

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD JANUARY 25, 2024

A regular meeting of the Board of Directors (the "Board") of the Vista Ridge Metropolitan District (the "District") was convened on Thursday, January 25, 2024, at 5:30 p.m. at the Vista Ridge Community Center located at 2750 Vista Parkway, Erie CO 80516 and via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance:

Michael Lund, President
John Z. Ocwieja, Treasurer
Scott Wood, Assistant Secretary (via Zoom)
Todd Sargent, Assistant Secretary

Following discussion, upon motion made by Director Ocwieja, seconded by Director Wood and, upon vote, unanimously carried, the absence of Director Swanson was excused.

Also In Attendance:

AJ Beckman and Nick Moncada; Public Alliance, LLC
Jeffrey Erb, Esq. and Glory Schmidt, Esq; Erb Law, LLC
Craig Watkins, Uriel Nunez and Adrian Jimenez; Arrowhead Landscape Services, Inc. (for a portion of the meeting)

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The meeting was called to order at 5:30 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 Ocwieja, seconded by Director Wood, and, upon vote, unanimously carried, the Board approved the agenda, as amended.

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Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Wood, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted at least 24 hours prior to each meeting on the District's website at: <https://vistaridgemd.org> or if posting on the website is unavailable, notice will be posted at the Vista Ridge Community Center.

Minutes: The Board reviewed the minutes from the November 30, 2023 Special Meeting and November 30, 2023 Annual Meeting.

Following discussion, upon motion duly made by Director Wood, seconded by Director Ocwieja and, upon vote, unanimously carried, the Board approved the minutes of the November 30, 2023 Special Meeting and November 30, 2023 Annual Meeting, as presented.

Public Comment: There was no public comment.

FINANCIAL MATTERS

Payment of Claims: Mr. Beckman presented the payment of claims for the Board's review.

Following discussion, upon motion made by Director Ocwieja, seconded by Director Wood and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending January 18, 2024, in the amount of \$2,029,388.62.

Schedule of Cash Position and Property Taxes Reconciliation: Mr. Beckman reviewed with the Board the schedule of cash position for the period ending September 30, 2023, updated as of January 18, 2024 and Property Taxes Reconciliation.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Sargent and, upon vote, unanimously carried, the Board accepted the schedule of cash position for the period ending September 30, 2023, updated as of January 18, 2024 and Property Taxes Reconciliation.

Integrated Water Facilities Common Use Agreement: Mr. Beckman discussed with the Board the Integrated Water Facilities Common Use Agreement. He explained he has been unable to find back up documentation showing how the billing amounts are derived.

In addition, Attorney Erb discussed the responsibilities of each party under the Agreement and additional need to determine how the Coal Creek water and FRICO water is diverted and used within the community.

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The Board directed consultants to meet with the golf course to determine expense and maintenance obligations and a potential revision to the agreement.

LEGAL MATTERS **Landscaping Tracts from the Town of Erie via Quit Claim Deed:** There was no update at this time.

FRICO Water Lease Renewals: Attorney Erb reported to the Board that water leases have been negotiated and are in the process of being executed. He noted one of the shareholders decided to lease to someone else and the District has been placed on FRICO's list to purchase any available water.

Update Regarding Water Leases: Attorney Erb reported to the Board that he recently spoke with the District's water attorney regarding the overall water portfolio and per share water availability. The Board discussed estimated yield per share and the amount of water available for irrigation.

FRICO Water Lease Renewals (2024-2028) with G. Fonay; G. Hobbs; J. Riggans; R. Jobs and B. Carlson; R. Swain and Town of Erie: The Board entered into discussion regarding the FRICO Water Lease Renewals (2024-2028) with G. Fonay; G. Hobbs; J. Riggans; R. Jobs and B. Carlson; R. Swain and Town of Erie.

Following discussion, upon motion duly made by Director Sargent, seconded by Director Ocwieja and, upon vote, unanimously carried, the Board approved and ratified the FRICO Water Lease Renewals (2024-2028) with G. Fonay; G. Hobbs; R. Jobs and B. Carlson; and R. Swain. The Town of Erie lease is still pending. There was no renewal with J. Riggans.

Purchase of FRICO Water Shares: The Board entered into discussion regarding pursuing ownership of water shares. The Board directed staff to provide an estimate of the District's annual water need and to pursue water purchases as they become available.

Other: Director Ocwieja reviewed a list of parcels within the District showing ownership and maintenance responsibilities. The Board discussed creating an Agreement between the District, the Homeowners Associations, and other property owners clarifying the maintenance responsibilities of all parties. It was noted that all monuments are owned by the District. Director Ocwieja recommended that the District install the missing pillar adjacent to the monument for the Reserve. The Board directed staff to get pricing to install the missing pillar.

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OPERATIONS AND MAINTENANCE MATTERS

Update from Arrowhead Landscaping: Mr. Watkins reviewed the report with the Board. He reported that Arrowhead Landscaping has merged with Environment Design, Inc. ("EDI") and TerraCare Associates. The company name will change to EDI. He reported that EDI will be able to offer tree mapping and arborist services and they will continue with trash, dog stations and policing through the winter. He further reported that native mowing was completed. Stump grinding on Sheridan Boulevard is complete.

Proposal from Arrowhead Landscaping for Full Native Mow: The Board reviewed a proposal from Arrowhead Landscaping for full native mow.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the proposal from Arrowhead Landscaping for full native mow, in the amount of \$9,957.

Proposal from Arrowhead Landscaping for Stump Grinding: The Board reviewed a proposal from Arrowhead Landscaping for stump grinding.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the proposal from Arrowhead Landscaping for stump grinding, in the amount of \$3,213.

Proposal from Arrowhead Landscaping for Stump Grinding and Drain Installation: The Board reviewed a proposal from Arrowhead Landscaping for stump grinding and drain installation.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the proposal from Arrowhead Landscaping for stump grinding and drain installation, in the amount of \$1,464.

Proposal from Arrowhead Landscaping for the Replacement of Broken Valve Box Covers: The Board reviewed a proposal from Arrowhead Landscaping for the replacement of broken valve box covers.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the proposal from Arrowhead Landscaping for the replacement of broken valve box covers, in the amount of \$3,387.

Proposal from Arrowhead Landscaping for Additional Stump Grinding: The Board reviewed a proposal from Arrowhead Landscaping for additional stump grinding.

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Following discussion, upon motion duly made by Director Wood, seconded by Director Ocwieja and, upon vote, unanimously carried, the Board approved the proposal from Arrowhead Landscaping for additional stump grinding, in the amount of \$2,011.88.

Revised Service Agreement between the District and Arrowhead Landscape Services, Inc. for 2024 Landscaping Services: Arrowhead has the Amendment and is reviewing.

Manager's Report: Mr. Beckman reviewed the January 22, 2024 report with the Board.

Repairs to Sidewalks: Mr. Beckman reviewed with the Board a bid tabulation for sidewalk repairs. He reported that RCD Construction, Inc. is the lowest bidder.

Contract for Sidewalk Repairs: Following review of the bid tabulation and discussion, upon motion duly made by Director Ocwieja, seconded by Director Wood and, upon vote, unanimously carried, the Board awarded the contract for sidewalk repairs to RCD Construction, Inc., in the amount of \$387,556.85.

Fencing Repairs: Mr. Beckman reported that repairs are under way and some delays were experienced due to resident landscaping conflicts and attachments to fencing. He explained that all conflicts have been resolved.

Agreement for Services between the District and Masterful Masonry for Masonry Services: The Board reviewed an Agreement for Services between the District and Masterful Masonry for masonry services.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the Agreement for Services between the District and Masterful Masonry for masonry services, in the amount of \$3,600.

Recent Auto Accidents and Insurance Claims: Mr. Beckman reviewed with the Board, damages to District fencing and masonry caused by recent automobile accidents. Insurance claims have been filed and repairs have been scheduled.

Agreement between the District and Jones Commercial Fencing for Vista Ridge Parkway Fence Repair: The Board reviewed an Agreement between the District and Jones Commercial Fencing for Vista Ridge Parkway fence repair.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified

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approval of the Agreement between the District and Jones Commercial Fencing for Vista Ridge Parkway fence repair, in the amount of \$2,832.

First Amendment to Agreement for Services between the District and Masterful Masonry for Masonry Services: The Board reviewed a First Amendment to Agreement for Services between the District and Masterful Masonry for masonry services.

Following discussion, upon motion duly made by Director Ocwieja, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the First Amendment to Agreement for Services between the District and Masterful Masonry for masonry services, in the amount of \$5,100.

Town of Erie Waterline Extension Phase 2B Update: Mr. Moncada provided an update to the Board on the Town of Erie Waterline Extension Phase 2B Update. He reported the Town of Erie is still working on the water line.

Landscaping Renovations Project:

Final Landscape and Irrigation Plans: The Board reviewed Final Landscape and Irrigation Plans. The Board directed staff to follow up with the Town of Erie to clarify any requirements it may have in relation to the project.

Pump Station Equipment: Mr. Beckman provided an update on the status of pump station equipment. He reported the pump equipment was ordered and is expected to be delivered in eight to ten weeks.

Bid Package and Publication of Request for Bids for 2024 Landscaping Renovation Project: The Board reviewed a Bid Package and Publication of Request for Bids for the 2024 Landscaping Renovation Project.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved the Bid Package and directed staff to proceed with the bidding process.

Agreement for Services between the District and LDUBS Lights, LLC for Holiday Lighting: The Board reviewed an Agreement for Services between the District and LDUBS Lights, LLC for holiday lighting.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board ratified approval of the Agreement for Services between the District and LDUBS Lights, LLC for holiday lighting.

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**OTHER
MATTERS**

There were no other matters to discuss at this time.

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 at 8:00 p.m.

Respectfully submitted,



Secretary for the Meeting