



STUDY SESSION MINUTES

Tuesday, June 19, 2024, at 6:00 pm
District Office Building
62 Plaza Drive
Highlands Ranch, CO 80129

Remote Meeting Information:

Zoom Link: <https://us02web.zoom.us/j/84082303907>

Phone: 1-346-248-7799

Meeting ID: 840 8230 3907

Guidelines for effective interaction:

- Participate. Ask questions. All input is valid.
- Share thoughts respectfully. Be honest and candid.
- Seek first to understand all sides of an issue.
- Be respectful of others.
- No defensiveness. Respect constructive criticism.

Agenda:

1. Guest Presentations

a) Audit Update - FORVIS

General Manager Stanley reminded the board that they would normally be receiving and filing the audit at the June board meeting. In speaking with Finance Director Zach Cartaya, there were a few questions and areas of reconciliation that they feel need to be addressed and didn't feel like they could adequately do that tonight. General Manager Stanley said it could probably be ready for the board meeting on Tuesday, but it doesn't feel fair for them to receive and file on the same night that they will be reviewing it. Tonight, General Manager Stanley is requesting an extension and needs the board's approval in order to move forward. If the board agrees, we can submit that request to the State, which gives us a 60-day extension and allows Finance to work on a timeline with the auditors to ensure everything has been done correctly. The board asked some questions which General Manager Stanley answered, and all agreed to the filing of an extension.

2. Public Comments and Questions: Limit three minutes per person

For online attendees, please use the Q&A feature to comment. Provide your full name and address with your comment.

There were no online or public comments or questions.

3. Staff Presentations

a) Points of Pride: Stormwater – Forrest Dykstra and John Donakowski

Manager of Engineering Forrest Dykstra and Project Engineer John Donakowski gave a presentation to the board on Stormwater. They shared master planning along with channel stabilization capital program total cost and how the program is funded. They discussed some design considerations such as state of erosion, flow rate, vegetation and soil types as well as sharing some of the channel stabilization projects. Forrest and John discussed the importance of public education and outreach with the community and the importance of teachable moments when seeing something being put down a street drain like paint or grass clippings. Forrest and John shared some future challenges such as new environmental regulations, new phase II standard permit, increasing costs of design, construction and maintenance and new acronyms. The rewards of course would be clean water for drinking and recreation as well as improved open spaces for wildlife habitat and quality of life. The board asked various questions throughout the presentation which Forrest and John answered. The board thanked Forrest and John for their presentation and all that they do.

4. Discussion Items

a) Highlands Ranch Community Association Request - Stephanie Stanley

General Manager Stanley presented an overview of Highlands Ranch Community Association's (HRCA) proposed plan for the area known as Wildcat Regional Park (202-acre parcel south of Rock Canyon High School). HRCA asked the Metro District board for a letter of support to Douglas County for their proposal. During the June 10, 2024, joint meeting with the HRCA board there was a tour of the area and discussion on the proposed plan which focuses on passive uses, minimal impacts to neighbors and wildlife, as well as addressing community needs. The concept includes pedestrian only and a bike only trail, relocation of their current day camp program, and possible future conservation center. The plan is very preliminary and there are still several unknowns such as cost of infrastructure, parking, and access to utilities. Overall, the board was supportive of the proposed uses and agrees strongly with the need to be respectful to the neighboring homes and utilization of the land in a way that has minimal impact on wildlife. Board Chair Anderson asked if HRCA would need to raise assessment fees to fund the project. HRCA Board Chair Monica Wasden said at this time the plan is too preliminary to guarantee that fees won't be increased but she did indicate that they had funds set aside for improvements. The board directed General Manager Stanley to prepare a letter of support for HRCA's proposal as presented.

b) Request for Qualifications for Legal Services Update – Stephanie Stanley

General Manager Stanley gave an update to the board on the Request for Legal Qualifications letting them know that interviews for the two firms who replied were held on May 28th with the subcommittee. She shared a brief overview of each firm saying they both presented themselves very well but felt that one had extensive election experience and were often called upon by SDA to assist with election training.

Directors Dickerson and Simonson who were on the subcommittee along with General Manager Stanley and Director of Public Works Ryan Edwards shared their thoughts with the board, saying they were both impressive. The board members shared their thoughts with each other, and it was decided in a 4-3 decision that staff would proceed with an engagement letter to Collins, Cole, Flynn, Winn and Ulmer.

5. Agenda Items

a) HRMD24 – 133: May 2024 Cash and Investment Transactions – Tom Rose

Chairperson Anderson asked if there was any objection to the item being placed on the June 25th board meeting's Consent Agenda to which no objection was raised.

b) HRMD24 – 135: 2024 Concrete Trail Replacement Program – Nick Adamson

Natural Resources Manager Nick Adamson presented the 2024 Concrete Trail Replacement Program to the board asking for an approval of a construction contract with National Pavement Partners in an amount not to exceed \$219,846 for this project. This program is being phased in over three years from 2023 to 2025. Using the Trail Replacement Inventory Program (TRIP) as a guide, staff are removing damaged 4" thick concrete trails with a TRIP rating of 4 out of 5 and replacing is with 6" thick concrete. Converting these areas from four inches to 6 inches thick will provide for a more sustainable trail system and future maintenance cost savings. Year one addressed the eastern third of the community. This year will focus on the central portion of Highlands Ranch, and year three will address the western end. Funds for this project were appropriated with the 2024 Operations Budget. Director Schierholz asked Nick if this was the same pace that was presented back in the fall and asked if he could pick up the pace? She doesn't like the fact that we are leaving fall hazards on our sidewalks where kids can get hurt. If we really have things in poor shape, why aren't we getting them done faster? Why are we leaving what seems to her to be a dangerous situation in the community? General Manager Stanley clarified Nick's project by letting her know that if there are safety issues noticed at any time they will be addressed and repaired and not left unrepaired. General Manager Stanley went on to say that Nick has identified the areas that need to be addressed but if he sees other areas they will be addressed as quickly as possible and that we are not leaving significant safety hazards.

Chairperson Anderson asked if there was any objection to the item being placed on the June 25th board meeting's Consent Agenda to which Director Schierholz said she didn't understand why we can't fix everything now this year and asked that this item be placed on General Consent.

c) HRMD24 – 136: 2023/2024 Parkway Fence Replacement Schedule A – Final Payment – Ken Standen

Director of Operations and Maintenance Ken Standen presented the final payment for the 2023/2024 Parkway Fence Replacement Schedule A. There were four change orders issued for this project. Overall, the change orders resulted in a decrease of \$16,435.86 on the originally contracted amount of \$1,171,440, for a total contract amount of

\$1,155,004.14. Commercial Fence and Iron Works Colorado LLC. has completed schedule A of the project in accordance with the contract documents. A public notice was published on June 20th and June 27th in the Douglas County New Press for final settlement and no claims have been received to date.

Chairperson Anderson asked if there was any objection to the item being placed on the June 25th board meeting's Consent Agenda to which no objection was raised.

d) HRMD24-137: Dad Clark Gulch DC 3.0c Toepfer Park Bridge to Highlands Ranch Parkway – Forrest Dykstra

Manager of Engineering Forrest Dykstra presented the Dad Clark Gulch DC 3.0c Toepfer Park Bridge to Highlands Ranch Parkway to the board asking for approval of an appropriation of \$1,100,000 from Stormwater Management Fund and transfer to the Capital Projects Fund. Approval of an appropriation of \$1,100,000 from the Capital Projects Fund and approval of an amendment to the Intergovernmental Agreement (IGA) with the Mile High Flood District in the amount of \$2,200,000 for the construction of the improvements in Dad Clark Gulch 3.0v.

This section of Dad Clark Gulch is experiencing severe bank erosion and channel degradation to the point that a stormwater quality pond adjacent to the channel has failed due to the bank erosion. The design has been completed since late 2023 and has been in the review process with FEMA until last week when it was approved. All approvals have been received and it is anticipated that construction will begin this summer as opposed to waiting until fall to begin.

Chairperson Anderson asked if there was any objection to the item being placed on the June 25th board meeting's Consent Agenda to which no objection was raised.

e) HRMD24-138: Highlands Ranch Senior Center Approve Appropriation – Forrest Dykstra

Manager of Engineering Forrest Dykstra presented to the board an update on the Senior Center asking the board to approve an appropriation of an increase in the amount of \$100,000. While this project is nearing completion, there may be some additional unanticipated costs and if funding is available for these costs, staff can proceed without delaying the project.

Staff is also requesting ratification of an amendment to Oz Architects in the amount of an increase of \$26,600. This is due to landscape design modifications to reflect staff's value engineering, additional effort to address the fire blocking issue and modifications due to value engineering modifications of the building.

Staff is also requesting ratification of Change Order No. 1 to Colorado Security Products in the amount of an increase of \$17,983. This increase is for additional access control inside the center. Staff is also requesting ratification of Change Order No. 1 to EBS Communications in the amount of an increase of \$14,965. This increase is for the low voltage wiring, 71 additional data outlets and wiring two additional outside cameras.

Director Schierholz questioned the Not to Exceed contract and asked how the \$100,000 will work with the Not to Exceed contract? Forrest told her that it wasn't a Not to Exceed contract but a Guaranteed Maximum Price Contract for the scope of the work we had at the time as well as including assumptions on certain mutually agreed upon elements such as the use of a generator until Xcel Energy is able to connect power. During the project, it took Xcel much longer to connect power than anticipated therefore the generator was needed for additional time resulting in a change order for just over \$34,000.

Chairperson Anderson asked if there was any objection to the item being placed on the June 25th board meeting's Consent Agenda to which no objection was raised.

6. Public Comments and Questions: Limit three minutes per person

For online attendees, please use the Q&A feature to comment. Provide your full name and address with your comment.

There were no online comments.

7. Special Reports

a) Staff

General Manager Stanley let the board know that the Toepfer Park survey on the concept plan closed today and has received lots of good input. As part of that process, she also reached out to County Manager Doug DeBord to see if the County Commissioners would like to hear an update since they donated the land to us. The Commissioners would like an update which we will do at our scheduled board meeting with them on July 10th. General Manager Stanley also shared that she submitted a topic to SDA to present at their annual conference on how metro districts can help support their community during emergencies or natural disasters focusing on our response to the tornado. Chairperson Anderson along with Community Relations Manager Sherry Eppers will be presenting alongside her at SDA. Once registration becomes available, she will reach out to see who is interested in attending and make reservations. She also shared that she has met with each board member one on one except Director Schierholz who has been sick and will need to reschedule. Her goal was to have these meetings all done so she could get a draft agenda out to the board based on everyone's input. General Manager Stanley will attempt to get a draft agenda out by Friday but it most likely won't have input from Director Schierholz so she will work through getting that input. Staff needs time to prepare for the Vision Workshop so she will send it out for review and comments.

b) Chairperson

Chairperson Anderson reminded the board that June 30th this year is our next assessment date so just be aware that we are in an assessment year. The property values will be based on what the market is showing on this date which will impact property tax collection in 2026. She also congratulated General Manager Stanley on her recent graduation from Leadership Douglas County and expressed her gratefulness for

her participation in the program as well as her representation of Highlands Ranch. Lastly, she brought up SB24-131 which prohibits carrying firearms in sensitive spaces. Senator VanWinkle helped to provide an amendment to allow jurisdictions to opt out. If you don't opt out by July 1st you can still opt out after that date but if someone is carrying a firearm in a sensitive space, they could potentially be at risk of violating the current law. She wanted to bring this to the board's attention because at the time of the last legislative update in May the Governor hadn't signed the bill yet, and it was hard to keep track of the effective date of all the newly passed bills. Chairperson Anderson spoke with Commissioner George Teal about this today and he said that the County had already opted out, so he sent her a sample of what their resolution said. Chairperson Anderson asked if the board would like to try and put this on next week's agenda or if they would prefer to wait until July to consider a resolution to opt out. A question was asked if staff could even have this ready for next week's board meeting and was told by General Manager Stanley that she could not commit to next week because she would like to have our Legal Counsel review it before she brings it back to the board so while she doesn't think she could have it ready to go out with the board packet on Friday she could have handouts at the meeting. Director Simonson asked since Douglas County has already opted out and we fall under the County why are we rushing? General Manager Stanley said that while that is true that doesn't cover the facilities that we own such as our parks, open space, the senior center or mansion. The board agreed that they are interested in pursuing this so this item will be added to next week's board meeting agenda if Legal Counsel has reviewed it if not it will be added to the July agenda.

c) Directors

Director Jones will not be able to join the Board to Board with the County Commissioners in person and asked if a Zoom link will be available to which he was told there will be.

Director Rysner reminded the board and staff that he will not be attending next week's meeting as he will be on vacation.

Director Simonson thanked senior staff for a successful and fun BBQ today for employees.

Director Smith let the board know that Community Relations Manager Jamie Noebel from the Highlands Ranch Community Association will be retiring at the end of this week.

8. Highlands Ranch Metropolitan District Adjourned

Chairperson Anderson ended the meeting at 9:03 pm.