

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD FEBRUARY 23, 2023

A regular meeting of the Board of Directors (the “Board”) of the Vista Ridge Metropolitan District (the “District”) was convened on Thursday, February 23, 2023, at 5:30 p.m. at the Colorado National Golf Course located at 2700 Vista Parkway, Erie CO 80516. The meeting was open to the public.

ATTENDANCE

Directors In Attendance:

Valerie Swanson, Assistant Secretary
Scott Wood, Assistant Secretary
Todd Sargent; Assistant Secretary

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the absences of Directors Michael Lund and John Z. Ocwieja, were excused.

Also In Attendance:

AJ Beckman, Shad Ortiz, and Geol Scheirman; Public Alliance, LLC
Thuy Dam; CliftonLarsonAllen, LLP (“CLA”)
Jeffrey Erb; Erb Law, LLC

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The meeting was called to order at 6:04 p.m.

Disclosure of Potential Conflicts of Interest: Annual conflict of interest disclosures were filed with the Secretary of State and deemed delivered to the Board. Attorney Erb requested that the Directors consider whether they had any new conflicts of interest which had not been previously disclosed. There were no additional disclosures made.

ADMINISTRATIVE MATTERS

Agenda: Mr. Beckman reviewed the agenda with the Board.

Following review, upon a motion made by Director Wood, seconded by Director Swanson and, upon vote, unanimously carried, the Board approved the agenda, as presented. Additionally, it was confirmed that a quorum of the Board was in attendance and the meeting notice was posted on the District’s webpage at least 24-hours prior to the meeting.

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Minutes: The Board reviewed the minutes from the January 26, 2023 Regular Meeting.

Following review, upon a motion made by Director Wood, seconded by Director Swanson and, upon vote, unanimously carried, the Board approved the minutes of the January 26, 2023 Regular Meeting, as presented.

Public comment: There were no members of the public in attendance.

NORRIS DESIGN PRESENTATION

2023 Landscaping Project Scope Options Prepared by Norris Design, Inc. :

Mr. Beckman reported that he and Attorney Erb met with Norris Design to discuss the status of the landscaping plans. He noted that Norris Designs is very close to having the design complete for the entire project. Attorney Erb discussed potentially bidding the entire scope and awarding in phases, with the improvements on Vista Parkway being Phase I for completion in 2023 and the remainder of the landscaping being Phase II, to be completed in 2024. Discussion ensued regarding irrigation plans. Mr. Beckman will verify with Norris Designs the status of irrigation design and report back to the Board.

Following discussion, upon a motion made by Director Sargent, seconded by Director Wood and, upon vote, unanimously carried, the Board directed staff to proceed with the preparation of bid documents and publication of the notice to interested bidders.

The Board determined to cancel the March Board meeting and hold a special meeting to award a contract.

FINANCIAL MATTERS

Payment of Claims: Ms. Dam presented the claims for the Board's review.

Following discussion, upon motion made by Director Swanson, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending February 15, 2023, in the amount of \$113,689.98.

Unaudited Financial Statements for the period ending December 31, 2022:

Ms. Dam reviewed with the Board the unaudited financial statements and schedule of cash position for the period ending December 31, 2022.

Following discussion, upon motion duly made by Director Swanson, seconded by Director Wood and, upon vote, unanimously carried, the Board accepted the unaudited financial statements and schedule of cash position for the period ending December 31, 2022.

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LEGAL MATTERS

Town of Erie Non-Potable Irrigation Agreement: The Board reviewed and discussed the Term Sheet provided by the Town. Discussion ensued regarding conditions in prior years which caused irrigation outages. The Board directed staff to discuss with the Town the rationale for the terms presented, and present additional information at the next board meeting.

Tract Ownership Conveyance Request from Town of Erie: The Board discussed the Town of Erie's request for the District to take ownership of the landscaping tracts included in the 2023 Landscaping Project. Attorney Erb advised the Board that due diligence work should be done prior to accepting any land for ownership. Attorney Erb will review the proposed conveyance and discuss further with the Board at the next meeting.

Purchase and Sale of One Share of Farmer's Reservoir and Irrigation Company ("FRICO") water from the Webb Estate: Attorney Erb advised the Board that the District's water attorney has completed due diligence and has not raised any concerns regarding the District's purchase of the share.

Following discussion, upon a motion made by Director Swanson, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved closing on the share of FRICO water from Jeanette Congrove as Personal Representative of the Estate of Nema J. Webb. Attorney Erb will coordinate with water counsel and Ms. Dam regarding the closing.

OPERATIONS AND MAINTENANCE MATTERS

Manager Report: Mr. Beckman and Mr. Ortis reviewed the Manager's Report with the Board.

Town of Waterline Extension Phase 2B Update: Mr. Ortiz advised the Board that he and Mr. Moncada attended the preconstruction meeting with the Town and have advised the Colorado National Golf Course of the project.

Mr. Ortiz noted that the Town will start work on Monday, February 27th to extend its potable water line. The Town will need to modify a section of the District's irrigation main line, near Pond No. 20. The work affecting the District is expected to be completed by April 30th.

Wet Vault Maintenance Proposals: Mr. Ortiz reported that he is requesting proposals for cleaning the vault. The work should be completed before irrigation season begins.

Sidewalk Repairs with Town of Erie: Mr. Ortiz reported that the field staff is assessing the condition of sections that may be the Town's responsibility to repair. Additional updates will be forthcoming.

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Chemical Shed/Utility Shed: Mr. Beckman reported that the Colorado National Golf Course has agreed to allow the District's maintenance utility vehicle to be stored in their parking lot in a storage container through April 30, 2023. It will therefore be necessary to construct a permanent storage facility. The water treatment shed could potentially be replaced or expanded for this purpose. Mr. Ortiz discussed alternative locations including Tract 1G C, owned by the Town of Erie. Mr. Beckman will discuss the possibility of taking ownership of or getting permission to use this location for construction of a storage shed.

Permitting Process with City: Mr. Beckman reported that he will propose a permitting process to the Town which would require underground utility installations to be permitted by the District in advance of any work being performed.

**EXECUTIVE
SESSION**

The Executive Session was not necessary.

**OTHER
MATTERS**

There were no other matters to discuss.

ADJOURNMENT

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

Respectfully submitted,

DocuSigned by:

AJ Beckman

Secretary for the Meeting