

**MINUTES OF THE JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS OF THE
NORTH VISTA HIGHLANDS METROPOLITAN DISTRICT NOS. 1-5
HELD JANUARY 26, 2021**

A special meeting of the Boards of Directors (collectively the “**Boards**” and individually the “**Board**”) of the North Vista Highlands Metropolitan District Nos. 1-5 (collectively the “**Districts**” and individually the “**District**”) was held on January 26, 2021 at 11:00 a.m.

Due to the Executive Orders issued by Governor Polis and Public Health Orders implementing the Executive Orders issued by the Colorado Department of Public Health & Environment, and the threat posed by the COVID-19 coronavirus, the meeting was held via teleconference.

ATTENDANCE

Directors In Attendance Were:

David J. Resnick (via televideo conference)
Kevin Resnick (via televideo conference)
Jack R. Hunter (via televideo conference)
Steward Mosko (via televideo conference)
Robert E. Hunter (via televideo conference)

Directors Absent and Excused:

Also In Attendance Were:

Zachary White. White, Bear, Ankele, Tanaka & Waldron, P.C. (via televideo conference)
Alex Carlson, Centennial Consulting Group, LLC (via televideo conference)

Call to Order: Mr. Carlson called the meeting to order, noting that a quorum was present.

Disclosures of Potential Conflicts of Interest: Mr. White advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. White inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Approval of Agenda: The Boards reviewed the meeting agenda. Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Boards approved the Agenda.

November 12, 2020 Minutes: The Boards reviewed the minutes from the November 12, 2020 Joint Special Meeting. Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Boards approved the November 12, 2020 minutes as presented.

Public Comment: There were no public comments.

ADMINISTRATIVE
MATTERS

Consider Adoption of Joint Resolution Designating the Districts' Website for Online Posting of Meeting Notices and 24-hour Posting Location: Mr. Carlson presented the Joint Resolution Designating the Districts' Website for Online Posting of Meeting Notices and 24-Hour Posting Location. Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Boards approved and adopted the Joint Resolution Designating the Districts' Website for Online Posting of Meeting Notices and 24-hour Posting Location.

Director Jack R. Hunter joined the meeting.

LEGAL MATTERS

Joint Public Records Request Policy: Mr. White discussed with the Boards the need to have a records request policy to govern the process for providing public records and described the proposed records request policy to the Boards. Following discussion, upon a motion by Director David Resnick, seconded by Director Mosko, and upon vote, unanimously carried, the Boards approved the Joint Public Records Request Policy.

Resolution Concerning Authorization for Approval of Contracts and Payment of Claims: Mr. White presented a proposed Resolution Concerning Authorization for Approval of Contracts and Payment of Claims and described the purposed resolution to the Board of District No. 1. Following discussion, upon a motion by Director David Resnick, seconded by Director Mosko, and upon vote, unanimously carried, the Board of District No. 1 adopted the Resolution Concerning

Authorization for Approval of Contracts and Payment of Claims, as amended by the Board of District No. 1.

Independent Contractor Agreement with Horrocks Engineers for Bridge Study Services: Director David Resnick described the agreement with Horrocks Engineers for bridge study services. The Board of District No. 1 reviewed the agreement and services rendered. Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Board of District No. 1 ratified the Independent Contractor Agreement with Horrocks Engineers for Bridge Study Services.

First Addendum to Independent Contractor Agreement with Horrocks Engineers: Director David Resnick described to the Board of District No. 1 a proposal to add scope and fee to the ICA with Horrocks Engineers to provide construction bid review services. The Board of District No. 1 reviewed the First Addendum to Independent Contractor Agreement with Horrocks Engineers and services rendered. Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Board of District No. 1 ratified the First Addendum to Independent Contractor Agreement with Horrocks Engineers.

FINANCIAL
MATTERS

Approval of Payables/Financials: Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Board of District No. 1 ratified Requisitions 18-25.

Authorize the District Accountant to Transfer District No. 1 Operating Bank Account from CIT Bank to First Citizens Bank: Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Board of District No. 1 authorized the District Accountant to Transfer District No. 1 Operating Bank Account from CIT Bank to First Citizens Bank as a result of a pending merger.

CONSTRUCTION

Review Bids for North Vista Highlands Filing 2B, Phase 1 & 2

MATTERS

Construction Project (District No. 1): Director Kevin Resnick reviewed the bids received for the Filing 2B, Phase 1 & 2 construction project. K.R. Swedfegger was the only contractor to submit a bid for the work.

- i. Discussion re Construction Agreement with K.R. Swedfegger Construction, Inc.: The Construction Manager discussed his recommendation to award the construction agreement to K.R. Swedfegger following discussions with K.R. Swedfegger to reduce their cost proposal by \$30,000, consistent with recommendations by Horrocks Engineers. The Board of District No. 1 discussed the bid process and lack of bids. It was noted that other companies are too small for the project, or that the project is too small to draw numerous bids from larger contractors.

Consider Approval of Construction Agreement with K.R Swedfegger Construction, Inc. North Vista Highlands Filing 2B, Phase 1 & 2 Construction Project in the amount of \$2,157,848.00 (District No. 1): The Board of District No. 1 considered the Construction Manager recommendation to award the construction agreement to K.R. Swedfegger. Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Board of District No. 1 approved the Construction Agreement subject to the recommended reduction in contract amount.

Authorize Execution and Issuance of Notice of Award (District No. 1): Following discussion, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Board of District No. 1 authorized the Execution and Issuance of the Notice of Award.

OTHER BUSINESS

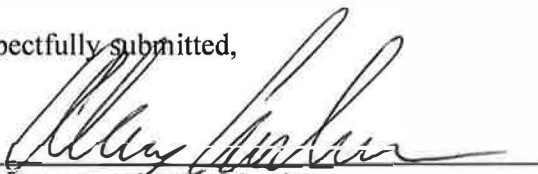
Director Kevin Resnick updated the Boards on the status of round-about construction. He noted that the concrete is complete but they are waiting on asphalt.

ADJOURNMENT

There being no further business to come before the Boards, upon a motion by Director David Resnick, seconded by Director Kevin Resnick, and upon vote, unanimously carried, the Boards adjourned the meeting.

Respectfully submitted,

By



Secretary for the Meeting