

DENVER CONNECTION WEST METROPOLITAN DISTRICT

141 Union Boulevard, Suite 150
Lakewood, Colorado 80228-1898
Tel: 303-987-0835 • 800-741-3254
Fax: 303-987-2032

NOTICE OF A REGULAR MEETING AND AGENDA

<u>Board of Directors:</u>	<u>Office:</u>	<u>Term/Expiration:</u>
Robert A. Johnson	President	2020/May 2020
Craig Wagner	Treasurer	2022/May 2022
Eric McEachen	Assistant Secretary	2020/May 2020
David Brown	Assistant Secretary	2020/May 2020
Jeff McGovern	Assistant Secretary	2022/May 2022
Lisa A. Johnson	Secretary	

DATE: February 26, 2019
TIME: 1:30 P.M.
PLACE: William Lyon Homes
400 Inverness Parkway, Suite 350
Englewood, CO 80112

I. ADMINISTRATIVE MATTERS

A. Present Conflict Disclosures.

B. Approve Agenda, confirm location of the meeting, posting of meeting notices.

II. CONSENT AGENDA

- Review and approve Minutes of the January 22, 2019 regular meeting (enclosure).
 - Ratify approval of release of retainage to Slaton Bros., Inc.
-

III. FINANCIAL MATTERS

A. Review and consider approval of payment of claims as follows (enclosure):

Fund	Period Ending Feb. 26, 2019
General	\$ 12,682.73
Debt	\$ -0-
Capital	\$ 337,854.50
Total	\$ 350,573.23

- B. Consider acceptance of financial statements dated December 31, 2018 and the schedule of cash position for the period ending December 31, 2018 updated as of February 12, 2019 and schedule of developer advances (enclosure).
-

IV. LEGAL MATTERS

- A. Discuss status of Intergovernmental Agreement between the District and the City and County of Denver regarding Gateway Public Improvements.
-
- B. Rescind prior approval of Second Amendment to Operation Funding Agreement between the District and William Lyon Homes, Inc. d/b/a Village Homes.
-
- C. Discuss and consider approval of legal services regarding covenant enforcement.
-

V. COVENANT ENFORCEMENT/DESIGN REVIEW/OPERATIONS

- A. Review and discuss Community Manager's Report (enclosures).
-
- B. Discuss the snow removal process.
-
- C. Discuss and consider approval of covenant violation letters (enclosures).
-
- D. Discuss and consider approval of HUB Rules and Regulations (to be distributed).
-

VI. CONSTRUCTION MATTERS

- A. Engineer's Report (enclosure).
- 1. Discuss status of HUB Facility.
-
- a. Review and consider approval of Task Order No. 2 to the MSA with Godden Sudik for Additional Services in the amount of \$15,335 (to be distributed).
-

- b. Review and consider approval of Change Order No. 1 to the Thoutt Brothers Contract for Mew Concrete reduction (to be distributed).

- c. Review and consider approval of Change Order No. ___ to the Thoutt Brothers Contract for winter concrete in the amount of <\$110.25> (to be distributed).

- d. Ratify Change Order No. 20 to the MW Golden Contract for handrails in the amount of \$2,080. (to be distributed).

- e. Ratify Change Order No. 21 to the MW Golden Contract for trim wall tiles at windows in the amount of \$628. (to be distributed).

- f. Ratify Change Order No. 22 to the MW Golden Contract, for furnace evaporator coil in the amount of \$2,107. (to be distributed).

- g. Ratify approval of Change Order No. 4 to Brightview Landscape Development, Inc., Contract for additional concrete in the amount of \$2,764. (to be distributed).

- h. Ratify approval of Change Order No. 6 to Brightview Landscape Development, Inc., Contract to extend sleeving/Pollinator Park in the amount of \$3,159. (to be distributed).

B. Review and consider ratification of Task Order No. 4 to the Master Services Agreement with Independent District Engineering Services, LLC for District Oversight Services from December 2018 through May 2019 in the amount of \$65,000 (enclosure).

C. Review and consider approval/status of Cost Certification Report No.13 (to be distributed).

VII. OTHER BUSINESS

A. _____

VIII. ADJOURNMENT **THE NEXT REGULAR MEETING IS SCHEDULED FOR MARCH 26, 2019.**

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT (THE "DISTRICT") HELD JANUARY 22, 2019

A regular meeting of the Board of Directors of the Denver Connection West Metropolitan District (referred to hereafter as the "Board") was convened on Tuesday, January 22, 2019, at 1:30 p.m., at the offices of William Lyon Homes, 400 Inverness Parkway, Suite 350, Englewood, Colorado 80112. The meeting was open to the public.

Directors In Attendance Were:

Craig Wagner
Eric McEachen
Jeffrey McGovern
David Brown

Following discussion, upon motion duly made by Director McGovern, seconded by Director McEachen and, upon vote, unanimously carried, the absence of Robert A. Johnson was excused and Director McEachen was appointed Acting Chairman.

Also In Attendance Were:

Lisa A. Johnson and Judy Leyshon; Special District Management Services, Inc.

Elisabeth Cortese, Esq.; McGeady Becher P.C.

Jason Carroll; CliftonLarsonAllen LLP

Kim Fiore; Independent District Engineering Services, LLC

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST**

The Board noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Cortese requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Cortese noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the

RECORD OF PROCEEDINGS

Board Members prior to this meeting and in accordance with the statutes. It was noted that disclosure statements had been filed for all Directors by the statutory deadline.

ADMINISTRATIVE MATTERS

Agenda: Ms. Johnson distributed for the Board's review and approval a proposed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director McGovern, seconded by Director McEachen and, upon vote, unanimously carried, the Agenda was approved, as amended.

Approval of Meeting Location: The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, upon motion duly made by Director McGovern, seconded by Director McEachen and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within its boundaries, or within the county the District is located, to conduct this meeting, it was determined to conduct the meeting at the above-stated location. The Board further noted that notice of this location was duly posted and that they have not received any objections to the location or any requests that the meeting place be changed by taxing electors within its boundaries.

CONSENT AGENDA

The Board considered the following actions:

- Review and approve Minutes of the November 27, 2018 regular meeting.
- Ratify approval of a Resolution No. 2019-01-01; Resolution to Amend the Current Violation Fees.

Following discussion, upon motion duly made by Director McGovern, seconded by Director McEachen and, upon vote unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

RECORD OF PROCEEDINGS

FINANCIAL MATTERS

Claims: The Board considered ratifying approval of the payment of claims as follows:

Fund	Period Ending Dec. 19, 2018	Period Ending Jan. 22, 2019
General	\$ 12,492.46	\$ 3,386.19
Debt	\$ -0-	\$ -0-
Capital	\$ 531,380.96	\$ 412,353.99
Total	\$ 543,873.42	\$ 415,740.18

Following discussion, upon motion duly made by Director Wagner, seconded by Director McEachen and, upon vote unanimously carried, the Board ratified approval of the payment of claims, as presented.

Schedule of Cash Position: Mr. Carroll presented to the Board the schedule of cash position statement ending November 30, 2018, updated as of January 14, 2019 and Schedule of Developer Advances.

Following review, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote, unanimously carried, the Board accepted the schedule of cash position statement ending November 30, 2018, updated as of January 14, 2019, and Schedule of Developer Advances.

LEGAL MATTERS

Intergovernmental Agreement between the District and the City and County of Denver regarding Gateway Public Improvements: Attorney Cortese presented to the Board an update of the Intergovernmental Agreement between the District and the City and County of Denver regarding Gateway Public Improvement. She noted that she recently met with the City and County of Denver and the Intergovernmental Agreement is progressing.

COVENANT ENFORCEMENT/ DESIGN REVIEW

Community Manager's Report: Ms. Johnson presented to the Board the Community Manager's Report.

CONSTRUCTION MATTERS

Engineer's Report: Ms. Fiore reviewed with the Board the Engineer's Board Meeting Project Status Report dated January 22, 2019. A copy of the report is attached hereto and incorporated herein by this reference.

RECORD OF PROCEEDINGS

HUB Facility: Ms. Fiore presented to the Board an update on the HUB.

Task Order No. 2 to Master Services Agreement with Godden Sudik for Additional Services: The Board deferred discussion at this time.

Initial Acceptance of Improvements constructed by WL Contractors and Release of Retainage: The Board discussed the initial acceptance of improvements constructed by WL Contractors and release of retainage.

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board approved initial acceptance of improvements constructed by WL Contractors and release of retainage.

Change Order No. 1 to the Thoutt Brothers Contract for Mew Concrete Reduction: The Board deferred discussion at this time.

Change Order No. 2 to the Thoutt Brothers Contract for Winter Concrete: The Board deferred discussion at this time.

Change Order No. 15 to the MW Golden Contract for Landscape and Irrigation Changes: The Board reviewed Change Order No. 15 to the MW Golden Contract for landscape and irrigation changes.

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Change Order No. 15 to the MW Golden Contract for landscape and irrigation changes for a decrease in the amount of <\$77,426.00>.

Change Order No. 17 to the MW Golden Contract for Door Casings and Window Painting Changes: The Board reviewed Change Order No. 17 to the MW Golden Contract for door casings and window painting changes.

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Change Order No. 17 to the MW Golden Contract for door casings and window painting changes in the amount of \$11,319.

Change Order No. 18 to the MW Golden Contract for Additional Fencing: The Board reviewed Change Order No. 18 to the MW Golden Contract for additional fencing.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Change Order No. 18 to the MW Golden Contract for additional fencing changes in the amount of \$5,770.

Change Order No. 19 to the MW Golden Contract for Low Voltage Deduct: The Board reviewed Change Order No. 19 to the MW Golden Contract for low voltage deduct.

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Change Order No. 19 to the MW Golden Contract for low voltage deduct in the amount of <\$11,021.00>.

Change Order No. 20 to the MW Golden Contract for Handrails: The Board deferred discussion at this time.

Change Order No. 21 to the MW Golden Contract for Trim Wall Tiles at Windows: The Board deferred discussion at this time.

Change Order No. 2 to BrightView Landscape Development, Inc., for Reducing Seat Wall in Pocket Park: The Board reviewed Change Order No. 2 to BrightView Landscape Development, Inc., for reducing seat wall in Pocket Park.

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Change Order No. 2 to BrightView Landscape Development, Inc., for reducing seat wall in Pocket Park a decrease in the amount of <\$213.00>.

Change Order No. 3 to BrightView Landscape Development, Inc., for Channel Guard Rail in the amount of \$26,982.00: The Board reviewed Change Order No. 3 to BrightView Landscape Development, Inc., for channel guard rail.

Following discussion, upon motion duly made by Director McGovern, seconded by Director Wagner and, upon vote unanimously carried, the Board ratified approval of Change Order No. 3 to BrightView Landscape Development, Inc., for channel guard rail in the amount of \$26,982.00.

Change Order No. 4 to BrightView Landscape Development, Inc., for Additional Concrete: The Board deferred discussion.

RECORD OF PROCEEDINGS

Task Order No. 4 to the Master Services Agreement with Independent District Engineering Services, LLC ("IDES") for District Oversight Services from December 2018 through May 2019: The Board deferred discussion.

Cost Certification Report No. 12: Ms. Fiore presented to the Board Cost Certification Report No. 12.

Following discussion, upon motion duly made by Director McGovern seconded by Director Wagner and, upon vote, unanimously carried, the Board approved Cost Certification Report No. 12 in the amount of \$2,159,647.12.

Release Retainage to Slaton Bros., Inc. : The Board discussed the release of retainage to Slaton Bros., Inc.

Following discussion, upon motion duly made by Director McGovern seconded by Director Wagner and, upon vote, unanimously carried, the Board approved the release of retainage to Slaton Bros., Inc. in the amount of \$14,088.20.

OTHER BUSINESS

There was no other business for discussion.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director McEachen seconded by Director Wagner and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,

By _____
Secretary for the Meeting

RECORD OF PROCEEDINGS

THESE MINUTES ARE APPROVED AS THE OFFICIAL JANUARY 22, 2019
REGULAR MINUTES OF THE DENVER CONNECTION WEST
METROPOLITAN DISTRICT BY THE BOARD OF DIRECTORS SIGNING
BELOW:

Robert A. Johnson

Craig Wagner

Eric McEachen

David Brown

Jeffrey McGovern

RESOLUTION NO. 2019- 01 - 01

**AMENDED AND RESTATED RESOLUTION OF THE BOARD OF DIRECTORS OF
THE DENVER CONNECTION WEST METROPOLITAN DISTRICT ADOPTING THE
POLICIES AND PROCEDURES GOVERNING THE ENFORCEMENT OF THE
PROTECTIVE COVENANTS OF DENVER CONNECTION WEST**

WHEREAS, the Denver Connection West Metropolitan District (the “**District**”) is a quasi-municipal corporation and political subdivision of the State of Colorado located in the City and County of Denver, Colorado; and

WHEREAS, the District operates pursuant to its Service Plan approved by the City and County of Denver on September 12, 2016, as the same may be amended and/or modified from time to time (the “**Service Plan**”); and

WHEREAS, pursuant to Section 32-1-1001(1)(m), C.R.S., the District has the power “to adopt, amend and enforce bylaws and rules and regulations not in conflict with the constitution and laws of this state for carrying on the business, objects, and affairs of the board and of the special district;” and

WHEREAS, pursuant to Section 32-1-1001(1)(j)(I), C.R.S., the District has the power “to fix and from time to time to increase or decrease fees, rates, tolls, penalties or charges for services, programs, or facilities furnished by the special district;” and

WHEREAS, William Lyon Homes, Inc., (the “**Developer**”) has caused to be recorded the Declaration of Protective Covenants of Denver Connection West, recorded on July 21, 2017, at Reception No. 2017095170 of the City and County of Denver, Colorado, real property records, as the same may be amended and/or modified from time to time (the “**Covenants**”) applicable to the real property within the District (the “**Property**”); and

WHEREAS, pursuant to Section 32-1-1004(8), C.R.S., and pursuant to the District’s Service Plan, a metropolitan district may provide covenant enforcement within the district if the declaration, rules and regulations, or any similar document containing the covenants to be enforced for the area within the metropolitan district name the metropolitan district as the enforcement and design review entity; and

WHEREAS, the Covenants provide that it is the intention of the Developer to empower the District to provide covenant enforcement services to the Property; and

WHEREAS, pursuant to the Covenants, the District may promulgate, adopt, enact, modify, amend, and repeal rules and regulations concerning and governing the Property and the enforcement of the Covenants; and

WHEREAS, pursuant to the Covenants, the District has the right to send demand letters and notices, to levy and collect fines, to negotiate, to settle, and to take any other actions with respect to any violation(s) or alleged violation(s) of the Covenants; and

WHEREAS, the District desires to provide for the orderly and efficient enforcement of the Covenants by adopting rules and regulations; and

WHEREAS, the Board of Directors of the District (the “**Board**”) approved Resolution No. 2017-04-02 Adopting the Policies and Procedures Governing the Enforcement of the Protective Covenants of Denver Connection West on April 25, 2017 (the “**Original Resolution**”); and

WHEREAS, pursuant to the Original Resolution the Board declared the Policies and Procedures effective as of January 1, 2017; and

WHEREAS, the Board has revised the Penalties as provided in Section 2.3 of Exhibit A to the Original Resolution; and

WHEREAS, the Board, for purposes of efficiency, desires to amend and restate the Original Resolution in order to amend the Penalties as provided in Section 2.3 of Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DENVER CONNECTION WEST METROPOLITAN DISTRICT:

1. The Board of Directors of the District hereby adopts the Policies and Procedures Governing the Enforcement of the Protective Covenants of Denver Connection West as described in **Exhibit A**, attached hereto and incorporated herein by this reference (“**Policies and Procedures**”).

2. The Board of Directors declares that the Policies and Procedures are effective as of January 1, 2017.

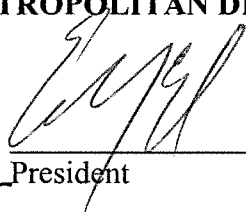
3. Judicial invalidation of any of the provisions of this Resolution or of any paragraph, sentence, clause, phrase or word herein, or the application thereof in any given circumstances, shall not affect the validity of the remainder of this Resolution, unless such invalidation would act to destroy the intent or essence of this Resolution.

[SIGNATURE PAGE FOLLOWS]

[SIGNATURE PAGE TO RESOLUTION NO. 2019- 01 - 01]

APPROVED AND ADOPTED this 22 day of January, 2019.

**DENVER CONNECTION WEST
METROPOLITAN DISTRICT**

By: 
Acting President

Attest:


Secretary or Assistant Secretary

EXHIBIT A

**POLICIES AND PROCEDURES GOVERNING THE ENFORCEMENT OF THE
PROTECTIVE COVENANTS OF DENVER CONNECTION WEST**

Preamble

The Board of Directors of the Denver Connection West Metropolitan District (the “**District**”), has adopted the following Policies and Procedures Governing the Enforcement of the Protective Covenants of Denver Connection West (“**Policies and Procedures**”) pursuant to Sections 32-1-1001(1)(j)(I), 32-1-1001(1)(m), and Section 32-1-1004(8), C.R.S. These Policies and Procedures provide for the orderly and efficient enforcement of the Declaration of Protective Covenants of Denver Connection West, recorded on July 21, 2017, at Reception No. 2017095170 of the City and County of Denver, Colorado real property records, and as may be amended from time to time (the “**Covenants**”).

Pursuant to the Covenants, it is the intention of William Lyon Homes, Inc. (the “**Developer**”) to empower the District to provide covenant enforcement services to the residents of the District.

The District, pursuant to the provisions of its Service Plan, which was approved by the City and County of Denver, Colorado, on September 12, 2016, as it has been and may be amended from time to time, and pursuant to the Covenants, may enforce the Covenants through any proceeding in law or in equity against any Person(s) violating or attempting to violate any provision therein. Possible remedies include all of those available at law or in equity. In addition, the District has the right to send demand letters and notices, to levy and collect fines, to negotiate, to settle, and to take any other actions, with respect to any violation(s) or alleged violation(s) of the Covenants.

Unless otherwise specified, all references to the “District” made herein shall refer to the Denver Connection West Metropolitan District and its Board of Directors. The District has retained a management company (the “**District Manager**”) to assist it in managing its affairs, including the assessment and collection of penalties for violations of the Covenants under these Policies and Procedures.

ARTICLE 1. SCOPE OF POLICIES AND PROCEDURES

1.1 Scope. These Policies and Procedures shall apply to the enforcement of the Covenants, including the Rules and Regulations and Design Review Guidelines adopted pursuant thereto, as well as any reimbursable costs incurred by the District for enforcing the Covenants and for correction of noncompliance with the Covenants, including but not limited to, abatement of unsightly conditions, towing and storage of improperly parked vehicles, removal of trash, and removal of non-complying landscaping or improvements.

ARTICLE 2. VIOLATIONS OF THE COVENANTS

2.1 Violations. Any Person violating any provisions of the Covenants shall be liable to the District for any expense, loss, or damage occasioned by reason of such violation and shall also be liable to the District for the penalties set forth in Article 2.3 below.

2.2 Notice of Violation. A Notice of Violation shall be sent upon a determination, following investigation, by the District Manager that a violation is likely to exist. Such Notice of Violation shall set forth the specifics of the alleged violation and the time period within which the alleged violation must be corrected, pursuant to the following classification guidelines:

a. Class I Violation: a violation that, in the sole discretion of the District, can be corrected immediately and/or does not require submission to, and approval by, the District of any plans and specifications. Class I Violations include, but are not limited to, parking violations, trash violations and other violations of the Covenants concerning annoying lights, sounds or odors. Class I Violations can in most cases be corrected within seven (7) days of notification. If the violation is not corrected within seven (7) days of notification, the District may take any appropriate action necessary to remedy the violation, including but not limited to, abatement of unsightly conditions, towing and storage of improperly parked vehicles, and removal of trash, etc.

b. Class II Violation: a violation that, in the sole discretion of the District, cannot be corrected immediately and/or require plans and specifications to be submitted to, and approval by, the District prior to any corrective action. Class II Violations include, but are not limited to, violations of the Covenants related to landscaping and construction of, or modification to, improvements. Class II Violations can in most cases be corrected within thirty (30) days of notification. If the violation is not corrected within thirty (30) days of notification, the District may take any appropriate action necessary to remedy the violation, including but not limited to, removing the non-complying landscaping or improvement.

2.3 Penalties. Penalties for violations of the Covenants shall be assessed as follows. Any penalties that have not been paid by the applicable due date shall be considered delinquent (the “**Delinquent Account**”).

- a. First Offense – Notice of Violation, no penalty
- b. Second Offense -- \$25.00
- c. Third and Subsequent Violations (same covenant or rule) -- \$50.00

ARTICLE 3. INTEREST

3.1 Interest. Interest charges shall accrue and shall be charged on all amounts not paid by the applicable due date, including delinquent penalties and any amounts expended by the District to cure a violation of the Covenants or amounts expended by the District to repair damages caused as a result of a violation of the Covenants. Interest charges shall accrue and shall be charged at the maximum statutory rate of eighteen percent (18%) per annum.

ARTICLE 4.
LIEN FILING POLICIES AND PROCEDURES

4.1 Perpetual Lien. Pursuant to Section 32-1-1001(1)(j)(I), C.R.S., all Fees and Charges, until paid, shall constitute a perpetual lien on and against the Property to be served by the District. Except for the for the lien against the Property created by the imposition of property taxes by the District and other taxing jurisdictions pursuant to Section 32-1-1202, C.R.S., all liens for unpaid Fees and Charges shall to the fullest extent permitted by law, have priority over all other liens of record affecting the Property and shall run with the Property and remain in effect until paid in full. All liens contemplated herein may be foreclosed as authorized by law at such time as the District in its sole discretion may determine. Notwithstanding the foregoing, the lien policies and procedures set forth herein shall be implemented in order to ensure an orderly and fair execution of the lien filing and collections process.

4.2 District Manager's Procedures. The District Manager shall be responsible for collecting Fees and Charges imposed by the District against the Property. In the event payment of Fees and Charges is delinquent, the District Manager shall perform the procedures listed below. Any Fees and Charges which have not been paid by the applicable due date are considered delinquent:

a. Fifteen (15) Business days Past Due. A delinquent payment "Reminder Letter" shall be sent to the address of the last known owner of the Property according to the District Manager's records. In the event the above mailing is returned as undeliverable, the District Manager shall send a second copy of the Reminder Letter to: (i) the Property; and (ii) the address of the last known owner of the Property as found in the real property records of the City and County of Denver Assessor's office (collectively the "**Property Address**"). Said Reminder Letter shall request prompt payment of amounts due.

b. On the Fifteenth (15) Business day of the Month Following the Scheduled Due Date for Payment. A "Warning Letter" shall be sent to the Property Address requesting prompt payment and warning of further legal action should the Property owner fail to pay the total amount owing. Along with the Warning Letter, a summary of these Policies and Procedures, and a copy of the most recent account ledger reflecting the total amount due and owing to the District according to the records of the District Manager shall also be sent.

c. First (1) Business day of the Month Following the Postmark Date of the Warning Letter. Once the total amount owing on the Property, inclusive of Interest and Costs of Collections as defined below, has exceeded One Hundred Twenty Dollars (\$120.00) and the District Manager has performed its duties outlined in these Policies and Procedures, the District Manager shall refer the Delinquent Account to the District's General Counsel (the "**General Counsel**"). However, if the amount owing on the Delinquent Account is less than One Hundred Twenty Dollars (\$120.00), the District Manager shall continue to monitor the Delinquent Account until the amount owing on such account is One Hundred Twenty Dollars (\$120.00) or greater, at which point the Delinquent Account shall be referred to General Counsel. At the time of such referral, the District Manager shall provide General Counsel with copies of all notices and letters sent and a copy of the most recent ledger for the Delinquent Account.

4.3 General Counsel Procedures. Upon referral of a Delinquent Account from the District Manager, General Counsel shall perform the following:

a. Upon Referral of the Delinquent Account from the District Manager. A "Demand Letter" shall be sent to the Property Address, notifying the Property owner that his/her Property has been referred to General Counsel for further collections enforcement, including the filing of a lien against the Property. Along with the Demand Letter, a copy of the most recent account ledger reflecting the total amount due and owing the District according to the records of the District Manager shall also be sent.

b. No Earlier Than Thirty (30) Business days from the Date of the Demand Letter. A Notice of Intent to File Lien Statement, along with a copy of the lien to be filed, shall be sent to the Property Address of the Delinquent Account notifying the Property owner that a lien will be filed within thirty (30) days of the Notice of Intent to File Lien Statement postmark date.

c. No Earlier Than Ten (10) Business days from the Postmark Date of the Notice of Intent to File Lien Statement. A lien for the total amount owing as of the date of the lien shall be recorded against the Property with the County Clerk and Recorder's Office; all Fees and Charges, Interest, and Costs of Collection (as defined below) will continue to accrue on the Delinquent Account and will run with the Property until the total amount due and owing the District is paid in full.

ARTICLE 5. COSTS OF COLLECTIONS

"Costs of Collections" are generated by the District Manager and General Counsel's collection efforts. They consist of the following fixed rates and hourly fees and costs:

5.1 Action Fees. The following fixed rate fees shall be charged to a Delinquent Account once the corresponding action has been taken by either the District Manager or General Counsel:

a. Reminder Letter Fee. No charge for the Reminder Letter. This action is performed by the District Manager.

b. Warning Letter Fee. Fifteen Dollars (\$15.00) per Warning Letter sent. This action is performed by the District Manager.

c. Demand Letter Fee. Fifty Dollars (\$50.00) per Demand Letter sent. This action is performed by General Counsel.

d. Notice of Intent to File Lien Fee. One Hundred Fifty Dollars (\$150.00) per Notice of Intent to File Lien Statement sent. This action is performed by General Counsel.

e. Lien Recording Fee. One Hundred Fifty Dollars (\$150.00) per each lien recorded on the Property. This action is performed by General Counsel.

f. Lien Release Fee. One Hundred Fifty Dollars (\$150.00) per each lien recorded on the Property. This action is performed by General Counsel.

5.2 Attorney Hourly Fees and Costs. After a lien has been filed, all hourly fees and costs generated by General Counsel to collect unpaid Fees and Charges shall also be assessed to the Delinquent Account.

5.3 Recovery of Costs of Collections. In accordance with Section 29-1-1102(8), C.R.S., nothing in these Policies and Procedures shall be construed to prohibit the District from recovering all the Costs of Collections whether or not outlined above.

ARTICLE 6. WAIVER OF INTEREST AND COSTS OF COLLECTIONS

6.1 Waiver of Interest. The District Manager and General Counsel shall each have authority and discretion to waive or reduce portions of the Delinquent Account attributable to Interest. Such action shall be permitted if either the District Manager or General Counsel, in its discretion, determines that such waiver or reduction will facilitate the payment of the penalties due. Notwithstanding, if the cumulative amount due and owing the District on the Delinquent Account exceeds One Thousand Dollars (\$1,000.00), neither the District Manager nor General Counsel shall have any authority to waive or reduce any portion of the Interest. In such case, the person or entity owing in excess of One Thousand Dollars (\$1,000.00) shall first submit a request for a waiver or reduction, in writing, to the District, and the District shall make the determination in its sole discretion.

6.2 Waiver of Delinquent Penalties and Costs of Collections. Neither the District Manager nor General Counsel shall have the authority to waive any portion of delinquent penalties or Costs of Collections. Should the Property owner desire a waiver of such costs, she/he shall submit a written request to the District, and the District shall make the determination in its sole discretion.

6.3 No Waiver of Future Interest. Any waiver or reduction of Interest or other costs granted pursuant to Sections 6.1 and 6.2 hereof shall not be construed as a waiver or reduction of future Interest, or as the promise to waive or reduce future Interest. Nor shall any such waiver or reduction be deemed to bind, limit, or direct the future decision making power of the District, District Manager, or General Counsel, whether related to the Property in question or other properties within the District.

ARTICLE 7. OPPORTUNITY TO BE HEARD

7.1 Opportunity to be Heard. Individuals who receive any notice or demand pursuant to these Policies and Procedures may request a hearing in accordance with the procedures set forth herein, or in the alternative, may elect to follow the Alternative Dispute Resolution procedures set forth in the Covenants.

7.2 Hearing Process. The hearing and appeal procedures established by this Article shall apply to all complaints concerning the interpretation, application, or enforcement of the Covenants, as each now exists or may hereafter be amended.

a. Complaint. Complaints concerning the interpretation, application, or enforcement of the Covenants must be presented in writing to the District Manager, or such representative as he or she may designate. Upon receipt of a complaint, the District Manager or designated representative, after a full and complete review of the allegations contained in the complaint, shall take such action and/or make such determination as may be warranted and shall notify the complainant of the action or determination by mail within fifteen (15) business days after receipt of the complaint. Decisions of the District Manager which impact the District financially will not be binding upon the District unless approved by the Board of Directors of the District at a special or regular meeting of the District.

b. Hearing. In the event the decision of the District Manager or his representative is unsatisfactory to the complainant, the complainant may submit to the District a written request for formal hearing before a hearing officer ("**Hearing Officer**"), which may be a member of the Board of Directors or such other Person as may be appointed by the Board of Directors. Such request for a formal hearing must be submitted within twenty (20) business days from the date written notice of the decision of the District Manager or designated representative was mailed.

Upon receipt of the request, if it be timely and if any and all other prerequisites prescribed by these Policies and Procedures have been met, the Hearing Officer shall conduct a hearing at the District's convenience but in any event not later than fifteen (15) business days after the submission of the request for formal hearing. The formal hearing shall be conducted in accordance with and subject to all pertinent provisions of these Policies and Procedures. Decisions of the Hearing Officer which impact the District financially will not be binding upon the District unless approved by the Board of Directors at a special or regular meeting of the District.

c. Rules. At the hearing, the Hearing Officer shall preside, and the hearing shall be recorded. The complainant and representatives of the District shall be permitted to appear in person, and the complainant may be represented by any Person (including legal counsel) of his or her choice.

The complainant or his or her representative and the District representatives shall have the right to present evidence and arguments; the right to confront and cross-examine any Person; and the right to oppose any testimony or statement that may be relied upon in support of or in opposition to the matter complained of. The Hearing Officer may receive and consider any evidence which has probative value commonly accepted by reasonable and prudent Persons in the conduct of their affairs.

The Hearing Officer shall determine whether clear and convincing grounds exist to alter, amend, defer, or cancel the interpretation, application, and/or enforcement of the Policies and Procedures that are the subject of the complaint. The Hearing Officer's decision shall be based upon evidence presented at the hearing. The burden of showing that the required grounds exist to alter, amend, defer, or cancel the action shall be upon the complainant.

d. Findings. Subsequent to the formal hearing, the Hearing Officer shall make written findings and an order disposing of the matter and shall mail a copy thereto to the complainant not later than fifteen (15) business days after the date of the formal hearing.

e. Appeals. In the event the complainant disagrees with the findings and order of the Hearing Officer, the complainant may, within fifteen (15) business days from the date such findings and order were mailed, file with the District a written request for an appeal thereof to the Board of Directors. The request for an appeal shall set forth with specificity the facts or exhibits presented at the formal hearing upon which the complainant relied and shall contain a brief statement of the complainant's reasons for the appeal. The District shall compile a written record of the appeal consisting of (1) a transcript of the recorded proceedings at the formal hearing, (2) all exhibits, or other physical evidence offered and reviewed at the formal hearing, and (3) a copy of the written findings and order. The District shall consider the complainant's written request and the written record on appeal at its next regularly scheduled meeting held not earlier than ten (10) days after the filing of the complainant's request for appeal. The District's consideration of the appeal shall be limited exclusively to a review of the record on appeal and the complainant's written request for appeal. No further evidence shall be presented by any Person or party to the appeal, and there shall be no right to a hearing de novo before the Board of Directors.

f. District Board of Directors Findings. The Board of Directors shall make written findings and an order concerning the disposition of the appeal presented to it and shall cause notice of the decision to be mailed to the complainant within thirty (30) days after the Board of Directors' meeting at which the appeal was considered. The Board of Directors will not reverse the decision of the Hearing Officer unless it appears that such decision was contrary to the manifest weight of the evidence made available at the formal hearing.

g. Notices. A complainant shall be given notice of any hearing before the District Manager, the hearing officer, or before the Board of Directors, by certified mail at last seven (7) business days prior to the date of the hearing, unless the complainant requests or agrees to a hearing in less time. When a complainant is represented by an attorney, notice of any action, finding, determination, decision, or order affecting the complainant shall also be served upon the attorney.

h. Costs. All costs of the formal hearing and appeal processes shall be paid by the complainant, including, but not limited to, certified mailing, transcription of the recorded proceedings, and General Counsel fees.

ARTICLE 8. PAYMENT PLANS

8.1 Payment Plans. Neither the District Manager nor General Counsel shall have the authority to enter into or establish payment plans for the repayment of a Delinquent Account. Should the Property owner desire to enter into a payment plan with the District, such owner shall first submit a written request to the District and the District shall make the determination in its sole discretion.

ARTICLE 9. RATIFICATION OF PAST ACTIONS

9.1 Ratification of Past Actions. All waivers and payment plans heretofore undertaken by the District Manager or General Counsel that would otherwise have been

authorized by these Policies and Procedures are hereby affirmed, ratified, and made effective as of the date said actions occurred.

ARTICLE 10. ADDITIONAL ACTIONS

10.1 Additional Actions. The District directs and authorizes its officers, staff and consultants to take such additional actions and execute such additional documents as are necessary to give full effect to the intention of these Policies and Procedures.

ARTICLE 11. COLORADO AND FEDERAL FAIR DEBT COLLECTIONS ACTS

11.1 Acts Not Applicable. Protective covenant enforcement as described herein is not a consumer transaction and, therefore, is not subject to the Colorado Fair Debt Collection Practices Act or the Federal Fair Debt Collections Practices Act.

ARTICLE 12. SEVERABILITY

12.1 Severability. If any term or provision of these Policies and Procedures is found to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable term or provision shall not affect the validity of these Policies and Procedures as a whole but shall be severed herefrom, leaving the remaining terms or provisions in full force and effect.

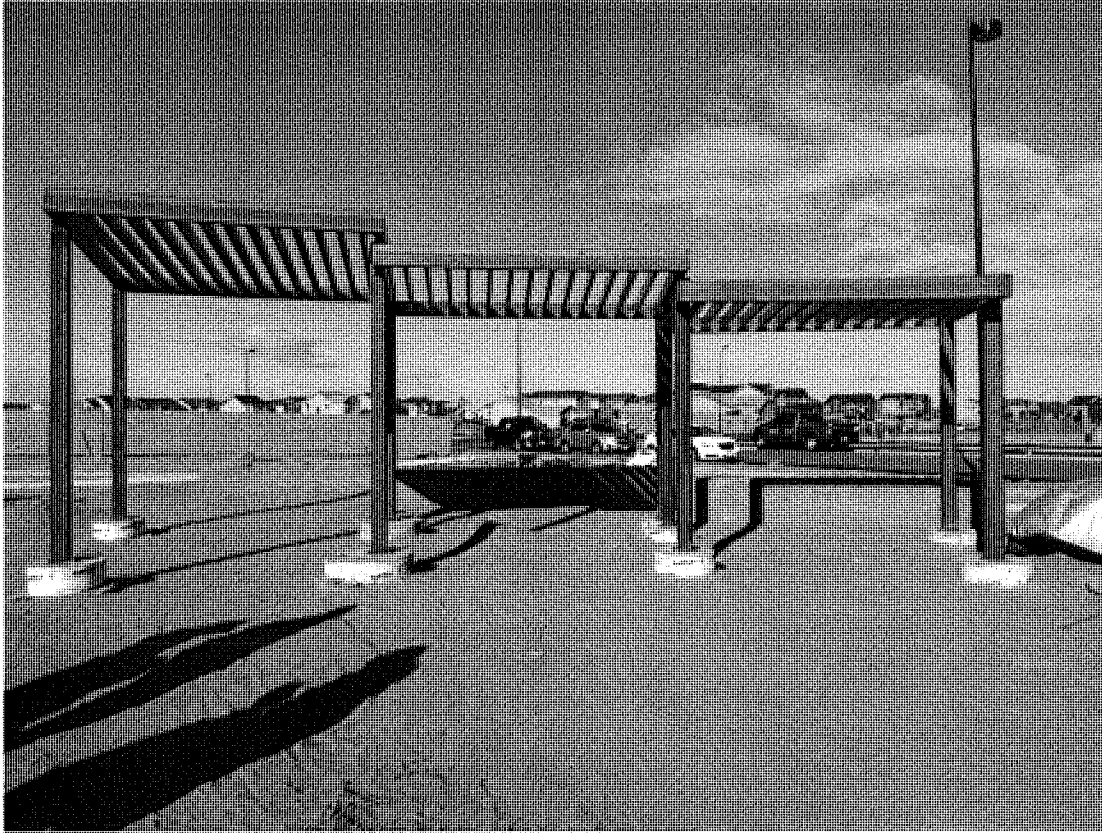
ARTICLE 13. SAVINGS PROVISION

13.1 Savings Provision. The failure to comply with the procedures set forth herein shall not affect the status of the Fees and Charges as a perpetual lien subject to foreclosure in accordance with law. Failure by the District Manager, General Counsel, or other authorized representative to take any action in accordance with the requirements as specifically provided herein shall not invalidate subsequent efforts to collect the Fees and Charges.

DENVER CONNECTION WEST METRO DISTRICT

Board Meeting Project Status

January 22, 2019



Project Work

Site Visits

Site visits were done weekly. The overall status of construction is as follows:

- Earthwork import to the park is on-going.
- The Chambers Road widening is complete.
- Construction on the Hub is on-going.
- The Hub building has electric service. Waiting on Xcel for gas to the Hub Building. Waiting on Comcast for service to the building.
- Construction of the Green Valley Ranch Boulevard median, traffic signal and south lanes are complete. Minor repairs requested of Chato's Concrete have been made. Have City Initial Acceptance for the Signal, but not the median. Requesting retainage release for WL Contractors (Signal).
- Construction of the structural retaining walls and landscape walls by Slaton Brothers is complete. Final Acceptance has been granted. Requesting retainage release.
- Construction of the open space flat concrete is ongoing.
- The dog park trellis is installed. Seat walls and planter walls are on-going.

Cost Certification

- Cost Certification #12 – Recommend District Approval



Construction Contract Documents

Contractor Contracts

- Final Acceptances (not Warranty Acceptance)
 - Chato's Concrete – Waiting on City to provide Initial Acceptance
 - WL Contractors – Recommend District Acceptance and Retainage Release

District Contract Change Orders

- Brightview
 - Change Order 2 – Reduce Seat Wall in Pocket Park - \$-213.00 – Recommend Ratification
 - Change Order 3 – Channel Guardrail - \$26,982.00 – Recommend Ratification
 - Change Order 4 – Additional Concrete - \$2,764.00 – Recommend Ratification
- MW Golden
 - Change Order 15 – Landscape and Irrigation Changes – Was denied previously to be resubmitted
 - Change Order 17 – Door Casings and Window Paint - \$11,319.00 – Recommend Ratification
 - Change Order 18 – Additional Fence - \$5,770.00 – Recommend Ratification
 - Change Order 19 – Low Voltage Deduct - \$-11,021.00 – Recommend Ratification
 - Change Order 20 – Handrails - \$2,080.00 – Recommend Ratification
 - Change Order 21 – Trim Wall Tiles at Windows - \$628.00 – Recommend Ratification
 - ~~\$22~~ ◦ Change Order Request - Furnace Evaporator Coil – Waiting on Designer Review ~~\$2107.00~~
 - Change Order Request - Gate Hardware – Waiting on Resubmittal
- Thoutt Brothers
 - Change Order Request 1 – Mew Concrete Reduction – Waiting on Thoutt to walk quantities with William Lyon Homes
 - Change Order Request 2 – Winter Concrete - Waiting on Thoutt to walk quantities with William Lyon Homes

Consultant/Vendor Agreements

Consultant/Vendor Agreements

- None

Consultant/Vendor Task Orders

- Godden Sudik
 - Task Order 2 – Additional Services – \$15,335.00
- IDES
 - Task Order 4 – District Oversight Services – \$65,000.00 – Previous Task Order was for services from April 2018 through September 2018. Task Order 4 is for services from December 2018 through May 2019.

Other Matters

- Slaton Brothers Retainage Release
 - When both the channel walls and sidewalk were finished it was discovered that the sidewalk and the wall were too close together in some places and the wall looked bad because of its height in some places.
 - The horizontal difference triggers the need for guardrails. The vertical difference was aesthetic only.
 - There are three designers, two surveyors, and two contractors involved.
 - EMK did an as-built survey of one of the walls and the sidewalk next to it.
 - CTL reviewed the survey and determined the walls were generally correct vertically.
 - Slaton Brothers fixed the vertical issue. A change order was approved by the Board and has been paid.
 - The EES design shows a 3' distance between the wall and the sidewalk per Norris Design's request.
 - It is not clear if the design took in to consideration that the walls cannot be vertically straight (the bottom of the wall is closer to the channel than the top) as they need to have a slight angle to them. This could account for some, but not all of the problem.
 - Where the sidewalk was built wrong it is farther away from the wall so it is not contributing to the problem.
 - IDES, William Lyon Homes, Norris Design and EES reviewed the as-builts. There is no way to tell if it is a survey error or a contractor error. We looked at David Evans survey notes which didn't answer the question either. It does not appear there is a clear way to place responsibility for this.
 - We could meet with everyone involved, but it is doubtful that any company is going to admit responsibility.
 - \$4,600.00 Amount to lower walls – already paid to Slaton and approved by Board
 - \$26,982.00 Amount for guardrails – new Brightview change order
 - \$31,582.00 Total
 - \$14,088.20 Amount held in Slaton retainage

Denver Connection West Metropolitan District
February-19

	General	Debt	Capital	Totals
Disbursements	\$ 12,554.54	\$ -	\$ 337,854.50	\$ 350,409.04
Xpress Bill Pay	\$ 128.19	\$ -		\$ 128.19
Total Disbursements from Checking Acct	\$ 12,682.73	\$ -	\$ 337,854.50	\$ 350,537.23

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
1199						
02/26/2019	BrightView Landscape Services,	PAY APP 5	Capital Outlay	3-762	217,945.62	217,945.62
02/26/2019	BrightView Landscape Services,	PAY APP 5	Retainage Payable	3-318	10,897.28-	10,897.28-
Total 1199:						207,048.34
1200						
02/26/2019	CliftonLarsonAllen, LLP	1993518	Accounting	1-612	1,358.12	1,358.12
02/26/2019	CliftonLarsonAllen, LLP	1993518	Accounting	3-612	2,037.18	2,037.18
02/26/2019	CliftonLarsonAllen, LLP	2010995	Accounting	1-612	1,390.22	1,390.22
02/26/2019	CliftonLarsonAllen, LLP	2010995	Accounting	3-612	2,085.34	2,085.34
Total 1200:						6,870.86
1201						
02/26/2019	CTL Thompson, Inc	498948	Engineering	3-784	1,240.00	1,240.00
Total 1201:						1,240.00
1202						
02/26/2019	EMK Consultant, Inc.	55800	Capital Outlay	3-762	345.00	345.00
Total 1202:						345.00
1203						
02/26/2019	Godden Sudik Architects	18-838	Architecture	3-761	450.00	450.00
Total 1203:						450.00
1204						
02/26/2019	McGeady Becher P.C.	1324C DEC 18	Legal	1-675	1,599.60	1,599.60
02/26/2019	McGeady Becher P.C.	1324C DEC 18	Legal	3-675	2,555.00	2,555.00
02/26/2019	McGeady Becher P.C.	1324C DEC 18	Legal	3-675	2,399.40	2,399.40
Total 1204:						6,554.00
1205						
02/26/2019	MSI, LLC	83685	District Management	1-680	984.92	984.92
Total 1205:						984.92
1206						
02/26/2019	MW Golden Constructors	PAY APP 15	Capital Outlay	3-762	94,869.93	94,869.93
02/26/2019	MW Golden Constructors	PAY APP 15	Retainage Payable	3-318	4,743.50	4,743.50
Total 1206:						99,613.43
1207						
02/26/2019	Norris Design, Inc.	01-26289	Capital Outlay	3-762	1,903.45	1,903.45
Total 1207:						1,903.45
1208						
02/26/2019	Nu Style Landscape & Design, In	12431	Covenant Control	1-625	165.00	165.00
02/26/2019	Nu Style Landscape & Design, In	12432	Covenant Control	1-625	165.00	165.00
02/26/2019	Nu Style Landscape & Design, In	12433	Covenant Control	1-625	425.00	425.00
02/26/2019	Nu Style Landscape & Design, In	12548	Covenant Control	1-625	812.50	812.50
02/26/2019	Nu Style Landscape & Design, In	12604	Covenant Control	1-625	1,395.00	1,395.00

Check No and Date	Payee	Invoice No	GL Account Title	GL Acct	Amount	Total
02/26/2019	Nu Style Landscape & Design, In	12605	Covenant Control	1-625	550.00	550.00
Total 1208:						3,512.50
1209						
02/26/2019	Pet Scoop	214294	Miscellaneous	1-685	310.00	310.00
Total 1209:						310.00
1210						
02/26/2019	Special Dist Management Srvs	JANUARY 2019	District Management	1-680	2,852.60	2,852.60
02/26/2019	Special Dist Management Srvs	JANUARY 2019	District Management - CP	3-680	4,278.90	4,278.90
02/26/2019	Special Dist Management Srvs	JANUARY 2019	Miscellaneous	1-685	523.98	523.98
Total 1210:						7,655.48
1211						
02/26/2019	Thoutt Bros. Concrete Contracto	PAY APP 4	Capital Outlay	3-762	14,629.96	14,629.96
02/26/2019	Thoutt Bros. Concrete Contracto	PAY APP 4	Retainage Payable	3-318	731.50-	731.50-
Total 1211:						13,898.46
1212						
02/26/2019	Xcel Energy	624233175	Miscellaneous	1-685	22.60	22.60
Total 1212:						22.60
Grand Totals:						350,409.04

DENVER CONNECTION WEST METROPOLITAN DISTRICT
Schedule of Cash Deposits & Investments
December 31, 2018
Updated as of February 12, 2019

	General Fund	Debt Service Fund	Capital Projects Fund	Total
<u>1st Bank - Checking account</u>				
Balance as of 12/31/2018	\$ 112,362.97	\$ -	\$ 18,539.46	\$ 130,902.43
Subsequent activities:				
01/01/19 Held December checks # 1170 - 1186	(12,202.69)	-	(531,380.96)	(543,583.65)
01/03/19 Bank Fee	(30.00)	-	-	(30.00)
01/04/19 Xpress Bill Pay Fee	(15.38)	-	-	(15.38)
01/10/19 Property Tax	140.03	559.57	-	699.60
01/15/19 Admin, Operations & Maintenance Fees - December	3,310.00	-	-	3,310.00
01/15/19 Developer Advance	-	-	531,380.96	531,380.96
01/22/19 Checks #1187 - 1198	(3,370.81)	-	(412,353.99)	(415,724.80)
01/29/19 Admin, Operations & Maintenance Fees - December	15,271.91	-	-	15,271.91
02/01/19 Admin, Operations & Maintenance Fees - December	4,237.09	-	-	4,237.09
02/05/19 Developer Advance	-	-	412,353.99	412,353.99
02/05/19 Admin, Operations & Maintenance Fees - December	2,563.23	-	-	2,563.23
02/05/19 Xpress Bill Pay Fee	(128.19)	-	-	(128.19)
02/06/19 Admin, Operations & Maintenance Fees - Bill Express	24,872.58	-	-	24,872.58
02/10/19 Property Tax	837.63	3,350.67	-	4,188.30
Anticipated vouchers payable	(12,554.64)	-	(337,854.50)	(350,409.14)
Anticipated developer advance	-	-	337,854.50	337,854.50
Anticipated transfer to Colotruster	-	(3,910.24)	-	(3,910.24)
Anticipated balances	135,293.73	-	18,539.46	153,833.19
<u>INVESTMENTS</u>				
<u>Colotruster Plus</u>				
Balance as of 12/31/2018	-	66,460.34	-	66,460.34
Subsequent activities:				
01/31/18 Interest income	-	146.19	-	146.19
Anticipated transfer from 1st Bank checking	-	3,910.24	-	3,910.24
Anticipated transfer to UMB Bond Fund	-	(70,516.77)	-	(70,516.77)
Anticipated balances	-	-	-	-
<u>UMB - Bond Fund Series 2017A</u>				
Balance as of 12/31/2018	-	541,930.30	-	541,930.30
Subsequent activities:				
1/10/2019 Interest income	-	1,081.79	-	1,081.79
1/23/2019 Transfer from Reserve Fund - excess reserve	-	5,376.23	-	5,376.23
Anticipated transfer from Colotruster Plus	-	70,516.77	-	70,516.77
Anticipated balance	-	618,905.09	-	618,905.09
<u>UMB - Reserve Fund Series 2017A</u>				
Balance as of 12/31/2018	-	798,894.99	-	798,894.99
Subsequent activities:				
01/10/19 Interest income	-	1,526.13	-	1,526.13
01/23/19 Transfer to Bond Fund - excess reserve	-	(5,376.23)	-	(5,376.23)
Anticipated balance	-	795,044.89	-	795,044.89
<u>UMB - Surplus Fund 2017A</u>				
Balance as of 12/31/2018	-	979,331.39	-	979,331.39
Subsequent activities:				
01/10/19 Interest income	-	1,874.01	-	1,874.01
Anticipated balance	-	981,205.40	-	981,205.40
	<u>\$ 135,293.73</u>	<u>\$ 2,395,155.38</u>	<u>\$ 18,539.46</u>	<u>\$ 2,548,988.57</u>

Yield information @ 01/31/19

UMB Bank (invested in CSAFE) - 2.49%
CT Plus - 2.59%

No assurance is provided on these financial statements.
Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures
and changes in fund balances – governmental funds have been omitted.

DENVER CONNECTION WEST METROPOLITAN DISTRICT
Property Taxes Reconciliation
2018

	Current Year					Prior Year		
	Property Taxes	Delinquent Taxes, Rebates and Abatements	Specific Ownership Taxes	Interest	Treasurer's Fees	Net Amount Received	% of Total Property Taxes Received	
							Monthly	Y-T-D
January	\$ 262.50	\$ -	\$ 861.52	\$ -	\$ (2.63)	1,121.39	0.17%	0.17%
February	4,568.75	-	800.13	-	(45.69)	5,323.19	2.89%	3.06%
March	6,019.00	-	876.16	-	(60.19)	6,834.97	3.81%	6.87%
April	1,736.00	-	814.54	-	(17.36)	2,533.18	1.10%	7.97%
May	131,739.25	-	888.42	7.06	(1,317.46)	131,317.27	83.42%	91.39%
June	3,602.00	-	823.30	19.56	(36.22)	4,408.64	2.28%	93.68%
July	9,870.00	-	864.47	194.63	(100.65)	10,828.45	6.25%	99.93%
August	-	-	699.60	-	-	699.60	0.00%	99.93%
September	-	-	699.60	-	-	699.60	0.00%	99.93%
October	117.50	-	699.60	4.70	(1.23)	820.57	0.07%	100.00%
November	-	-	699.60	-	-	699.60	0.00%	100.00%
December (accrued)	-	-	699.60	-	-	699.60	0.00%	100.00%
	\$ 157,915.00	\$ -	\$ 9,426.54	\$ 225.95	\$ (1,581.43)	\$ 165,986.06	100.00%	100.00%

Taxes Levied	% of Levied	Property Taxes Collected	% Collected to Amount Levied
--------------	-------------	--------------------------	------------------------------

\$ 31,583	20.00%	\$ 31,583.00	100.00%
126,332	80.00%	126,332.00	100.00%
\$ 157,915	100.00%	\$ 157,915.00	100.00%

Specific Ownership Tax

General Fund	\$ 2,530	20.02%	\$ 1,886.79	74.58%
Debt Service Fund	10,110	79.98%	7,539.75	74.58%
Total	\$ 12,640	100.00%	\$ 9,426.54	74.58%

Treasurer's Fees

General Fund	\$ 474	16.81%	\$ 265.90	56.10%
Debt Service Fund	2,345	83.19%	1,315.53	56.10%
Total	\$ 2,819	100.00%	\$ 1,581.43	56.10%

No assurance is provided on these financial statements.
Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

January
February
March
April
May
June
July
August
September
October
November
December (accrued)

Property Tax
General Fund
Debt Service Fund
Total

Specific Ownership Tax

Treasurer's Fees

General Fund	\$	468	20.01%	\$	7.04
Debt Service Fund		1,871	79.99%		28.20
Total	\$	2,339	100.00%	\$	35.24

No assurance is provided on these financial statements.

Substantially all required disclosures, the government-wide financial statements, and the statements of revenues, expenditures and changes in fund balances – governmental funds have been omitted.

DENVER CONNECTION WEST

Schedule of Developer Advances

Updated as of January 08, 2019

Summary of Developer Advances					
Description	Date	General Fund Operation	Capital Projects Fund	Capital Projects Fund Cap. Acquisition	Total
DEVELOPER ADVANCE	08/10/17	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00
DEVELOPER ADVANCE	08/10/17	25,546.49	75,453.51	-	101,000.00
DEVELOPER ADVANCE - CAP REQ NO. 1	08/22/17	-	-	2,238,416.10	2,238,416.10
REPAYMENT OF DEVELOPER ADVANCE	08/24/17	-	-	(2,238,416.10)	(2,238,416.10)
DEVELOPER ADVANCE - CAP REQ NO. 2	09/26/17	-	-	5,135,399.18	5,135,399.18
REPAYMENT OF DEVELOPER ADVANCE	09/29/17	-	-	(5,135,399.18)	(5,135,399.18)
DEVELOPER ADVANCE	10/11/17	7,002.05	48,080.02	-	55,082.07
DEVELOPER ADVANCE - CAP REQ NO. 3	10/17/17	-	-	1,453,582.43	1,453,582.43
REPAYMENT OF DEVELOPER ADVANCE	10/24/17	-	-	(454,189.33)	(454,189.33)
REPAYMENT OF DEVELOPER ADVANCE	10/24/17	-	-	(999,393.10)	(999,393.10)
DEVELOPER ADVANCE	11/17/17	2,771.14	10,399.67	-	13,170.81
DEVELOPER ADVANCE - CAP REQ NO. 4	11/28/17	-	-	1,018,498.02	1,018,498.02
DEVELOPER ADVANCE - CAP REQ NO. 5	11/28/17	-	-	1,529,019.85	1,529,019.85
REPAYMENT OF DEVELOPER ADVANCE	12/01/17	-	-	(1,018,498.02)	(1,018,498.02)
REPAYMENT OF DEVELOPER ADVANCE	12/01/17	-	-	(450,938.68)	(450,938.68)
DEVELOPER ADVANCE	12/20/17	6,135.08	7,541.43	-	13,676.51
DEVELOPER ADVANCE	12/20/17	-	69,184.81	-	69,184.81
INTEREST ON DEVELOPER ADVANCE	12/31/17	1,060.54	3,503.76	8,263.15	12,827.45
DEVELOPER ADVANCE	01/24/18	3,960.77	53,675.51	-	57,636.28
DEVELOPER ADVANCE	02/09/18	4,443.29	34,732.28	-	39,175.57
DEVELOPER ADVANCE	02/23/18	-	29,295.15	-	29,295.15
DEVELOPER ADVANCE - CAP REQ NO. 6	02/27/18	-	-	1,891,252.48	1,891,252.48
DEVELOPER ADVANCE	03/16/18	7,286.26	192,664.71	-	199,950.97
DEVELOPER ADVANCE	04/13/18	8,071.36	246,594.88	-	254,666.24
DEVELOPER ADVANCE - CAP REQ NO. 7	04/27/18	-	-	1,211,450.14	1,211,450.14
DEVELOPER ADVANCE	05/04/18	4,974.95	872,325.84	-	877,300.79
DEVELOPER ADVANCE	06/14/18	783.90	224,216.10	-	225,000.00
DEVELOPER ADVANCE - CAP REQ NO. 8	06/26/18	-	-	1,326,228.46	1,326,228.46
DEVELOPER ADVANCE	07/06/18	-	315,359.75	-	315,359.75
DEVELOPER ADVANCE	08/02/18	5,544.34	591,077.57	-	596,621.91
DEVELOPER ADVANCE - CAP REQ NO. 9	08/26/18	-	-	3,268,484.83	3,268,484.83
DEVELOPER ADVANCE	09/07/18	4,893.40	568,052.01	-	572,945.41
DEVELOPER ADVANCE	10/05/18	6,817.47	334,674.86	-	341,492.33
DEVELOPER ADVANCE - CAP REQ NO. 10	10/23/18	-	-	1,094,514.43	1,094,514.43
DEVELOPER ADVANCE	10/26/18	8,766.61	634,423.41	-	643,190.02
DEVELOPER ADVANCE - CAP REQ NO. 11	11/27/18	-	-	1,081,007.11	1,081,007.11
DEVELOPER ADVANCE	11/30/18	10,078.45	432,358.09	-	442,436.54
DEVELOPER ADVANCE - CAP REQ NO. 12	11/30/18	-	-	1,361,825.39	1,361,825.39
DEVELOPER ADVANCE - CAP REQ NO. 13	12/13/18	-	-	412,061.48	412,061.48
DEVELOPER ADVANCE - CAP REQ NO. 14	12/14/18	-	-	1,853,587.08	1,853,587.08
INTEREST ON DEVELOPER ADVANCE	12/31/18	6,024.80	172,329.15	467,561.08	645,915.03
INTEREST ON DEVELOPER ADVANCE	01/08/19	193.01	8,311.43	25,562.29	34,066.73
Total To Date		\$ 117,353.91	\$ 4,924,253.94	\$ 15,079,879.09	\$ 20,121,486.94

DENVER CONNECTION WEST METROPOLITAN DISTRICT

FINANCIAL STATEMENTS

DECEMBER 31, 2018

DRAFT



CliftonLarsonAllen LLP
CLAAconnect.com

Accountant's Compilation Report

Board of Directors
Denver Connection West Metropolitan District
City and County of Denver, Colorado

Management is responsible for the accompanying financial statements of Denver Connection West Metropolitan District, which comprise the balance sheet - governmental funds as of December 31, 2018, and the related statement of revenues, expenditures, and changes in fund balance - budget and actual, for the period from January 01, 2018 through December 31, 2018, for the General Fund, in accordance with accounting principles generally accepted in the United States of America. We have performed compilation engagements in accordance with Statements of Standards for Accounting and Review Services promulgated by the Accounting and Review Services Committee of the American Institute of Certified Public Accountants. We did not audit, examine, or review the historical financial statements nor were we required to perform any procedures to verify the accuracy or completeness of the information provided by management. Accordingly, we do not express an opinion, a conclusion, nor provide any form of assurance on these historical financial statements.

Management has elected to omit the management's discussion and analysis, the government-wide financial statements, the statement of revenues, expenditures and changes in fund balance - governmental funds, and substantially all of the disclosures required by accounting principles generally accepted in the United States of America. If the omitted disclosures were included in the historical financial statements, they might influence the user's conclusions about the District's financial position and results of operations. Accordingly, the historical financial statements are not designed for those who are not informed about such matters.

The supplementary information is presented for additional analysis and is not a required part of the basic financial statements. This information is the responsibility of management. The information was subject to our compilation engagement; however we have not audited, examined, or reviewed the supplementary information and, accordingly, do not express an opinion, a conclusion, nor provide any form of assurance on the supplementary historical information.

We are not independent with respect to Denver Connection West Metropolitan District.

Greenwood Village, Colorado
February 08, 2019

DENVER CONNECTION WEST METROPOLITAN DISTRICT
BALANCE SHEET - GOVERNMENTAL FUNDS
DECEMBER 31, 2018

	General	Debt Service	Capital Projects	Total
ASSETS				
Cash - Checking	\$ 112,363	\$ -	\$ 18,539	\$ 130,902
Colotrust	-	66,460	-	66,460
UMB - Surplus Fund 2017A	-	979,331	-	979,331
UMB - Bond Fund Series 2017A	-	541,930	-	541,930
UMB - Reserve Fund Series 2017A	-	798,895	-	798,895
Accounts receivable	4,050	-	-	4,050
Receivable from County Treasurer	140	560	-	700
Property tax receivable	46,764	187,066	-	233,830
Prepaid insurance	3,514	-	-	3,514
TOTAL ASSETS	\$ 166,831	\$ 2,574,242	\$ 18,539	\$ 2,759,612
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES				
CURRENT LIABILITIES				
Accounts payable	\$ 16,630	\$ -	\$ 952,627	\$ 969,257
Retainage payable	-	-	227,833	227,833
Total Liabilities	16,630	-	1,180,460	1,197,090
DEFERRED INFLOWS OF RESOURCES				
Deferred property tax	46,764	187,066	-	233,830
Total Deferred Inflows of Resources	46,764	187,066	-	233,830
FUND BALANCES				
Nonspendable	3,514	-	-	3,514
Restricted	3,800	-	-	3,800
Unassigned	96,123	2,387,176	(1,161,921)	1,321,378
Total Fund Balances	103,437	2,387,176	(1,161,921)	1,328,692
TOTAL LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES	\$ 166,831	\$ 2,574,242	\$ 18,539	\$ 2,759,612

These financial statements should be read only in connection with the accompanying accountant's compilation report.

DENVER CONNECTION WEST METROPOLITAN DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2018

GENERAL FUND

	Amended Budget	Year to Date Actual	Variance
REVENUES			
Admin fees	\$ 28,000	\$ 27,800	\$ (200)
Operations and Maintenance Fee	65,000	64,984	(16)
Property taxes	31,583	31,583	-
Specific ownership tax	2,530	1,887	(643)
Interest income	50	39	(11)
TOTAL REVENUES	<u>127,163</u>	<u>126,293</u>	<u>(870)</u>
EXPENDITURES			
Insurance and bonds	3,000	2,996	4
Administrative management	19,100	18,454	646
Accounting	18,000	16,647	1,353
Auditing	5,000	4,900	100
County Treasurer's fee	474	266	208
Dues and licenses	500	328	172
District management	20,000	17,885	2,115
Legal services	20,000	18,762	1,238
Miscellaneous	8,000	7,222	778
Election	3,000	272	2,728
Covenant control	1,000	-	1,000
Contingency	1,926	-	1,926
TOTAL EXPENDITURES	<u>100,000</u>	<u>87,732</u>	<u>12,268</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	27,163	38,561	11,398
OTHER FINANCING SOURCES (USES)			
Developer advance	66,121	66,121	-
TOTAL OTHER FINANCING SOURCES (USES)	<u>66,121</u>	<u>66,121</u>	<u>-</u>
NET CHANGE IN FUND BALANCES	93,284	104,682	11,398
FUND BALANCES - BEGINNING	<u>10,349</u>	<u>(1,246)</u>	<u>(11,595)</u>
FUND BALANCES - ENDING	<u>\$ 103,633</u>	<u>\$ 103,436</u>	<u>\$ (197)</u>

These financial statements should be read only in connection with the accompanying accountant's compilation report.

SUPPLEMENTARY INFORMATION

DRAFT

DENVER CONNECTION WEST METROPOLITAN DISTRICT
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2018

DEBT SERVICE FUND

	Amended Budget	Year to Date Actual	Variance
REVENUES			
Property taxes	\$ 126,332	\$ 126,332	\$ -
Specific ownership tax	10,110	7,540	(2,570)
Interest income	1,500	38,635	37,135
Facilities fees	864,000	981,000	117,000
TOTAL REVENUES	<u>1,001,942</u>	<u>1,153,507</u>	<u>151,565</u>
EXPENDITURES			
County Treasurer's fee	1,316	1,316	-
Paying agent fees	5,500	5,500	-
Bond interest - Series 2017A	520,838	520,838	-
Bond interest - Series 2017B	2,346	150,000	(147,654)
TOTAL EXPENDITURES	<u>530,000</u>	<u>677,654</u>	<u>(147,654)</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	471,942	475,853	3,911
OTHER FINANCING SOURCES (USES)			
Transfers from other funds	2,548	2,548	-
TOTAL OTHER FINANCING SOURCES (USES)	<u>2,548</u>	<u>2,548</u>	<u>-</u>
NET CHANGE IN FUND BALANCES	474,490	478,401	3,911
FUND BALANCES - BEGINNING	<u>1,570,297</u>	<u>1,908,775</u>	<u>338,478</u>
FUND BALANCES - ENDING	<u>\$ 2,044,787</u>	<u>\$ 2,387,176</u>	<u>\$ 342,389</u>

DENVER CONNECTION WEST METROPOLITAN DISTRICT
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
FOR THE TWELVE MONTHS ENDED DECEMBER 31, 2018

CAPITAL PROJECTS FUND

	Amended Budget	Year to Date Actual	Variance
REVENUES			
Interest income	\$ 1,000	\$ 11	\$ (989)
TOTAL REVENUES	<u>1,000</u>	<u>11</u>	<u>(989)</u>
EXPENDITURES			
Engineering	137,000	142,610	(5,610)
Architecture	27,000	27,481	(481)
Landscaping	440,000	465,898	(25,898)
Capital outlay - HUB	2,721,700	6,726,599	(4,004,899)
Capital outlay - infrastructure	4,582,300	12,339,913	(7,757,613)
Contingency	1,000	-	1,000
Accounting	24,000	24,122	(122)
District management	32,000	32,609	(609)
Legal services	35,000	31,293	3,707
TOTAL EXPENDITURES	<u>8,000,000</u>	<u>19,790,525</u>	<u>(11,790,525)</u>
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(7,999,000)	(19,790,514)	(11,791,514)
OTHER FINANCING SOURCES (USES)			
Developer advance	18,850,000	18,827,683	(22,317)
Transfers to other fund	-	(2,548)	(2,548)
TOTAL OTHER FINANCING SOURCES (USES)	<u>18,850,000</u>	<u>18,825,135</u>	<u>(24,865)</u>
NET CHANGE IN FUND BALANCES	10,851,000	(965,379)	(11,816,379)
FUND BALANCES - BEGINNING	-	(196,543)	(196,543)
FUND BALANCES - ENDING	<u>\$ 10,851,000</u>	<u>\$ (1,161,922)</u>	<u>\$ (12,012,922)</u>

DENVER CONNECTION WEST METRO DISTRICT

Board Meeting Project Status

February 26, 2019



Project Work

Site Visits

Site visits were done weekly. The overall status of construction is as follows:

- Earthwork import to the park is on-going.
- Construction on the Hub is on-going.
- The Hub interior furniture and décor is installed. The outdoor furniture will be delivered in the spring.
- Final punchlist items are being addressed for the Hub interior to be able to get Temporary Certificate of Occupancy.
- Hub fencing is on-going. Pools and plantings will be done in spring.
- Construction of the Green Valley Ranch Boulevard median, traffic signal and south lanes are complete. Minor repairs requested of Chato's Concrete have been made. Still do not have City Initial Acceptance for the median.
- Construction of the open space flat concrete is ongoing as weather permits.
- The dog park trellis is installed. Seat walls, planter walls and other park amenities are on-going.

Cost Certification

- Cost Certification #13 – Need invoices to review



Construction Contract Documents

Contractor Contracts

- Final Acceptances (not Warranty Acceptance)
 - Chato's Concrete – Waiting on City to provide Initial Acceptance

District Contract Change Orders

- Brightview
 - Change Order 4 – Additional Concrete - \$2,764.00 – Recommend Ratification
 - Change Order Request 6 – Extend Sleeving Pollinator Park - \$3,159.00 – WLH Reviewing
- MW Golden
 - Change Order 20 – Handrails - \$2,080.00 – Recommend Ratification
 - Change Order 21 – Trim Wall Tiles at Windows - \$628.00 – Recommend Ratification
 - Change Order 22 - Furnace Evaporator Coil – \$2,107.00 – Recommend Ratification
 - Change Order Request - Gate Hardware – Waiting on Resubmittal
 - Change Order Request – Omerta Backcharge – Waiting on Field Measurement
- Thoutt Brothers
 - Change Order 1 – Winter Concrete - \$110.25 – Recommend Approval
 - Change Order Request 1 – Mew Concrete Reduction – Waiting on Thoutt to walk quantities with William Lyon Homes

Consultant/Vendor Agreements

Consultant/Vendor Agreements

- None

Consultant/Vendor Task Orders

- Godden Sudik
 - Task Order 2 – Additional Services – \$15,335.00

- IDES Task Order 4 – District Oversight Services – \$65,000.00 – Recommend Ratification

Other Matters
None

DENVER CONNECTION METROPOLITAN DISTRICT MASTER SERVICES AGREEMENT TASK ORDER

AGREEMENT TITLE Master Agreement for Engineering Services

AGREEMENT NO. 1 AGREEMENT DATE 2/28/17 TASK ORDER NO. 4

CONSULTANT Independent District Engineering Services, LLC

TASK ORDER REFERENCE: General Comprehensive Scope of Services (attached)

TASK ORDER NAME: District Oversight Services December 2018 – May 2019

BASIS OF COMPENSATION: Charge Rate Schedule (attached)

SCHEDULE: December 2018 – May 2019

AGREEMENT PRICE RECONCILIATION:

Previously Approved Change Orders/Amendments/Task Orders	<u>\$ 210,000.00</u>
---	-----------------------------

Task Order Price – Task Order No. 4 **\$ 65,000.00**

Total of Agreement Prices including this Task Order	\$ 275,000.00
--	----------------------

AGREEMENT TERMS AND CONDITIONS

All other terms and conditions of the Agreement remain unchanged and in full force and effect.

This Task Order constitutes written assurance by the District that lawful appropriations have been made to cover the cost of the Task Order, pursuant to Section 24-91-103.6, C.R.S.

APPROVALS REQUIRED:

To be effective, this Task Order must be approved according to the Agreement.

Recommended by Ran Fice Date 1/26/18

Approved by Robert A. Johnson Digitally signed by Robert A. Johnson
DN: cn=Robert A. Johnson, o=Denver Connection West Metropolitan
District, ou=President, email=rob.johnson@lyonhomes.com, c=US
Date: 2019.01.28 18:07:00

The undersigned agrees to the above terms and conditions:

Consultant Greg Baker Date 1/14/18

Manager _____
Title _____

INDEPENDENT DISTRICT ENGINEERING SERVICES, LLC

GENERAL COMPREHENSIVE SCOPE OF SERVICES

District Contract Document Development - IDES can prepare standardized Agreements for Construction and Consultant Contracts, Consultant and Contractor forms including Task Orders, Change Orders, RFI, Submittals, Pay Certifications, and other miscellaneous forms for use by all consultants and contractors involved with the District.

Pre-Qualification, Bid and Award of Project – IDES can provide contractor pre-qualification services including advertising, Contractor notification, reviewing of AIA forms, and recommendation of qualified contractors. IDES will conduct the Bid Process which includes development of the bid documents, Bid Schedules and Technical Specifications, answer questions, prepare Addendum and conduct a Bid Opening. IDES can make recommendations to the Board for Contractor Selection.

Constructability Reviews - IDES can provide review of plans for constructability to assist the Owner and/or the design engineer in determining more efficient or cost effective alternatives. The work would likely involve plan reviews, site visits and investigations, meetings with the Owner, design engineer, local jurisdiction, and others, review of preliminary geotechnical report, phasing plans, and any other pertinent information to better qualify the design.

Project Cost Estimating and Control - IDES can provide Project Cost Estimates. Project Cost Estimating Services may include updating of initial Estimate, plan quantity and pay item take-offs and specialty cost estimates needed in support of various Agreements, reporting requirements or other as-needed estimates. Cost share matrixes will be included. Special Reports including Cost Share Reimbursements, Bonding Agency Reports and other specialized reports that can be produced as requested.

Project Scheduling Services - IDES can create Project Schedules and provide updates which will include entitlement, planning, design, construction that would reflect additions, deletions and deviations in the timing of all the associated activities. Specialized Schedules can be provided when requested. Schedules would be formatted in Microsoft Project unless otherwise directed.

Construction Observation - IDES can provide part or full-time construction observation for compliance with the Contract Documents for all phases of construction activities. Information gained by construction observation will be compiled in a daily report and used for construction administration activities. Reports with photos will be submitted and maintained electronically.

Construction Administration and Coordination - IDES will provide construction administration activities including partial pay request processing, submittal review coordination, change orders review, force account, permit management, project close-out, claim reviews, and other tasks as necessary to provide project documentation. IDES will provide construction coordination activities including project coordination with stakeholders, monitor project scheduling, jurisdictional coordination and other activities necessary to provide coordination.

Meetings – IDES can participate in Project Meetings as necessary. Meetings shall include District Board Meetings, Project Status Meetings, local jurisdiction coordination meetings, pre-bid meetings, pre-construction meetings, construction progress meetings, miscellaneous field meetings and other meetings with Project Stakeholders as required or requested.

Project Administration and Coordination – IDES can maintain District Project Files, Issues tracking lists, meeting minutes, Agreement and Contract files, plan files, schedules, and other Program Administration activities as need to support the Project. IDES can provide Project coordination with consultants, local

agencies, traffic control, utilities, power companies and other public utilities, residents and other entities as required

District Compliance - IDES can provide necessary On-going Metro District Support Services including but not limited to, Coordination with the District, District consultant, Contractors, local jurisdictions, adjacent developers, utility companies and other Project Stakeholders, Participate in the development and administration of various Agreements with Project Stake holders required for the Project, Provide needed information and coordination with the board's legal council and accountants for District reporting requirements.

Consultant Selection – IDES can develop Scope of Services, Conduct Request for Proposal processes and Provide recommendations to the District to select consultants to provide services to complete the Project. IDES can prepare Agreements and Task Orders for review and approval by the District.

Consultant Administration - IDES can provide support services for the progress and completion of Consultants Services. IDES can process invoicing from consultants and make recommendations to the District for payment.

Storm water Management – IDES can provide coordination of storm water compliance and bmp inspection coordination and maintenance. IDES services will include permit application and closeout, assistance in developing Storm water Management Plans (SWMP), remediation and action plans, dewatering plans and plans for bmp drainage structures for implementation, and directing contractors on bmp maintenance for adherence and compliance to the plans developed, providing ongoing analysis of bmps for functionality based on changes in field conditions, and modifying plans based on necessary field changes and changes made to local and state agency requirements.

Reimbursement Agreements - IDES can assist in developing and negotiating reimbursement agreements with local jurisdictions or inter governmental entities. The Agreements can include Cost Share Agreements, Water Infrastructure Reimbursement Agreements, Phasing and Acceptance Agreements. It is assumed six (6) Agreements will be required.

Infrastructure Acquisition - IDES can review the documentation provided by the District to determine the scope of District eligible improvements and the claimed cost for the initial improvements. The District will provide the following documentation for completed, designed or administrative elements of the Project associated with reimbursements:

- Project Plans
- District Service Plan
- Other Legal Documents entered into impacting reimbursements or eligibility of improvements
- Accountant Spreadsheets and other accounting tracking information
- Invoices and evidence of payments (Assume up to 200 Invoices)
- Any additional documentation of services provided and or fees paid that the Client believes would be a District eligible cost.
- Other as may be requested or needed

Based on the information provided, IDES can prepare a cost verification of District eligible improvements. Invoices will be reviewed for reasonableness and District eligibility. This information will be used to prepare an Engineer's Report for Certification of Facilities Acquisition. The report will be prepared and signed by a Professional Engineer and will contain all necessary information to satisfy the requirements of the District Service Plan.

Application/Invoice Creation Assistance – IDES can assist the Developer Construction Management Team set up pay applications so that costs can easily be tracked between District Eligible and Developer costs. IDES will review the current invoice format of the Consultants and Contractors and make recommendations for future invoices to track District Eligible and Developer costs.

Monthly Site Inspection/Pay Application Review - IDES can meet with the Construction Manager once a month on the project site to see the progress of construction and to review invoices and pay applications. A monthly (or other period as desired) Site Inspection and Infrastructure Acquisition Report will be submitted to the District.

Miscellaneous – IDES can provide additional Services as directed by the Board.

2019 CHARGE RATE SCHEDULE

Services will be provided on a Labor Time and Expenses basis as provided below. The following Charge Rate Schedule shall remain in effect until December 31, 2019.

Billing Rates:

The following Billing Rates shall apply for the Task Order:

District Engineer	\$ 150.00 per hour
Professional Engineer (Office/Field)	\$ 140.00 per hour
Technical Specialist (SWMP)	\$ 120.00 per hour
Contracts Administrative Specialist	\$ 100.00 per hour
Assistant Engineer/Field Tech	\$ 85.00 per hour
Project Administrator	\$ 70.00 per hour

Reimbursable Expenses

Copies b/w up to 11 x 14	\$0.05
Copies color up to 11 x 14	\$0.10
Copies b/w 11 x 17	\$0.25
Copies color 11 x 17	\$0.25
Mileage	IRS Rate + 10%
Plan Copies, outside copies, other items	at cost + 10%

All printing rates are low volume.