

HM METROPOLITAN DISTRICT NO. 1  
 (“**DISTRICT**”)  
 8390 E. Crescent Parkway, Suite 300  
 Greenwood Village, CO 80111  
 Phone: 303-779-5710  
[www.hmmetrodistricts.com](http://www.hmmetrodistricts.com)

**NOTICE OF REGULAR MEETING AND AGENDA**

<b>DATE:</b>	September 6, 2023
<b>TIME:</b>	2:00 p.m.
<b>LOCATION:</b>	Microsoft Teams Videoconference.
<b>ACCESS:</b>	<p>You can attend the meeting in any of the following ways:</p> <p>1. To attend via Microsoft Teams Videoconference:</p> <p><a href="https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmU3NzU2NWMtNTI5NC00MDM1LWFIZmUtOTc3ODk5YmU1ZTA0%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%2278e91a46-bdcc-4fe5-980c-8ff3dcc70755%22%7d">https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmU3NzU2NWMtNTI5NC00MDM1LWFIZmUtOTc3ODk5YmU1ZTA0%40thread.v2/0?context=%7b%22Tid%22%3a%224aaa468e-93ba-4ee3-ab9f-6a247aa3ade0%22%2c%22Oid%22%3a%2278e91a46-bdcc-4fe5-980c-8ff3dcc70755%22%7d</a></p> <p><b>Or call in (audio only)</b>  <a href="tel:+17205475281">+1 720-547-5281</a>,859592594# United States, Denver        Phone Conference ID: 859 592 594#</p>

<u>Board of Directors</u>	<u>Office</u>	<u>Term Expires</u>
Rick Wells	President	May, 2027
Mark Throckmorton	Secretary	May, 2025
Vacant		May, 2027
Ferdinand L. Belz, III	Assistant Secretary	May, 2027
Blake Fulenwider	Assistant Secretary	May, 2025

**I. ADMINISTRATIVE MATTERS**

- A. Present disclosures of potential conflicts of interest.
- B. Confirm quorum, location of meeting, posting of meeting notice, and approve Agenda.
- C. Public Comment.

Members of the public may express their views to the Board on matters that affect the District that are otherwise not on the agenda. Comments will be limited to three (3) minutes per person.

- D. Review and consider approval of minutes from the June 7, 2023 Regular meeting (enclosure).
- E. Discuss Board vacancy. Consider the appointment of eligible elector, Matthew Stewart, to the Board of Directors of the District. Administer oath of Office.
- F. Consider appointment of officers.

President:

Secretary:

Treasurer

Assistant Secretary:

Assistant Secretary:

**II. FINANCIAL MATTERS**

- A. Review and consider approval and/or ratify approval of payment of claims in the amount of \$6,819,929.47 (enclosure).
- B. Review and consider approval of July 31, 2023 Unaudited Financial Statements (enclosure).
- C. Review and consider acceptance of Engineer’s Report and Certification #26, dated June 15, 2023, prepared by Ranger Engineering, LLC in the amount of \$2,490,940.34 (enclosure).
- D. Review and consider acceptance of Engineer’s Report and Certification #27, dated July 18, 2023, prepared by Ranger Engineering, LLC in the amount of \$1,537,695.46 (enclosure).
- E. Review and consider acceptance of Engineer’s Report and Certification #28, dated August 18, 2023, prepared by Ranger Engineering, LLC in the amount of \$1,306,266.59 (enclosure).

**III. LEGAL MATTERS**

- A. Acknowledge approval of amendment(s) to the Aurora Regional Transportation Authority Establishment Agreement by and among HM Metropolitan District Nos. 1, 3, 4, 5, 6, 7, 8 and 9; SLC Metropolitan District Nos. 1, 2, 3 and 4; Fitzsimons Village Metropolitan District Nos. 1, 2 and 3; Harvest Crossing Metropolitan

District Nos. 1, 2, 3, and 4; Sagebrush Farm Metropolitan District Nos. 1, 2, 3, 4, 5 and 6; Abilene Station Metropolitan District Nos. 1 and 2; Park70 Metropolitan District; EastPark70 Metropolitan District; ACC Metropolitan District; Waterstone Metropolitan District Nos. 1 and 2; Bristol Metropolitan District; Aurora High Point at DIA Metropolitan District; Colorado International Center Metropolitan District Nos. 3, 4 and 5; East Bend Metropolitan District; Sky Dance Metropolitan District Nos. 1 and 2; TBC Metropolitan District; Powhaton Road Metropolitan District Nos. 8, 9, 10 and 11; MJC Metropolitan District; and Tollgate Creek Commons Metropolitan District Nos. 1 and 2.

#### **IV. MANAGER MATTERS**

- A. Review and ratify approval of Change Order No. 13 to Service Agreement for Engineering Services between the District and Ground Engineering Consultants, Inc. (East 68<sup>th</sup> Ave. and Harvest Rd. proposed slope/wall) in the amount of \$5,000.00 (enclosure).
- B. Review and ratify approval of Work Order No. 01 to Service Agreement for Construction Management between the District and HEI Civil (City approved plan amendments regarding sanitary servicing Porteos and safety grate) in the deductive amount of (\$39,372.00) (enclosure).
- C. Review and ratify approval of Work Order No. 05 to Service Agreement for Construction Management between the District and HEI Civil (adding riprap installation at the downstream side of the CBC and revising unit cost) in the deductive amount of \$39,678.00 (enclosure).
- D. Review and ratify approval of Change Order No. 03 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. (Harvest Road and 56<sup>th</sup> Avenue construction) in the amount of \$282,693.00 (enclosure).
- E. Review and ratify approval of Work Order No. 28 to Change Order No. 32 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (mitigation and re-work caused by run on from draining of a 36" waterline south of 56<sup>th</sup> Ave.) in the amount of \$3,576.00 (enclosure).
- F. Review and ratify approval of Work Order No. 29 to Change Order No. 34 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (removal of striping at the east end of 60<sup>th</sup> Ave and tie-in to future Harvest Rd.) in the deductive amount of (\$11,044.00) (enclosure).
- G. Review and ratify approval of Work Order No. 30 to Change Order No. 37 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (temporary power to operate Second Creek and 60<sup>th</sup> Ave. irrigation controllers) in the amount of \$17,209.00 (enclosure).

- H. Review and ratify approval of Work Order No. 31 to Change Order No. 35 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (temporary irrigation at Harvest Rd. concrete box culvert) in the amount of \$11,720.00 (enclosure).
- I. Review and ratify approval of Work Order No. 32 to Change Order No. 38 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (Denali St. irrigation POC#/Controller N waterline adjustments) in the amount of \$19,556.00 (enclosure).
- J. Review and ratify approval of Work Order No. 33 to Change Order No. 39 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (establishing temporary access road at 68<sup>th</sup> Ave. CBC) in the amount of \$7,647.00 (enclosure).
- K. Review and ratify approval of Work Order No. 34 to Change Order No. 36 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (Overall True-up of earthwork quantities and unit pricing) in the deductive amount of (\$323,508.00) (enclosure).
- L. Review and ratify approval of Work Order No. 35 to Change Order No. 40 to Service Agreement for Phase 1 Infrastructure Construction Management between the District and M.A. Mortenson Company (additional dirt import for Harvest Rd.) in the amount of \$91,978.00 (enclosure).
- M. Review and ratify approval of Change Order 35 to Service Agreement for Phase No. 1 Infrastructure Improvements between the District and Martin/Martin, Inc. (Second Creek Close-out services, design meetings, support and coordination for infrastructure development) in the amount of \$15,000.00 (enclosure).
- N. Review and ratify approval of Change Order 36 to Service Agreement for Phase No. 1 Infrastructure Improvements between the District and Martin/Martin, Inc. (Gopher Gulch concrete box culvert, additional scope required for approval of DEN, Denver Water, ECCV and Xcel) in the amount of \$40,000.00 (enclosure).
- O. Review and ratify approval of Change Order 37 to Service Agreement for Phase No. 1 Infrastructure Improvements between the District and Martin/Martin, Inc. (design services to develop LOMR for Second Creek) in the amount of \$33,000.00 (enclosure).
- P. Review and ratify approval of Change Order No. 01 to Service Agreement for Phase 1 Infrastructure for Management Services between the District and Merrick & Company (Harvest Road Project scope) in the amount of \$250,000.00 (enclosure).

- Q. Review and ratify approval of Change Order No. 02 to Service Agreement for Phase 1 Infrastructure for Management Services between the District and Merrick & Company (56<sup>th</sup> Ave. Project scope) in the amount of \$250,000.00 (enclosure).
- R. Review and ratify approval of Change Order No. 13 to Service Agreement for Phase 1 Infrastructure Improvements between the District and T2 Utility Engineers (68<sup>th</sup> Ave. test hole services for Xcel gas line) in the amount of \$7,530.00 (enclosure).
- S. Review and ratify approval of Thirty Day Revocable and Nonexclusive Access Permit with the City and County of Denver at Denver International Airport (enclosure).
- T. Review and consider approval of Service Agreement for Infrastructure Improvements (56<sup>th</sup> Ave – E-470 to Harvest Northern Half) between the District and Westwood Professional Services, Inc. in the amount of \$17,000.00 (enclosure).
- U. Review and ratify approval of First Amendment to Cost Sharing and Reimbursement Agreement by and between the District and Windler Public Improvement Authority regarding 56<sup>th</sup> Avenue (enclosure).
- V. Review and ratify approval of Second Amendment to Cost Sharing and Reimbursement Agreement by and between the District and Velocity Metropolitan District No. 1 regarding Harvest Road (enclosure).

**V. CAPITAL IMPROVEMENTS**

- A. None.

**VI. OTHER BUSINESS**

- A. None.

**VII. ADJOURNMENT**

**The next regular meeting is scheduled for December 6, 2023.**