

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
TALLYNS REACH AUTHORITY (THE "AUTHORITY")
HELD
JULY 16, 2024

A regular meeting of the Board of Directors of the Tallyn's Reach Authority (referred to hereafter as the "Board") was convened on Tuesday, July 16, 2024, at 6:00 p.m. This 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 were:

Harry Yosten, President (attending in person)

BJ Pell, Treasurer

Mike Dell'Orfano, Assistant Secretary (attending in person)

Brian Crandall, Assistant Secretary (attending in person)

Director Patterson, Vice President/Secretary, was absent and excused.

Also, In Attendance Were:

Celeste Terrell and Shauna D'Amato; CliftonLarsonAllen LLP ("CLA") (attending in person)

Terri Boroviak, CLA

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

Courtney B. Kramer, Esq. and Jonathan Eddy, Esq.; SGR, LLC

Kevin Crehan and Austin Murray; Schedio Group LLC

Jenn Thomas; Front Range Recreation (attending in person)

David Kazin; Homeowner

Everyone attended via MS Teams unless otherwise noted.

ADMINISTRATIVE MATTERS

Call to Order and Agenda:

The meeting was called to order at 6:03 p.m. The Board reviewed the Agenda for the meeting. Following discussion, upon a motion duly made by Director Crandall, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

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 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 Posting of Meeting Notice:

Ms. Terrell confirmed the presence of a quorum.

This meeting was conducted via Microsoft Teams and in person and encouraged public participation either via Microsoft Teams or in person. The Board further noted that notice providing the time, date, location and video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the Authority's boundaries.

PUBLIC COMMENT

Mr. Kazin addressed the Board and reported that there is a streetlight out on the cul-de-sac where he lives. Director Yosten informed him that Xcel Energy has stated that they maintain all streetlights. CLA has reported the outage, and the City of Aurora is also following up with Xcel Energy.

EXECUTIVE SESSION

Executive Session to receive legal advice on specific legal questions under 24-6-402(4)(b), C.R.S., namely related to litigation with The Sanctuary at Tallyn's Reach Apartments:

Pursuant to Section 24-6-402(4)(b), C.R.S., upon a motion duly made by Director Yosten, seconded by Director Crandall and, upon vote, unanimously carried, the Board convened in Executive Session at 6:05 p.m.

Upon a motion duly made by Director Dell'Orfano, seconded by Director Crandall and, upon vote, unanimously carried, the Board reconvened into public session at 6:23 p.m.

CONSENT AGENDA

Approve Minutes from the March 19, 2024 Regular Meeting:

Ratify approval of Seventh Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for wall damage repair in the amount of \$17,585.09:

Ratify approval of Eighth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for Oak Gall soil injection in the amount of \$1,930.00:

Ratify approval of Ninth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for 2024 mulch top dress in the amount of \$49,999.99:

Ratify approval of Tenth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for tree planting – labor only, in the amount of \$14,632.62:

Ratify approval of Eleventh Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for mulch moving in the amount of \$2,768.81:

Ratify approval of Twelfth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for dead tree removal in the amount of \$7,166.67:

Ratify approval of Thirteenth Addendum to Independent Contractor Agreement with Brightview Landscape Services, Inc. for tree installation and hand watering in the amount of \$29,262.18:

Ratify approval of Independent Contractor Agreement with Colorado Designscapes, Inc. d/b/a Designscapes Colorado Inc. for sign and turf replacement in the amount of \$148,119.49:

Ratify approval of proposal to refurbish two shower tower units on the pool deck from Dark Star Construction in the amount of \$8,880.00:

Ratify approval of Joint Digital Accessibility Policy; and ratify adoption of Resolution Adopting a Digital Accessibility Policy:

Ratify approval of First Addendum to the Independent Contractor Agreement with Heatherly Creative for website digital accessible services:

Ratify approval of proposal from Vandre Electric and Refrigeration Co. for emergency electrical repairs at the clubhouse and pool in the amount of \$10,533.94:

Upon a motion duly made by Director Pell, seconded by Director Dell'Orfano and, upon vote, unanimously carried, the Board approved the Consent Agenda.

FINANCIAL MATTERS

Payment of Claims:

Ms. Boroviak reviewed the claims for the period ending July 10, 2024, in the amount of \$994,448.24 with the Board. Following discussion, upon a motion duly made by Director Yosten, seconded by Director Crandall and, upon vote, the Board approved the claims as presented.

May 31, 2024 Unaudited Financial Statements and Schedule of Cash Position Updated as of July 8, 2024:

Ms. Boroviak reviewed the unaudited financial statements and cash position for the period ending May 31, 2024, with the Board. Following discussion, upon a motion duly made by Director Yosten, seconded by Director Crandall and, upon vote, unanimously carried, the Board accepted the May 31, 2024, Unaudited Financial Statements and Schedule of Cash Position updated as of July 8, 2024, as presented.

2023 Draft Audit:

Ms. Boroviak reported that the 2023 Draft Audit was not ready to present at this meeting.

LEGAL MATTERS

2024 Legislative Memorandum:

Attorney Dickhoner reviewed with the Board.

MANAGER MATTERS

Pond No. 7:

Mr. Murray reported on the pond that is located near E-470 and Arapahoe and noted that a lot of sediment is in the pond and that it has a history of overflowing. The pond was analyzed and needs to have the overgrowth removed. Proposals to remove the overgrowth and to drain the pond to make sure there isn't anything causing the backup, and to check the outlet to see if it is clogged.

The Board reviewed proposals from BR&D Landscape Inc., Brightview Landscape Services, Inc. and Schedio Group LLC. 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 proposal from Schedio Group LLC.

Street Updates:

Schedio Group LLC staff met on site in June to review streets, reviewing IMEG reports, and reviewed streets again on Monday. Their report is in preliminary stage, hoping to wrap up within the next week and will provide recommendations.

Xcel Energy Updates on Street Light Poles and Lights:

The Board has been working with Xcel Energy and the City of Aurora on repairs and outages through the Community.

Landscape Updates:

2024 Quad Project:

Ms. Terrell reported that the southeast quad signs have been completed, the west quad mulch is almost done, and the central quad beds are 90 percent done. She also reported that the northeast quad native grass restoration is underway.

City of Aurora IGA – Turf Conversions and Tree Removal:

Director Yosten provided an update. He reported that parcels are not yet deeded, and the City has not yet converted the turf to native. The City also has not removed dead trees and have not given the Authority a license agreement. The City has provided 36 trees to be planted but 44 were needing to be replaced. The Authority will remove the remaining 8 dead trees.

2024 TRA Turf Conversion to Natives, Shrubs & Xeriscaping; COA Rebates:

All applications for rebates have been approved by Aurora Water. The Authority is waiting for the material to be installed to schedule a final inspection.

Pool and Clubhouse Lighting Possibilities:

The underwater lights need to be replaced and a proposal from Vandre Electric and Refrigeration Co. has been received. The mandatory items would run approximately \$20,000. Following discussion, the Board requested that Director Crandall move forward with these items and any other ones Director Crandall recommends. Upon a motion duly made by Director Dell'Orfano, seconded by Director Yosten and, upon vote, unanimously carried, the Board authorized Director Crandall to work with staff and contractors to implement security and lighting repairs.

Pool Updates:

Ms. Thomas provided an update on the pool. She reported that the season is going well and that they would like to offer swimming lessons in 2025. The swim team coordination is going well. The pool rules will be reviewed in the off season. Swimming at own risk outside of lifeguard hours will be offered.

Electrical Issues:

Major electrical repairs have been completed.

Security Cameras and AI for Identification Purposes:

A new security system has the ability for facial recognition and license plate readers. Alerts can be set for climbing on the roof of the clubhouses, etc. Attorney Dickhoner will provide a sample policy for the Board's review.

Brightview Landscape Services, Inc. for Vertical Mulching of Ponderosa Pines in the Amount of \$12,316.67:

The Board determined to table this item until 2025.

2025 Landscape Maintenance and Improvements:

Directory Yosten reported that ET Irrigation has provided 2025 turf conversion recommendations. Director Pell is working on the 2025 quad plan and a formal committee meeting will be held in August or September.

Eblast Reporting and Responses from Residents:

Ms. Terrell provided an update on the recently sent Eblasts.

Willow Plants in Homeowner's Back Yard:

A homeowner has stated that he has invasive plants in his backyard. It has been confirmed that these plants are willow plants which grow due to seeds being blown in the wind. They were not planted by the Authority. The homeowner has been notified.

OTHER MATTERS

Next Board Meeting is Scheduled for September 17, 2024, at 6:00 p.m.:

ADJOURNMENT

There being no further business to come before the Board at this time, upon a motion duly made by Director Crandall, seconded by Director Yosten and, upon vote, unanimously carried, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

By _____
Signed by:
David Patterson
Secretary for the Meeting
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