

HIGH PLAINS METROPOLITAN DISTRICT

www.highplainsmetro.org

Special Meeting (via Teleconference)
Thursday, February 18, 2020, at 6:00 p.m.

2021 Regular Meetings – Third Thursday of each Month at 6:00pm

Shawn McGoff, President	Term to May 2022
Josie O’Neill, Treasurer	Term to May 2022
Jill Shadwell, Secretary	Term to May 2023
Maria Elena Daniels, Assistant Secretary	Term to May 2022
Bret Erickson, Director	Term to May 2023

Due to Executive Orders issued by Governor Polis, and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Health and Environment, and the risk posed by COVID 19, this meeting will be held via teleconferencing and can be joined through the directions below:

<https://zoom.us/j/97530116469?pwd=QTEzd3lCK0tPSWNhcTVHTVpNNEdPQT09>

Meeting ID: 935 6075 4718
Passcode: 784934
Call-in Number: 720-707-2699

Agenda:

1. Call to Order – 6:00PM
2. Declaration of Quorum/ Conflict of Interest Disclosures
3. Agenda Revisions, Approval
4. Public Comment
5. Consent Agenda
6. Cherry Creek Schools (New Elementary School) – 6:15PM
7. Financial Report/Financial Matters – 6:30PM
8. Legal Matters – 6:40PM
9. Facilities Management/District Operations Report – 6:50PM
10. Board Action Items – 7:00PM
11. District Committee Updates 7:30PM
12. Director Items/Other Business 7:50PM
13. Public Comment
14. Adjournment – 8:00PM

NOTICE OF SPECIAL MEETING AND AGENDA

- 1. Call to Order**
- 2. Declaration of Quorum/ Conflict of Interest Disclosures**
- 3. Agenda Revisions, Approval**
- 4. Public Comment** - Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes. As a general practice, the Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather it will refer the items for follow up. In person, please sign in, via Zoom – please raise hand during the time of Public Comment.
- 5. Consent Agenda** - The items listed below are a group of items to be acted on with a single motion and vote by the Board. An item may be removed from the consent agenda to the regular agenda by any Board member. Items on the consent agenda are then voted on by a single motion, second, and vote by the Board
 - a. Approve November 17, 2020 and November 19, 2020 Special Meeting Minutes
 - b. Approve January 26, 2021 Special Meeting Minutes
 - c. Approve Payable Listings in the Amount of \$184,374.30 and \$13,520.92
 - d. Approve Resolution Designating District’s 24-Hour Posting Location
 - e. Accept Informational Enclosure – District Annual Compliance Filings
- 6. Cherry Creek Schools** – Construction related questions to the district and presentation from architect (Vicky Lisi and Mike Lovick)

7. Financial Report/Financial Matters	Speaker	Notes/Minutes
Review and Consider Acceptance of Unaudited Financial Statements	Accountant	<ul style="list-style-type: none"> • Questions/discussion
Discuss 2020 Audit Process and Timing	Accountant	
Other Financial Matters	Accountant/Board	

8. Legal Matters	Speaker	Notes/Minutes
Consider Approval of First Amended and Restated Resolution Establishing Landscape Committee	WBA	<ul style="list-style-type: none"> • Discuss resolution and members
Discuss District Procurement Policy	WBA	<ul style="list-style-type: none"> • Questions/discussion
Other Legal Matters		

9. Facilities Management/District Operations Report	Speaker	Notes/Minutes
Management Report	Summit	<ul style="list-style-type: none"> • Updates and questions
Discuss Snow Removal Coordination (Sidewalks) with Lennar and the Club	Summit	<ul style="list-style-type: none"> • Updates and questions

10. Board Action Items	Speaker	Notes/Minutes
Management Company Vote	Board	<ul style="list-style-type: none"> •
2020 Capital Spending Plan Vote	Board	<ul style="list-style-type: none"> •

11. District Committee Updates	Speaker	Notes/Minutes
Landscape Committee	Bret Erickson Maria Elena Daniels Irene/Summit Kevin Cox	<ul style="list-style-type: none"> • Update on Park Signs and Landscaping around Large Sign • Update on Lennar tract turnover • Landscaping Report – questions/discussion • 2021-2022 Landscape Maintenance Contract
Design Review Committee (DRC)	Irene/Summit Maria Elena Daniels Shawn McGoff	<ul style="list-style-type: none"> • Residential Guidelines progress • Review Covenant Enforcement Report – questions/discussion • Other updates
Advisory Committee	Shawn McGoff Josie O’Neill	<ul style="list-style-type: none"> • Advisory Committee Updates
Social Committee	Josie O’Neill	<ul style="list-style-type: none"> • Social Committee Updates
Website Committee	Shawn/Tim	<ul style="list-style-type: none"> • Landing page redesign & FAQs
Security/Safety Committee	Maria Elena Daniels/Shawn McGoff	<ul style="list-style-type: none"> • Acknowledge Resignation of Ms. Shadwell • Board Direction to Address Community Safety • Neighborhood Watch

12. Director Items/Other Business	Speaker	Notes/Minutes
Landscaping Vendor Work Session	Board	<ul style="list-style-type: none"> • Set date in Feb/Mar for presentations
SARIA Meeting Update	Shawn McGoff	
WPRA Meeting Update	Maria Elena	
Board Emails from Residents	Board	
Other Director Items	Board	<ul style="list-style-type: none"> • Social Media Policy • Community Survey • Board Member Roles

13. Public Comment - Members of the public may express their views to the Board on matters that affect the District. Comments will be limited to three (3) minutes. As a general practice, the Board will not discuss/debate these items, nor will the Board make any decisions on items presented during this time, rather it will refer the items for follow up. In person, please sign in, via Zoom – please raise hand during the time of Public Comment.

14. Adjournment

MINUTES OF A SPECIAL MEETING OF THE BOARD
OF DIRECTORS

OF

HIGH PLAINS METROPOLITAN DISTRICT

Held: Tuesday, November 17, 2020, at 5:00 p.m. via
teleconference.

Due to Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders, issued by the Colorado Department of Health and Environment, and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

Attendance

A special meeting of the Board of Directors of the High Plains Metropolitan District was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Shawn McGoff
Jill Shadwell
Josie O'Neill
Maria Elena Daniels

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and homeowners.

Call to Order

Director McGoff noted that a quorum of the Board was present and called the meeting to order.

Declaration of Quorum/Director
Qualification/Reaffirmation of
Disclosures

Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. McGoff inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

Agenda

The Board reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Board unanimously approved the agenda, as presented, on a vote of 4-0.

Public Comment

A homeowner noted that the holiday lights in the community are really nice to see and thanked the Board.

Consider Board Appointment to Fill Vacancy, Administer Oath of Office

The Board engaged in general discussion regarding an appointment to fill the Board vacancy. Following discussion, upon a motion duly made and seconded, the Board appointed Bret Erickson to the Board on a vote of 3-1, with Director Daniels voting no.

Director McGoff administered Director Erickson's Oath of Office.

Consider Election of Officers

Deferred.

Adjourn

There being no further business to come before the Board and following discussion and upon motion duly made and seconded, the Board determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting

Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the ____ day of _____, 2021.

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING/BUDGET HEARING
OF THE BOARD OF DIRECTORS OF THE
HIGH PLAINS METROPOLITAN DISTRICT
HELD
NOVEMBER 19, 2020**

A special meeting/budget hearing of the Board of Directors of the High Plains Metropolitan District was held Thursday, November 19, 2020, at 6:00 p.m. Due to current circumstances related to COVID-19, this meeting was held electronically via Zoom. The meeting was open to the public.

In attendance were Directors:

Shawn McGoff
Josie O'Neill
Jill Shadwell
Maria Elena Daniels
Bret Erickson

Also in attendance were:

Ben Houghton; CliftonLarsonAllen LLP
Clint Waldron, Esq.; White Bear Ankele Tanaka & Waldron P.C.
Irene Borisov; Summit
Kevin Cox; Cox Landscaping
Don Myers; Resident?

Call to Order The Special Meeting was called to order at 6:00 p.m.

Declaration of Quorum A quorum was confirmed.

Disclosures and Potential Conflicts of Interest The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Mr. Waldron noted that all Directors' Disclosure Statements have been filed. The Board noted that there are no additional conflicts to those filed with the Secretary of State pursuant to statute.

Public Comment Don Myers offered to help the Board search for security services.

Approve of

RECORD OF PROCEEDINGS

Agenda

Discussion ensued regarding revisions needed (1) removal of the second claims payable under Financial Matters and (2) remove District Procurement Policy. Following discussion, upon a motion duly made by Director Erickson, seconded by Director O'Neill, and upon vote unanimously carried, the Board approved the agenda as amended.

CONSENT AGENDA

1. Approve September 17, 2020 Special Meeting Minutes, October 15, 2020 Special Meeting Minutes and October 20, 2020 Work Session and Special Meeting Minutes
2. Approve Payable Listing in the Amount of \$79,220.50
3. Approve Special District Disclosure Notices Pursuant to § 32-1-809, C.R.S.
4. Approve Resolution Designating District's 24-Hour Posting Location
5. Approve Resolution Delegating Architectural Authority and Establishing Architectural Review Committee

After discussion, upon a motion duly made by Director McGoff, seconded by Director Daniels, and upon vote unanimously carried, the Board approved the Consent Agenda with the revision to the payable listing.

Financial Matters

- A. Review and Consider Acceptance of Unaudited Financial Statements

Mr. Houghton reviewed the Unaudited Financial Statements with the budget discussion below.

- B. 2020 Amended Budget Hearing

Upon a motion duly made by Director McGoff, the Board opened the public hearing. As there was no public comment, Director McGoff closed the public hearing.

Mr. Houghton reviewed the 2020 budget amendment with the Board. Following discussion, upon a motion duly made by Director McGoff, seconded by Director Shadwell, and upon vote unanimously carried, the board approved the 2020 budget amendment and adopted the Resolution to Amend the 2020 Budget.

- B. 2021 Budget Hearing

Upon a motion duly made by Director McGoff, the Board opened the public hearing. As there was no public comment, Director McGoff closed the public hearing.

RECORD OF PROCEEDINGS

Mr. Houghton reviewed the 2021 budget with the Board. Following discussion, upon a motion duly made by Director McGoff, seconded by Director O'Neil, and upon vote unanimously carried, the Board approved the 2021 budget and approved the Resolution Adopting the 2021 Budget and Setting Mill Levies.

Manager Matters

A. Discuss Status of Snow Removal Agreement

Mr. Waldron discussed the status of the snow removal agreement with the Board, noting the agreement will be presented to the City for approval in January. Director Shadwell will begin the vendor search process.

B. Consider Adoption of 2021 Annual Administrative Resolution

Mr. Waldron reviewed the Resolution with the Board. Following discussion, upon a motion duly made by Director O'Neill, seconded by Director Erickson, and upon vote unanimously carried, the Board adopted the 2021 Annual Administrative Resolution.

C. Consider Approval of Property and Liability Schedule and Limits

Mr. Waldron reviewed the schedule and limits with the Board. Following discussion, upon a motion duly made by Director Shadwell, seconded by Director McGoff, and upon vote unanimously carried, the Board approved the property and liability schedule and limits.

D. Consider Proposal from CLA for Taking Meeting Minutes

Mr. Waldron reviewed the proposal with the Board. Following discussion, upon a motion duly made by Director McGoff, seconded by Director Shadwell, and upon vote unanimously carried, the Board approved the amendment to the CLA contract to take meeting minutes moving forward.

District Committee

Updates

A. Landscaping

Director Daniels provided an update from the Landscape Committee, noting the work with Lennar is continuing on the landscape of future conveyances. The Board expressed concerns over tall grasses throughout the community. Mr. Cox offered to trim grasses at the pleasure of the Board. Director Daniels requested tall grasses near the intersections be trimmed for safety reason. Mr. Cox will provide the Board an estimated delivery date for purchased urns. He will also update the Board on residents who have been dumping yard material on the District property.

B. DRC

RECORD OF PROCEEDINGS

Director McGoff updated the Board on DRC guidelines regarding “jellyfish” lighting. The DRC will define more closely the guidelines on lighting and return to the February meeting.

C. Advisory Committee

No update. Upon a motion duly made by Director Shadwell, seconded by Director O’Neill, and upon vote unanimously carried, the Board appointed Director McGoff and Frank McGuin to the Committee.

D. Social Committee

Director O’Neill gave an update, noting the December 22nd event was postponed due to COVID. The Welcome Committee has a meeting scheduled with Ms. Borisov to figure out the process of welcoming new residents to the community. The Social Committee is collecting clothing donations throughout the community. The Dumpster/Shred event will be moved to next spring, possibly coordinated with the garage sale event. Director Erickson will join the Social Committee with Director O’Neill.

E. Safety and Security

Director Shadwell updated the Board, noting the last meeting went very well with participation from the City police and County Sheriff. The Communications Committee is starting to organize and strategize communications to the community. APD is heavily monitoring Monahan Street of speeders. The Security Committee has received two proposal for private security services. Director Shadwell will reach for to four others.

Facilities Management/

District Operations

Report

Ms. Borisov reviewed the Operations Report with the Board, noting proposals were deferred to the February meeting.

Director Items/

Other Business

A. Capital Projects

Director McGoff reviewed the past priorities for capital projects and welcomed discussion on upcoming improvements. Director Daniels proposed improved lighting at kiosks and mailboxes, repair to a park shelter and the addition of a dog park. Director Erickson suggested having a special board meeting to identify potential uses.

B. SARIA Update

RECORD OF PROCEEDINGS

No update.

C. WPRA

Director Daniels updated the Board, noting there will be a meeting on December 2nd.

D. Board Emails for Resident

Not discussed.

E. Discuss December Special Meeting

The Board determined to cancel the December special meeting in lieu of a work session.

The Board will determine a date.

Public Comment

None.

Adjournment

There being no further business, upon a motion duly made by Director Erickson, seconded by Director O'Neil, and upon vote unanimously carried, the Board adjourned the meeting at 7:50 p.m.

The foregoing record constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,

Secretary for the Meeting

High Plains Metro District Capital/Large Claims to be Approved Before Payment

<u>Date</u>	<u>Vendor</u>	<u>Invoice Number</u>	<u>Amount</u>	<u>Description</u>
11/30/2020	Consilium Design Inc	5495	\$ 1,431.42	Work on entryways
2/10/2021	Creative Visions	8613	12,089.50	Balance on monument sign and final permitting
		Total	\$ 13,520.92	

High Plains Metro District Interim Claims 11/10/20 - 2/12/21

<u>Process Date</u>	<u>Vendor</u>	<u>Invoice Number</u>	<u>Amount</u>
12/1/2020	CO Spec District Prop and Liab Pool	POL-0002507	\$ 710.00
12/1/2020	Pet Scoop, Inc.	312088	\$ 252.00
12/1/2020	Sequoia Golf Blackstone Country Club	HPMD42020	\$ 4,750.02
12/4/2020	Aleamia and Brandon Roberts	Refund 11/12/20	\$ 144.00
12/4/2020	Cassidy Bednark and Darcee Nelan	REFUND 11-12-20	\$ 165.00
12/4/2020	Collins Cockrel & Cole	11033M OCT20	\$ 144.00
12/4/2020	Cox Professional Landscape Services LLC	Multiple	\$ 5,457.46
12/4/2020	Edward and Meryl Illions	Refund 11/12/20	\$ 165.00
12/4/2020	Eron & Rachael Dahl	Refund 11/12/20	\$ 165.00
12/4/2020	Harpster Maintenance Services,LLC	1362	\$ 175.00
12/4/2020	Lee Design Group LLC	BST20/10	\$ 1,070.00
12/4/2020	Sequoia Golf Blackstone Country Club	HPMD102020	\$ 7,767.16
12/4/2020	Summit Management & Consulting, LLC	3962	\$ 5,404.75
12/4/2020	Waste Management of Denver	Multiple	\$ 21,698.25
12/8/2020	CliftonLarsonAllen LLP	2672018	\$ 4,415.20
12/8/2020	Cox Professional Landscape Services LLC	Multiple	\$ 17,106.75
12/8/2020	White Bear Ankele Tanaka & Waldron	13004	\$ 7,220.02
1/4/2021	Xcel Energy	53-8016149-9	\$ 648.62
1/5/2021	CliftonLarsonAllen LLP	2693260	\$ 3,087.00
1/5/2021	CO Spec District Prop and Liab Pool	POL-0006644	\$ 32,371.00
1/5/2021	Cox Professional Landscape Services LLC	Multiple	\$ 19,633.51
1/5/2021	Full Spectrum Lighting, Inc.	Multiple	\$ 1,003.00
1/5/2021	Lee Design Group LLC	BST20/11	\$ 210.00
1/5/2021	Pet Scoop, Inc.	316621	\$ 252.00
1/5/2021	Summit Management & Consulting, LLC	4007	\$ 4,228.66
1/5/2021	Troy and Kelly Shaffer	1002018001	\$ 165.00
1/8/2021	Josie O'Neill	Reimbursement MM Press	\$ 198.40
1/8/2021	Sarah Snyder	Toy Sign Reimb	\$ 177.03
2/2/2021	CliftonLarsonAllen LLP	2719422	\$ 1,210.23
2/2/2021	CO Spec District Prop and Liab Pool	POL-0004085	\$ 450.00
2/2/2021	Cox Professional Landscape Services LLC	Multiple	\$ 7,666.60
2/2/2021	Francis J. and Judith A. McGuinn	REFUND 1/8/21	\$ 69.00
2/2/2021	Heatherly Creative,LLC	6	\$ 150.00
2/2/2021	Lee Design Group LLC	BST20/12	\$ 135.00
2/2/2021	Pet Scoop, Inc.	321064	\$ 252.00
2/2/2021	Sequoia Golf Blackstone Country Club	HPMD112020	\$ 2,857.82
2/2/2021	Summit Management & Consulting, LLC	4050	\$ 5,139.60
2/2/2021	Waste Management of Denver	Multiple	\$ 21,747.76
2/2/2021	White Bear Ankele Tanaka & Waldron	Multiple	\$ 5,010.71
2/2/2021	Xcel Energy	53-8016149-9	\$ 901.75
		Total	\$ 184,374.30

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
HIGH PLAINS METROPOLITAN DISTRICT**

**DESIGNATING THE DISTRICT'S WEBSITE FOR THE ONLINE POSTING OF
MEETING NOTICES AND 24-HOUR POSTING LOCATION**

WHEREAS, the High Plains Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado; and

WHEREAS, pursuant to § 24-6-402(1)(a), C.R.S., the District is a local public body and subject to the provisions of §§ 24-6-401, *et seq.*, C.R.S.; and

WHEREAS, pursuant to § 32-1-903(2) and § 24-6-402(2)(c), C.R.S., the District shall be considered to have given full and timely notice to the public if notice of the meeting is posted, with specific agenda information if available, on a public website of the District no less than twenty-four (24) hours prior to the meeting; and

WHEREAS, pursuant to § 24-6-402(2)(c), C.R.S., the District shall make the notice posted on the public website accessible at no charge to the public, consider linking the notice to any appropriate social media accounts of the District, and, to the extent feasible, make the notices searchable by type of meeting, date of meeting, time of meeting, agenda contents, and any other category deemed appropriate by the District; and

WHEREAS, pursuant to § 24-6-402(2)(c), C.R.S., the District shall designate a place within the boundaries of the local public body at which it may post a notice no less than twenty-four (24) hours in advance of the meeting in the event that the District is unable to post the notice online due to exigent or emergency circumstances.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD AS FOLLOWS:

1. Pursuant to § 24-6-402(2)(c), C.R.S., the Board hereby designates www.highplainsmetro.org as the website at which notices of District meetings will be posted twenty-four (24) hours in advance.

2. Pursuant to § 24-6-402(2)(c), C.R.S., the Board hereby designates the following location for the posting of its meeting notices twenty-four (24) hours in advance in the event that the District is unable to post notice on the District's website:

The intersection of E Smoky Hill Pkwy and S Country Club Pkwy.

ADOPTED this 18th day of February, 2021.

HIGH PLAINS METROPOLITAN DISTRICT

Officer of the District

ATTEST:

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

[Signature Page to Resolution Designating the 24-Hour Posting Location.]

HIGH PLAINS METROPOLITAN DISTRICT
ANNUAL COMPLIANCE TRACKING CHART

Date	Event	Completed
24 hours before any meeting	Deadline to post notice of meeting on the District's website (Sections 32-1-903(2) and 24-6-402(2)(c), C.R.S.)	
72 hours before any meeting	Deadline to file conflict of interest disclosures with the Board and the Colorado Secretary of State (Sections 32-1-902(3)(b) and 18-8-308, C.R.S.)	
First Regular Board meeting of each year	Board adopts a resolution designating the posting location for the District's 24-hour agenda notice (Section 24-6-402(2)(c), C.R.S.)	2/18/2021
January 1 st	Deadline to file current, accurate map of the District boundaries with the Arapahoe County Assessor, the Arapahoe County Clerk and Recorder, and the Division of Local Government (Section 32-1-306, C.R.S.)	12/17/2020
January 15 th	Deadline to file Notice to Electors (Transparency Notice) with the Arapahoe County Board of County Commissioners, the Arapahoe County Assessor, the Arapahoe County Treasurer, the Arapahoe County Clerk and Recorder, the City of Aurora, and the Division of Local Government (Sections 32-1-809 and 32-1-104(2), C.R.S.)	1/11/2021
January 30 th	Deadline to file adopted budget with the Division of Local Government (Section 29-1-113(1), C.R.S.)	1/29/2021
March 1 st	Deadline to file with the Division of Local Government the annual public securities report for nonrated public securities issued by the District (Section 11-58-105, C.R.S.)	N/A
June 30 th	Deadline to submit audit report to the Board of Directors (Section 29-1-606(1)(a), C.R.S.)	
July 30 th	Deadline to file audit report or request for extension to State Auditor (Section 29-1-606(3), C.R.S.)	
July 30 th	Deadline to file audit report with the City of Aurora if the District has authorized but unissued general obligation debt as of the end of the fiscal year (Section 29-1-606(7), C.R.S.)	
August 1 st	Deadline to file annual report required by the Second Amended and Restated Service Plan with the City of Aurora (See Section VIII of Service Plan)	
September 30 th	Deadline to file audit report if State Auditor has granted extension (Section 29-1-606(4), C.R.S.)	
October 15 th	Deadline to submit budget to the Board of Directors (Section 29-1-101, C.R.S.)	

November 1 st	Deadline to submit Unclaimed Property Act report to the State Treasurer if there is property presumed abandoned and subject to custody as unclaimed property (Section 38-13-110, C.R.S.)	N/A
December 15 th	Deadline to certify mill levies to Arapahoe County Board of County Commissioners (Section 39-5-128(1), C.R.S.)	

**FIRST AMENDED AND RESTATED
RESOLUTION
OF THE BOARD OF DIRECTORS OF
HIGH PLAINS METROPOLITAN DISTRICT
ESTABLISHING A LANDSCAPE COMMITTEE**

WHEREAS, High Plains Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado, duly organized and existing pursuant to §§ 32-1-101, *et seq.*, C.R.S. (the “**Special District Act**”); and

WHEREAS, pursuant to § 32-1-1001(1)(h), C.R.S., the Board of Directors of the District (the “**Board**”) is empowered to have the management, control, and supervision of all business and affairs of the District; and

WHEREAS, pursuant to § 32-1-1001(1)(m), C.R.S., the Board is authorized to adopt, amend, and enforce bylaws and rules and regulations not in conflict with the constitution and laws of Colorado for carrying on the business, objects, and affairs of the Board and the District; and

WHEREAS, pursuant to a Resolution of the Board of Directors of High Plains Metropolitan District Establishing a Landscaping Committee dated August 28, 2018 (the “**Prior Resolution**”), the Board established a landscape committee; and

WHEREAS, the Board repealed and replaced the Prior Resolution in its entirety by the adoption of an Amended and Restated Resolution of the Board of Directors of High Plains Metropolitan District Establishing a Landscaping Committee dated August 20, 2020 (the “**2020 Resolution**”); and

WHEREAS, pursuant to this resolution, the Board desires to repeal-amend and restate the 2020~~Prior~~ Resolution and adopt this resolution to reestablish the landscape committee and clarify the purposes of the landscape committee; and

WHEREAS, the Board desires to establish a landscape committee for the purposes of ensuring efficient and effective landscaping services are provided throughout all property owned and/or maintained by the District.

WHEREAS, the Board desires the landscape committee to provide recommendations and suggestions to the Board with respect to District landscaping matters in an effort to promote the health, safety, prosperity, security and general welfare of the inhabitants of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AS FOLLOWS:

1. Repeal and Replacement of Prior Resolution and 2020 Resolution. The ~~Resolution of the Board of Directors of High Plains Metropolitan District Establishing a Landscaping Committee dated August 28, 2018 Prior Resolution and 2020 Resolution~~ are hereby repealed and replaced in ~~their~~ entirety by this resolution.

2. Creation and Establishment of the Landscape Committee. The Board hereby creates and establishes the High Plains Metropolitan District Landscape Committee (the “**Landscape Committee**”).

3. Role of Landscape Committee. The Landscape Committee is established to provide recommendations and suggestions to the Board with respect to landscape matters, as may be requested by the Board from time to time. Such matters may include, but are not limited to, assisting the Board in prioritizing landscape improvement projects within the District.

a. The Landscape Committee is authorized to assist the Board with the following:

- i. Review and evaluate landscaping owned, managed and maintained by the District;
- ii. Provide recommendations and alternatives to the Board concerning the management and long term planning for new landscaping and renovation of existing landscaping;
- iii. Provide recommendations on landscape maintenance;
- iv. Provide recommendation on water conservation measures;
- v. Collect resident, property owner and taxpayer input from a broad cross-section of the District;
- vi. Facilitate community dialogue, public education and outreach;
- vii. Serve as a source for ideas, new concepts, suggestions and innovations;
- viii. Provide advice and recommendations to the District’s manager and the Board on District landscape matters; and
- ix. Perform such other functions as directed by the District’s manager or the Board.

b. The Landscape Committee does not have the authority to give directions and/or instructions to the District’s manager or its employees, or to contractors, consultants or employees of the District, unless otherwise approved by the Board. In addition, the Landscape Committee has only such authority as given by the Board and has no authority to bind the

District. All communication with and direction to consultants, contractors or employees is the sole responsibility of the Board and the District's manager.

4. Committee Members. The Landscape Committee members will be appointed by the Board from time to time as reflected in the minutes of the Board meeting at which such appointment is made. The number of members of the Landscape Committee is at the discretion of the ~~chairperson~~ Board, with members acting in a volunteer capacity. Each Landscape Committee member shall serve for a term of one (1) year from the date of their appointment, and may, upon expiration of their term, be reappointed in the discretion of the Board. Each Landscape Committee member, at the time of appointment and continuing uninterrupted thereafter while serving on the Landscape Committee, shall be an "Eligible Elector" of the District, as such term is defined in the Special District Act. The Landscape Committee members shall serve at the pleasure of the Board and may be removed at any time, with or without cause, by the Board. The Landscape Committee members shall serve as volunteers and are not entitled to any compensation for their service on the Landscape Committee, but are entitled to reimbursement for any pre-approved out-of-pocket costs incurred by them for Landscape Committee purposes, subject to budget limitations. At the discretion of the Board, the chairperson of the Landscape Committee may be (i) appointed by the Board, or (ii) if not appointed by the Board, tThe Landscape Committee members shall, from among the membership of the Landscape Committee, select one of them to act as the chairperson of the Landscape Committee. If special purpose groups are formed from Landscape Committee members for specific projects or areas of interest, a group leader may be selected from the group who will report to the chairperson of the Landscape Committee.

5. Conflicts of Interest. If any members of the Landscape Committee conclude that they have a conflict of interest or an appearance of fairness problem with respect to a matter pending before the Landscape Committee so that they cannot discharge their duties on the Landscape Committee, they shall disqualify themselves from participating in the deliberations and the decision-making process with respect to the matter.

6. Point of Contact. The Landscape Committee's primary point of contact is the District's manager.

7. Amendment. The District expressly reserves the right to amend, revise, redact, and/or repeal the Landscape Committee's authority granted in this Resolution in whole or in part, from time to time in order to further the purpose of carrying on the business, objects, and affairs of the District. The foregoing shall specifically include, but not be limited to, the right to remove Landscape Committee members, increase the number of Landscape Committee Members, add to or reduce the authority of the Landscape Committee, eliminate the Landscape Committee or change the budget allocated to the Landscape Committee, all in the Board's sole and absolute discretion.

8. Severability. If any term or provision of this Resolution is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of the remainder of the resolution or rules and regulations, as a whole, but shall be severed, leaving the remaining terms or provisions in full force and effect. In addition, in lieu of such void or unenforceable provision,

there shall automatically be added a provision similar in terms to such illegal, invalid or unenforceable provision so that the resulting reformed provision is legal, valid and enforceable.

[Signature page follows.]

RESOLVED, ADOPTED AND APPROVED this ~~2019~~⁸th day of ~~February~~^{August},
202~~1~~⁰.

HIGH PLAINS METROPOLITAN DISTRICT

Officer of the District

ATTEST:

Secretary

APPROVED AS TO FORM:

WHITE BEAR ANKELE TANAKA & WALDRON
Attorneys at Law

General Counsel to the District

Signature page to First Amended and Restated Resolution of the Board of Directors of High
Plains Metropolitan District Establishing a Landscape Committee

HIGH PLAINS METROPOLITAN DISTRICT PROCUREMENT POLICY

1. GENERAL

- a. *Purpose.* Purchasing and contracting is to be accomplished in the best interests of the District, and is to be performed so as to secure for the District the greatest value considering cost, quality, delivery, service and other considerations which reflect overall value comparisons.
- b. *Authority.* The authority to procure and pay for goods or services for the District rests with the Board and may be carried out by an Authorized Party as set forth in this Policy, in accordance with applicable laws, rules, regulations, and procedures relating to the expenditures of public funds. No individual may contract or make purchases on behalf of the District unless duly authorized by the Board.
- c. *Subdivision prohibited.* No Contract or purchase may be subdivided to avoid the requirements of this Policy.
- d. *Payments.* Payments to vendors or contractors are to be expedited whenever possible in order to realize discounts and enhance the District's reputation as a responsible customer.
- e. *Emergency Exception.* In an Emergency, the primary concern of the person in charge of the Emergency should be the health and safety of persons and property. The existence of such condition may create an immediate and serious need for supplies, services, or construction that cannot be met through normal procurement methods. Secondary consideration should be given to the amount of District funds necessary to adequately resolve the Emergency condition. Therefore, bidding requirements and the limits on the delegated authority are suspended in Emergency conditions. Emergency procurement shall be limited to only those supplies, services or construction items necessary to meet the immediate Emergency.
- f. *Deviation.* The Board may deviate from the procedures set forth in this Policy, in its sole and absolute discretion.

2. DEFINED TERMS

“*Authorized Directors*” means the president of the District and one additional Director of the District.
OR [means any two Directors.]

“*Authorized Party*” means either the Authorized Directors or the District Manager, as the context requires, or any Director authorized by the vote of the Board to take action or expend funds.

“*Board*” means the Board of Directors of the District.

“*Contract*” means (a) a written agreement between two or more competent parties to perform a specific act or acts; (b) any type of agreement or arrangement regardless of what it is called for the procurement of goods or services or that obligates the District to pay a sum of money; and (c) a purchase order.

“*Director(s)*” means any current member(s) of the Board.

“*District*” means the High Plains Metropolitan District.

“*District Accountant*” means the accountant retained and engaged by the Board to provide accounting services to the District.

“*District Manager*” means the manager retained and engaged by the Board to provide management services to the District.

“*Emergency*” means any situation that constitutes an immediate threat to the health, welfare or safety of persons or property, which would not allow sufficient time to consult with the Board or allow an Authorized Party or the Board to take action using the normal procurement methods set forth in this Policy.

“*Invoice*” means an itemized bill for goods sold or services provided, containing individual prices, and the total charge.

“*Policy*” means the High Plains Metropolitan District Procurement Policy.

3. REQUIREMENTS FOR BIDDING AND OBTAINING PRICE QUOTATIONS

- a. Purchases should be comparison shopped in order to achieve the lowest possible purchase price. Prudent management, however, indicates that at certain cost levels, the potential savings by bidding an individual purchase are offset by the increased costs and delays required to obtain multiple bids. This Policy attempts to balance the cost savings potential from receiving bids with the increased costs and delay associated with obtaining those bids.
- b. An Authorized Party may choose to incorporate more rigid bidding requirements to the extent that the more rigid bidding requirements are economically feasible.
- c. Some purchases are available only from single or limited sources due to: their nature (i.e. utilities); existing relationships (i.e. bank service charges); long-term contracts (i.e. fire protection); or unique physical requirements of District operations. If an Authorized Party is unable to obtain bids required under this Policy because of the need to use sole source providers, market conditions, etc. these circumstances should be documented unless pre-approved by the Board at a meeting.
- d. Occasionally the Authorized Party may receive a low bid that for various reasons the Authorized Party may not want to accept. The Authorized Party is authorized to accept the lowest responsive and responsible bid in its discretion.

- e. The requirements for obtaining bids for the purchase of goods and services are shown in Table 1, below.

TABLE 1

Estimated Cost of Item (Goods or Services)	Purchasing Method to Use	Position with Approval Authority
\$1,000 or Less	Written price quotes from at least one vendor . Price quotes must be written proposals from a representative of an established, viable vendor who is properly licensed to complete the work The purchaser may select the best source without seeking competitive quotes.	District Manager or Authorized Directors
\$1,001 - \$4,999	Written price quotes from at least one vendor . Price quotes must be written proposals from a representative of an established, viable vendor who is properly licensed to complete the work. The purchaser may select the best source without seeking competitive quotes.	Authorized Directors District Manager notifies Board of expenditure approval
*\$5,000 - \$9,999	Written price quotes from at least two vendors . Price quotes must be written proposals from a representative of an established, viable vendor who is properly licensed to complete the work.	Authorized Directors District Manager notifies Board of expenditure approval
*\$10,000 and over	Written price quotes from at least three vendors . Price quotes must be written proposals from a representative of an established, viable vendor who is properly licensed to complete the work.	Board of Directors Approved at a Board meeting

*NOTE: State Statutes require specific formal bid advertisements for "construction contracts for work or materials, or both," for \$60,000 or more.

4. DELEGATED AUTHORITY FOR CONTRACT APPROVAL

- a. The Board hereby delegates to the District Manager and the Authorized Directors the authority to review, approve, award, execute, and enter into Contracts on behalf of the District, in the amounts set forth in Table 1 and in accordance with this Policy.
- b. Prior to awarding or entering into a Contract pursuant to this Policy, the person authorized to award and approve such Contract shall confirm and verify:
 - i. the Contract has been reviewed and approved by general counsel to the District; the District Accountant, District Manager and/or engineer, as appropriate;
 - ii. any payment required to be made under such Contract does not exceed the amounts appropriated under the line item for the category of expense set forth in the District's approved budgets (e.g. landscaping or accounting), to which the Contract reasonably relates. If the line item in the District's budget would be exceeded, the Contract must be approved by the Board at a meeting. *Every purchase order or contract is subject to the appropriation of necessary funds by the District Board on an annual basis, notwithstanding automatic renewal clauses or any other provisions extending the purchase or contract beyond the calendar year in which it is executed;*
 - iii. the amount of the Contract does not exceed the amounts authorized to be approved as set forth in Table 1.

5. DELEGATED AUTHORITY FOR INVOICE APPROVAL

- a. The Board authorizes payment of Invoices related to Contracts in the amounts set forth in 5(b) below, so long as: (i) the Contract has been approved in accordance with this Policy or by the Board at a meeting; and (ii) such payment does not result in exceeding the Contract amount, inclusive of any validly approved changes to the Contract.
- b. The Board hereby delegates and authorizes the District Manager and the Authorized Directors to approve the payment of Invoices related to Contracts, in the following amounts:

District Manager	Invoices up to \$0,000
Authorized Directors	Invoices over \$,000 and up to \$__,000
- c. Invoices exceeding the amounts in 5(b) above must be approved by the Board at a meeting.
- d. The District's Accountant is authorized and directed, without further approval by the Board, to pay Invoices for the following categories of expenditures:
 - i. Utilities (e.g. water, gas and electricity);
 - ii. Payments required pursuant to intergovernmental agreements and bonds; and
 - iii. Insurance policies and director bonds.

6. APPROPRIATION

- a. Prior to executing any Contract or making payment of any Invoice, the person authorized to award and approve such Contract or Invoice shall verify with the District's accountant that sufficient funds are available within the District's accounts and are budgeted appropriately to pay such sums. All Contracts approved pursuant to this Policy are subject to appropriation and budget requirements in accordance with Colorado law.

7. PROHIBITIONS

Notwithstanding any authorization in this Policy to the contrary, Directors of the District shall not:

- a. Engage in a substantial financial transaction for their private business purposes with a person or company whom they oversee or supervise in the course of their official duties;
- b. Perform an official act that is directly and substantially to the economic benefit of a business or other undertaking in which they either have a substantial financial interest or are engaged as counsel, consultant, representative, or agent;
- c. Accept goods or services for their own personal benefit from a person who is at the same time receiving compensation for providing goods or services to the District, unless the totality of the circumstances related to the acceptance of the goods or services indicates that the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the Director or employee does not receive any substantial benefit resulting from their official or governmental status that is unavailable to members of the public generally; or
- d. Have a financial interest in any contract made by them in their official capacity, as set forth in Section 24-18-201, C.R.S., as may be amended from time to time.

High Plains Metro District Blackstone

Landscape Monthly Status Report

Project Name	Reporting Cadence
High Plains Metro District (Blackstone)	Monthly (for Board Meetings)
Date	Prepared by:
January 2021	Kevin Cox

III. Lawn Care - Provide updates regarding Mowing/Edging, Fertilization, Weed, Disease and Pest Control – all items listed in contract. Update on any changes, overall maintenance, status and any concerns to be shared with the Board.

IV. Shrubs/Plants - Provide update regarding Edging, Pruning, Weed, Disease and Pest Control – all items listed in contract. Update on any changes, overall maintenance, status and any concerns to be shared with the Board.

-Removal of dead or spent annual flowers completed with mulch installed into the beds over the winter months.

-Ornamental grass pruning along with any other needed or seasonal pruning will be ongoing throughout the winter and into spring. Priority will be the interior portions of the property first and the exterior next.

V. Tree Care - Provide update regarding Pruning, Staking, Insect Control, Tree Wells – all items listed in contract. Update on any changes, overall maintenance, status and any concerns to be shared with the Board.

-2021 tree care services including pest preventative applications submitted for approval.

-Winter watering of new trees and shrubs completed 12/8, 12/9, 12/10, 1/20, 1/21, 1/22.

-Dead/dying/ugly tree inspection scheduled for mid-late June.

Misc items as listed in Contract – Provide update on any changes, overall maintenance, status and any concerns to be shared with the Board.

-Weekly checking and replacement of trash bags and dog waste bags including new areas owned by Lennar.

VI. Wood and Rock Mulched Areas-

VII. Native Areas-

-Trash removal on a weekly basis or as ground conditions allow.

-Wall to wall mowing completed.

-Audit to remove debris dumped in native areas along residential homes completed and awaiting approval.

VII. Irrigation Systems-

-Activation scheduled for early April weather permitting.

IX. Landscape Debris Cleanup-

-Ongoing throughout the year. Excessive trash removed from areas near construction and during high wind events and construction waste.

X. Aeration-

-Aeration of turf areas scheduled for mid-late spring.

XI. Winter Services-

-Snow markers to be installed throughout the community.

-Snow removal services completed 10/26, 11/24, 12/11, 12/13, 12/15, 12/29, 1/10, 1/26, 1/27.

-Holiday lighting and decorations shut down, removed, packed and stored.

XII. Bio Hazards-

XIII. Damages-

Misc Items –

-Detention pond inlet and outlet cleaning and maintenance scheduled to be completed before spring.

Special Projects (provide an update to any special funding approved by the Board and their status)

Project	Date	Status
Landscape enhancements at Country Club Park signage project.	Spring	Demo completed. Sign installed with pillar façade still be completed by Erik's crew. Meeting with LS committee (Maria braved the harsh conditions for that meeting) at site revealed some changes to design are needed based on where the sign was installed. Effort will be to make adjustments to the design only to avoid any cost changes.

General Comments

<Status Here>

ArborScape, Inc
5044 S Youngfield Court
Morrison, CO 80465

Your Plant Health Care for 2021

Thank you for being an ArborScape customer! This letter is to **REMIND** you that your 2020 plan is still active and we will be carrying your services into 2021. Please let us know if you are wanting to discontinue services.

High Plains Metro District
Smokey Hill & Powhaton
Blackstone Country Club

High Plains Metro District

Your Current PHC Plan	Amount
1st General Insect Spray	\$3,450.00
Ash Bark Beetle + Ash Lilac borer	\$2,675.00
IPS Beetle Treatment spring	\$2,125.00
	<hr/>
2021 Plan Total:	\$8,250.00

If you have any questions about your plan, need to add lawn service, or have your trees or shrubs trimmed - please visit our website www.arborscapeservices.com or give us a call at **303-795-2381**. We look forward to serving you this year.

Regards,
Jeff Disler - ArborScape Plant Health Care

****please return this bottom portion****

ArborScape offers many services, circle any of the services below you would like us to contact you about or feel free to contact us:

Tree & Shrub trimming **Lawn Aeration** Lawn Weed & Feed and Insect Control **Rock Bed Weed Control** Consulting

Please update your contact information to help us provide you with the quality service you expect from ArborScape!

High Plains Metro District

Smokey Hill & Powhaton

Best contact number _____ Alternate number _____

Email address (this will be kept private) _____

Please choose one of the following:

- Updated credit card information
- Place credit card on file (charged per visit)
- Cancel my PHC services

Card number _____

Name on card _____

Billing address _____

Expiration _____ 3-digit code _____