

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF THE

HERITAGE TODD CREEK METROPOLITAN DISTRICT

Held: Monday, October 23, 2023 at 9:00 a.m., held via
Zoom Video/Telephonic Conference.

Attendance

The special meeting of the Board of Directors of the Heritage Todd Creek Metropolitan District was called and held as shown above in accordance with the statutes of the State of Colorado. The following Directors, having confirmed their qualifications to serve on the Board, were in attendance:

Rod Stone, President
Paul Ozanich, Vice President
Robert Tade, Treasurer
John Laatsch, Secretary
Jon Rarick, Asst. Secretary

Also in attendance were: Barbara T. Vander Wall and Joel Drew, Seter & Vander Wall, P.C.; Melissa Kupferer, Advance HOA; and Gary Meyer, resident.

Call to Order

Director Stone noted a quorum of the Board was in attendance and called the special meeting of the Board of Directors of the Heritage Todd Creek Metropolitan District to order at 9:00 a.m.

Conflict of Interest / Disclosure Matters

The Board had been previously advised that pursuant to Colorado law certain disclosures by the Board members may be required prior to taking official action at the meeting. Legal counsel advised that written disclosures of the conflicts of interest for each Director had been filed with the Secretary of State prior to the meeting.

No additional conflict disclosures were announced.

Approval of Agenda

The Board reviewed the agenda. Director Stone suggested that an executive session be added to the agenda in connection with the review of the landscape and snow removal proposals for negotiation purposes. Upon motion, second and unanimous vote, the agenda was approved as modified.

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Executive Session

Upon motion, second and unanimous vote, the Board agreed to enter into executive session for purposes of determining positions relative to matters that may be subject to negotiation and instructing negotiators regarding proposal for District landscape and snow removal services contracts, and consulting with the attorney and receiving advice thereon, pursuant to § 24-6-402(4)(b) & (e), C.R.S., at approximately 9:08 p.m.

At 10:10 a.m. the Board reconvened into open session and determined that no actions had been taken while in executive session.

District Landscape Services / District Snow Removal Services Contracts

Ms. Kupferer reported that the District had received a total of 7 proposals for landscaping and snow removal services for 2023/2024, ranging from \$154,000 to \$388,000. The District has provided tours of the District property and facilities, and has interviewed the proposers, to narrow the recommendations for final selection by the Board.

Following further discussion, upon motion by Director Rarick, second by Director Ozanich, and unanimous vote, the Board determined to enter into a contract for landscape services with Vargas Property Services, commencing as of January 1, 2024, and to not renew its existing contract with BrightView.

Upon motion by Director Rarick, second by Director Laatsch, and unanimous vote, the Board determined to enter into a contract with JC Landscapes for snow removal services, effective November 1, 2023 through April 30, 2024, and to terminate its existing contract with BrightView, effective November 1, 2023. The Board further directed legal counsel to finalize the form of contract as presented in the RFP documents, and prepare notice of non-renewal/termination to BrightView.

Other Business

Director Laatsch commented on projects scheduled to occur west of Quebec which will begin shortly and may affect the community. He discussed pedestrian safety and crosswalks and District responsibilities. It was agreed that this topic would be addressed by the traffic calming committee.

There was no other business presented at this time.

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Adjournment

The next regular meeting of the Board of Directors is scheduled for Monday, November 27, 2023, at 1:00 p.m.

The meeting was adjourned at approximately 10:25 a.m.


Secretary for Meeting
