

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
TALLYN'S REACH AUTHORITY
HELD
NOVEMBER 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, November 14, 2023, at 6:00 p.m. This special meeting was held at the Tallyn's Reach Clubhouse, 24900 E. Park Crescent Drive, Aurora, CO 80016, and via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in Attendance for the Authority:

Harry Yosten, President

BJ Pell, Treasurer

David Patterson, Vice President/Assistant Secretary

Mike Dell'Orfano, Assistant Secretary

Brian Crandall, Assistant Secretary

Also in Attendance Were:

Blair M. Dickhoner, Esq.; White Bear Ankele Tanaka & Waldron ("WBA")

Celeste Terrell, Terri Boroviak, and Alex Clem; CliftonLarsonAllen LLP ("CLA")

Bill Barcus and Brian Baisch; Tallyn's Reach MD 2 Board Members

Julie Huygen; Tallyn's Reach MD 3 Board Member

Kathryn Hahn; New Bridge Strategy

Cindy Frey, Peter Maleski, and other members of the public.

ADMINISTRATIVE MATTERS

Call to Order and Agenda: The meeting was called to order at 7:08 p.m.

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 the deed with Aurora under Legal Matters and to move the presentation regarding the new bridge to the top of the agenda.

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 those disclosures

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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, Location of Meeting and Posting of Meeting Notices: A quorum was confirmed for the meeting.

Happy 25th Anniversary to Tallyn's Reach Being Approved by City of Aurora: Director Yosten mentioned the Authority's 25th anniversary, noting it is also the 5th anniversary of CLA managing the Authority. No action taken.

PUBLIC
COMMENT

Ms. Huygen noted her opposition to the fee increase and opposed contributing money to the HOA and social events.

CONSENT
AGENDA

The Board reviewed the Consent Agenda 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 Crandall, seconded by Director Pell and, upon vote, unanimously carried, the Consent Agenda was approved, ratified and/or adopted, as amended to remove Item O: Ratify City of Aurora Intergovernmental Agreement since it has not been yet received.

- A. Approval of Minutes of the Regular Meeting on September 19, 2023.
- B. Ratify approval of Thirteenth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for tree trimming in the amount of \$4,333.34.
- C. Ratify approval of Fourteenth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for string trim native in the amount of \$2,260.80.
- D. Ratify approval of Fifteenth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for native seeding in the amount of \$47,668.81.
- E. Ratify approval of Sixteenth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for tree wrapping in the amount of \$3,646.00.
- F. Ratify approval of Seventeenth Addendum to Independent Contract Agreement with Brightview Landscape Services, Inc. for straw blanket installation in the amount of \$3,200.32.
- G. Adoption of Annual Administrative Resolution (2024).
- H. Ratify approval of Agreement with SavATree for holiday

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decorations in the amount of \$14,872.00.

- I. Ratify approval of proposal from Brightview Landscape Services, Inc. for Emerald Ash Borer soil injection in the amount of \$8,166.67.
- J. Review and consider approval of proposal from Brightview Landscape Services, Inc. for 2024 perennial bed and shrub bed renovations in the amount of \$112,853.17.
- K. Review and consider approval of proposal from Brightview Landscape Services, Inc. for 2024 annual flowers in the amount of \$19,075.22.
- L. Ratify approval of Contractor Agreement with Chavez Services LLC for cul-de-sac construction in the amount of \$84,146.10.
- M. Ratify approval of Independent Contractor Agreement with New Bridge Strategy for online survey in the amount of \$5,000.00.
- N. Ratify approval of Independent Contractor Agreement with Brightview Landscape Services, Inc. for winter 2023-2024 snow removal services.

FINANCIAL MATTERS

Reserve Study: Ms. Terrell reviewed the Reserve Study with the Board. The study is recommending approximately \$9 million in reserves with a 2024 special assessment.

Resident Study: Ms. Hahn presented her study to the Board.

Claims for Period Ending November 7, 2023 in the amount of \$466,785.49: Ms. Boroviak reviewed the claims with the Board. Following review, upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, unanimously carried, the Board approved the claims for period ending November 7, 2023 in the amount of \$466,785.49.

Unaudited Financial Statements as of September 30, 2023 and Schedule of Cash Position Updated as of November 9, 2023: Ms. Boroviak reviewed the financial statements and cash position with the Board. Following review, upon a motion duly made by Director Yosten, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board approved the Unaudited Financial Statements as of September 30, 2023 and Schedule of Cash Position updated as of November 9, 2023.

Public Hearing to Consider Amendment of 2023 Budget and Adoption of Resolution to Amend 2023 Budget: The Board determined an amendment of the 2023 Budget was not needed.

Public Hearing on Proposed 2024 Budget and Adoption of Resolution to Adopt 2024 Budget and Appropriate Sums of Money: Ms. Boroviak

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reviewed the 2024 Budget with the Board, noting the \$15 increase for homes per quarter and \$5 per quarter for apartments.

Following review, the public hearing was opened at 8:10 p.m.

It was noted that Notice stating that the Board would consider adoption of the 2024 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed at 8:11 p.m.

Upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, majority carried, the Board approved the 2024 Budget and adopted the Resolution to Adopt the 2024 Budget and Appropriate Sums of Money. Director Dell'Orfano and Director Patterson opposed.

Engagement Letter with Wipfli LLP to Prepare 2023 Audit: Upon a motion duly made by Director Pell, seconded by Director Patterson and, upon vote, unanimously carried, the Board approved the engagement letter with Wipfli LLP to prepare the 2023 Audit.

District Accountant to Prepare the 2025 Budget: Upon a motion duly made by Director Patterson, seconded by Director Pell and, upon vote, unanimously carried, the Board appointed the District accountant to prepare the 2025 Budget.

District Accountant to Prepare the DLG-70 Certification of Tax Levies Form for Certification to the Board of County Commissioners and other interested parties: The Board determined this item was not needed.

LEGAL MATTERS

Proposition HH: Attorney Dickhoner reviewed the proposition with the Board.

City of Aurora Intergovernmental Agreement: The Board determined the item was not needed since no IGA has been received.

Fourth Amendment to Amended and Restated Resolution Concerning the Imposition of Authority Fees: Upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, majority carried, the Board adopted the Fourth Amendment to Amended

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and Restated Resolution Concerning the Imposition of Authority Fees. Director Dell'Orfano and Director Patterson opposed.

Implementation of Accessibility Standards for Individuals with a Disability for Information Technology Systems Employed by the District: Attorney Dickhoner reviewed the information with the Board.

Deed with City of Aurora: Attorney Dickhoner and Director Yosten reviewed the deed with the Board, including maps of which areas will be deeded with the Authority. Following review, upon a motion duly made by Director Yosten, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board approved the deed with the City of Aurora.

**MANAGER
MATTERS**

IMEG Update: Director Yosten updated the Board on the retaining wall. The city claims letter was sent regarding changes to plans requiring re-engineering the wall to be wavy. Director Yosten is escalating this issue with the city.

Landscape Updates:

Proposal from Brightview Landscape Services for 2024 Landscape Maintenance Services: Upon a motion duly made by Director Pell, seconded by Director Yosten and, upon vote, unanimously carried, the Board approved the proposal from Brightview Landscape Services for 2024 Landscape Maintenance Services.

Proposal from Radiant Lighting Services, Inc. for 2024 Lighting Maintenance Services: Upon a motion duly made by Director Pell, seconded by Director Yosten and, upon vote, unanimously carried, the Board approved the proposal from Radiant Lighting Services, Inc. for 2024 Lighting Maintenance Services.

Open Space Management Proposal for Weed and Native Plant Management Program 2024 with Ark Ecological Services, LLC: Upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, unanimously carried, the Board approved the Open Space Management Proposal for Weed and Native Plant Management Program 2024 with Ark Ecological Services, LLC, up to \$100,000.

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Proposal for 2024 Irrigation Management with ET Irrigation Management Specialist LLC: Upon a motion duly made by Director Dell'Orfano, seconded by Director Pell and, upon vote, unanimously carried, the Board approved the proposal for 2024 Irrigation Management with ET Irrigation Management Specialist LLC.

Closing of 2023 Landscaping Season: Ms. Terrell provided an update to the Board, stating trees have been limbed and Brightview is prepared for the snow.

Pool Updates:

Pool and Clubhouse Management Transition: Ms. Terrell provided an update to the Board.

Agreement with Front Range Recreation for Pool and Clubhouse Management for 2024: Upon a motion duly made by Director Pell, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board approved the agreement with Front Range Recreation for pool and clubhouse management for 2024.

Termination with YMCA for Pool and Clubhouse Management Services Effective December 31, 2023: Upon a motion duly made by Director Dell'Orfano, seconded by Director Pell and, upon vote, unanimously carried, the Board ratified the termination with YMCA for pool and clubhouse management services, effective December 31, 2023.

Proposal from Heatherly Creative, LLC for 2024 Website Administration: Upon a motion duly made by Director Pell, seconded by Director Yosten and, upon vote, unanimously carried, the Board approved the proposal from Heatherly Creative, LLC for 2024 website administration.

Master Service Agreement and Statements of Work with CliftonLarsonAllen LLP for 2024 Accounting, Management and Billing Services: Upon a motion duly made by Director Pell, seconded by Director Yosten and, upon vote, majority carried, the Board approved the MSA and SOWs with CLA for 2024 accounting, management and billing services. Director Patterson abstained.

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2024 Insurance Renewal:

Worker's Compensation Insurance Coverage: Upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, unanimously carried, the Board approved insurance renewals for 2024, including worker's compensation insurance.

Graffiti Vandalism and Reward Offering: Ms. Terrell and Director Yosten review the vandalism and reward offering with the Board. The graffiti is in the process of being removed.

OTHER MATTERS

Authority – Next Board Meeting on March 19, 2024, at 6:00 p.m.:
Confirmed.

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 collection of unpaid fees, and pool and clubhouse management, pursuant to § 24-6-402(4)(e), Colorado Revised Statutes: Pursuant to Section 24-6-402(4)(b), C.R.S., upon a motion duly made by Director Yosten, seconded by Director Patterson and, upon vote, unanimously carried, the Board entered into Executive Session at 9:24 p.m.

Upon a motion duly made by Director Pell, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board reconvened into regular session at 9:35 p.m.

ADJOURNMENT

There being no further business to come before the Board, upon a motion duly made by Director Yosten, seconded by Director Pell and, upon vote, unanimously carried, the Board adjourned the meeting at 9:37 p.m.

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

DocuSigned by:

David Patterson

Secretary for the Meeting – Tallyn's Reach Authority

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Certificate Of Completion

Envelope Id: FFDBC0789DA4255943D8D8AFA235678	Status: Completed
Subject: Complete with DocuSign: Tallyn's Reach Authority - MINUTES - 11-14-2023 Special Mtg (Auth)	
Client Name: Tallyn's Reach Authority	
Client Number: A267075	
Source Envelope:	
Document Pages: 7	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped Stamping: Enabled	Cindy Jenkins
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Cindy.Jenkins@claconnect.com
	IP Address: 73.229.160.48


Record Tracking

Status: Original	Holder: Cindy Jenkins	Location: DocuSign
4/8/2024 5:48:23 PM	Cindy.Jenkins@claconnect.com	

Signer Events

David Patterson
david.patterson@falck.com
Vice President
Falck Rocky Mountain, Inc.
Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

7BD319407C7A455...
Signature Adoption: Pre-selected Style
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Viewed: 4/8/2024 6:24:42 PM
Signed: 4/8/2024 6:24:52 PM

Electronic Record and Signature Disclosure:
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ID: fea6d138-2904-4acf-8a8e-6b2c5db674fc

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

Emilee Hansen ehansen@wbapc.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 4/8/2024 6:24:53 PM
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Electronic Record and Signature Disclosure:
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Jon Wagner jwagner@wbapc.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 4/8/2024 6:24:53 PM
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Electronic Record and Signature Disclosure:
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Carbon Copy Events	Status	Timestamp
CLA File Management SDRRecordsRetention@claconnect.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 4/8/2024 6:24:54 PM
Electronic Record and Signature Disclosure: Accepted: 10/5/2023 9:27:44 AM ID: 2eeab7cf-9041-488d-bed0-8baedf289723		

Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	4/8/2024 5:52:08 PM
Certified Delivered	Security Checked	4/8/2024 6:24:42 PM
Signing Complete	Security Checked	4/8/2024 6:24:52 PM
Completed	Security Checked	4/8/2024 6:24:54 PM

Payment Events	Status	Timestamps
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