

RECORD OF PROCEEDINGS

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

A regular meeting of the Board of Directors (the “Board”) of the Vista Ridge Metropolitan District (the “District”) was convened on Thursday, April 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
Valerie Swanson, Assistant Secretary
Scott Wood, Assistant Secretary
Todd Sargent, Assistant Secretary

Also In Attendance:

AJ Beckman and Mark McGarey; Public Alliance, LLC
Jeffrey Erb, Esq; Erb Law, LLC
Craig Watkins, Mike Hoeffler and Uriel Nunez; Environmental Designs, Inc.

DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

The meeting was called to order at 5:33 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 Sargent, and, upon vote, unanimously carried, the Board approved the agenda.

Public Comment: There was no public comment.

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LEGAL MATTERS **Landscaping Tracts from the Town of Erie via Quit Claim Deed**: Attorney Erb reported to the Board that the tract list and deeds were provided to the Town of Erie. He noted the Town of Erie will need to review and he will monitor progress.

Other: Attorney Erb noted a meeting with the Colorado National Golf Club is scheduled for May 8, 2024 to discuss the Irrigation Facilities Common Use Agreement.

OPERATIONS AND MAINTENANCE MATTERS **Discussion with Colorado National Golf Course regarding Landscaping Responsibilities**: Director Ocwieja reported that he and Mr. McGarey recently met with the Colorado National Golf Course (“CNGC”) to discuss maintenance responsibilities in certain areas where no maintenance is being done. He reported CNGC has no objection to the District taking on more maintenance responsibilities. The Board directed Public Alliance to work with Attorney Erb to draft an Agreement between the District and the CNGC allowing the District to perform maintenance in certain areas owned by CNGC.

Monuments Around the Pond: Mr. McGarey discussed with the Board erosion at the base of the monuments around the pond and presented a proposal from Schedio Group LLC in the amount of \$4,000 to continue the investigation and recommend a solution. Director Wood requested staff to investigate the golf course’s willingness to share costs in the study proposed by Schedio Group, LLC.

Proposal from Schedio Group LLC to Conduct a Major Investigation into Repair of the Pond and Monuments: The Board deferred discussion.

Proposal from Masterful Masonry, Inc. for the Addition of Street Monuments to be Placed at the Northwest Corner of Mountain View Boulevard and Reserve Street and at the Corner of Sheridan and Skyline: The Board reviewed a proposal from Masterful Masonry, Inc. for the addition of street monuments to be placed at the northwest corner of Mountain View Boulevard and Reserve Street and at the corner of Sheridan and Skyline.

Following review, upon a motion made by Director Sargent, seconded by Director Wood, and, upon vote, unanimously carried, the Board approved the proposal from Masterful Masonry, Inc. for the addition of street monuments to be placed at the northwest corner of Mountain View Boulevard and Reserve Street and at the corner of Sheridan and Skyline, in the amount of \$6,770.

CAPITAL PROJECTS **Updated Cost Estimate and Project Schedule Prepared by Environmental Designs, Inc. for the 2024 Landscaping Renovation Project**: Environmental Designs (“EDI”) reviewed with the Board the updated cost estimate and project schedule for the 2024 landscaping renovation project. The proposed schedule

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contemplates the ordering of materials and mobilization over the summer, with on-site work beginning in October, continuing over the winter and through the summer of 2025. Discussion was held regarding the potential to start earlier, challenges with providing irrigation to plants that will not be replaced, the order of installation and labor. Regarding pricing, EDI noted that boring for installation of the irrigation main lines was not included in the original bid. The Board noted that the other bidder also excluded boring from its bid. Boring was added to the revised pricing as an allocation number in the event none of the existing irrigation sleeves can be reused. The hope is some will be able to be reused, so the boring price should be less. Finally, there was an adjustment to pricing for Phases I and II. Following the conclusion of discussions with EDI regarding the revised contract pricing, the representatives of EDI excused themselves from the meeting.

The Board discussed the revised pricing and explanations, noting its frustration with the project not starting until early fall but also wanting the construction to be done as efficiently as possible to minimize the disturbance to the community. The Board also noted that even with the boring allocation and price adjustment, EDI was still the low bidder. Following review, upon a motion made by Director Lund, seconded by Director Ocwieja, and, upon vote, unanimously carried, the Board approved the updated project cost in the amount of \$6,685,201.28 and proposed schedule for the 2024 landscaping renovation project, and authorized Mr. Beckman to enter into negotiations regarding the pricing of the required bonds to be secured by the EDI, which price was not included in the original bid.

License Agreement for Staging Area: The Board reviewed a License Agreement for a potential construction staging area. The Board directed Mr. McGarey to request Environmental Designs, Inc. to contract directly with the landowner for use of the lot.

Concrete Trails Project:

Change Order No. 2 to the Sidewalk Repair and Replacement Agreement with RCD Construction, Inc. for the Installation of ADA Pedestrian Ramps: The Board reviewed Change Order No. 2 to the Sidewalk Repair and Replacement Agreement with RCD Construction, Inc. for the installation of ADA pedestrian ramps. The ramps are required pursuant to the Town of Erie code.

Following review, upon a motion made by Director Wood, seconded by Director Sargent, and, upon vote, unanimously carried, the Board approved Change Order No. 2 to the Sidewalk Repair and Replacement Agreement with RCD Construction, Inc. for the installation of ADA pedestrian ramps, in the amount of \$18,028.42.

Proposal from RCD Construction, Inc. for Additional Work on the Trail System: The Board reviewed a proposal from RCD Construction, Inc. for additional work on the trail system.

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Following review, upon a motion made by Director Wood, seconded by Director Ocwieja, and, upon vote, unanimously carried, the Board approved the proposal from RCD Construction, Inc. for additional work on the trail system to include two trench drains to help mitigate water issues on the trail, in the amount not \$50,000.

Projects Funded with Conservation Trust Funds: Director Ocwieja discussed with the Board potentially using the Conservation Trust Funds to install pickle ball courts. Comment was made that the Conservation Trust Funds currently held by the District have been allocated to the trail project. No action was taken by the Board at this time.

Fencing: Mr. Beckman advised the Board that major fencing repairs will be necessary in the near future.

OTHER MATTERS


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

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Lund, seconded by Director Wood and, upon vote, unanimously carried, the meeting was adjourned at 7:46 p.m.

Respectfully submitted,

DocuSigned by:



Secretary for the Meeting