



# AGENDA

## CMD Regular Board Meeting

November 13, 2020

12 p.m.

408 Carterville Road, Cordillera, CO 81632

### Board of Directors

Cordillera Metro District (CMD): David Bentley, President | Gene McGuire, Vice President | Cheryl Foley, Treasurer | John Van Deusen, Secretary | Dan Roberts, Assistant Treasurer & Assistant Secretary

Time	Item	Presenter	Page
12:00 p.m.	<b>Board Meeting Call to Order</b>	Bentley	
	Call to Order		
	Declaration of Quorum/Director Qualifications/Disclosure Matters		
	Approval of Agenda		
	Consent Agenda		
	Action: Approval of September 29 Special Meeting Minutes		2
	Action: Approval of October 23 Special Meeting Minutes		7
12:05 p.m.	<b>Public Comment</b>	Bentley	
	The Board welcomes public comment		
12:20 p.m.	<b>Agenda Item</b>		
	Resolution: Consider resolution to (i) disavow the Request for Qualifications/Proposals (“RFQ/RFP”) to outsource CMD functions that was distributed on behalf of both the CMD and CPOA to 33 vendors in the Vail Valley on September 8, 2020, and (ii) require board discussion and approval of any future RFQ/RFP that seeks to outsource all or a significant portion of CMD functions, excluding from this requirement any RFQ/RFP that falls within the staff’s normal day-to-day operations.	Roberts	
	2021 Budget Update	Oys	
12:30 p.m.	<b>Executive Sessions</b>		
	Executive Session pursuant to Section 24-6-402(4)(b), C.R.S., to Pogue receive legal advice from legal counsel related to the District’s statutory and service plan authority.		
	Executive Session pursuant to Section 24-6-402(4)(e), C.R.S. to Bentley determine positions relative to matters that may be subject to negotiations; develop strategy for negotiations; and instruction negotiators related to a 2021 service agreement with the CPOA.		
2:00 p.m.	<b>Adjourn</b>	Bentley	

**NOTICE IS HEREBY GIVEN** that the Board of Directors of the Cordillera Metropolitan District will hold a meeting. This meeting is open to the public.

BY ORDER OF THE DISTRICT

/s/ David Bentley, President



# MINUTES

UNAPPROVED  
Cordillera Metro District

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## Special Board Meeting

September 29, 2020

Due to the Governor Polis' declaration of a state of emergency resulting from the COVID-19 pandemic, the meeting was held by video conference.

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## In Attendance

David Bentley, President (Term to 2022); Eugene McGuire, Vice President (Term to 2022); Cheryl Foley, Treasurer, (Term to May 2022); John Van Deusen, Secretary (Term to 2023); Dan Roberts, Assistant Treasurer/Assistant Secretary (Term to May 2023) via webinar, all others were socially distanced.

## Others Present via Webinar:

Rachel Oys, general manager; Alan Pogue, legal counsel; Tracy Stowell, office manager; Barry Smith, public safety director; Joe Helminski, recreation director; Heather Hower, communications manager; Trevor Broersma, community operations director; Cliff Simonton, community planning manager; Ron Hoppner, information technology administrator; Fernanda Bazani, human resources manager; Claudia Wells, finance manager and 8 members of the public.

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## Call to Order

Director Bentley called to order the Meeting of the Cordillera Metropolitan District at 1:36 p.m.

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## Declaration of Quorum/Director Qualifications

CMD board members acknowledged receiving notice of the regular meeting at least 72 hours in advance. No conflicts of interest were noted.

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## Approval of Agenda

### CMD Board of Directors

Director Foley moved to approve the September 29, 2020, Special Meeting Agenda. Seconded by Director Van Deusen. Upon motion duly made and seconded, the board approved the September 29, 2020, Special Meeting Agenda.

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## Approval of Meeting Minutes

### CMD Board of Directors

Director Van Deusen moved to approve the July 17, 2020, Special Meeting Minutes. Seconded by Director Foley. Upon motion duly made and seconded, the board approved the July 17, 2020, Special Meeting Minutes.

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## CMD Agenda Items

### Honoring Ron Yordi

Director Foley recognized Ron Yordi's contributions to the community and highlighted the numerous legacies that he left behind. He will be greatly missed by the entire community.

The Yordi family will be presented a plaque honoring Ron. Details will be forthcoming.

*CMD Motion: Director Foley made the motion to honor, on his passing, Ron Yordi, his devotion and his many years of contributions to Cordillera, including his service as a founding member of the first owner-controlled and directed Cordillera Metro District Board of Directors. Director Roberts seconded. The motion passed unanimously.*

### **Recognition of Cordillera Employees**

Director McGuire [presented a resolution](#) that recognized employees of Cordillera for their dedication and ability to provide quality services during COVID-19 and make changes in the interest of protecting the health of the community.

Director Bentley added the Board is deeply indebted to the general manager for keeping the team together during this challenging time.

*CMD Motion: Director McGuire made the motion to award Cordillera full-time employees a \$200 bonus and \$100 for other employees. Director Bentley seconded. The motion passed unanimously.*

### **Board Discussion**

Director Roberts made a statement regarding the results of CPOA's election which demonstrate that the Cordillera community wants a phased approach to update facilities and that the CMD Board can help the CPOA project that is supported by the majority of the community. He continued to state that operating costs should not be covered by RETA, reserves, issuance of debt or increase in taxes; outsource should be considered where most effective.

Director Roberts proposed a resolution for the next meeting stating CMD also disavows the RFP and will adopt a process where all future RFP dealings with outsourcing material in nature will be vetted by all CMD and CPOA Board members.

Director Foley commented she was concerned about the RFP because of its effect on staff.

Director Bentley shared his impression that there was a negative effect on morale after the Presidents and Treasurers meeting since early this year and especially in June after repeated discussions regarding the service agreement, market analysis and outsourcing; the Board should not be involved in managing day-to-day operations. He concluded the topic will be further discussed when Director Roberts offers the resolution at the next meeting.

Director McGuire shared CPOA election results are subject to interpretation, that the CPOA should refine and implement a plan and not divert into unwarranted debates about service agreement plans.

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### **Public Comment**

There was no public comment. CMD recognizes the importance of public comment; community members can email any Board member or General Manager Oys with any comments or questions.

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### **CMD Agenda Items for Board Discussion and Direction**

#### **Management Team Report**

Director Bentley noted that CPOA will have its meeting later this week. CPOA Board members Jerri More and Monte Irion have asked Rachel to remove CPOA items from the management team report.

Director Foley asked to clarify ownership of the ponds. CMD owns Granada Glen, Bearden (Upper and Lower) and the Red Draw Pond. The Club at Cordillera owns the Summit Pond on Granite Springs and the Valley Pond

located by the back entrance gate of the Cordillera Valley Club. Cordillera property owners and Club at Cordillera members have access to all fishing parcels; however club members pay an annual fee of \$750. Timber Springs and Cordillera Valley Club homeowners have access to the river parcel through an agreement when the river parcel was purchased.

Directors wanted clarification on the number of trailer parking spaces available and data on the usage. There are 50 total spaces, 43 of which are rented year-round and 41 paid in full; 7 are reserved for monthly rentals, of which three are occupied. These 7 monthly spaces have been rented 15 times this year.

### **Consumer Data Protection Policy**

Legal counsel Alan Pogue explained the General Assembly changed the statute last year that requires public entities to protect Personal identification of customers (SSN, bank accounts, etc.). In the event of a data breach, the organization is required to take reasonable steps to fix/address/implement measures to notify anyone who may have had personal information stolen and to implement a process that will eliminate a data breach in the future.

Staff will follow up with Alpine Bank regarding credit card information that is on file.

*CMD Motion: Director McGuire made the motion to adopt the Consumer Data Protection Policy. Director Foley seconded. The motion passed unanimously.*

### **Audit Results**

Director Foley presented 2<sup>nd</sup> Quarter Financials and [Audit Results](#). CPOA Director Irion and CMD Directors Bentley and Foley met with the auditors from McMahan and Associates prior to this meeting. Of note, there are eight funds where balances did not track from one year to the next. Claudia Wells, finance manager, is working on this issue

The audit was finalized in September. Directed Foley noted the delay in the completion of the audit was due to COVID-19 and questions that needed to be addressed during a transition in the finance manager role.

New procedures already addressed include:

- Starting audit in mid-March for 2021
- Creating a reconciliation process for transponder and sticker sales
- Ensuring past employees are not authorized agents on accounts

Other concerns auditors and staff want to address include:

- Reconciling cash balances within one month
- Minimizing the heavy workload of the p-card coding system
- Tracking bank confirmations from Charles Schwabb

Of particular note, the General Fund has a balance of \$2.28 million, and the Capital Fund balance is \$131,000. The remaining bond debt totaled \$5.2 million at year end.

Tabor and Gallagher Amendment notes are in the audit. Any change in the Gallagher Amendment will not impact Cordillera taxes.

Oys will follow up with a written narrative that identifies progress and improvements made to date, staffing and board revisions, and remaining items to address with an action plan. The 2019 annual audit took substantive time to clean up; in 2020 there should be a reduction in time spent preparing the audit.

Directors Bentley and Foley commended finance manager Claudia Wells.

## **2<sup>nd</sup> Quarter financials**

Director Foley presented 2<sup>nd</sup> Quarter Financials, noting the balances look good with a few adjustments forthcoming.

## **2020 Budget Projections**

General Manager Oys gave a brief presentation of 2020 budget projections and reminded Board members that as a result of COVID-19, departments reduced operating costs by implementing revised service models.

There is a decrease in projected revenues of approximately \$200,000. This decrease is due to the expense savings shared by CPOA and CMD that were identified, which has reduced the CPOA service agreement from \$1.4 to \$1.2 million.

For CMD, a decrease of \$336,280 in expenses is projected for 2020. Oys commended the Management Team in finding savings and efficiencies including:

- Reduction on service agreement as to the percentage allocation determined annually
- No strategic planning, minimal election expenses, reduced recruitment and ceased advertising
- Department operational savings
- Capital improvements moved to 2021

## **2021 Budget**

The budget approach is consistent with prior years. Oys explained the budget process includes collecting Vail Valley, state and other data for comparisons of personnel, operating, capital and reserve funds.

Key topics highlighted include:

- Preliminary property tax evaluations are expected next week, per Eagle County Assessor's Office. CMD has the ability to increase property tax revenue by 5.5% approximately \$242,000 through the mill levy. Oys will run two scenarios: a flat budget and one with a 5.5% increase.
- The service agreement between CMD and CPOA is in development and further discussions will occur with Oys and both boards.
- Capital projects for consideration total approximately \$1,393,850, excluding Bearden Ponds improvements. Staff will conduct further diligence regarding the Bearcat Hay Barn, Bearden Ponds and Squaw Creek Road.
- Initial personnel costs reflect a reduction of \$50,879, which includes a 3% merit increase and 5% benefit cost increase as placeholders until comps and quotes are received.
- A proposed \$292,254 decrease in total administrative expenditures.
- Community Operations proposed an expenditure increase of \$17,615.
- Public Safety proposed an expenditure increase of \$13,598, which includes \$20,000 for additional Eagle County Sheriff Office patrols.
- Equestrian Center proposed an expenditure decrease of \$3,822; Dominique will present two service models: continued with existing boarding-only model and a reduction in boarding with incorporation of horse programming and clinics for property owners; both plans will outline revenues and expenditures.

- The proposed 2021 fund balance shows an increase of \$44,164 even with the increased transfer to capital.
- The proposed budget presented has numerous placeholders and is expected to change prior to the next scheduled October CMD meeting.

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### **CMD Executive Sessions**

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3:44 p.m. Directors Foley and McGuire moved to enter executive session pursuant to Section 24-6-402(4)(e), C.R.S. (CMD) to determine positions relative to matters subject to negotiation, develop negotiating strategy, and instruct negotiators, related to the 2021 Service Agreement.

5:35 p.m. Directors Van Deusen and McGuire moved to conclude the executive session.

Also, present: Alan Pogue, legal counsel (by phone).

No action was taken in executive sessions.

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### **CMD Adjournment**

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<b>CMD Board of Directors</b>
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Director Van Deusen moved to adjourn the Special Meeting of the Cordillera Metro District at 5:35 p.m. Seconded by Director McGuire. Upon motion duly made and seconded, the board adjourned the Special Meeting of the Cordillera District.
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# MINUTES

UNAPPROVED  
Cordillera Metro District

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## Special Board Meeting

October 23, 2020

Due to the Governor Polis' declaration of a state of emergency resulting from the COVID-19 pandemic, the meeting was held by video conference.

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## In Attendance

David Bentley, President (Term to 2022); Eugene McGuire, Vice President (Term to 2022) via webinar; Cheryl Foley, Treasurer, (Term to May 2022); John Van Deusen, Secretary (Term to 2023); Dan Roberts, Assistant Treasurer/Assistant Secretary (Term to May 2023) via webinar.

## Others Present via Webinar:

Rachel Oys, general manager; Alan Pogue, legal counsel via webinar.

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## Call to Order

Director Bentley called to order the Special Meeting of the Cordillera Metropolitan District at 2:30 p.m.

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## Declaration of Quorum/Director Qualifications

CMD board members acknowledged receiving notice of the special meeting at least 72 hours in advance. No conflicts of interest were noted.

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## Approval of Agenda

### CMD Board of Directors

Director Foley moved to approve the October 23, 2020, Special Meeting Agenda. Seconded by Director Van Deusen. Upon motion duly made and seconded, the board approved the October 23, 2020, Special Meeting Agenda.

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## CMD Executive Sessions

2:31 p.m. Directors Foley and Van Deusen moved to enter executive session pursuant to Section 24-6-402(4)(e), C.R.S. (CMD) to determine positions relative to matters that may be subject to negotiations; develop strategy for negotiations; and instruction negotiators related to a 2021 service agreement with the CPOA.

4:54 p.m. Directors McGuire and Van Deusen moved to conclude executive session.

Also, present: Rachel Oys, general manager; and Alan Pogue, legal counsel via webinar,

No action was taken in executive sessions.

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## CMD Adjournment

### CMD Board of Directors



Director Van Deusen moved to adjourn the Special Meeting of the Cordillera Metro District at 4:55 p.m. Seconded by Director McGuire. Upon motion duly made and seconded, the board adjourned the Special Meeting of the Cordillera Metro District.

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