

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
REUNION METROPOLITAN DISTRICT (THE "DISTRICT")
HELD
MAY 7, 2024

A regular meeting of the Board of Directors of the Reunion Metropolitan District (referred to hereafter as the "Board") was held on May 7, 2024 at 6:00 p.m. This District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were (with titles):

Brett Price, President
Bruce Rau, Treasurer
Bertrand Bauer, Secretary
Tim Roberts, Assistant Secretary

Also, In Attendance Were:

David Greher and Kristin Herndon; Cockrel Ela Glesne Greher & Ruhland, P.C.
Anna Jones, Matt Urkoski, Curtis Bourgouin and Shelby Clymer;
CliftonLarsonAllen LLP ("CLA")
Bill Kyriagis; Otten Johnson
Curtis Hain; MSI
Raul Martinez; Reunion Metropolitan District
Aaron Clutter; JR Engineering
Misty Schissler, Kristi and Ramon; Members of the public

ADMINISTRATIVE MATTERS

Call to order and approval of agenda: President Price called the meeting to order at 6:03 p.m. Upon a motion duly made by Director Rau, seconded by President Price and, upon vote, unanimously carried, the Board approved the agenda as presented.

Disclosures of potential conflicts of interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Mr. Greher that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

Quorum/Confirmation of Meeting Location/Posting of Notice: A quorum was confirmed.

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The Board noted that notice providing the time, date and meeting location information for the meeting was duly posted.

Public Comment: None.

CONSENT AGENDA

Minutes from the February 6, 2024 Regular Meeting:

HOA Tribunal Recommendations:

Upon a motion duly made by President Price, seconded by Director Rau and, upon vote, unanimously carried, the Board approved the Consent Agenda.

MANAGER MATTERS

Parks/Irrigation Manager's Report: Mr. Martinez provided an update to the Board.

Proposal from Environmental Designs, LLC for 104th planting beds in the amount of \$124,968.87: Mr. Martinez presented the proposal to the Board. Following review, upon a motion duly made by President Price, seconded by Director Roberts and, upon vote, unanimously carried, the Board approved the proposal from Environmental Designs, LLC for 104th Avenue (?) planting beds in the amount of \$124,968.87, as presented, per Mr. Martinez' revisions.

Operation Manager's Report: Ms. Jones and Mr. Urkoski provided an update to the Board.

Ratify Service Agreement between the District and All-Weather Seamless Gutters & Roofing LLC for gutter repairs at the Recreation Center in the amount of \$17,301.00: Mr. Urkoski and Ms. Jones reviewed the agreement with the Board. Following review, upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board ratified the Service Agreement between the District and All-Weather Seamless Gutters & Roofing LLC for gutter repairs at the Recreation Center in the amount of \$17,301.00, as presented.

Quote between the District and Pool Furniture Supply, in the amount of \$18,330.00: Mr. Urkoski and Ms. Jones reviewed the quote with the Board. Following review, upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board approved the Quote between the District and Pool Furniture Supply in the amount of \$18,330.00, as presented.

Ratify Independent Contractor Agreement between the District and Night Musick, Inc. for June 22, 2024 fireworks display, in the amount of \$31,800.00: Mr. Urkoski and Ms. Jones reviewed the agreement with the Board.

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Following review, upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board ratified the Independent Contractor Agreement between the District and Night Musick, Inc. for June 22, 2024 fireworks display, in the amount of \$31,800.00, as presented.

Bling Entertainment and Events, LLC for Reunion Red White and Blue Fest Fireworks - \$5,700.00: Mr. Urkoski and Ms. Jones reviewed the agreement with the Board. Following review, upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board approved Bling Entertainment and Events, LLC for Reunion Red White and Blue Fest Fireworks - \$5,700.00, as presented.

Bling Entertainment and Events Marketing Support - \$2,062.63: Mr. Urkoski and Ms. Jones reviewed the agreement with the Board. Following review, upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board approved Bling Entertainment and Events Marketing Support - \$2,062.63, as presented.

Service Agreement between the District and Canteen Services for vending machines at no cost to the District: Mr. Urkoski and Ms. Jones reviewed the agreement with the Board. Following review, upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board approved the Service Agreement between the District and Canteen Services for vending machines at no cost to the District, as presented.

Vending Machine Memo: This item was not addressed. No action was taken.

HOA Manager's Report: Mr. Hain reviewed his report with the Board.

Other Manager Matters: None.

FINANCIAL MATTERS

Claims: Ms. Clymer reviewed the claims with the Board. Following review, upon a motion duly made by Director Rau, seconded by President Price and, upon vote, unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$1,303,320.43.

March 31, 2024 Unaudited Financial Statements: Ms. Clymer reviewed the Unaudited Financial Statements with the Board.

Following discussion, upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board accepted the March 31, 2023 Unaudited Financial Statements, as presented.

Fee Study for Reunion Ridge Filing 1 Amendment; Consider Adoption of Resolution Imposing District Fees: Ms. Clymer reviewed the Fee Study with

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the Board. Following review and discussion, upon a motion duly made by Director Rau, seconded by Director Bauer and, upon vote, unanimously carried, the Board accepted the Fee Study for Reunion Ridge Filing 1 Amendment and adopted the Resolution Imposing District Fees, as presented.

Status of 2023 Audit: Ms. Clymer informed the Board that an extension will be filed for the 2023 Audit. The Board discussed and concurred with the filing of an extension.

ENGINEER MATTERS

Overall Construction Update:

Construction projects and budget spreadsheet: Mr. Clutter provided an update to the Board.

Construction Change Orders:

Change Order No. 02 to Agreement regarding Phase 1 Underdrain Maintenance between the District and QP Services (Full Depth Manhole Installation T&M Costs) in the amount of \$248,101.87: Mr. Clutter reviewed the Change Order with the Board. Following review, upon a motion duly made by Director Bauer, seconded by President Price and, upon vote, unanimously carried, the Board approved the Change Order No. 02 to Agreement regarding Phase 1 Underdrain Maintenance between the District and QP Services (Full Depth Manhole Installation T&M Costs) in the amount of \$248,101.87.

Change Order No. 02 to Agreement for 2023 Pond Maintenance between the District and Clearwater Property & Resource Management (seeding deduction) in the deductive amount of (\$10,000.00): Mr. Clutter reviewed the Change Order with the Board. Following review, upon a motion duly made by Director Bauer, seconded by President Price and, upon vote, unanimously carried, the Board approved the Change Order No. 02 to Agreement for 2023 Pond Maintenance between the District and Clearwater Property & Resource Management (seeding deduction) in the deductive amount of (\$10,000.00).

Landscape Change Orders:

Change Order No. 07 to Agreement regarding Filing 37 Landscape Improvements between the District and Brightview Landscape Development (adding area at end of E. 109th Place) in the amount of \$9,212.00: Mr. Clutter reviewed the Change Order with the Board. Following review, upon a motion duly made by Director Bauer, seconded by President Price and, upon vote, unanimously carried, the Board approved Change Order No. 07 to Agreement regarding Filing 37 Landscape Improvements between the District and Brightview Landscape Development

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(adding area at end of E. 109th Place) in the amount of \$9,212.00.

Change Order No. 04 to Agreement regarding Filing No. 1 Phases 2-5 Landscape Improvements between the District and Designsapes Colorado (FCN#3 - Punchlist items identified during initial acceptance walkthrough) in the amount of \$4,744.00: Mr. Clutter reviewed the Change Order with the Board. Following review, upon a motion duly made by Director Bauer, seconded by President Price and, upon vote, unanimously carried, the Board approved Change Order No. 04 to Agreement regarding Filing No. 1 Phases 2-5 Landscape Improvements between the District and Designsapes Colorado (FCN#3 - Punchlist items identified during initial acceptance walkthrough) in the amount of \$4,744.00.

Change Order No. 08 to Agreement regarding Filing No. 1 Ragweed Draw & Phase 1 Landscape Improvements between the District and Designsapes Colorado (FCN#9 – Initial acceptance walk punch list items Backflow preventer replacement) in the amount of \$15,996.75: Mr. Clutter reviewed the Change Order with the Board. Following review, upon a motion duly made by Director Bauer, seconded by President Price and, upon vote, unanimously carried, the Board approved Change Order No. 08 to Agreement regarding Filing No. 1 Ragweed Draw & Phase 1 Landscape Improvements between the District and Designsapes Colorado (FCN#9 – Initial acceptance walk punch list items Backflow preventer replacement) in the amount of \$15,996.75.

Change Order No. 09 to Agreement regarding Filing No. 1 Ragweed Draw & Phase 1 Landscape Improvements between the District and Designsapes Colorado (FCN#10 – Ragweed Draw Seeding) in the amount of \$4,515.00: Mr. Clutter reviewed the Change Order with the Board. Following review, upon a motion duly made by Director Bauer, seconded by President Price and, upon vote, unanimously carried, the Board approved Change Order No. 09 to Agreement regarding Filing No. 1 Ragweed Draw & Phase 1 Landscape Improvements between the District and Designsapes Colorado (FCN#10 – Ragweed Draw Seeding) in the amount of \$4,515.00.

Independent Contractor Agreement for 2024 Pond Maintenance between the District and Clear Water Property & Resource Management LLC in the amount of \$197,639.00: Mr. Clutter reviewed the Independent Contractor Agreement with the Board. Following review, upon a motion duly made by Director Rau, seconded by Director Bauer and, upon vote, unanimously carried, the Board approved the Independent Contractor Agreement for 2024 Pond Maintenance between the District and Clear Water Property & Resource Management LLC in the amount of \$197,639.00.

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Awarding the Bidding, Construction Management, and preparing/submitting the 2024 Stormwater Maintenance Inspection Report to Commerce City to JR Engineering in the amount of \$36,700.00: Mr. Clutter reviewed the Bid Awarding with the Board. Following review, upon a motion duly made by Director Rau, seconded by Director Bauer and, upon vote, unanimously carried, the Board approved Awarding the Bidding, Construction Management, and preparing/submitting the 2024 Stormwater Maintenance Inspection Report to Commerce City to JR Engineering in the amount of \$36,700.00, subject to President Price's review of certification requirements through JR Engineering or another engineer, as appropriate.

LEGAL MATTERS

Letter in Support of STEAD School for Design and Build of the Playfield: Mr. Greher discussed the letter previously approved by the Board for transmittal at the February Meeting, but which had not been on the February Agenda. Following review, upon a motion duly made by Director Rau, seconded by President Price and, upon vote, unanimously carried, the Board ratified the Letter in Support of STEAD School for Design and Build of the Playfield.

Fourth Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges: Mr. Greher reviewed the resolution with the Board. Following review, upon a motion duly made by Director Rau, seconded by President Price and, upon vote, unanimously carried, the Board adopted the Fourth Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges.

Director Rau requested MSI/CLA prepare a communication to be sent to all residents describing the newly adopted policy.

Executive Session to receive legal advice from District counsel on specific legal questions and to determine positions relative to matters that may be subject to negotiations, developing strategy for negotiations and instructing negotiators pursuant to Section 24-6-402(4)(b), C.R.S., regarding pending litigation, the Mill Levy Equalization and Pledge Agreement, the District Operating Services Agreement, budget and finance issues, and other matters related to North Range Metropolitan District Nos. 1, 2 and 3, and statutory compliance, and possible adoption of the Fourth Amended and Restated Resolution Establishing Guidelines for the Processing and Collection of Delinquent Fees and Charges: Mr. Greher noted that several of the matters enumerated in the Agenda for Executive Session were no longer applicable and should be stricken, as indicated by the strikethrough text above. Upon a motion duly made by Director Rau, seconded by Director Roberts and, upon vote, unanimously carried, the Board entered into Executive Session for the revised purposes set forth above at 6:59 p.m.

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The Board returned to Open Session at 7:39 p.m.

Action Regarding Matters Discussed During Executive Session: No action taken.

OTHER BUSINESS

None.

ADJOURNMENT

Upon a motion duly made by President Price, seconded by Director Bauer and, upon vote, unanimously carried, the Board adjourned the meeting at 7:40 p.m.

Respectfully submitted,

Signed by:
Randy Bauer
By _____
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Secretary for the Meeting

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I hereby attest that I am an attorney of the District, that I was in attendance during the Executive Session of the Board convened on May 7, 2024, and that the discussion during the Executive Session constituted a privileged attorney-client communication for which no record is required to be kept by law.

Signed by:
David Greher
By _____
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David Greher