

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE VISTA RIDGE METROPOLITAN DISTRICT HELD APRIL 8, 2024

A special meeting of the Board of Directors (the “Board”) of the Vista Ridge Metropolitan District (the “District”) was convened on Monday, April 8, 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.

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#### **ATTENDANCE**

##### **Directors In Attendance:**

Michael Lund, President  
Valerie Swanson, Assistant Secretary  
Scott Wood, Assistant Secretary  
Todd Sargent, Assistant Secretary

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

##### **Also In Attendance:**

AJ Beckman, Nick Moncada, David Rees and Mark McGarey; Public Alliance, LLC  
Jeffrey Erb, Esq; Erb Law, LLC  
Thuy Dam; CliftonLarsonAllen, LLP (“CLA”)  
Craig Watkins and Uriel Nunez; Environmental Designs, Inc. (for a portion of the meeting).  
Eric Keesen; Brightview Landscape Services, Inc.

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#### **DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST**

The meeting was called to order at 5:37 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.

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#### **ADMINISTRATIVE MATTERS**

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

Following review, upon a motion made by Director Lund, seconded by Director Swanson, and, upon vote, unanimously carried, the agenda was approved, as

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amended to discuss the landscape and irrigation project first and follow the remainder of the agenda, as ordered, following that discussion.

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### **CAPITAL PROJECTS**

#### **2024 Landscaping Renovation Project:**

*Final Landscape Plans:* The Board reviewed the final landscape plans.

Following discussion, a motion was duly made by Director Sargent, seconded by Director Swanson and, upon vote, unanimously carried, the Board approved the final landscape plans.

*Bid Results and Tabulation:* Mr. Beckman reviewed with the Board the bid results and tabulation. Ms. Dam provided a summary of the Capital Budget for the project and indicated funds were sufficient to meet the project costs so long as the project was split into two phases in 2023 and 2024 as indicated in the bid documents.

*Award of Contract:* The Board entered into discussion regarding the proposals and bid tabulation for the 2024 Landscaping and Renovation Project. The Board discussed the pros and costs on both bids, each bidders qualifications, and familiarity with the project. The Board noted that the primary difference in the bids was related to irrigation costs and labor for installation of the irrigation pump.

Following the discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board conditionally awarded the contract to the apparent low bidder, Environmental Designs, Inc., in the amount of \$5,729,983.66.

*Pump Station Equipment:* It was reported that the delivery of the pump was pushed out by the manufacturer to April 25, 2024 and a storage container has been delivered to the site to secure the pump prior to installation.

*Materials Staging area:* The Board deferred discussion at this time.

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### **ADMINISTRATIVE MATTERS CONTINUED**

*Minutes:* The Board reviewed the minutes from the January 25, 2024 meeting.

Following discussion, upon motion duly made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board approved the minutes of the January 25, 2024 Regular Meeting, as presented.

*Public Comment:* Director Wood reported to the Board that he was selected by the Town of Erie as a member of the Landfill Advisory Board.

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Director Wood requested that Public Alliance coordinate with Ward Electric to ask for repair work on bore holes located on the north side of Weld CR 4 and Sheridan.

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### **FINANCIAL MATTERS**

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

Following discussion, upon motion made by Director Wood, seconded by Director Swanson and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending March 15, 2024, in the amount of \$250,824.40.

**Financial Statements and Schedule of Cash Position:** Ms. Dam reviewed with the Board the unaudited financial statements dated December 31, 2023 and schedule of cash position for the period ending December 31, 2023, updated as of March 15, 2024.

Following discussion, upon motion duly made by Director Wood, seconded by Director Lund and, upon vote, unanimously carried, the Board accepted the unaudited financial statements dated December 31, 2023 and schedule of cash position for the period ending December 31, 2023, updated as of March 15, 2024.

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### **LEGAL MATTERS**

**Landscaping Tracts from the Town of Erie via Quit Claim Deed:** Attorney Erb reported to the Board the tract transfer list is complete and he is submitting deed transfers to the Town of Erie to process. Mr. Beckman reported that the deed transfer timeline will not have a bearing on the District's ability to begin the landscape project.

**FRICO Water Leases and Purchase of Water Shares:** Attorney Erb reported to the Board that a recent audit of the water portfolio revealed the District's water portfolio should provide sufficient water for the landscaping needs without the need to lease additional FRICO Water.

**Integrated Water Facilities Common Use Agreement:** Attorney Erb reported to the Board that work is continuing on the Integrated Water Facilities Common Use Agreement with the Colorado National Golf Course. Following a field review of the system, it is apparent that a new agreement with the Colorado National Golf Course is needed to reflect current conditions. A meeting with the golf course owners will be scheduled.

**Other:** There were no other legal matters to discuss.

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### **OPERATIONS AND MAINTENANCE MATTERS**

**Update from Arrowhead Landscaping:** Mr. Watkins provided an update to the Board on landscape maintenance activities. He noted the storm cleanup is expected to be complete this week and mowing activities will commence next week. Mr. Moncada indicated the non-potable water pump will be activated on April 11, 2024. Director Swanson requested the Town of Erie be contacted regarding the status of four trees located near the Coal Creek pump station. The Board directed Public Alliance to determine the ownership status of these trees and pursue trimming.

*Proposal from Arrowhead Landscaping for Stump Grinding and Removal of Dead Tree:* The Board reviewed a proposal from Arrowhead Landscaping for stump grinding and removal of a dead tree.

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

*Proposal from Arrowhead Landscaping for Stump Grinding and Tree and Shrub Removal:* The Board reviewed a proposal from Arrowhead Landscaping for stump grinding and tree and shrub removal.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved the proposal from Arrowhead Landscaping for stump grinding and tree and shrub removal, in the amount of \$1,298.71.

*Proposal from Arrowhead Landscaping for Stump Grinding of 16 Trees:* The Board reviewed a proposal from Arrowhead Landscaping for stump grinding of 16 trees.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent and, upon vote, unanimously carried, the Board approved the proposal from Arrowhead Landscaping for stump grinding of 16 trees, in the amount of \$1,024.00.

**Third Amendment to Service Agreement for Landscape Services between the District and Arrowhead Landscape Services, Inc. for 2024 Landscaping Services:** The Board reviewed a Third Amendment to Service Agreement to Service Agreement for Landscape Services between the District and Arrowhead Landscape Services, Inc. for 2024 landscaping services.

Following discussion, upon motion duly made by Director Wood, seconded by Director Sargent, upon vote, unanimously carried, the Board ratified approval of the Third Amendment to Service Agreement for Landscape Services between the District and Arrowhead Landscape Services, Inc. for 2024 landscaping services.

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**Manager's Report:** Mr. Beckman reviewed the April 8, 2024 report with the Board.

*Fencing Repairs Due to Auto Accidents:* Mr. Beckman reported that both repairs are completed with repair costs submitted to insurance for coverage. One claim has been paid and the other is in process. Director Sargent indicated that the newly installed fence at 56 Alpine Street should be stained per the design standards in the color of Vista Ridge Tawny.

*Town of Erie Waterline Extension Phase 2B Update:* Mr. Moncada reported the Town of Erie Waterline Extension Phase 2B is now complete, however some silt fence is still in place.

*Equipment Storage Building:* Mr. Beckman advised the Board of a proposed new development within the District of 22 homes on the southwest corner of Vista Ridge Parkway and Mountain View Boulevard. The developer will likely be submitting a formal proposal, requesting that the District maintain the streets serving the 22 lots in exchange for providing land for a District storage building and dumpster enclosure. Additional information will be provided to the Board as it is received.

*Proposal from Republic Services for a Dumpster Rental:* The Board reviewed a proposal from Republic Services for a dumpster rental.

Following discussion, upon motion duly made by Director Sargent, seconded by Director Swanson and, upon vote, unanimously carried, the Board ratified approval of the proposal from Republic Services for a dumpster rental.

*Monument:* The Board reviewed proposals from Masterful Masonry, Inc. and S. J. Ward Landscapes, LLC for the installation of a street monument on the northwest corner of Mountain View Boulevard and Reserve Street. Director Wood suggested a second monument be included in the proposal, at the corner of Sheridan Parkway and Skyline Drive and that the pricing be reviewed at the next meeting following updated to the proposed scope of work.

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**CAPITAL  
PROJECTS  
CONTINUED**

**Concrete Trails Project Update:** Mr. Beckman reported that sidewalk repairs are proceeding with approximately 73% of the project finished. One change order has been submitted for a time extension of three days due to lost time from snow events.

*Change Order No. 1 to the Sidewalk Repair and Replacement Agreement with RCD Construction, Inc. extending the completion date by three days due to weather delays:* The Board reviewed Change Order No. 1 to the Sidewalk Repair and

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Replacement Agreement with RCD Construction, Inc. extending the completion date by three days due to weather delays.

Following discussion, upon motion duly made by Director Lund, seconded by Director Wood and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 1 to the Sidewalk Repair and Replacement Agreement with RCD Construction, Inc. extending the completion date by three days due to weather delays.

*Turf Damage Restoration and Final Scope of Work:* Mr. Beckman advised the Board that there is some remediation work that will be required to fix ruts and other damage however retainage will be withheld until all remediation is completed to the District's satisfaction.

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### **OTHER MATTERS**

**Executive Session:** The Board determined an Executive Session was not needed at this time.

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### **ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Wood, seconded by Director Swanson and, upon vote, unanimously carried, the meeting was adjourned at 6:59 p.m.

Respectfully submitted,

DocuSigned by:

*AJ Beckman*

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Secretary for the Meeting