

HM METROPOLITAN DISTRICT NO. 1 (“DISTRICT”)

2001 16th Street, Suite 1700

Denver, CO 80202

Phone: 303-779-5710

www.hmmetrodistricts.com

NOTICE OF REGULAR MEETING AND AGENDA

DATE: December 3, 2025

TIME: 2:00 p.m.

LOCATION: Microsoft Teams Videoconference

ACCESS: To attend via Microsoft Teams Videoconference, use the below link:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmZhYzk2ZjUtMmE3YS00YTYwLWEwMTYtY2I3ZmU4OTUzNzBj%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

Meeting ID: 295 423 952 854 4

Passcode: q4qS7gg6

To attend via telephone, dial 720-547-5281 and enter Conference ID: 739 256 729#

Board of Directors

Henry (Rick) Wells

Gregg Johnson

Blake Fulenwider

Ferdinand L. Belz, III

Vacant

Office

President

Secretary

Assistant Secretary

Treasurer

Term Expires

May, 2027

May, 2029

May, 2029

May, 2027

May, 2029

I. ADMINISTRATIVE MATTERS

- A. Present disclosures of potential conflicts of interest.
- B. Confirm quorum, location of meeting and posting of meeting notice. 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 of the September 3, 2025 Regular Board Meeting (enclosure).
- E. Discuss business to be conducted in 2026 and location (**virtual and/or physical**) of meetings. Schedule regular meeting dates (proposed dates/time: first Wednesday

of March, June, September and December, 2026 at 2:00 p.m.) and consider adoption of Resolution Establishing Regular Meeting Dates, Time, and Location, and Designating Location for Posting of 24-Hour Notices (enclosure).

- F. Discuss Section 32-1-809, C.R.S., reporting requirements (Transparency Notice) and mode of eligible elector notification for 2026 (post on SDA website).

II. FINANCIAL MATTERS

- A. Review and approve and/or ratify approval of payment of claims in the amount of \$12,403,353.71 (enclosure).
- B. Review and consider acceptance of the October 31, 2025 Unaudited Financial Statements (to be distributed).
- C. Conduct Public Hearing to consider amendment of the 2025 Budget. If necessary, consider adoption of Resolution to Amend the 2025 Budget (enclosure).
- D. Review and consider approval of Operation Funding Agreement between the District and L.C. Fulenwider, Inc. (to be distributed).
- E. Review and consider approval of First Amendment to Facilities Funding and Acquisition Agreement between the District and L.C. Fulenwider, Inc. (to be distributed).
- F. Conduct Public Hearing on the proposed 2026 Budget and consider adoption of Resolution to Adopt the 2026 Budget and Appropriate Sums of Money and Resolution to Set Mill Levies (enclosures – preliminary assessed valuation, draft budget and resolutions).
- G. Authorize District Accountant to prepare and sign the DLG-70 Certification of Tax Levies form and Mill Levy Public Information form (“Certifications”). Direct District Accountant to file the Certifications with the Board of County Commissioners and other interested parties.
- H. Discuss and consider adoption of Resolution Authorizing Adjustment of District Mill Levy in Accordance with the Service Plan, if necessary.
- I. Consider appointment of District Accountant to prepare 2027 Budget.
- J. Review and consider approval of Engagement Letter by and between the District and Wipfli LLP for preparation of 2025 Audit (to be distributed).
- K. Review and consider acceptance of District Engineer’s Report and Certification #54, dated August 27, 2025, prepared by Ranger Engineering, LLC in the amount of \$4,520,319.70 (enclosure).
- L. Review and consider acceptance of District Engineer’s Report and Certification #55, dated September 23, 2025, prepared by Ranger Engineering, LLC in the amount of \$4,674,753.59 (enclosure).

- M. Review and consider acceptance of District Engineer’s Report and Certification #56, dated October 20, 2025, prepared by Ranger Engineering, LLC in the amount of \$3,135,261.20 (enclosure).
- N. Review and consider acceptance of District Engineer’s Report and Certification #57, dated November 17, 2025, prepared by Ranger Engineering, LLC in the amount of \$5,512,849.16 (enclosure).

III. LEGAL MATTERS

- A. Discuss matters related to East Cherry Creek Valley Water and Sanitation District (“ECCV”) Northern Water Line Leak.
 - 1. Ratify approval of Confidentiality and Common Interest Agreement between the District and Hudick Excavating, Inc. dba HEI Civil.
- B. Discuss HB25-1090 compliance related to professional services provider engagements.

IV. MANAGER MATTERS

- A. Review and consider approval of Service Agreement for 2026 Landscape Maintenance Services by and between the District and Schultz Industries Incorporated (enclosure).
- B. Ratify approval of Change Order No. 14 to Service Agreement for Phase 1 Infrastructure Improvements between the District and AE Design, Inc. for Additional Design Services for Box Elder Infrastructure Projects (Permit and Construction Documents to revise the PA-9 Electrical Plan Set), in the amount of \$3,700.00.
- C. Ratify approval of Work Order No. 02 to Standard Agreement and General Conditions between Owner and Constructor for Box Elder Infrastructure Development – Harvest Road (56th to 64th Ave) – Harvest Road Streetscapes and Median - Landscaping and Irrigation between the District and Hall Contracting, LLC for addition of median bores due to inaccessible sleeves, in the amount of \$19,067.50.
- D. Ratify approval of Work Order No. 27 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. for additional costs associated with the 56th Ave. concrete cap removal and abandoned Xcel gas line, in the amount of \$15,132.00..
- E. Ratify approval of Work Order No. 28 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest

Rd. from 56th Ave. to 64th Ave. for additional edge drain at back of curb on Harvest Road, in the amount of \$66,000.00.

- F. Ratify approval of Work Order No. 29 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. for addition of Bulletin 15 for Harvest Road irrigation tap adjustments on Harvest Road, in the amount of \$14,200.00.
- G. Ratify approval of Work Order No. 30 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. for additional BMPs for the 56th Ave. median, in the amount of \$37,769.50.
- H. Ratify approval of Work Order No. 31 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. for additional bid to approve changes for 56th Ave. (including maintenance path changes and Pond U120 outlet structure), in the amount of \$106,080.00.
- I. Ratify approval of Work Order No. 32 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. for additional striping and bird bath mitigation for Harvest Road (related to RFIs #53, #59 and Bulletin 17), in the amount of \$45,336.00 .
- J. Ratify approval of Work Order No. 33 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and Hudick Excavating, Inc. d/b/a HEI Civil for Box Elder Infrastructure Development - 56th Ave. from E-470 to Harvest Road and Harvest Rd. from 56th Ave. to 64th Ave. for addition of Bulletin 2 – 58th Ave. Borrow Area SWMP, in the amount of \$145,423.25.
- K. Ratify approval of Change Order No. 04 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of 68th Ave. and Harvest Road construction, in the amount of \$367,054.00.
- L. Ratify approval of Change Order No. 05 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of the PA-9 Infrastructure Project, in the amount of \$121,658.00.

- M. Ratify approval of Change Order No. 06 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of Harvest Road and Gopher Gulch concrete box culverts, in the amount of \$6,494.00.
- N. Ratify approval of Change Order No. 07 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of Harvest Rd. and 56th Ave. for Change Order Nos. 1-20, in the amount of \$16,392.00.
- O. Ratify approval of Change Order No. 08 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of Harvest Rd. and 56th Ave. electrical and lighting installation, in the amount of \$13,728.00.
- P. Ratify approval of Change Order No. 09 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of 56th Ave. for landscape and irrigation installation, in the amount of \$13,312.00.
- Q. Ratify approval of Change Order No. 10 to Service Agreement for Project Management Services between the District and L.C. Fulenwider, Inc. for project management services for the District portion of Harvest Rd. for landscape and irrigation installation, in the amount of \$13,690.00.
- R. Ratify approval of Work Order No. 46 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 for the addition of sandstone mitigation services, in the amount of \$64,865.00.
- S. Ratify approval of Work Order No. 47 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 to include equipment downtime and inefficiencies due to other contractor work in the area, in the amount of \$0.00 (contractor will utilize \$83,526.20 of budgeted construction contingency).
- T. Ratify approval of Work Order No. 48 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 to add irrigation meter pits and remove a waterline stub per Bulletin 4, in the amount of \$58,729.00.
- U. Ratify approval of Work Order No. 49 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 to add butterfly valve assemblies with vaults in lieu of direct bury valves as directed by the City of Aurora, in the amount of \$64,747.00.

- V. Ratify approval of Work Order No. 50 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) between the District and M. A. Mortenson Company for Box Elder Infrastructure Development – Phase 1 to add sidewalk on south side of 60th Ave., in the amount of \$130,360.00.
- W. Ratify approval of Change Order No. 04 to Service Agreement between the District and Norris Design, Inc. to modify Possum Gulley drainage alignment, in the amount of \$12,700.00.
- X. Ratify approval of Change Order No. 002 to Service Agreement for District Phase I Infrastructure Improvements (Environmental Services) between the District and Quandary Consultants, LLC for BTPD mitigation / burrow closure treatment (50 burrows) and BTPD mitigation report, in the amount of \$4,770.00.
- Y. Ratify approval of Change Order No. 003 to Service Agreement for District Phase I Infrastructure Improvements (Environmental Services) between the District and Quandary Consultants, LLC for BTPD mitigation / burrow closure treatment (overruns to Change Order No. 002), in the amount of \$5,051.50.
- Z. Ratify approval of Change Order No. 004 to Service Agreement for District Phase I Infrastructure Improvements (Environmental Services) between the District and Quandary Consultants, LLC for burrowing owl monitoring services on PA-10 site for construction work at 68th Ave and Harvest Rd., in the amount of \$29,800.00.
- AA. Ratify approval of Change Order No. 005 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 for final pavement design, in the amount of \$13,789.00.
- BB. Ratify approval of Change Order No. 006 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 for rock removal, in the amount of \$20,923.00.
- CC. Ratify approval of Change Order No. 007 to Standard Agreement and General Conditions Between Owner and Constructor (Lump Sum) between the District and Saunders Construction, Inc. for Box Elder PA-9 Infrastructure Project Phase 1 for elevation at MH PA9.2 and existing access path, in the amount of \$21,728.00.
- DD. Ratify approval of Change Order No. 19 to Service Agreement for District Phase 1 Infrastructure Improvements between the District and T2 UES Inc. for prairie waters waterline potholing, in the amount of \$0.00.
- EE. Ratify approval of Change Order No. 04 to Service Agreement for District Infrastructure Improvements (56th Avenue – E-470 to Harvest – Northern Half) between the District and Westwood Professional Services, Inc. for design and engineering services (Pond A and Pond B certification services 56th Ave. North), in the amount of \$44,000.00.

- FF. Discuss District services for 2026 and consider approval and/or authorization for preparation of necessary agreements for related services.
- GG. Authorize renewal of District's insurance and Special District Association (SDA) membership for 2026. Discuss changes needed to property schedule (if any) (enclosures).
- HH. Review and consider approval of Special Districts Preparation Statement(s) of Work between the District and CliftonLarsonAllen LLP for 2026 Management and Accounting Services (enclosures).
 - 1. Review and acknowledge Cash Access and Internal Controls Memorandum from CliftonLarsonAllen LLP (enclosure).

V. CAPITAL IMPROVEMENTS

VI. OTHER BUSINESS

VII. ADJOURNMENT

There are no regular meetings scheduled for the remainder of 2025.