

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING/BUDGET HEARING
OF THE BOARD OF DIRECTORS OF THE
REUNION METROPOLITAN DISTRICT
HELD
NOVEMBER 5, 2019**

A regular meeting/budget hearing of the Board of Directors of the Reunion Metropolitan District was held Tuesday, November 5, 2019, at 6:00 p.m., at the Reunion Recreation Center, 17910 E. Parkside Drive North, Commerce City, Colorado 80022. The meeting was open to the public.

In attendance were Directors:

Brett Price
Kelly Leid
Tim Roberts
Teresa Kershisnik

Also in attendance were:

Matthew Urkoski, Anna Jones, Kathy Suazo and Shelby Clymer;
CliftonLarsonAllen LLP
Kristen Bear, Esq.; White Bear Ankele Tanaka & Waldron P.C.
Steve Follweiler, Matt Darby and Raul Martinez; Reunion Metropolitan
District
Aaron Clutter; JR Engineering
Thomas Mueller; North Range MD No. 1 Board Member
Douglas Burns; North Range MD No. 1 Board Member
Jeffrey Kappes; North Range MD No. 1 Board Member
Karen Anderson; 17838 E. 108th Place
Amanda Preter; 17888 E. 108th Place
Roger Seip; 10520 Waco Street
Nicole Walburn; 10520 Waco Street

Call to Order

Director Leid called the meeting to order at 6:00 p.m. The absence of Director Rau was excused.

Declaration of
Quorum

A quorum was confirmed.

Disclosures and
Potential Conflicts
of Interest

The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Ms. Bear noted that all Directors' Disclosure Statements have been filed. The

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Board noted that there are no additional conflicts to those filed with the Secretary of State pursuant to statute.

Approve Agenda After discussion, upon a motion duly made by Director Leid, seconded by Director Price and upon vote unanimously carried, the Board approved the agenda as presented.

Public Comments Karen Anderson requested that the open space/greenway behind and next to her house be made into a pocket park due to the trash, dumped cement, ants, and weeds collected in the open space.

Amanda Preter expressed the need for a park or nature/native area in the same area due to the same issues.

CONSENT AGENDA

- A. Review and Approve Minutes of the August 22, 2019 Special Meeting and October 24, 2019 Special meeting/Budget Workshop
- B. Review and Consider HOA Tribunal Recommendations

After discussion, upon a motion duly made by Director Price, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved the Consent Agenda.

6. Manager Matters

- A. Parks/Irrigation Manager's Report

Raul Martinez reviewed the enclosed report with the Board.

- B. Operations Manager's Report

Steve Follweiler reviewed the enclosed report with the Board.

- C. HOA Manager's Report

Jim Bogner reviewed the enclosed report with the Board.

- D. Community Communications Update

- 1. Discuss Newsletter

Mr. Urkoski updated the Board, noting a community newsletter was launched this fall, with positive feedback having been received to date. Director Leid noted the goal is to have a spring and fall newsletter.

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Director Leid also reported on the success of the resident budget workshop and recommended more workshops and/or more communication between the residents and the Board.

- E. Discuss 2020 Regular Meeting Dates [February 4, May 5, August 4 and November 3, 2019]

The Board discussed the proposed 2020 meeting dates.

- F. Consider Adoption of 2020 Annual Administrative Resolution

Ms. Bear reviewed the Resolution with the Board. After discussion, upon a motion duly made by Director Leid, seconded by Director Kershnik, and upon vote unanimously carried, the Board adopted the 2020 Annual Administrative Resolution.

- G. Consider Adoption of Resolution Concerning Online Notice of Regular and Special Meetings

Ms. Bear reviewed the Resolution with the Board. After discussion, upon a motion duly made by Director Leid, seconded by Director Kershnik, and upon vote unanimously carried, the Board adopted the Resolution Concerning Online Notice of Regular and Special Meetings.

- H. Consider Adoption of Resolution Calling May 2020 Director's and TABOR Election

Ms. Bear reviewed the Resolution with the Board. After discussion, upon a motion duly made by Director Leid, seconded by Director Price, and upon vote unanimously carried, the Board adopted the Resolution Calling May 2020 Director's and TABOR Election.

- I. Consider Approval of Property and Liability Schedule and Limits

Upon a motion duly made by Director Kershnik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the property and liability schedule and limits subject to review by Director Leid and Ms. Bear.

- J. Consider Approval of 2020 Extension to Management Agreement among Reunion Metropolitan District, North Range Metropolitan District No. 1 and Reunion Homeowners Association

Ms. Bear reviewed the Agreement with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved the 2020 Extension to Management Agreement among Reunion Metropolitan District, North Range Metropolitan District No. 1 and Reunion Homeowners Association.

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- K. Review and Consider Approval of 2020 Addendum to the Policies and Procedures for Covenant and Rule Enforcement

Ms. Bear reviewed the Addendum with the Board. After discussion, upon a motion duly made by Director Roberts, seconded by Director Price, and upon vote unanimously carried, the Board approved the 2020 Addendum to the Policies and Procedure for Covenant and Rule Enforcement.

- L. Review and Consider Approval of Independent Contractor Agreement between Environmental Designs, Inc. and Reunion Metropolitan District for 2020 Landscape Maintenance Services.

Ms. Bear reviewed the Agreement with the Board. After discussion, upon a motion duly made by Director Leid, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved the Independent Contractor Agreement between Environmental Designs, Inc. and Reunion Metropolitan District for 2020 Landscape Maintenance Services.

- M. Discuss Community Safety and Security

Director Leid reported that he and Mr. Follweiler are working with Commerce City and the Police Department on an increased partnership to spread awareness and communication throughout the community. Discussion ensued regarding recent vehicle break-ins.

- N. Update on District Website

Mr. Urkoski updated the Board on the website. Director Leid noted that usage has continued to increase since the new website's launch.

- O. Ratify 2018 Annual Report

Upon a motion duly made by Director Kershnik, seconded by Director Leid, and upon vote unanimously carried, the Board ratified approval of the 2018 Annual Report.

Legal Matters

- A. Review and Consider Approval of 11th Amendment to the Funding and Reimbursement Agreement between Reunion Metropolitan District and Clayton Properties Group II, Inc., related to the Construction of 112th Avenue between Chambers and Parkside Drive

Ms. Bear reviewed the 11th Amendment with the Board with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved the 11th Amendment to the Funding and Reimbursement Agreement between Reunion Metropolitan district and Clayton Properties Group II, Inc., related to the

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Construction of 112th Avenue between Chambers and Parkside Drive, subject to final review by Director Leid and Ms. Bear.

- B. Review and Consider Approval of Cost Share Agreement between Reunion Metropolitan District and the City of Commerce City related to the Construction of 112th Avenue from Chambers Road to Parkside Drive North

Ms. Bear reviewed the Cost Share Agreement with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the Cost Share Agreement between Reunion Metropolitan District and the City of Commerce City related to the Construction of 112th Avenue from Chambers Road to Parkside Drive North subject to approval of the IGA and final review by Director Leid and Ms. Bear.

- C. Review and Consider Approval of Cost Share Agreement between Reunion Metropolitan District and South Adams County Water and Sanitation District related to the Construction of 112th Avenue from Chambers Road to Parkside Drive North

Ms. Bear reviewed the Agreement with the Board. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the Cost Share Agreement between Reunion Metropolitan District and South Adams County Water and Sanitation District related to the Construction of 112th Avenue from Chambers Road to Parkside Drive North subject to approval of the IGA and final review by Director Leid and Ms. Bear.

- D. Review and Consider Acceptance of Deeds to Reunion Metropolitan District from Shea Homes for Tracts in Filings 25 and 33

Ms. Bear reviewed the Deeds with the Board. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Price, and upon vote unanimously carried, the Board accepted the Deeds to Reunion Metropolitan District from Shea Homes for Tracts in Filings 25 and 33.

- E. Review and Consider Acceptance of Deeds to Reunion Metropolitan District from Clayton Properties Group II for Tracts in Filings 26, 34, 34 Amendment No. 1, 34 Amendment No. 2, 35, and 35 Amendment No. 1

Ms. Bear reviewed the Deeds with the Board. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Price, and upon vote unanimously carried, the Board accepted the Deeds to Reunion Metropolitan District from Clayton Properties Group II for Tracts in Filings 26, 34, 34 Amendment No. 1, 34 Amendment No. 2, 35, and 35 Amendment No. 1.

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- F. Review and Consider Second Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges

Ms. Bear reviewed the Second Amended and Restated Resolution. After discussion, upon a motion duly made by Director Price, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the Second Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges.

Engineer Matters

- A. Consider Award of Contract to HEI for Reconstruction of 112th Avenue from Chambers Road to Parkside Drive North

Mr. Clutter reviewed the Award with the Board. Discussion ensued. After discussion, upon a motion duly made by Director Price, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the Award of Contract to HEI for Reconstruction of 112th Avenue from Chambers Road to Parkside Drive North subject to South Adams County Water and Sanitation District approval of the IGA. Mr. Clutter further noted that his team would not issue a notice to proceed on the SACWSD portion of the project until the IGA has been approved.

- B. Consider Award of Contract to Contour Services for Construction Management related to the Reconstruction of 112th Avenue from Chambers Road to Parkside Drive North

Mr. Clutter reviewed the Award with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershishnik, and upon vote unanimously carried, the Board approved the Award of Contract to Contour Services for Construction Management related to the Reconstruction of 112th Avenue from Chambers Road to Parkside Drive North.

- C. Consider Award of Contract to JR Engineering for Construction Assistance Services related to the Reconstruction of 112th Avenue from Chambers Road to Parkside Drive North

Mr. Clutter reviewed the Award with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershishnik, and upon vote unanimously carried, the Board approved the Award of Contract to JR Engineering for Construction Assistance Services related to the Reconstruction of 112th Avenue from Chambers Road to Parkside Drive North.

- D. Consider Approval of Agreements with United Power and Payment of Invoices for Street Lights and Electric Relocation Work

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Mr. Clutter reviewed the Agreements with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Roberts, and upon vote unanimously carried, the Board approved the Agreement with United Power and Payment of Invoices for Street Lights.

Upon a motion duly made by Director Price, seconded by Director Kershisnik, and upon vote unanimously carried, the Board approved the Agreement with United Power and Payment of Invoices for Electric Relocation Work.

- E. Consider Approval of Payment of Tap Fee to South Adams County Water and Sanitation District

Mr. Clutter reviewed the payment with the Board. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Price, and upon vote unanimously carried, the Board approved the payment of tap fee to South Adams County Water and Sanitation District.

- F. Consider Approval of Change Order No. 3 to Agreement Between Reunion Metropolitan District and JBS Pipe Contractors for District Infrastructure to Service Village 7B and 7E

Mr. Clutter reviewed Change Order No. 3 with the Board. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved Change Order No. 3 to Agreement between Reunion Metropolitan District and JBS Pipe Contractors for District Infrastructure to Service Village 7B and 7E.

- G. Consider Approval of Change Order No. 4 to Agreement Between Reunion Metropolitan District and JBS Pipe Contractors for District Infrastructure to Service Village 7B and 7E

Mr. Clutter reviewed Change Order No. 4 with the Board. After discussion, upon a motion duly made by Director Kershisnik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved Change Order No. 4 to Agreement between Reunion Metropolitan District and JBS Pipe Contractors for District Infrastructure to Service Village 7B and 7E.

Financial Matters

- A. Review, Ratify and Consider Approval of Claims

Ms. Clymer reviewed the claims. After review and discussion, upon a motion duly made by Director Kershisnik, seconded by Director Roberts, and upon vote unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$1,391,828.90.

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B. Review and Consider Acceptance of the September 30, 2019 Unaudited Draft Financial Statements

Ms. Clymer reviewed the Unaudited Financial Statements with the Board. After discussion, upon a motion duly made by Director Roberts, seconded by Director Kershnik, and upon vote unanimously carried, the Board accepted the September 30, 2019 Unaudited Draft Financial Statements.

C. 2020 Budget Hearing

1. Consider Adoption of 2020 Budget Resolution

Upon a motion duly made by Director Kershnik, seconded by Director Roberts, the Board opened the public hearing at 7:14 p.m. Mr. Clymer reviewed the proposed 2020 budget with the Board. Discussion ensued. Ms. Clymer noted that staff had compiled a proposed budget that reduced operations expenditures in order to maintain the same mill levy as 2019 across all Districts. Upon a motion duly made by Director Kershnik, seconded by Director Roberts, the Board closed the public hearing at 7:26 p.m.

After review and discussion, upon a motion duly made by Director Roberts, seconded by the Director Kershnik, and upon vote unanimously carried, the Board approved the 2020 budget and adopted the 2020 Budget Resolution.

D. Consider Approval of 2020 Fee Addendum to Resolution Concerning the Imposition of Fees and Charges

Mr. Urkoski reviewed the fee addendum with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved the 2020 Fee Addendum to Resolution Concerning the Imposition of Fees and Charges, noting a \$1.00 monthly increase to Recreation Fees.

E. Consider Approval of Auditor Proposal for 2019 Audit

Ms. Clymer reviewed the Proposal with the Board. After discussion, upon a motion duly made by Director Price, seconded by Director Kershnik, and upon vote unanimously carried, the Board approved the Auditor Proposal for 2019 Audit.

Other Business

None.

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Adjournment

There being no further business to come before the Board, the meeting adjourned at 7:30 p.m.

The foregoing record constitutes a true and correct copy of the minutes of the above-referenced meeting.

Respectfully submitted,



Secretary for the Meeting