals and coordination of the various contractors. Dr. Earles stated that the City of Aurora will need to review and approve the landscape plans and the irrigation plans and that those will be submitted soon as an amendment to the existing approvals to ensure that landscaping can move forward in a timely manner. Dr. Earles stated that he will facilitate a video call between Edge Contracting, Inc., Stream Design, LLC, and Western States Reclamation, Inc. to discuss coordination of scopes of work, scheduling and responsibilities. The Board directed that the landscape committee work with Stream Design, LLC to give adequate direction on plantings to bring the landscape architecture plans to 100%. Messrs. Loftus and Earles stated that the 80% landscape architecture plans would be revised with the comments provided today and submitted to the City of Aurora for review. Following review and discussion, upon the motion of Director Matthews and second of Director Lenz, and unanimous vote the Board approved submission of the 80% landscape architecture

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plans to the City of Arvada. Messrs. Schneider, Loftus, and Earles and Directors Lenz and Matthews scheduled a meeting on site on March 10, 2021 at 10:00 a.m.

7. Review by Wright Water Engineers of the Detention Pond Rehabilitation Project Status: This Item was tabled.
8. Approval of Request by Wright Water Engineering for Contract Amendment to allow for Additional Compensation: Upon the motion of Director Matthews and second of Director Hatter, and unanimous vote the Board approved interim funding of \$10,000 to Wright Water Engineers, Inc. and directed Dr. Earles to work with Ms. Ivey to prepare an amendment for presentation to the Board at the March 2021 meeting.
9. Approval of Meeting Minutes: This Item was tabled.
10. Approval of Proposal to Augment the Playground Safety Mulch: This Item was tabled.
9. Other Business: Upon the motion of Director Hatter and second of Director Matthews, and unanimous vote the Board approved changing the meeting from March 11, 2021 at 6:30 p.m. to March 18, 2021 at 6:30 p.m.
10. Adjourn: There being no further business to come before the Board, upon motion of Director Matthews, second of Director Ransom and majority vote, the meeting was adjourned at 8:15 P.M.

DocuSigned by:

Alberteen Ransom

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Secretary of the Meeting