



**NOTICE OF HGMD BOARD OF DIRECTORS SPECIAL MEETING
SEPTEMBER 7, 2023, AT 1:00 P.M.**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District hereby gives notice that it will hold a special meeting at the Heather Gardens Clubhouse in the boardroom and via Zoom videoconference on **September 7, 2023, at 1:00 P.M.** The business meeting will be held for the purpose of approving policies, and additional business as stated on the agenda below. This meeting is open to the public.

Subsequent to the public meeting the Board will hold an executive session pursuant to Sections 24-6-402(4)(b) and/or 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the Management Agreement with Heather Gardens Association.

Join Zoom Meeting

<https://us06web.zoom.us/j/86792116910?pwd=VUdONmc0RExka0QraFY1RG45MDRnQT09>

Meeting ID: 867 9211 6910

Passcode: 686598

Or Dial-In: +1 346 248 7799

To speak on the Zoom Meeting, raise your hand to be recognized. You will unmuted. The Board will receive public comment on each agenda item after the Director discussion. Public comment on non-agenda items will be heard at the end of the meeting.

AGENDA

1. Pledge of Allegiance
2. Determine quorum present
3. Call meeting to order
4. Approval of prior meeting minutes, if available
5. President's Report
6. Director Comments/Questions regarding Financial Reports from Management
7. Director Comments/Questions regarding Committee Reports
8. Unfinished Business
9. New Business
 - a. Motion to Approve the Purchase of Padlocks for RV Lot Cameras.
 - b. Motion to Approve Exterior Freezer Purchase for the Restaurant.
10. Public comment – Please limit your comments to 5 minutes.
11. Executive session pursuant to Sections 24-6-402(4)(b) and/or 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the Management Agreement
 - a. Consider Approval of Actions related to Enforcement of/Revisions to Management Agreement.
12. Adjournment

The next HGMD regular Board meeting will be held on September 21, 2023, at 1:00 p.m.



**HEATHER GARDENS METROPOLITAN DISTRICT
BOARD ACTION**

DATE: SEPTEMBER 7, 2023

MOTION NUMBER: 1-9-7-23

MOTION: CAMERA PADLOCKS

Based upon the recommendation of the RV Lot Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve the return of five padlocks and five clamps to the HGA Maintenance Department and that HGMD purchase and allow the RV Lot Committee to install the following on all 5 trail cameras in the RV storage lot:

1. Six keyed alike padlocks for \$64.86 from **Amazon**.
2. Stainless Steel 18" Zip Ties, 40Pcs, Self-Locking Strap from **Amazon** for \$13.99.
3. Two sets of 32GB micro SDHC Flash Memory donated at no cost to HGMD by the RV Lot Committee.

**ECONOMIC COST TO THE DISTRICT: \$78.85 PLUS \$6.70 TAX = \$85.55.
NON-BUDGETED CAPITAL EXPENDITURE**

Motion by: Craig Baldwin

Second by: _____

Rationale: The Committee will monitor and maintain the five trail cameras, and will allow access to security or the Aurora PD if required.

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

	Yes	No		Yes	No
Craig Baldwin					
Rita Effler					
Eloise Laubach					
Robin O'Meara					
Daniel Taylor					
Total					

The secondary motion does/does not have a majority and passes/fails.
The main motion does/does not have a majority and passes/fails.

Daniel J. Taylor, President
HGMD Board of Directors

Robin O'Meara, Secretary
HGMD Board of Directors



Heather Gardens METROPOLITAN DISTRICT

HEATHER GARDENS METROPOLITAN DISTRICT BOARD ACTION

DATE: SEPTEMBER 7, 2023

MOTION NUMBER: 2-9-7-23

MOTION: EXTERIOR FREEZER PURCHASE

Based upon the recommendation of the Restaurant Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve the purchase of an exterior freezer for the restaurant upon the terms and conditions as stated in the attached Capital Expenditure Request Form, attached proposals, and contract.

ECONOMIC COST TO THE DISTRICT: \$56,341.69
BUDGETED CAPITAL EXPENDITURE

Motion by: Robin O'Meara

Second by: _____

Rationale: The existing exterior freezer has required several expensive repairs resulting in the loss of food each breakdown. No further repairs or upgrades would extend the useful, so it is most cost effective to replace the existing freezer.

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

	Yes	No
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

	Yes	No

The secondary motion does/does not have a majority and passes/fails.
The main motion does/does not have a majority and passes/fails.

Robin O'Meara, Secretary
HGMD Board of Directors

Daniel J. Taylor, President
HGMD Board of Directors

**HEATHER GARDENS METROPOLITAN DISTRICT
CAPITAL EXPENDITURE ADVISORY**

Project: Purchase of Outdoor Freezer for the Restaurant

Cost Center: Restaurant Date: _____

Budget	Budget Amount: _____	Contract Amount:	<u>\$56,341.69</u>
Year: <u>2023</u>		Change Order Reserve:	<u>\$ 3,653.31</u>
Tab: _____	Expended YTD: _____	Total Project Cost:	<u>\$59,995.00</u>
Pg: _____	Unexp. Balance: _____	Add. Funds Request:	_____

AUDIT/FINANCE REVIEW:

- This expenditure has been recommended by the _____ Committee.
- This expenditure was planned and budgeted in the Capital Projects Financing Plan. If not, explain why the project is being untaken at this time. _____

- Three bids were evaluated and the attached proposal is recommended as the most beneficial to the District. If not, explain why _____
- This project is at or below the budgeted amount.
- No additional money will be required to complete the project. If yes, explain why _____
- All required signatures have been obtained. If not, explain _____

NOTES/EXPLANATION:

Date

Audit/Finance Committee Chair

**HEATHER GARDENS METROPOLITAN DISTRICT
CAPITAL EXPENDITURE REQUEST FORM**

Project: Purchase of Outdoor Freezer for the Restaurant

Cost Center: Restaurant

Date: August 31, 2023

Budget	Budget Amount: _____	Contract Amount:	<u>\$56,341.69</u>
Year: <u>2023</u>		Change Order Reserve:	<u>\$ 3,653.31</u>
Tab: _____	Expended YTD: _____	Total Project Cost:	<u>\$59,995.00</u>
Pg: _____	Unexp. Balance: _____	Add. Funds Request:	_____

DESCRIPTION: This project includes the dismantling and removal of the existing outdoor freezer located on the east side of the clubhouse just outside of the exterior kitchen door; the extension of the existing concrete slab to accommodate the new freezer dimensions; the upgrade of existing electrical service to the freezer location; and the installation of the new freezer. The freezer's compressor will be installed on a stand next to the clubhouse building between the freezer and the building. This is a change from the prior installation which had the compressor installed on the freezer roof. This change should enhance the life of the freezer roof. The three proposals necessary for the completion of the project are attached hereto and incorporated by reference. This capital expenditure request is approved by the District subject to the conditions and terms set forth herein, in the attached proposals, and the attached contract.

JUSTIFICATION: The existing exterior freezer has required several expensive repairs resulting in the loss of food for each breakdown. It was determined that no further repair or maintenance will extend the useful life of the freezer.

BID COMPARISON: Several bids were obtained during the year for this project. After approval for the prior capital expenditure request was withdrawn based upon an incomplete proposal, the District consulted with the Colorado Restaurant Association to find a reliable and recommended vendor. The primary proposal from Bargreen Ellingson – Denver was the result of this process.

RECOMMENDATION: Three proposals are recommended for acceptance to complete the purchase and installation of a new exterior freezer for the restaurant. The Concrete.com proposal will be updated to reflect installation of the new model freezer. However, option 4. Finished slab size of 8' wide x 11' long will be used for pricing. The finished slab will actually be 7'11" wide x 11'10" long with a 3' ramp extension. Cost \$3,200. The Positively Charged Electric proposal will upgrade the existing electrical to accommodate the new freezer and connect the installed freezer. Cost \$5,645. Removal of the existing freezer and installation of the new freezer will be done by Bargreen Ellington – Denver. Cost \$47,496.69. Total cost is \$56,341.69. The Bargreen Ellington proposal will be amended to remove the sales tax of \$3,991.40 which is not paid by the District.

PROJECT MANAGER: Robin O'Meara, Chair Restaurant Committee

PROJECT TIMELINE: Please list the components of the project and the start and finish dates:

- 1. Extend Concrete Slab – Concrete.com Start: _____ Finish: 9/21/23
- 2. Upgrade existing electrical – Positively Charged Start: _____ Finish: 9/28/23
- 3. Demolition & Removal of Existing Freezer Start: _____ Finish: 1 day
- 4. Installation of New Freezer - Start: _____ Finish: +4 days

PROJECT MANAGER: _____

PROJECT TIMELINE: Please list the components of the project and the start and finish dates:

- 1. _____ Start: _____ Finish: _____
- 2. _____ Start: _____ Finish: _____
- 3. _____ Start: _____ Finish: _____
- 4. _____ Start: _____ Finish: _____

PROJECT MANAGER: _____

PROJECT TIMELINE: Please list the components of the project and the start and finish dates:

- 1. _____ Start: _____ Finish: _____
- 2. _____ Start: _____ Finish: _____
- 3. _____ Start: _____ Finish: _____
- 4. _____ Start: _____ Finish: _____

PROJECT MANAGER: _____

PROJECT TIMELINE: Please list the components of the project and the start and finish dates:

- 1. _____ Start: _____ Finish: _____
- 2. _____ Start: _____ Finish: _____
- 3. _____ Start: _____ Finish: _____
- 4. _____ Start: _____ Finish: _____

Manager or Dept Head	Committee Chair	Contracts	District's Manager's CFO	District's Manager's CEO	HGMD Treasurer	HGMD President
<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur	<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur	<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur	<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur	<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur	<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur	<input type="checkbox"/> Concur <input type="checkbox"/> Non-Concur



Quote

08/15/2023

To:
Heather Gardens
Robin O'Meara

Project:
Heather Gardens (Rendezvous) Walk-In
2888 S Heather Gardens Way
Aurora, CO 80014

From:
Bargreen Ellingson - Denver
Michael Modlin
5005 WASHINGTON ST.
Denver, CO 80216
303--296-1684

Job Reference Number: 37653

Item	Qty	Description	Sell	Sell Total
1	1 ea	<p>WALK IN FREEZER, MODULAR, REMOTE</p> <p>Kolpak Model No. CUSTOM FREEZER OUTDOOR (NSF) Overall Dimensions: 7'-11" (Hold-To) x 11'-10" x 7'-6 1/4" Refrigeration: Freezer Interior Dimensions: 7'-3" x 11'-2" x 6'-10 5/8" Walls: 4" Class 1 - Foamed in place Urethane Exterior: Galvalume - Embossed 26 Ga Interior: Galvalume - Embossed 26 Ga Ceiling: 4" Class 1 - Foamed in place Urethane Type: Standard Attachment: Lock Down Floor Application: 4" Class 1 - Foamed in place Urethane Type: Standard 1000# ERA Finish: Aluminum - Diamond Tread .100 Compartment Accessories: 1 ea Roof Cap - Sloped Membrane Free Standing (slope 1/4" per foot) 80 ea Tapcon Fasteners 40 ft Locks 11.5" Spacing 14 EA Racking Clip 6 ea Tie Down Angle - 1-3/4" x 6" x 96" (W-In Fl to Foundation) with Hilti Bolts 6 ea Tie Down Angle - 1-1/2" x 1-1/2" x 96" (Int Wall to CL incl Partitions) 1 ea Light - LED 48IN 120/230V 50/60HZ Refrigeration: 1 ea KPC248LZOP-3E PC248LZOP-3E, 208-230/60/3, 2-1/2HP, R448A, Pre-Charged, Air-Cooled, Scroll, Low Temp Standard Compressor Unit, Amps: 12.3, Ambient Temperature: 100 Includes Fan Cycle Controls, Amps: 12.3, Ambient Temperature: 100 1 ea KEL26-066-2EC-PR-8 EL26-066-2EC-PR-8, 208-230/60/1, R448A, Low Temp, Electric Defrost, Standard Unit Cooler, Amps: 9.8 One year parts and labor included Door: 34" x 78" Right Swing Out Recessed 0" with 0" Leveling Sand and 0" Tile & Grout. Frame: Exterior: Galvalume - Embossed 26 Ga Kickplate, Alum .063 Diamond Tread 36" High Interior: Galvalume - Embossed 26 Ga Kickplate, Alum .063 Diamond Tread 36" High Plug: Exterior: Galvalume - Embossed 26 Ga Kickplate, Alum .063 Diamond Tread 36" High Interior: Galvalume - Embossed 26 Ga Kickplate, Alum .063 Diamond Tread 36" High Door/Opening Accessories: 1 ea Handle - Kason 28 with Locking Assembly (STD) 1 ea Door Closer - Kason 1094 (STD) 1 ea Vent - Pressure Relief, Heated (STD) 1 ea Ramp - Interior 34x20 1 ea Rainhood 2.83 If Threshold, Stainless Steel 14 ga 1 ea Heater Wire, 5 Watt / FT 2 ea Hinge - Kason 1346 Brushed Chrome Adjustable / Spring Assisted (STD) 1 ea Light Fixture - Kason 1803 LED w/Bulb, Globe & Nightlight 120V (STD) 1 ea Switch Thermometer Combo - Kason 1967-A2, 20ft Lead, 120V 50/60Hz F/C (Weatherproof 1-way)</p>	\$32,805.29	\$32,805.29

Item	Qty	Description	Sell	Sell Total
		1 2 1/2 HP 2 - 5 YR Extended Compressor Warranty		
			ITEM TOTAL:	\$32,805.29
KDI-1	1 ea	INSTALLATION	\$10,750.00	\$10,750.00
		Advanced Installation Management Model No. FREEZER INSTALL Accept Delivery, Unload Truck, Sign For Potential Concealed Damage Assemble One 11'-10"x7'-11"x7'-6.25" Walk-In Freezer Trim, Plug, And Caulk Roof Cap Hang Evaporator Coil Set Condensing Unit (On 1st Story Roof) Crane Fee Run And Supply Copper Refrigeration Line Sets (1 Total 50' Max) Run And Supply Copper Drain Line And Heat Tape For Freezer System Is PC So It Is Charged At Factory Refrigeration Permits Start-Up ***Note Electrical Not Included ***Note If Permit Is Required And Fees Exceed \$750 Additional Charges Will Apply ***Note Core Drilling Not Included ***Note Fire Stop And Sprinkler Work Not Included ***Note Metal Roof Curbs Not Included ***Note Pitch Pockets And Roof Penetrations Not Included ***Note Night, Weekend, Prevailing Wage, And Union Labor Not Included ***Note 1st Floor Install Quoted ***Note Stamped Engineered Drawings On Line Set Location Not Included If Needed ***Note Signed Sealed Drawings Not Included If Needed ***Note Budget Quote. Pricing May Vary At That Time Based On Site Conditions ***QUOTE VALID FOR 60 DAYS***		
			ITEM TOTAL:	\$10,750.00
KDI-2	1 ea	INSTALLATION	\$2,200.00	\$2,200.00
		Custom Model No. EXISTING FREEZER UNINSTALL REMOVE AND DISPOSE OF EXISTING WALK-IN		
			ITEM TOTAL:	\$2,200.00
			Merchandise	\$45,755.29
			Freight	\$1,750.00
			Tax 8.81%	\$3,991.40
			Total	\$51,496.69

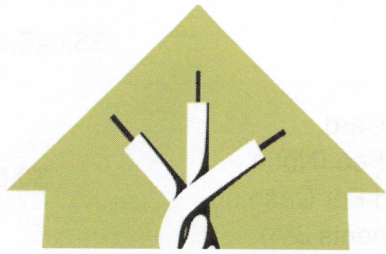
CUSTOMER COMMITMENT: In foodservice, things don't always go as planned. When those things happen, Bargreen Ellingson is committed to make it right. Our staff is given the power to resolve your issue. If they cannot, or if you are not completely satisfied, we encourage you to call our President, David Ellingson, at (253) 234-1400. Thank you for the opportunity to serve you!

ENGAGEMENT CLIENT: En restauration, les choses ne se passent pas toujours comme prévu. Lorsque ces choses se produisent, Bargreen Ellingson s'engage à y remédier. Notre personnel a le pouvoir de résoudre votre problème. S'ils ne peuvent pas, ou si vous n'êtes pas entièrement satisfait, nous vous encourageons à appeler notre président, David Ellingson, au (253) 234-1400. Merci pour l'opportunité de vous servir!

Acceptance: _____ Date: _____

Printed Name: _____

Project Grand Total: \$51,496.69



Positively Charged Electric

Heather Gardens
 2888 S Heather Gardens Way
 Aurora, CO 80014

☎ (303) 755-0652

✉ Don.Ogorman@HeatherGardensMail.com

ESTIMATE	#2070
ESTIMATE DATE	Aug 23, 2023
TOTAL	\$5,645.00

CONTACT US

Whispering Pines
 Aurora, CO 80016

☎ (720) 327-4525

✉ Text@720-327-4525

ESTIMATE

Services	qty	unit price	amount
External Freezer Disconnect current freezer and return the following business day to reconnect the new equipment. Based on the current provided specs we will need to reduce the overcurrent protection device of the existing single phase 208 volt circuit and run a new three-phase 20 amp circuit.	1.0	\$3,145.00	\$3,145.00
Permit Permit fee is an estimate based on available information on Aurora's website.	1.0	\$300.00	\$300.00
Plan Review Plan review is an estimate based on information available on Aurora's website.	1.0	\$500.00	\$500.00
Stamped Engineer Drawings Possibly required for plan review.	1.0	\$1,700.00	\$1,700.00
Services subtotal:			\$5,645.00

Subtotal	\$5,645.00
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Tax (Credit Card Processing Fee (Not a Tax) Waived For Cash or Check Payments 3%)	\$0.00
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Total	\$5,645.00
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All estimates are valid for a period of 30 days. All work carries a two year warranty unless otherwise stated.

Batteries, fuses, light bulbs and customer supplied materials are not warranted.

Prices do not include permit, plan review or engineering fees unless otherwise stated.

A 3% processing fee will be applied to all credit card payments.

EXTEND EXISTING SLAB COST



PROPOSAL / CONTRACT

5801 DOWNING STREET
DENVER, CO 80216
SUNNYDAY-CONCRETE.COM

Job: **Freezer Slab - 2888 S. Heather Gardens Way**
TO: **Heather Gardens**
2888 S. Heather Gardens Way
Aurora, CO 80014

Plans By: N/A
Plan Date:
Location: Aurora, CO 80014

Bid#: 1710
5/23/2023 1:09:42 PM
"This Proposal Replaces All
Previous Proposals for the
Same Work."

Attn: **Don O'Gorman - Contracts Manager**
T: (720) 974-6906 F: () - 0 Don.OGorman@heathergardens.org

Specifications:

Freezer Slab extensions to accommodate various suppliers dimensions. Below pricing reflects new concrete being constructed on existing concrete paving.

1. Artic Industries BL88-F-R
* Finished slab size to be approx. 9'W x 9'L w/ 3' ramp extension.
2. Artic Industries BL810-F-R
* Finished slab size to be 9'W x 11'L w/ 3' ramp extension.
3. Artic Industries BL812-CF-R
* Finished slab size to be 9'W x 13'L w/ 3' ramp extension.
4. Norlake 7X10X8-70D
* Finished slab size to be 8'W x 11'L w/ 3' ramp extension.
5. Artic Industries BL68-F-R
* No modification required for 7'W x 9'L freezer. 7' x 10' pad already exists.

General Specifications:

- * Form & place concrete over existing slab to extend pad footprint for new freezer.
- * Drill, epoxy & dowel into vertical face of existing freezer slab @ 24" O.C. to prevent off-set.
- * Drill, epoxy & dowel into existing horizontal concrete surface @ 24" O.C. to prevent separation.
- * 4500, air-entrained, non-colored concrete mix design w/ light broom finish for surface texture.

NOTE: Slope percentage of new concrete to match surface of existing freezer slab.

Plans Included in This Bid

	Fnd/Walls/Etc.	Site/Flat/Misc.	Grand Total:
Totals			

Notes / Inclusions / Exclusions:

Includes:

Concrete, epoxy, dowels, labor & misc. material / small tools as needed to complete job outlined above.
job minimum.

Excludes:

Saw-cut, demo, compaction, hauling, private locates, embeds, surveying, engineering, irrigation/electrical repairs, testing, permits, right-of-way, performance bonds. Change orders to be completed in writing.

ALTERNATES / OPTIONS

Plan# / Desc.	Fnd/Walls/Etc.	Flat/Site/Misc.	Total
1. Artic Industries BL88-F-R	\$2,984.45	\$0.00	\$2,984.45
2. Artic Industries BL810-F-R	\$3,349.60	\$0.00	\$3,349.60
3. Artic Industries BL812-CF-R	\$3,874.77	\$0.00	\$3,874.77
4. Norlake 7X10X8-70D	\$3,149.79	\$0.00	\$3,149.79
5. Artic Industries BL68-F-R	\$0.00	\$0.00	\$0.00

COST TO EXTEND EXISTING CONCRETE SLAB

