

MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF

MOUNTAIN SHADOWS METROPOLITAN DISTRICT

Held: Monday, March 1, 2021, at 4:30 p.m. via
teleconference

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

Attendance

The special meeting of the Board of Directors of the Mountain Shadows 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:

Steve Roboff
Kurt Haeger
Tadd Overstreet
Tom Lynch
Toni Keiser

Also present: Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Gigi Pangindian, CliftonLarsonAllen, LLP, District Accountant; and members of the public.

Call to Order

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

**Conflict of Interest
Disclosures**

Ms. Murphy 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. Ms. Murphy 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 a motion duly made and seconded, the Board unanimously approved the agenda.
Appointment of Officers	Deferred.
Public Comment	None.
Consent Agenda	Ms. Murphy reviewed the items on the consent agenda with the Board. Ms. Murphy advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Following discussion, upon a motion duly made and seconded, the following item on the consent agenda was unanimously approved:
Facilities Management	1. Minutes from the November 9, 2020 Special Meeting
District Management Update	
Discussion Regarding Pickle Ball Courts	Mr. Jack Roberts presented his proposal to convert an existing tennis court into three pickleball courts to the Board. Director Haeger noted he reached out to the City of Arvada (the “ City ”) regarding this request and has not heard back yet. Following discussion, the Board requested Director Haeger reach out to the City Parks and Recreation Department to determine exactly what the City would require to approve this proposal.
Update Regarding Pond Maintenance for City of Arvada	Director Haeger presented an update regarding the pond maintenance requested by the City. Director Haeger commented that the District needs to perform additional maintenance at the retention ponds. Following discussion, upon a motion duly made and seconded, the Board approved Vargas Property Services, Inc. (“ Vargas ”) Work Order No. 5 in the amount of \$2,875.00.
Update Regarding Panorama Park Playground	Director Haeger presented an update regarding the Panorama Park playground. He commented that the tree within the island needs mulch replaced, the sidewalk needs to be grinded down where there is a mismatch and mulch needs to be added. Following discussion, upon a motion duly made and seconded, the Board authorized Director Haeger to approve to \$5,000 for this work.
Repair at Whisper Creek Park	Director Keiser noted that the playground surface at Whisper Creek Park is in need of repairs. Following discussion, upon a motion duly made and seconded, the Board authorized Director

Haeger to approve up to \$2,000 to make necessary repairs to the playground surface.

Consider Approval of Proposal from Keesen Landscape to Remove Irrigation System

Director Haeger presented a proposal from Keesen Landscape in the amount of \$1,330.28 to remove the irrigation system near the patio homes. Following discussion, upon a motion duly made and seconded, the Board approved the proposal.

Discussion Regarding Additional Landscape Improvements

Consider Approval of Work Order No. 5 with Vargas Property Services, Inc. to Clean Debris at Outlet

See “Update Regarding Pond Maintenance for City of Arvada” above.

Consider Approval of Work Order with Vargas Property Services, Inc. for Winter Watering

Deferred.

Consider Approval of Work Order with Vargas Property Services, Inc. to Clean Goose Debris

Deferred.

Consider Approval of Work Order No. 6 with Vargas Property Services, Inc. to Connect the Irrigation System near 90th and Panorama Park to the Park Meter

Director Haeger presented the proposal from Vargas to modify the irrigation lines on E. Gladiola and 89th-91st to separate the District’s water line. Director Roboff asked if Jefferson Metropolitan District No. 1 would be willing to pay for maintenance of the tree lawn. Ms. Murphy stated that she reached out to Jefferson Metropolitan District No. 1 and they are not willing to pay for maintenance of the tree lawn. Following discussion, upon a motion duly made and seconded, the Board approved the work order up to \$10,000 and subject to final review and modification by Director Haeger and Director Roboff.

Consider Approval of Work Order with Vargas Property Services, Inc. to Plant 40-50 Trees in the Spring

Director Haeger presented the proposal from Vargas to plant 40-50 trees in the Spring. Following discussion, upon a motion duly made and seconded, the Board approved the work order up to \$35,000 subject to final review and modification by Director Haeger and Director Roboff.

Consider Approval of Work Order Nos. 7-10 with Vargas Property Services, Inc. for

Director Haeger presented proposals from Vargas to enhance the landscaping in the roundabouts. . Following discussion, upon a motion duly made and seconded, the Board approved the

Landscaping Improvements near Whisper Creek Entrance off of Indiana and the Round-A-Bouts Along West 87th Parkway
Consider Adoption of Resolution Establishing Landscaping

proposals up to \$32,000 subject to final review and modification by Director Keiser.

Ms. Murphy presented the Resolution Establishing Landscaping to the Board for consideration. The Board engaged in discussion and determined to not establish a Landscaping Committee. Director Keiser will take the lead regarding landscaping projects for the community.

Legal Matters

None.

Financial Matters

Financial Report/Claims Payable

Ms. Pangindian presented the December 31, 2020 unaudited financial statements to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the unaudited financial statements.

Ms. Pangindian presented the Board with claims in the amount of \$94,960.74. Following discussion, upon a motion duly made and seconded, the Board unanimously ratified the claims.

Discussion Regarding Municipal Advisor Proposals

Following discussion, the Board determined to defer discussion of these proposals until Spring 2022.

Other Financial Matters

None.

Other Business

Schedule a Walk Through of the District with the Board and Vargas Property Services, Inc. for Mid-to-Late April

Director Haeger requested a walk through with Director Keiser, and Ms. McCoy from Vargas to ensure landscaping projects are completed.

Adjournment

There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, 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 7th day of June, 2021.

DRAFT