

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
TALLYN'S REACH AUTHORITY
HELD
MARCH 14, 2023

A special meeting of the Board of Directors of the Tallyn's Reach Authority, (referred to hereafter as the "Board") was convened on Tuesday, March 14, 2023, at 6:00 p.m. This special meeting was held at the Tallyn's Reach Clubhouse, 24900 E. Park Crescent Drive, Aurora, Colorado 80016 and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in Attendance for the Authority:

David Patterson, President
BJ Pell, Vice-President/Assistant Secretary
Harry Yosten, Treasurer, attending in person
Mike Dell'Orfano, Assistant Secretary, attending in person
Brian Crandall, Assistant Secretary

Also in Attendance Were:

Blair Dickhoner, Esq.; White Bear Ankele Tanaka & Waldron ("WBA")
Celeste Terrell, Shauna D'Amato, Terri Boroviak, and Nic Carlson (for a portion of the meeting); CliftonLarsonAllen LLP ("CLA")
Isabell Rodau; YMCA

Public in Attendance Were:

Michelle Curtin
Laura Youngblood

ADMINISTRATIVE MATTERS

Call to Order: The meeting was called to order at 6:01 p.m.

Agenda: Following review and discussion, upon a motion duly made by Director Yosten, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board approved the Agenda, as amended, to add discussion of swim season under Manager Matters.

Disclosures of Potential Conflicts of Interest: Attorney Dickhoner advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Attorney Dickhoner reported that disclosures for those directors that provided WBA 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

RECORD OF PROCEEDINGS

those disclosures were acknowledged by the Board. Attorney Dickhoner 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 quorum or to otherwise enable the Board to act.

Quorum: A quorum was confirmed for the meeting.

PUBLIC COMMENT

None.

CONSENT AGENDA

Ms. Terrell reviewed the Consent Agenda with the Board and noted that any item may be removed from the Consent Agenda to the regular Agenda upon the request of any Director. Upon a motion duly made by Director Dell'Orfano, seconded by Director Pell and, upon vote, unanimously carried, the following items on the Consent Agenda were approved, ratified and/or adopted, as appropriate.

- A. Approval of Minutes of the Joint Special Meeting on January 31, 2023.
- B. Ratify approval of First Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. 2023 Annual Flowers in the amount of \$39,700.85.
- C. Ratify approval of Second Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for mulch top dressing in the amount of \$49,989.54.
- D. Ratify approval of Independent Contractor Agreement with Brightview Landscape Services, Inc. for Ponderosa Pine removal in the amount of \$7,833.33.
- E. Ratify approval of Independent Contractor Agreement with Brightview Landscape Services, Inc. for 2023 landscape management in the amount of \$254,748.
- F. Ratify approval of Third Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for 2023 perennial flowers in the amount of \$79,917.27.
- G. Ratify approval of Independent Contractor Agreement with Brightview Landscape Services, Inc. for 2022-2023 winter watering in the amount of \$28,800.00.
- H. Ratify approval of Independent Contractor Agreement with Brightview Landscape Services, Inc. for crusher fines trail in the amount of \$10,293.23.
- I. Ratify approval of Independent Contractor Agreement with The Young Men's Christian Association of Metropolitan Denver, dba YMCA of Metropolitan Denver for 2023 pool

RECORD OF PROCEEDINGS

- management.
- J. Ratify approval of Independent Contractor Agreement with Chavez Services LLC for flagpole removal in the amount of \$2,500.00.
 - K. Ratify approval of Independent Contractor Agreement with Radiant Lighting Services, Inc. for 2023 lighting maintenance.
 - L. Ratify approval of Independent Contractor Agreement with MFish Graphics for sign upgrade and replacement in the amount of \$26,252.16.
 - M. Ratify approval of Intergovernmental Agreement by and between the Authority and the Cherry Creek School District for water service and landscape maintenance.
 - N. Ratify approval of Bill of Sale by the Cherry Creek School District No. 5.
 - O. Ratify adoption of Third Amendment to Amended and Restated Resolution Concerning the Imposition of Authority Fees for 2023.
 - P. Ratify adoption of Resolution Appointing a Local Government Designee.
 - Q. Ratify adoption of Independent Contractor Agreement with ARK Ecological for open space management services in the amount of \$50,000.00.
 - R. Ratify adoption of Independent Contractor Agreement with ET Irrigation Management Specialist for irrigation system management.
 - S. Ratify adoption of Independent Contractor Agreement with IMEG CORP for storm pond assessment in the amount of \$17,400.00.
 - T. Ratify adoption of Independent Contractor Agreement with Brightview Landscape Services, Inc for fall tree removal in the amount of \$46,555.15.
 - U. Ratify adoption of Authority Annual Administrative Resolution (2023).

LEGAL MATTERS

Information from Metro District Education Coalition: Attorney Dickhoner provided an overview to the Board. The Board requested that the information be posted on the website.

FINANCIAL MATTERS

Claims: Ms. Boroviak provided an overview of the claims. Following review and discussion, upon a motion duly made by Director Yosten, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved the claims as presented.

RECORD OF PROCEEDINGS

Unaudited Financial Statements and Schedule of Cash Position:

Ms. Boroviak reviewed the unaudited financial statements as of December 31, 2022 and the schedule of cash position updated as of February 27, 2023. Following review and discussion, upon a motion duly made by Director Yosten, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved the unaudited financial statements as of December 31, 2022 and the schedule of cash position updated as of February 27, 2023, as presented.

MANAGER MATTERS

Proposals for Reserve Rate Study: Ms. Terrell reviewed the proposals from McCaffery Reserve Consulting and Association Reserves with the Board. Following review and discussion, upon a motion duly made by Director Pell, seconded by Director Yosten and, upon vote, unanimously carried, the Board approved the proposal from Association Reserves with a 12-week turnaround option, with the reserve study to begin after IMEG Corp. (“IMEG”) has completed assessments of the 12 ponds.

IMEG Update: Mr. Carlson provided an update to the Board: IMEG has gotten through majority of hurdles with the City of Aurora for the retaining wall project; final approval needs to be sent back to original engineer; IMEG also provided a cost estimate for the retaining wall; Attorney Dickhoner explained that the retaining wall project will need to be rebid; The pond project is to start in spring; IMEG is also putting together a bid package for maintenance needed on 25 privately owned streets which will hopefully be ready in time for the July meeting; Mr. Carlson will be reaching out to IMEG on the Buchanan drainage project and will provide an update.

Landscape Update: Ms. Terrell provided an update. Mulch refresh has begun in the central and southeast quads; Brightview is working on completing tree replacements with approximately 200 dead trees being removed and 150 new trees being planted; several annual beds are being converted to perennial beds; the turf to native landscape project will begin in the spring; the new monument on Arapahoe has been installed, and the new monument on Briarwood is in permitting stage and will be installed during the spring; ET Irrigation is working on plan to reduce water usage by 6 million gallons to comply with the City of Aurora 20% reduction outlined in Drought Stage 1.

Pool Items: Ms. Rodau discussed option for the YMCA to extend the swim season. The Board asked to be on the list for an extended season with the YMCA. Ms. Rodau will be in contact with the aquatics team.

RECORD OF PROCEEDINGS

Director Pell discussed the possibility of the Authority to contribute towards a dessert truck for the pool opening day and additional treats throughout the season. Following discussion, upon a motion duly made by Director Pell, seconded by Director Crandall and, upon vote, unanimously carried, the Board approved \$1,500 for treats at the pool opening and during the pool season.

OTHER MATTERS

Authority – Quorum for Next Regular Board Meeting on July 18, 2023 at 6:00 p.m.: The Board confirmed an anticipated quorum and reported that the meeting will be held in person and virtually.

EXECUTIVE SESSION

Executive Session of the Board of Directors for the Purpose of Receiving Legal Advice Pursuant to Section 24-6-402(4)(b), Colorado Revised Statutes as it Relates to Ongoing Landscape Maintenance: Pursuant to Section 24-6-402(4)(b), C.R.S., upon motion duly made by Director Dell’Orfano, seconded by Director Patterson and, upon vote, unanimously carried, the Board convened in Executive Session at 6:51 p.m. for the purpose of receiving legal advice related to ongoing landscape maintenance.

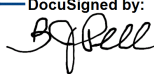
The Board reconvened in public session at 7:34 p.m.

Following discussion, upon a motion duly made by Director Yosten, seconded by Director Patterson and, upon vote, unanimously carried, the Board approved a proposal with Brightview Landscape Services, Inc. for maintaining City of Aurora property.

ADJOURNMENT

There being no further business to come before the Board, the Board adjourned the meeting at 7:41 p.m.

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

DocuSigned by:


Secretary for the Meeting – Tallyn’s Reach Authority

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Client Name: Tallyn's Reach Authority	
Client Number: A267075-OS07-2023	
Source Envelope:	
Document Pages: 5	Signatures: 1
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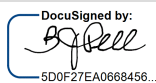
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bjnsteve95@yahoo.com
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Security Level: Email, Account Authentication (None)

Signature

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Signed: 8/7/2023 3:33:34 PM

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In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
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Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
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Certified Delivered	Security Checked	8/7/2023 3:33:19 PM
Signing Complete	Security Checked	8/7/2023 3:33:34 PM
Completed	Security Checked	8/7/2023 3:33:34 PM
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