



Cordillera Metro District

Location: 408 Carterville Road, Cordillera
 Date: March 12, 2021
 Time: 8:00 a.m.

Special Meeting Agenda

STATE OF COLORADO)
COUNTY OF EAGLE) SS.

Due to the State of Emergency declared by Governor Polis and the threat to health and safety posed by the COVID-19 pandemic, this meeting is being held via Zoom. To register for the meeting click [here](#). Once registration is complete, you will receive instructions in your email about how to join.

Board of Directors

David Bentley, President | Gene McGuire, Vice President | Cheryl Foley, Treasurer | John Van Deusen, Secretary | Dan Roberts, Assistant Treasurer & Assistant Secretary

Call to Order

- Call to Order
- Declaration of Quorum/Director Qualifications/Disclosure Matters
- Approval of Agenda
- Consent Agenda Items
 - Approval of January 8, 2021 Regular Meeting Minutes
 - Approval of February 23, 2021 Special Meeting Minutes
 - Approval of Service Agreement with Cordillera Property Owners Association- Ratification

Public Comment

Please use the "raise hand" button at the bottom on your screen if you have public comment. Your name will be called, and you will be unmuted. You must attend the Board meeting using your computer if you would like to provide public comment.

Agenda Items (Supporting Documents Attached)

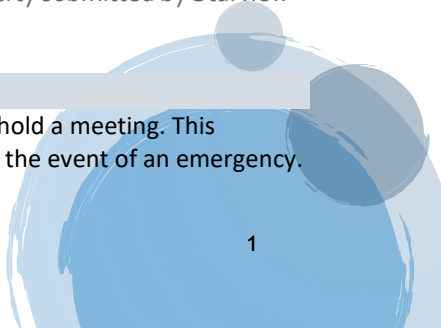
- Water Fund Resolution
- District Financing Resolution
- Management Team Report
- District Services

Public Hearing

Public Hearing, pursuant to Section 32-1-501, *et seq.*, C.R.S, on Petition to Exclude Real Property submitted by Starview Realty Investments, L.P.

Adjournment

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. CMD is required to meet a 24-hour posting requirement unless in the event of an emergency. By Order of the District /s/ David Bentley, President





Cordillera Metro District

- 🏠 **Location:** 408 Carterville, Cordillera
- 📅 **Date:** January 8, 2021
- 🕒 **Time:** 8:00 a.m.

Regular Board Meeting

Unapproved Minutes

Due to Governor Polis’ declaration of a state of emergency resulting from the COVID-19 pandemic, the meeting was held via webinar.

Attendance

Via webinar: 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).

Others Present via Webinar:

Rachel Oys, general manager; Alan Pogue, legal counsel; Joe Helminski, deputy manager; Tracy Stowell, office manager; Ron Hoppner, information technology administrator, Trevor Broersma, community operations director; Fernanda Bazani, human resources manager; Claudia Wells, finance manager; Barry Smith, director of public safety; Cliff Simonton, community planning manager; Aubrey Lewis, outreach manager; Joanne Kelley, public safety manager; and 21 members of the public.

Call to Order

Director Bentley called to order the Regular Board Meeting of the Cordillera Metropolitan District at 9:00 a.m.

Declaration of Quorum/Director Qualifications

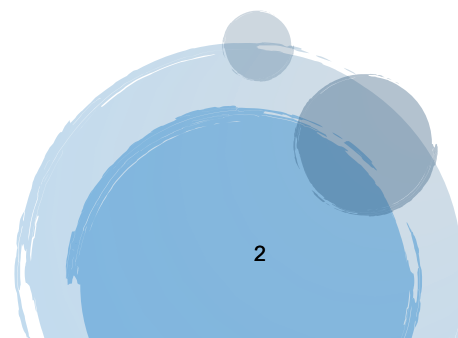
CMD Board members acknowledged receiving notice of the regular meeting at least 24 hours in advance. No conflicts of interest were noted.

Approval of Agenda

Director Bentley moved the New Residential Car Wash Facility Feasibility Study to be discussed after the Service Agreement discussion. Director Foley added Board governance to the agenda. Director Van Deusen moved to approve the January 8, 2021, Regular Meeting Agenda with the above changes. Seconded by Director Foley. Upon motion duly made and seconded, the Board approved the January 8, 2021, Regular Meeting Agenda.

Approval of Minutes

Director Foley moved to approve the December 11, 2020, special meeting minutes. Seconded by Director Roberts. Upon motion duly made and seconded, the Board approved the December 11, 2020, special meeting minutes.





Cordillera Metro District

🏠 **Location:** 408 Carterville, Cordillera

📅 **Date:** January 8, 2021

🕒 **Time:** 8:00 a.m.

Public Comment

Public comment included the car wash feasibility study, and the mention of improvements of the community gardens, landscaping at the dog park and trash and recycling center.

Agenda Items

Service Agreement with CPOA – Director Bentley provided a brief history of the CPOA/CMD service agreement that has been in place since 2004. The 2021 agreement is currently being reviewed by CPOA.

New Residential Car Wash Facility Feasibility Study – Director Bentley requested the board approve an ad hoc committee led by property owner Ed Shriner, to research and evaluate the options of a community car wash to include automated, low cost, unstaffed, environmentally friendly and value-added components. Director Foley requested car wash usage data, legal counsel to determine if is in the purview of CMD authority to own and operate this type of facility and to prioritize with other CMD projects. Director Roberts noted that there is already access for property owners to a car wash within Cordillera and Edwards. Director Van Deusen requested that Ed Shriner research all Board questions for further discussion.

Director Bentley made the motion to approve Ed Shriner to explore the options of a residential car wash facility. Director Van Deusen seconded. The motion passed 3 to 2 with Director Foley and Director Roberts voting against.

2020 Annual Report – The [2020 Annual Report](#) was sent to homeowners through “Official News and Updates” on January 5 highlighting CMD’s successes.

Financial Update – Third quarter financials were included in the December 11, 2020 Board packet. Work is underway on CPOA’s transition to GrandManors and year end financials. CMD’s 2020 audit is scheduled for April with McMahan & Associates.

Board Governance – Director Foley requested to schedule a Treasurer and President meeting to review third quarter financials and to resume a regular scheduled 2021 meetings with agenda items including the Reserve Study, retirement plan and other priorities. Director Foley also requested to have the board packet a week prior to the regularly scheduled meetings and to draft minutes shared with the community within seven days.

Starview Investments – The Starview Investments legal counsel has submitted a petition of exclusion. The CMD Board agreed to schedule the public hearing at the next Board meeting on March 12.

Adjournment

Director Roberts moved to adjourn the Regular Meeting of the Cordillera Metro District at 9:55am. Seconded by Director Foley. Upon motion duly made and seconded, the Board adjourned the Regular Meeting of the Cordillera Metro District.



Cordillera Metro District

🏠 **Location:** 408 Carterville, Cordillera
📅 **Date:** February 23, 2021
🕒 **Time:** 3:00 p.m.

Special Board Meeting

Unapproved Minutes

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

Attendance

Via webinar: 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).

Others Present via Webinar:

Rachel Oys, general manager; Alan Pogue, legal counsel

Call to Order

Director Bentley called to order the Special Board Meeting of the Cordillera Metropolitan District at 3:03 p.m.

Declaration of Quorum/Director Qualifications

CMD Board members acknowledged receiving notice of the regular meeting at least 24 hours in advance. No conflicts of interest were noted.

Approval of Agenda

Director Van Deusen moved to approve the February 23, 2021 Special Meeting Agenda. Seconded by Director Foley. Upon motion duly made and seconded, the Board approved the February 23, 2021, Special Meeting Agenda.

Executive Session

3:04 p.m. Director Bentley moved and Director Foley seconded a motion to enter into executive session pursuant to Section 24-6-402(4)(b), C.R.S., to receive legal advice related to the statutory process for exclusion of real property (Starview Realty Investments, L.P.). At 4:08 p.m. Directors Foley and Van Deusen moved and seconded a motion to conclude executive session.

Also Present: Rachel Oys, general manager; Alan Pogue, legal counsel.

No Action was taken in executive session.

CMD Adjournment

Director Roberts moved to adjourn the Special Meeting of the Cordillera Metro District at 4:08 p.m. Seconded by Director Van Deusen. Upon motion duly made and seconded, the Board adjourned the Special Meeting of the Cordillera Metro District.

2021 SERVICES AGREEMENT

This 2021 SERVICES AGREEMENT (the "Agreement"), is made effective the 1st day of January 2021, by and between CORDILLERA METROPOLITAN DISTRICT, a quasi-municipal corporation and political subdivision of the State of Colorado (the "District"), and the CORDILLERA PROPERTY OWNERS ASSOCIATION, INC., a Colorado non-profit corporation (the "Association"), collectively, the "Parties."

RECITALS

WHEREAS, pursuant to Section 32-1-1001(l)(d)(I), C.R.S., the District is permitted to enter into contracts and agreements affecting the affairs of the District; and

WHEREAS, pursuant to Section 7.1(h) of the Second Amended and Restated Bylaws of Cordillera Property Owners Association, Inc., certified by the Secretary of the Association's Board on June 29, 2016, the Association has the power to make contracts in the Association's name; and

WHEREAS, pursuant to Section 32-1-1004(8), C.R.S., the District has the power to provide covenant enforcement and design review services within the boundaries of the District if the District and the governing body of a master association contract for such services; and

WHEREAS, the Association, pursuant to its organizational documents and governing documents for the Cordillera community including, but not limited to, that certain Amended and Restated Declaration of Protective Covenants, Conditions, and Restrictions for Cordillera, as recorded on October 26, 2016, in the Eagle County Clerk and Recorder's Office at Reception No. 201618114, as the same has been amended and may subsequently be amended in the future, is obligated and/or permitted to provide to its Members certain services set forth in those documents, including but not limited to, public safety, the operation of community amenities and services, and covenant and rules compliance (collectively, the "Services") and desires to contract with the District for the provision of Services for the Cordillera community; and

WHEREAS, the District has staff and sufficient capacity to provide the services specified herein and in Exhibit A, and is willing to provide such services to the Association on the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the terms, conditions and compensation set forth below, the Parties hereto agree as follows:

AGREEMENT

1. Term. The term of this Agreement shall commence on January 1, 2021 and shall terminate on December 31, 2021 unless sooner terminated as provided herein.
2. Scope of Services. This Agreement contains general terms, covenants, and obligations of the Parties in connection with the Services to be performed hereunder. The District shall generally furnish, at its own cost and expense, all materials, office supplies, equipment,

personnel, transportation and whatever else is necessary to commence, diligently pursue, and complete the following tasks, as provided in more detail in Exhibit A, attached hereto and made a part hereof:

- a. Public Safety Services;
 - b. Community Operations Services for snowplowing, Short Course grooming, and ice rink maintenance;
 - c. Community Operations Vendor Services;
 - d. Community Operations Facilities Maintenance Services for Association owned or leased facilities, excluding the Vail Gondola Club;
 - e. Other General Administrative Services including 2020 year-end financial reports, audit and delivery of Association records;
 - f. Information Technology Services;
 - g. Additional Services as may be agreed from time-to-time; and
 - h. Use of select District staff as agreed to perform the Services and Additional Services described in Exhibit A.
3. Compensation and Payment. The District shall be compensated the sum of \$442,966 for the performance of the Services described in Exhibit A. The Association shall pay the District in four payments, the first payment of \$134,412.50 due upon execution of this Agreement, the second payment of \$112,184.50 due April 1, 2021, the third of \$98,184.50 on July 1, 2021, and the fourth of \$98,184.50 on October 1, 2021. Compensation and payment by the Association for Additional Services referenced in Exhibit A will be determined when such Additional Services are agreed by both the District and the Association. Rebates from the District, if and as agreed in accordance with Exhibit A, will be made at the time such rebate is determined.
4. Insurance. At all times during the term of this Agreement, the Association shall carry and maintain, at its sole cost and expense, any and all insurance coverage required by the Declaration and that is necessary for the design review and public safety services contemplated herein, including crime fidelity insurance coverage and directors and officers liability insurance coverage. To the extent permitted, the District shall be named as an additional insured on the Association's general liability, crime fidelity insurance coverage and directors and officers liability insurance policies.

All such insurance shall be primary to the insurance that the District must carry hereunder. Such policies shall include a provision requiring a minimum of thirty (30) days written notice to the District of any change or cancellation. The Association shall provide

certificates of insurance, evidencing the existence of such coverage, to the District upon reasonable request.

At all times during the term of this Agreement, the District shall carry and maintain in full force and effect, at its sole expense, the following insurance policies with companies satisfactory to the Association:

- a. General liability insurance in an amount of \$1,000,000 per occurrence, which shall include coverage for contractual liability, personal injury, broad form property damage and premise operations;
- b. Worker's Compensation insurance in accordance with the provision of the Workers' Compensation Act of the State of Colorado, for the District and all of its employees engaged in performing the Services; and
- c. Crime fidelity insurance coverage and directors and officers liability insurance coverage.

All such insurance shall be primary to the insurance that the Association must carry hereunder. To the extent permitted, the Association shall be named as an additional insured on the District's general liability insurance policy. The District shall provide a minimum of thirty (30) days written notice to the Association of any change or cancellation.

The District shall, upon request, provide the Association with certificates of insurance evidencing the policies listed above at any time during the term of this Agreement.

5. Indemnity.

- a. To the extent permitted by Colorado law, the District agrees to indemnify, defend and hold harmless the Association, and its subsidiaries, affiliates, agents, officers, directors, servants and employees from liability, claims, liens, demands, actions, and causes of action (including reasonable attorneys' fees and costs) arising out of or related to any loss, cost, damage, or injury, including death, of any person or damage to property of any kind caused by the operations or grossly negligent acts, errors or omissions of the District, or any person directly or indirectly employed by the District while engaged in performing the Services, or any activity related thereto.
- b. To the extent permitted by Colorado law, the Association agrees to indemnify, defend and hold harmless the District, and its subsidiaries, affiliates, agents, officers, directors, servants, and employees from liability, claims, liens, demands, actions, and causes of action (including reasonable attorneys' fees and costs) arising out of or related to any loss, cost, damage, or injury, including death, of any person or damage to property of any kind caused by the operations or grossly negligent acts, errors or omissions of the Association, or any person directly or indirectly employed by the Association while engaged in performing the Services except District employees or agents, or any activity related thereto.

6. Objections to Personnel. Should the Association determine, at any time during the Term of this Agreement, that any District personnel performing Services pursuant to this Agreement are unnecessary or undesirable for the provision of said Services, or if the Association has any objections to any of said personnel, it will provide written notice thereof to the District, detailing the nature of the determination and/or objection. The District shall respond to said written notice within ten (10) business days of the date thereof. Said response shall address the determination and/or objection and provide a plan of resolution therefor.
7. Termination. Either Party shall have the right to terminate this Agreement at any time, with or without cause, by giving the other Party at least sixty (60) days written notice of termination. Upon such termination, the District shall be entitled to receive compensation, including reimbursement of approved expenses, for Services performed prior to such termination if payment for such Services has not previously been made. To the extent the Association has previously made payment for Services not yet performed, it shall be reimbursed. Within thirty (30) days of the date of termination, the District shall provide the Association with all records, books, and other documentation maintained by the District on behalf of the Association.
8. Default. If either Party to this Agreement fails to perform in accordance with the terms, covenants, and conditions of this Agreement, or is otherwise in default of any of the terms of this Agreement, after giving ten (10) days' notice to the other Party of the alleged default, and upon said Party in default having failed to cure said breach within ten (10) days, the other Party shall have the option to terminate this Agreement and pursue any remedy available by law or in equity.
9. Notice. Any notice to be given by either Party to the other pursuant to this Agreement or pertaining to this Agreement shall be mailed to the address of the respective Parties by certified mail, postage prepaid, as follows:

Association: Mike Grier, President
Cordillera Property Owners Association, Inc.
0360 Carterville Rd.
Cordillera, CO 81632

District: David Bentley, President
Cordillera Metro District
0408 Carterville Rd.
Cordillera, CO 81632

With a copy to Alan D. Pogue, Esq.
Icenogle Seaver Pogue, P.C.
4725 S. Monaco Street, Suite 360
Denver, CO 80237

Either Party may change the address to which notice shall be given by notice so given to the other.

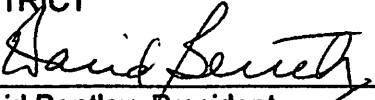
10. Compliance with Laws. The District hereby warrants that it will use the highest professional standards in providing the Services, and it will comply with all applicable laws, ordinances, rules and regulations (federal, state or local) affecting the Services.
11. Assignment/Delegation. The District shall not assign or delegate its duties under this Agreement without prior written consent of the Association's Board of Directors; provided, however, that the District may, in its sole discretion and without the Association's specific authorization, subcontract with qualified third-parties for provision of portions of the Services. Any assignment of this Agreement or the subcontracting of any of the Services to be provided herein, if so, permitted by the Association, shall not relieve the District of its primary responsibility to perform in accordance with this Agreement. The terms of this Agreement shall be binding on all successors, assigns and subcontractors of the District and the Association.
12. Unavoidable Delays. Neither Party shall hold the other Party responsible for damages or delays in performance of the Services caused by acts of God, strikes, accidents, or other events beyond the control of the other Party, or the other Party's employees and agents.
13. Governmental Immunity. Nothing in this Agreement shall be construed to constitute a waiver, in whole or in part, of any of the District's, or its officers, employees, servants, agents, or authorized volunteers, rights and protections under the Colorado Governmental Immunity Act, Section 24-10-101, et seq., C.R.S.
14. Entire Agreement. This Agreement contains the entire agreement between the Parties and supersedes any and all prior agreements, proposals, negotiations and representations pertaining to the Services to be performed herein. No amendments or modifications of this Agreement shall be binding unless evidenced in writing and signed by and on behalf of the Parties.
15. General Provisions.
 - a. All rules and regulations in effect with respect to any of the Association's Property, or access thereto regarding passes, badges, lists of employees, and safety and conduct on the Property, shall be strictly observed by the District and its personnel, employees, and subcontractors.
 - b. If any clause or provision of this Agreement shall be held to be invalid in whole or in part, then the remaining clauses and provisions, or portions thereof, shall nevertheless be and remain in full force and effect.
 - c. If any Party to this Agreement shall bring any suit or action against the other Party for relief, declaratory or otherwise, arising out of this Agreement, the prevailing

Party shall be entitled to recover from the other Party, in addition to all court costs and disbursements, its reasonable attorney's fees.

- d. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Colorado.

IN WITNESS THEREOF, the Parties hereto have executed this Agreement as of the respective dates set forth below, to become effective as of the day and year set forth in the first page hereof.

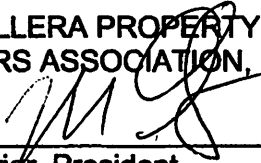
CORDILLERA METROPOLITAN
DISTRICT



David Bentley, President

Date: 2/16/2021

CORDILLERA PROPERTY
OWNERS ASSOCIATION, INC.



Mike Grier, President

Date: 2/20/2021

EXHIBIT A
January 1, 2021 Services Agreement

Administrative Transition Services (\$125,000 annual fee). The District personnel will perform administrative Services (hereafter “Administrative Transition Services”) and coordinate necessary and appropriate handoffs to the Association during 2021 to achieve a full separation of Association functions from District functions for administrative services no longer being rendered to the Association including:

1. Completion of the Association’s 2020 internal financial reports and transition of financial matters to the Association’s management company including but not limited to the preparation and filing of all tax documents and assistance with the 2020 Association audit.
2. Transfer of records.
3. Administration of other tasks related.

Administrative Transition Services will be completed by December 31, 2021 or such earlier date as may be determined by the District’s General Manager. (\$65,000 subtotal)

District administrative personnel will also perform administrative Services necessary and appropriate to support the remainder of District Services rendered to the Association pursuant to this Agreement. (\$60,000 subtotal)

Information Technology (\$27,982 annual fee). The District will perform services necessary to operate and maintain building access and cameras embedded in and/or serving the Athletic Center of Cordillera (“ACC”) facility, the Trailhead facility and the Post Office building. Specifics include:

1. Maintenance, support, troubleshooting of building access control & surveillance system. Includes firmware upgrades, system backups, feature implementation, outage detection & tracking, etc. for building access controls and surveillance systems. Maintain site-to-site VPN connectivity with CMD facilities for access control and camera system functionality.
2. Maintenance, support, troubleshooting of building network connectivity. Includes firmware updates to network equipment, configuration backup, feature implementation, outage detection & tracking. Provide and maintain secure segmented network to GrandManors specifications for employee usage. Provide and maintain an isolated public/guest Wi-Fi network to GrandManors specifications for public usage.
3. Print community ID cards and maintain access control database.
4. Other IT support tasks will be billed \$55/hour and require District’s General Manager approval in advance.

Community Operations Services (\$98,920 fee). The District will maintain and clean all Association facilities, including pools and grounds, and including preventative maintenance, plowing and general maintenance and repairs pursuant to routine maintenance standards, and required repair/maintenance for unforeseen mechanical and other structure failures. Any such failures will be addressed by the District, if so, requested by the Association, and will be separately reimbursed by the Association.

1. Community Operations personnel will perform the above-described maintenance and repairs on all Association facilities and property from January 1, 2021 through May 31,

2021, subject to earlier termination of this Service by 30-days prior written notice from the Association to the District. The subtotal fee for the 5-month period of Service is \$35,000, which will be prorated, with any necessary rebate to the Association to be repaid by the District if this Service is terminated prior to May 31, 2021.

2. Community Operations will provide snow plowing Services to all Association grounds and facilities, maintenance of the ice rink at the ACC, and winter grooming of the Short Course during the entirety of 2021. (\$38,920 subtotal) In the event that the Parties mutually agree to a termination of all or any part of this Service prior to December 31, 2021, the District will rebate on a pro rata basis any amount previously paid by the Association.
3. The Community Operations Director and staff will, during the Term hereof, negotiate and monitor the following agreements/services on behalf of the Association (\$25,000 subtotal), with the contract charges, as negotiated, to be paid directly by the Association to the vendor.

Service	Company	Details
Irrigation, mowing, and domestic backflows	Mountain Water Works Shawn Colby 970-904-8873 mtnh2oworks@gmail.com	<ul style="list-style-type: none"> ○ PO = \$2,140 ○ TH = \$6,795 ○ ACC = \$6,795
Flowers	Rocky Mountain Custom Landscape Billie Askins 970-904-6000 billie@rmcl-usa.com	<ul style="list-style-type: none"> ○ PO = Maintenance \$468 ○ TH = Maintenance \$9,998, Annuals = \$721 ○ ACC = Maintenance \$7,321, Annuals = \$1,111
Planned HVAC Maintenance and Repairs	RK Mechanical Mike Boling 970-640-7965 mike.boling@rkservice.com	<ul style="list-style-type: none"> ○ PO = \$1,005 ○ TH = \$536 ○ ACC = \$2,490 ○ Sales Office = \$539
Planned HVAC Maintenance and Repairs	RR Plumbing and Heating Brian Williams 970-390-0508 rrheat@vail.net	<ul style="list-style-type: none"> ○ Boiler service at ACC, Trailhead and PO is \$1,000 per boiler, completed every other year
Fire Suppression	Fire Sprinkler Services Al Stump 970-379-3276 wjwagler@sopris.net ; fss@sopris.net	<ul style="list-style-type: none"> ○ PO = \$400 ○ TH = \$450 ○ ACC = \$450 ○ Short Course = \$395
Alarm Panels	Superior Alarm 970-926-8788 info@superioralarmco.com	<ul style="list-style-type: none"> ○ PO = \$595 ○ TH = \$513 ○ ACC = \$655 ○ Short Course = \$624
Pool Supplies	Colorado Pool and Spa Scapes Neil McComb 970-928-2557 neil@coloradopoolscapes.com	<ul style="list-style-type: none"> ○ ACC = \$6554 ○ TH = \$7,000

Window Cleaning	Cleanup Group Steven Chitton 970-389-7664 info@cleanupgroupcolorado.com	<ul style="list-style-type: none"> ○ ACC = \$960 ○ Sales = \$135 ○ TH = \$395 ○ PO = \$225
Jetting Drains	PSI Lauren Smith 970-926-0500 lauren.smith@psivail.com	<ul style="list-style-type: none"> ○ ACC = \$3125 done in 2020 ○ TH = \$2,750 needs it in 2021 ○ PO = Needs quote, should be done in 2022
Tree Mitigation (Pheromone Packets and Take Down)	Groundskeeper Don McCracken 970-470-1529	<ul style="list-style-type: none"> ○ TH = \$800; 1-2 large Douglas Firs
Tree Fertilization	Preventive Tree Matt Sadler 970-471-5705 preventivetree@gmail.com	<ul style="list-style-type: none"> ○ TH = \$7,500 for deep root feed and spray, estimate ○ PO = \$500 ○ ACC = Wait on remodel
Signage	Sign Design Monte Park 970-949-4565 artwork@signdesignvail.com	
Reserve Study	Borne Engineering Jamie Pappas 970-331-1936 jamiepappas@comcast.net	
Fire Extinguisher Testing	Tri County 970-479-0319 Ramon Martinez 303-251-9756 martinezri@pyebakerfire.com www.pyebarkerfire.com	<ul style="list-style-type: none"> ○ TH, PO, ACC annual testing and inspection
Trash	Vail Honey Wagon Jennifer Collins 970-471-5393 jennifer@vailhoneywagon.com	<ul style="list-style-type: none"> ○ Community Trash = \$123,900 ○ Community Recycling = \$7,359 ○ Recycling Center = \$13,828 ○ Short Course = \$264 ○ ACC = \$792 ○ PO = \$3,310 ○ TH = Included in residential pick up during summer months
Laundry	R.R. Quality Clean Laundry Egmont Fam. Raynal Rivero 970-393-2590 qualitycleanlaundry@outlook.com	<ul style="list-style-type: none"> ○ No budgeted laundry service due to COVID
Fitness Tech (Exercise Equipment PM/Repair)	Fitness Tech Leslie Deutsch 303-471-9582 leslie@fitnesstechcolorado.com	<ul style="list-style-type: none"> ○ ACC = \$ 300 quarterly PM
Otis Elevator	Otis Elevator	<ul style="list-style-type: none"> ○ ACC = \$ 734.46 quarterly

	Karen Waite 303-514-8142 karen.waite@otis.com	
Housekeeping	A Call to Clean David Cole 970-306-2413 simply@acalltoclean.com	<ul style="list-style-type: none"> ○ TH = \$840 Month ○ ACC = \$2,100 Month ○ PO = \$540 Month

Public Safety Services (\$175,836 fee).

1. Public Safety will provide for 2021 patrol and security Services for all of the Association’s properties and facilities. (\$44,505 subtotal)
2. Public Safety will not be responsible for monitoring or enforcing the covenants, conditions and restrictions that are set forth in the Amended and Restated Declaration of Protective Covenants, Conditions and Restrictions for Cordillera, the Association’s Bylaws, Cordillera Design Guidelines, and the Association’s policies, and rules and regulations (together, the “Governing Documents”) effective January 1.
3. During the first three months of 2021, Public Safety will work closely with the Association to better identify which activities or issues are within the scope of the Governing Documents, and which activities or issues are general public safety issues. In the event of any ambiguity or if any activity or issue represents an emergency or needs to be addressed with urgency, Public Safety will take whatever measures it deems appropriate to manage the situation and will determine the reimbursement, if any, that is due from the Association. Thereafter, the Parties will meet to determine who has responsibility for the type of issue that arose, and how similar issues should be handled in the future.
4. Public Safety will provide safety and security to the Cordillera community, staffing the gates and patrolling Cordillera’s roads. For the year 2021, the Association will pay a fee of \$131,331 to support these activities. (\$131,331 subtotal)

Additional Services. The Association from time-to-time during the Term may request additional services (“Additional Services”) to be provided by the District. The District will provide such Additional Services only on an “if and as available” basis in its sole discretion, with the fee and payment schedule to be determined by the Parties at the time such Additional Service is agreed. Such Additional Services, when agreed on hourly or half or full day rates, shall be recorded on the following chart, each Service to be approved and initialed by the presidents of the District and the Association:

Service	Employee	Time Period	Fee	Payment Schedule	Approvals
Vail Gondola Club	Robbie Gregg	January 1-11, 2021	\$2,728	Included in 1 st payment	Oys
DRB	Cliff Simonton	January 1-February 12, 2021	\$12,500	Included in 1 st payment	Oys

Standard of Service. The District shall provide Services hereunder in a timely manner, incorporating the same standards consistent with prior years.

WATER FUND RESOLUTION

WHEREAS, the Cordillera Metropolitan District (“District”) entered into the Amended and Restated Water Service Agreement, dated March 25, 2004 between the District, the Edwards Metropolitan District, and the Upper Eagle Regional Water Authority (the “Water Service Agreement”) that, among other things, required the District to fund specified capital improvements (“Required Capital Improvements”) to the Cordillera water infrastructure that provided water services to property owners and properties located within the District’s boundaries; and

WHEREAS, the District imposed an \$18.50 per month surcharge on the water bills of all property owners in the District to fund such Required Capital Improvements and established a dedicated capital fund on its books and accounts (the “Water Enterprise Fund”) to record the collection and disbursement of the amounts necessary to fulfill its obligations to fund the Required Capital Improvements; and

WHEREAS, the District terminated the monthly surcharge as of May 1, 2017 after the District realized: (i) that it had fully funded the Required Capital Improvements and thus had fulfilled all of its infrastructure funding obligations under the Water Service Agreement several years prior, and (ii) that the balance remaining in the Water Enterprise Fund upon termination of the surcharge in 2017 represented an inadvertent overcollection from property owners; and

WHEREAS, the balance of the Water Enterprise Fund attributable to the surcharge is being held by the District, pending a decision on how to best use the money for the benefit of property owners; and

WHEREAS, as of December 31, 2020, the estimated Water Enterprise Fund balance was at least \$2,269,491.

WHEREAS, the Cordillera Property Owners Association (“CPOA”) is undertaking a large capital improvement plan that contemplates: (i) remodeling and updating of the Cordillera Post Office (to be funded through current operating funds); (ii) renovation and expansion of the Athletic Center at Cordillera (“ACC”), (iii) renovation and replacement of the pools and designated infrastructure at the Trailhead complex, (iv) replacement of the aging tennis/pickleball courts at the ACC, (v) acquisition and/or replacement of certain amenities associated with the Short Course, and (vi) includes preliminary plans for an indoor tennis/pickleball facility and other improvements and amenities (together the “Amenity Improvement Program”), all for the direct and immediate benefit of all property owners within the District; and

WHEREAS, the Amenity Improvement Program has been under development for the last several years and the CPOA’s current plans have received overwhelming support from property owners; and

WHEREAS, the CPOA has requested that the District provide property owner and CPOA access to the Water Enterprise Fund in order to allow the CPOA to support and accelerate construction of amenities contemplated in the CPOA's Amenity Improvement Program; and

WHEREAS, the District agrees to facilitate property owner and CPOA access to the Water Enterprise Fund in connection with the Amenity Improvement Program;

NOW THEREFORE, the District hereby resolves to work with the CPOA to expeditiously identify and implement the most effective and economic mechanism to make the Water Enterprise Fund available to the CPOA (and thereby to all property owners) to help finance and accelerate the Amenity Improvement Program.

DRAFT

	2012	2013	2014	2015	2016	2017	2018	2019	2020 (est.) [4Q TBD]
Beg. Balance	\$839,377	\$1,073,542	\$1,321,322	\$1,570,675	\$1,822,024	\$2,076,152	\$2,182,023	\$2,229,805	\$2,240,595
Revenue									
Water Use	\$247,409	\$247,780	\$249,353	\$251,349	\$254,128	\$85,589	0	0	0
Water Tap	0	0	0	0	0	\$20,282	\$46,282	\$10,790	\$19,272
Sewer Tap	0	0	0	0	0	0	\$1,500	0	0
Interest	0	0	0	0	0	0	0	0	\$9624 [3Q]
Expenditures	<u>\$13,244</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Net Rev.	<u>\$234,165</u>	<u>\$247,780</u>	<u>\$249,353</u>	<u>\$251,349</u>	<u>\$254,128</u>	<u>\$105,871</u>	<u>\$47,782</u>	<u>\$10,790</u>	<u>\$28,896 [3Q]</u>
End Balance	\$1,073,542	\$1,321,322	\$1,570,675	\$1,822,024	\$2,076,152	\$2,182,023	\$2,229,805	\$2,240,595	\$2,269,491 [3Q]

Historic Balances of General Fund and Capital Reserve Fund

Year-End	General Fund Balance	Cap Reserve Fund Balance	Funding of Cap Reserve from Gen Fund	Actual Capital Expenditure
2011	\$1,370,807	\$119,350		
2012	\$1,493,080	\$81,960	\$510,000	\$547,390
2013	\$1,605,488	\$272,615	\$715,000	\$524,345
2014	\$1,760,559	\$93,575	\$875,000	\$1,054,040
2015	\$2,066,575	\$194,076	\$895,000	\$794,499
2016	\$1,957,343	\$272,046	\$1,250,000	\$1,172,030
2017	\$2,098,246	\$85,535	\$1,182,000	\$1,365,511
2018	\$2,143,330	\$134,613	\$1,292,000	\$1,245,922
2019	\$2,283,312	\$131,051	\$1,200,000	\$1,203,562
2020 (est.)	\$2,670,431	\$320,204	\$1,380,000	\$1,190,847
2021 (projected)	\$2,741,718	\$499,354	\$1,282,353	

2019-2038 Projected CapEx Under Reserve Study

Year	Admin. Bldg.	Divide GH	Ranch GH	Eq. Center	Maint.Bldg.	Bearcat	Roads	Fleet	IT	Total/Year
2019	\$132,500	\$0	\$0	\$83,000	\$93,100	\$10,000	\$442,032	\$0	\$0	\$760,632
2020	\$50,635	\$15,450	\$21,424	\$417,588	\$20,775	\$66,950	\$627,075	\$282,000	\$67,500	\$1,569,397
2021	\$90,176	\$0	\$0	\$21,642	\$8,137	\$0	\$815,399	\$388,000	\$39,038	\$1,362,392
2022	\$5,484	\$0	\$0	\$92,062	\$89,789	\$0	\$1,005,884	\$310,000	\$22,816	\$1,526,035
2023	\$28,318	\$0	\$0	\$0	\$113,755	\$0	\$807,895	\$455,000	\$36,608	\$1,441,576
2024	\$92,742	\$0	\$0	\$50,892	\$8,892	\$13,911	\$745,770	\$246,000	\$32,726	\$1,190,933
2025	\$14,329	\$0	\$143,286	\$16,478	\$37,816	\$17,911	\$689,772	\$280,000	\$58,130	\$1,257,722
2026	\$116,789	\$29,517	\$29,517	\$7,871	\$9,433	\$0	\$884,418	\$368,000	\$62,062	\$1,507,607
2027	\$10,134	\$0	\$0	\$88,357	\$46,199	\$0	\$779,058	\$420,000	\$54,612	\$1,398,360
2028	\$0	\$0	\$0	\$0	\$40,539	\$0	\$900,463	\$385,000	\$42,658	\$1,368,660
2029	\$126,046	\$0	\$0	\$37,630	\$189,653	\$0	\$641,612	\$310,000	\$67,870	\$1,372,811
2030	\$16,611	\$103,818	\$0	\$40,281	\$10,617	\$20,764	\$661,612	\$300,000	\$53,523	\$1,207,226
2031	\$0	\$0	\$14,258	\$23,525	\$10,936	\$0	\$985,018	\$300,000	\$98,952	\$1,432,689
2032	\$7,578	\$0	\$0	\$79,081	\$104,516	\$0	\$898,532	\$300,000	\$48,012	\$1,437,719
2033	\$5,294	\$0	\$0	\$233,241	\$996,903	\$0	\$836,162	\$300,000	\$25,815	\$2,402,709
2034	\$155,797	\$0	\$0	\$53,594	\$129,732	\$0	\$682,153	\$300,000	\$49,448	\$1,370,724
2035	\$78,887	\$62,584	\$105,911	\$51,030	\$126,724	\$24,071	\$735,225	\$300,000	\$49,448	\$1,533,880
2036	\$137,517	\$0	\$0	\$26,280	\$12,677	\$0	\$635,832	\$300,000	\$49,448	\$1,161,754
2037	\$22,132	\$0	\$0	\$132,534	\$17,314	\$0	\$785,225	\$300,000	\$51,564	\$1,308,769
2038	\$9,048	\$0	\$0	\$11,222	\$63,950	\$0	\$635,832	\$300,000	\$49,572	\$1,069,624
Total	\$1,100,017	\$211,369	\$314,396	\$1,466,308	\$2,131,457	\$153,607	\$15,194,969	\$6,144,000	\$959,802	
Avg.	\$55,001	\$10,568	\$15,720	\$73,315	\$106,573	\$7,680	\$759,748	\$307,200	\$47,990	
Total 20-yr. Avg.		\$1,383,796								

From: David Bentley
Sent: Saturday, March 6, 2021 9:21 AM
To: Rachel Oys
Subject: Full email exchange

Rachel,

Can you include this exchange in the board packet with the following message:

The CPOA included an email in their board packet which referenced a Feb. 10th email from CMD president David Bentley but did not include the original email. To provide full context, both emails are attached below:

From: David Bentley <dcbski@gmail.com>
Subject: Re: CPOA Miscellany
Date: February 10, 2021 at 17:22:16 MST
To: Charles Jackson <jacksoncharlesc@gmail.com>
Cc: "cmfoley1@comcast.net Cheryl" <cmfoley1@comcast.net>, Monte Irion <mirion@sbcglobal.net>, Mike Grier <mikegrier@protonmail.com>

To Monte, Chuck and Mike, I commented on the length of the meeting intended to be complimenting not criticizing about when it got bogged down, as I know that just happens. I was actually just teasing about it getting bogged down but Richard Hogg called me afterwards and thought it was a criticism, it was not. Also the email conversation was looking for clarity on the board's position since this topic of secure email addresses among community members has been long discussed, and I was hoping to see if Monte had a solution. As I wrote earlier, I was hoping for some signal from the board that Richard's letter was inappropriate but understand you do not agree.

Richard also said that Mike has called me many times and I won't return his calls. Never happened as far as I know, Mike do you know something different? He insists that I (as if I am the sole decider) commit to transfer the the \$2.2MM water fund to the CPOA at the March meeting. He says if I do that he will drop his demand for a forensic audit. He is trying to use the threat of a forensic audit as leverage for the water fund transfer which is highly improper or perhaps even illegal. I told him it would be totally unethical and improper for a board member to negotiate privately with a resident and while I was willing to listen, I would not negotiate with him. I told him to put this demand in writing so I could give it to the board and he refused. He says that CMD money is government money while CPOA money is the community's money and therefore the CPOA had the higher right to the funds. I gave him the example of Chuck refunding legal expense money back to the whole community (we bought TV's for the Trailhead) and said the water fund would certainly be used for the communities benefit (as all of our money is) but the CMD may have its own projects that we may want to direct it to but nothing had been decided. I said that the CPOA has never asked for those funds. He said he's talked to

all CPOA board members except Mike and he'll follow up with him, if hasn't already. Undoubtably he will say I'm hard to deal with which would not be news to you all.

I stand ready, willing and able to talk about anything that improves our community. Anytime, in person or by Zoom. All by the usual rules of transparency and any required public disclosures.

Just let me know.

David

From: Mike Grier <mikegrier@protonmail.com>

Subject: Re: CPOA Miscellany

Date: February 14, 2021 at 12:15:09 MST

To: David Bentley <dcbski@gmail.com>

Cc: "cmfoley1@comcast.net Cheryl" <cmfoley1@comcast.net>, Monte Irion <mirion@sbcglobal.net>

Reply-To: Mike Grier <mikegrier@protonmail.com>

David, this is in further response to your email of February 10. Putting aside the potential import of some of Richard Hogg's statements and your responses (we take no board position on either), Richard has raised an important topic which our boards should discuss.

We have had our hands full with the partial transition from the CMD organization to GrandManors. However, we have internally discussed the water fund and want to make clear that CPOA has a strong interest in the water fund. We also believe that our two boards can work together for the community's benefit on this issue. We suggest that a Presidents'/Treasurers' meeting be set to preliminarily frame the issues, and that a more formalized process be set after that. Thank you for your consideration. Mike

From: David Bentley
Sent: Saturday, March 6, 2021 3:16 PM
To: Rachel Oys
Subject: Fwd: CPOA Miscellany

Rachel please add this to the email string included in the board packet so that it completes the conversation.

Begin forwarded message:

From: David Bentley <dcbski@gmail.com>
Subject: Re: CPOA Miscellany
Date: February 15, 2021 at 11:42:14 MST
To: Mike Grier <mikegrier@protonmail.com>
Cc: "cmfoley1@comcast.net Cheryl" <cmfoley1@comcast.net>, Monte Irion <mirion@sbcglobal.net>

Mike,

Thanks for this note. I am always interested and available to meet informally to brainstorm ideas to benefit Cordillera which we can do by phone or Zoom.

In listening to the last few meetings, it appears that the CPOA is well positioned financially for the improvements you have proposed and for which you and Chuck were elected. With the help of Bob Donovan and the finance committee, the CPOA has clear options to complete the various projects. When the amenities were assigned to the CPOA rather than the CMD in the 2012 settlement, it was done so specifically because of the CPOA's flexibility to maintain and eventually improve the facilities with the ability to assess and to borrow vs. having the CMD take title with its limitations with the Tabor amendment and the need to propose bonds to raise significant funds. The desire to have the amenities be exclusive for residents only was not a real consideration at the time, as it is now. The CPOA's current financial plans demonstrate the wisdom of that 2012 decision.

The Metro District is likewise well positioned financially. The CMD, like the CPOA, is setting aside funds to adhere to the capital reserve schedule and we have consistently delivered our services under budget. We have no plans for either a tax increase or to propose a new bond issue in the foreseeable future. We do, however, want to make a number of infrastructure improvements that have been proposed or suggested by residents and staff that will continue to position Cordillera as a premier mountain residential community, per our mission. The water fund will now make some of those projects feasible.

The CMD collected the water fund over a number of years and it is logistically impossible to return those funds to the individuals who paid it (which, as I have said in

our meetings would be the best solution, and it is unfortunate that we are unable to do so). Therefore the best solution is to return those funds to the whole community via infrastructure improvements that benefit all residents such as improved and/or extended bike and pedestrian lanes, new and improved neighborhood parks, dog parks, landscaping, and many other beneficial projects. The water fund gives us the one time ability to pursue those goals outside of normal operating or capital funds. Given our own responsibilities, it is simply wrong for Richard Hogg to say the CMD is obligated to hand over the water fund to pay for the CPOA's amenity projects or to portray the CMD as hoarding money to damage the CPOA's efforts. Nothing could be further from the truth and he damages himself and the community with such inflammatory accusations. Given the CMD's own goals, I can say without question that the majority of the CMD board has no interest in transferring the water fund to the CPOA . I would be happy to discuss any other issue at a time convenient for all.

Thanks,
David



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**PRIVILEGED & CONFIDENTIAL
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ATTORNEY WORK PRODUCT**

MEMORANDUM

TO: Rachel Oys, General Manager, Cordillera Metropolitan District
FROM: Icenogle Seaver Pogue, P.C.
DATE: June 15, 2020; updated March 5, 2021
RE: Cordillera Water Capital Improvement Fund

INTRODUCTION

This memorandum provides an overview of Cordillera Metropolitan District's ("Cordillera") Water Capital Improvement Fund. It also describes the legal basis pursuant to which the moneys in the Fund may be transferred to Cordillera's general fund.

WATER FUND SUMMARY

- Upper Eagle Regional Water Authority (the "Authority") provides full service domestic water treatment and distribution to properties within Cordillera pursuant to the Amended and Restated Water Service Agreement dated March 25, 2004 and recorded in the Eagle County Clerk and Recorder's Office on March 29, 2004 at Reception Number 872095 (the "Agreement").
 - Pursuant to the Agreement and the Bill of Sale dated March 25, 2004, recorded in the Eagle County Clerk and Recorder's Office on March 29, 2004 at Reception Number 872098, Squaw Creek Metropolitan District and Cordillera conveyed all of their water system improvements and related facilities to the Authority.
 - To account for certain after-acquired property and additional water system improvements not transferred to the Authority, the Authority and Cordillera adopted a Joint Resolution regarding Cordillera Water System dated January 24, 2014. This resolution ratified, confirmed and conveyed to the Authority Cordillera's interest and the interest of the developer of the Cordillera Subdivision, which had transferred its interest in certain easements and water system improvements it constructed to Cordillera, "in and to 100% of the Water



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System” (referring to the equipment and related appurtenances and facilities and all related personal property to provide potable water service to all property owners within the Cordillera Subdivision).

- The Agreement also required Cordillera to make certain capital improvements and upgrades to the water system to bring the infrastructure up to full compliance with the Authority’s requirements to provide water service at buildout.
- For a number of years, Cordillera assessed a surcharge on monthly billings to Cordillera’s customers and segregated those funds into what was known as the Water Capital Improvement Fund (the “Fund”). Cordillera was not contractually obligated to assess the surcharge pursuant to the Agreement or otherwise. The surcharge has been terminated, but moneys remain in the Fund.
- In the case, *Barber v. Ritter*, 196 P.3d 238 (Colo. 2008), the Colorado Supreme Court held that the transfer of fees (moneys collected to defray the cost of special services provided to those who paid the charge) from state cash funds to the state’s general fund did not violate the Taxpayer’s Bill of Rights (TABOR). TABOR requires voter approval for a “tax policy change directly causing a net tax revenue gain,” a “new tax” and a “tax rate increase.” The Supreme Court held that the transfer of fees did not constitute a “tax policy change directly causing a net tax revenue gain,” or a “new tax,” or a “tax rate increase.” Accordingly, the transfer did not violate TABOR.
 - The transfer of fees from state cash funds to the state general fund did not constitute a “tax policy change directly causing a net tax revenue gain” because the moneys transfers were fees and did not lose their character as such when they were transferred. In addition, the fees were counted as revenue when they were collected, so transfer to the general fund did not result in the generation of additional revenue. The transfers did not constitute a new tax or a tax rate increase because the funds transferred to the general fund were fees (moneys collected to defray the cost of special services provided to those who paid the charge) rather than taxes (whose primary purpose is defraying the general cost of government).
- The moneys in the Fund are fees (not taxes) because they were collected to defray the costs of making repairs to the water system.
- Pursuant to *Barber*, the moneys in the Fund may be transferred to Cordillera’s general fund without violating TABOR. Voter approval is not needed to transfer the funds.




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- Once transferred, the moneys that were formerly in the Fund are available to Cordillera to spend in accordance with its budget for lawful public purposes.¹

¹ There is no strict rule for determining what constitutes a public purpose. Colorado courts have had occasion to determine whether *specific* expenditures were made for valid public purposes but have not opined broadly as to what constitutes a public purpose. Courts from other jurisdictions have, however. *See, e.g., Chase v. Douglas Cnty*, 195 Ne. 838 (Neb. 1976) (whether expenditure of public funds is devoted to a public use or purpose must be decided case by case, with reference to the object sought to be accomplished and the degree and manner in which that object affects the public welfare); *WDW Properties v. City of Sumter*, 342 S.C. 6 (S.C. 2000) (employing four part test to determine whether funds are for a public purpose, as follows: (1) determine ultimate goal or benefit to public intended by project, (2) analyze whether public or private parties will be primary beneficiaries, (3) consider speculative nature of project; (4) analyze and balance probability that public interest will ultimately be served ad to what degree); *Moschenross v. St. Louis Cty.*, 188 S.W.3d 13 (Mo. Ct. App. 2006) (using “primary effects test” to determine whether public purpose behind grant of public funds; if primary intent of public expenditure is to serve public purpose, expenditure is legal, but if primary purpose is to promote private end, expense is illegal even if incidental public interest is served).



MEMORANDUM

TO: Rachel Oys
FROM: Jason Cowles, P.E. 
DATE: March 16, 2017
RE: Cordillera Water System Capital Improvements

The Upper Eagle Regional Water Authority began contract operations on the Cordillera water system in the 1990s. There were known deficiencies in the water system that had been constructed by the Cordillera Developer, particularly with respect to construction standards, water production and storage capacities, fire flow delivery, and water rights. In 2004, the Authority and Cordillera Metro District entered into an Amended and Restated Water Service Agreement. The terms of that agreement required the Cordillera Metro District to:

- Finance and construct certain capital improvements to the water system;
- Convey or purchase various water rights sufficient to serve the full build out of the Cordillera PUD, a portion of which could be refunded if a PUD amendment was enacted that limited the amount of irrigated area on each residential lot and/or existing lot owners signed and recorded vouchers with Eagle County agreeing to be bound by the irrigation limits; and
- Convey the existing water system assets to the Authority.

Water System Master Plans prepared by SGM in 2003 and updated in 2008, identified extensive capital improvements to the water system to improve fire flow deliveries and improve system reliability. The Cordillera Metro District implemented an \$18.50 per SFE per month rate surcharge that the Authority collects from Cordillera customers and passes on to CMD for the purpose of funding ongoing capital improvements to the water system. In or around 2010, CMD completed its most recent capital improvement project based on the Master Plan's recommendations to upsize 6" dead end water mains and improve connectivity in order to improve fire flows to portions of the system around Andorra Road and Cordillera Way.

Last year, District staff was contacted by CMD to prioritize implementation of the next round of water system capital improvement projects with the approximately \$2.3m in funds collected from the rate surcharge. Upon reviewing the 2008 Master Plan, District Engineering staff thought it would be appropriate to revisit design criteria and assumptions used to establish fire flows for the 2008 Master Plan with the Eagle River Fire Protection District and SGM. The Authority committed approximately \$20,000 to fund an update to the 2008 Master Plan focused on fire flow delivery improvements to the Cordillera water system. That study determined that fire flow targets from the 2008 Master Plan could be reduced by approximately 50% on average due to fire sprinkler requirements in the PUD. This change in design criteria eliminated the need to make many of the improvements recommended in the 2008 Master Plan. The remaining capital improvements recommended by the 2016 study consist of:

- A new 110,000 gallon water storage tank at the top of the Western end of the system, which would meet build out water demands and fire flows for the three pressure zones below at an estimated cost of \$850,000
- Water main upsizing on Gore Trail to improve fire flows in the immediate vicinity at an estimated cost of \$250,000

In addition to the \$1.1m in improvements recommend by the 2016 SGM study, District Staff have identified other priorities for capital improvements in the Cordillera system that will bring assets up to Authority standards, improve system reliability, reduce risks, and address new regulatory standards. Those projects include:

- **Fenno Well House Improvements:** The existing well house facility is too small to house pumping equipment to supply the full, firm production capacity of the Fenno Well Field, necessary instrumentation and controls, electrical equipment, and chlorine and fluoride treatment systems. The existing electrical systems must also be brought up to current electrical codes. Preliminary estimates for a well house improvement project range from \$980,000 to \$1,140,000.
- **Fenno Well Raw Water Delivery System:** The raw water delivery network which connects the Fenno wells to the well house facility primarily consists of thin wall, schedule 40 PVC piping that is roughly 25 years or more in age. Schedule 40 PVC piping is not an ideal material for this application because it cannot be correlated for leaks or located using conventional methods and equipment, and the thin walled pipe is prone to breakage. District water department staff have identified this as an area of risk that may warrant replacement of the PVC piping and other appurtenances with higher quality materials to insure uninterrupted service to Cordillera. A condition assessment of the raw water network is anticipated to develop project scope and cost estimates.
- **Territories Backflow Prevention:** The existing water main that was intended to provide fire suppression only to properties within the Territories poses challenges for compliance with new water quality regulations due to the long length of the dead end line and low demands. The Authority plans to add a backflow prevention device on the line immediately after Summit Springs Road to mitigate the risk of water quality issues for customers on Summit Springs Road and Webb Peak Road. This project is estimated to cost \$75,000.
- **Fenno Well #5 Improvements:** The existing well is in need of a new pump, a rebuilt motor, and a new check valve. These improvements are estimated at \$20,000
- **Advanced Metering Infrastructure Tower:** The Authority is in the process of upgrading its metering infrastructure to utilize an advanced metering network that will allow customers to remotely monitor their water usage in real-time using an internet portal. A new radio tower and networking equipment to cover the Cordillera area is estimated to cost \$100,000.
- **Cordillera East Tank 1 Instrumentation and Controls Improvements:** Improvements to the instrumentation and controls at the East Tank 1 are necessary to reduce the risk of future overflows from the tank. Costs are estimated at \$100,000

The Authority Board of Directors has requested that CMD contribute the balance of the funds that it has collected to date from the Cordillera rate surcharge toward the above water system capital improvements. I suggest that our respective legal counsels work together to draft an agreement acknowledging the completion of the terms of the 2004 Amended and Restated Water Service Agreement. The Authority would assume responsibility for funding and implementing the above mentioned capital improvements, and any other capital replacement costs going forward in accordance with the Amended and Restated Water Service Agreement. CMD may then continue to collect, reduce or eliminate the rate surcharge for other water related capital improvements as it sees fit.

**CPOA's Proposal To CMD That A Mechanism Be Devised To Facilitate
Use Of The Water Enterprise Fund In Support Of The CPOA's
Amenities Enhancement Capital Program**

March 9, 2021

Dear members of the Cordillera Metro District board of directors:

The CPOA board of directors proposes to access funds currently held in the Water Enterprise Fund to augment and potentially accelerate its amenities enhancement program, if an appropriate mechanism can be devised that does not create undue tax liability to CPOA. This proposal takes into account public input received at CPOA's March 8, 2021 board meeting, adds information regarding the Trailhead pool's deterioration, describes the funds requested and expresses willingness to cooperate with CMD as to alternative mechanisms CMD may suggest. In support of this request, CPOA asks that you consider the following:

1. As presently conceived, CPOA's amenities program includes renovation and expansion of the Athletic Center at Cordillera ("ACC"), renovation and replacement of the pools and designated infrastructure at the Trailhead complex, and the potential acquisition and/or replacement of certain amenities associated with the Short Course. CPOA is also considering replacement of the tennis/pickleball courts at the ACC, and is considering erecting an indoor tennis/pickleball facility adjacent to the ACC. CPOA's Post Office upgrade, expected to be completed in the next several months, is being funded through CPOA's operating budget.

2. CPOA's amenities program benefited from unexpectedly strong RETA revenue in 2020, caused in part by Covid-encouraged home buying, including in communities like Cordillera. But Covid has also had the adverse effect of contributing to commodities price spikes for lumber and concrete. Construction costs are now expected to rise for reasons associated with government infrastructure projects which could engender price increases due to shortages of qualified contractors and due to the ripple effects of expected minimum wage enhancements. It is thus reasonable to assume that currently planned-for costs will be exceeded and that CPOA should conservatively plan for their potential impact.

3. CPOA is in the process of securing construction financing for the ACC and Trailhead projects to smooth cash flows and facilitate a 2022 start and completion of the Trailhead project before moving on to additional projects. With its capital reserves on hand and expected, in combination with the expected line of credit financing, CPOA has the resources to complete these first two projects. But the price increases described above may slow their timing from the more positive assumptions that the enhanced RETA receipts produced. CPOA believes that property owners wish to enjoy enhanced amenities sooner rather than later. CMD, as trustee of the property owners' monthly \$18.50 surcharge overpayments to the Water Enterprise Fund, could play a large role in making this a reality by working with CPOA to find an appropriate mechanism for CPOA to access the Water Enterprise Fund.

4. If a mechanism to use the Water Fund for the benefit of property owners to support the CPOA's amenities program could be devised, it could produce the following benefits for Cordillera property owners: (i) it could accelerate the amenities program beyond the current-year start of the

ACC upgrade and the planned 2022 replacement of the Trailhead pool to amenities associated with the Short Course and beyond; (ii) it would further strengthen the CPOA's balance sheet and thereby reduce the cost of financing (at commercial rates) credit facilities for amenities construction; (iii) it would maintain the private nature of CPOA amenities by using monies (the surcharges) collected from Cordillera's private property owners to fund projects for the private use of Cordillera property owners.

5. The capital project working groups have canvassed community preferences and worked closely with CPOA on the design of the ACC and Trailhead. The CPOA is not in favor of reducing construction costs by sacrificing features, finishes and components that have been previously identified by the design team and working groups as necessary to align with community preferences and deliver first class facilities. Stated otherwise, CPOA is not inclined to engage in a cost cutting exercise because to do so would be contrary to the goal of providing the community with facilities that meet both its current and future needs. The CPOA is sensitive to the fact that renovation of our facilities is a significant capital investment intended to provide long term benefit and enjoyment to homeowners and guests. Reducing the quality of the facilities to overcome impacts of market forces and cost escalation to save 10% to 15% is not prudent given the many years of service expected from both the ACC and Trailhead. CPOA believes that such cost cutting is unnecessary for the additional reason that the Water Enterprise Fund, which was accumulated from surcharge overpayments by Cordillera property owners on their water bills and is now on hand, could be used to benefit Cordillera property owners sooner rather than later.

6. At the same time, another factor against delay is the condition of the Trailhead pools (main, spa and kiddie). The pools' physical plant is deteriorating for various reasons, including that their piping, etc. was not originally designed for salt water. CPOA is determined to keep the pools operating during the 2021 season but cannot rule out the potential of failure of one or more pool systems. Accordingly, on the belief that the pools can be maintained without significant capital expense in 2021, CPOA wishes construction on the replacement pool facilities to begin no later than Spring 2022 both to avoid the cost of repairing the existing pools and to ensure the earliest possible property owner enjoyment of the new pool facility.

7. Competitive bids have been received from subcontractors for the ACC. CPOA currently projects that the all-in cost of the ACC project to be between \$7.150M and \$7.850M. These estimates are subject to further impacts of volatile construction commodity pricing for which, in certain instances, firm committed pricing is not available (for example, lumber prices have more than doubled in the last trailing 12 months). For the Trailhead pool project, the costs are currently estimated to be between \$3.500M and \$3.800M. But apart from these direct cost estimates, *a critical consideration is that building sooner with money on hand is less expensive and smarter than building later:*

- a. The Water Enterprise Water Fund is invested in very conservative debt securities that yield a next to almost immaterial return;
- b. Using only a bank credit facility to accelerate the Trailhead pool project will, absent Water Enterprise Fund assets to add to the CPOA's balance sheet, require borrowing at higher commercial rates significantly exceeding interest earnings on the Water Enterprise Fund and therefore impose higher cost on property owners; and

c. Despite the market pressures today making the ACC and Trailhead pool projects more expensive than projected, any delay in starting these projects past their currently proposed schedules will impose even greater costs on property owners in both dollars and deferred use enjoyment.

d. Based on the currently-projected Trailhead pool costs of between \$3.500M and \$3,800M, with delay that same pool would escalate in cost and be considerably more expensive year over year due to pressures on both material and labor pricing. It will cost more actual dollars to build the same pool in the future and also defer, to an uncertain time, use and enjoyment by homeowners of the newly renovated amenities. Using both historical data and future anticipated trends in cost increases, it is anticipated the price for these renovations will grow at rates approaching 10%. That noted, there is no certainty with respect to future pricing given worldwide demand for commodities, increasing labor rates and other unidentifiable market forces.

e. In fact, these projects will not be less costly in the future and any delay only causes additional risk and uncertainty. To provide quantitative context, the Trailhead pool would be forecast to cost between \$3.850M and \$4.150M for a one-year delay in construction. If delayed two years, the compounded cost increase could potentially push that same pool to a price range of \$4.235M to \$4.565M. We are also mindful that all market trends tend to be exacerbated by our mountain and resort location. This supports moving forward now as hoping for a material reduction in pricing in the future is at best speculative and clearly contrary to historical trends that all point to increased cost year over year.

8. For tax and other reasons, mechanisms for getting the water funds into CPOA amenities would have to be explored. One potential approach and precedent can be found in the 2013 final settlement of the class action lawsuit vs. the Club at Cordillera. In that settlement, the property-owner members of the certified class (with the agreement of the CPOA and CMD boards) prevailed upon the Club to transfer the ACC, Trailhead and Short Course to the CPOA (in effect the class contributed the amenities to the CPOA for the enjoyment of all Cordillera property owners). This mechanism permitted the CPOA not only to acquire the amenities but also to maintain their private nature.

9. Similarly, CPOA believes that property owners would strongly prefer to contribute their water surcharge overpayments held in the Enterprise Water Fund by the CMD to the CPOA for the amenities program that the Cordillera community overwhelmingly supports. All CPOA board members support using their personal surcharge overpayments in this manner. Counsel would need to advise whether there are any tax reasons providing conditions to this approach.

10. Under this approach, for example, the amounts owed to current property owners who owned homes in Cordillera for 10 years as of May 2017 (when the surcharge ceased) can be readily determined. Such a homeowner would be deciding to contribute \$2,220 in surcharge overpayments ($\$18.50 \times 12 \text{ months} \times 10 \text{ years}$). The exact amounts owed to each property owner who has contributed to the Water Enterprise Fund could also readily be determined by having a data firm analyze Eagle River's billing records. For property owners who have moved on from Cordillera, CMD and CPOA should obtain legal counsel to opine whether past property owners have less of a stake in the Water Enterprise Fund than current property owners and whether any statute of limitations or imputed knowledge may bar refunds of the surcharges to them. If so,

CMD and CPOA may be able to assert that the surcharge overpayments of past property owners can appropriately be used for the benefit of current Cordillera property owners to support amenities improvements.

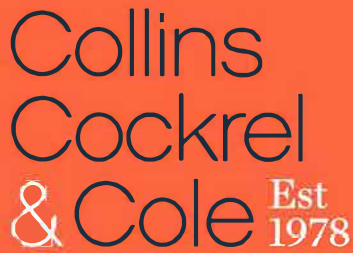
11. CPOA is open to discussing other potential mechanisms as may be suggested by the CMD or property owners for allocating the Water Enterprise Fund to the CPOA's amenities program. CPOA believes that, for all the reasons outlined above, CMD would receive strong community-wide, property owner endorsement if CMD chose to support CPOA's proposal.

12. Because of (i) the surcharge's individual property owner origins; (ii) the absence of any need for Cordillera property owners to have paid surcharges for capital improvements that Eagle River was/is admittedly obliged to pay for; and (iii) potential questions whether CMD exceeded its taxing authority in multiple years when tax revenues and Water Enterprise surcharges combined exceeded its 5 and ½ % authorization, CMD has multiple reasons to refund the surcharges to property owners. Recognizing that the amounts available to CPOA might vary to the extent property owners wish to retain surcharge refunds, CPOA requests that the entirety of Water Enterprise Fund be made available as refunds to property owners who may then choose to contribute their refunds to CPOA's amenities program or, alternatively, to a program offered by CMD. To the extent that CPOA and CMD devise a different mechanism for utilizing the Water Enterprise Fund for the benefit of the CPOA amenities program, CPOA requests that CMD make the entirety of the Fund available for that purpose.

13. Except to add investment earnings, including adding Water Enterprise Fund investment earnings that CMD allocated to its general fund in past years, CPOA also requests that CMD freeze the Water Enterprise Fund until questions as to its use are resolved.

Respectfully submitted,

The Cordillera Property Association Board of Directors
March 9, 2021



SHAREHOLDERS
Paul R. Cockrel
James P. Collins
Robert G. Cole
Timothy J. Flynn
Evan D. Ela
Linda M. Glesne
David A. Greher
Kathryn G. Winn

ASSOCIATES
Joseph W. Norris
Allison C. Ulmer
Bart W. Miller

OF COUNSELL
Matthew P. Ruhland

303.218.7212
mruhland@cccfirm.com

December 4, 2018

VIA E-MAIL

Cordillera Metropolitan District
4725 South Monaco Street, Suite 360
Denver, Colorado 80237
Attention: Alan Pogue, Esq.

Re: Agreement Regarding Water Infrastructure Projects

Dear Alan:

Thank you for your time last week, it was helpful to get your perspective and insight.

As we discussed, the original intent of the proposed Agreement Regarding Water Infrastructure Projects (the "Agreement") was to memorialize previous discussions between the Cordillera Metropolitan District (the "District") and the Upper Eagle Regional Water Authority (the "Authority") related to projects that would address current deficiencies in the Cordillera Water System (the "System"). A brief summary of the projects and estimated costs is attached.

While we understand local governments, including the District, must make difficult decisions when it comes to spending priorities, we understand the funds referenced in the Agreement were collected via a water rate surcharge and have been segregated in a Water Capital Improvement Fund (the "Funds"). Making the Funds available to the Authority to complete the various projects to the System may be the most efficient path forward, as the Authority will ultimately operate the projects. However, the goal of the Agreement and previous discussions between the Authority and the District is to improve the System; therefore, if the District wishes to use the Funds itself to design and construct the various projects, the Authority requests the opportunity to at least partner with the District in that process. Either way, the Funds were collected for water infrastructure projects and utilizing them to create a better System would be a proper and appropriate use. As you are aware, the proposed projects are solely for the benefit of the District and its constituents.

Due to the fact that there a number of new Members on the District's Board of Directors, you invited a representative of the Authority to attend the District's next board meeting to discuss the {00663251.DOCX / }

various projects that need to be completed to address current deficiencies in the System – the Authority accepts the invitation. I believe the District's next board meeting will be held on January 11, 2019, but please confirm. I would appreciate having this correspondence included in the meeting packet.

Thank you again for your time on this matter and please feel free to reach out to me if you'd like to discuss prior to the District's board meeting.

Sincerely,



Matthew P. Ruhland

Attachment

Cordillera Water System Projects

In 2016, staff of the Upper Eagle Regional Water Authority (the "Authority") was contacted by Cordillera Metropolitan District (the "District") to prioritize implementation of the next round of capital improvement projects related to the Cordillera Water System (the "System"). Upon reviewing the 2008 Master Plan, Authority Engineering staff thought it would be appropriate to revisit design criteria and assumptions used to establish fire flows for the 2008 Master Plan with the Eagle River Fire Protection District and SGM. The Authority committed approximately \$20,000 to fund an update to the 2008 Master Plan focused on fire flow delivery improvements to the System. The 2016 study determined that fire flow targets from the 2008 Master Plan could be reduced by approximately 50% on average due to fire sprinkler requirements in the PUD. This change in design criteria eliminated the need to make many of the improvements to the System recommended in the 2008 Master Plan. The remaining capital improvements to the System recommended by the 2016 study consist of:

- A new 110,000-gallon water storage tank at the top of the Western end of the System, which would meet build out water demands and fire flows for the three pressure zones below at an estimated cost of \$850,000.
- Water main upsizing on Gore Trail to improve fire flows in the immediate vicinity at an estimated cost of \$250,000.

In addition to the \$1.1m in improvements recommend by the 2016 SGM study, other priorities for capital improvements to the System have been identified that will bring the System up to Authority standards, improve System reliability, reduce risks, and address new regulatory standards. Those projects include:

- Fenno Well House Improvements: The existing well house facility is too small to house pumping equipment to supply the full, firm production capacity of the Fenno Well Field, necessary instrumentation and controls, electrical equipment, and chlorine and fluoride treatment systems. The existing electrical systems must also be brought up to current electrical codes. Preliminary estimates for a well house improvement project range from \$980,000 to \$1,140,000.
- Fenno Well Raw Water Delivery System: The raw water delivery network which connects the Fenno wells to the well house facility primarily consists of thin wall, schedule 40 PVC piping that is roughly 25 years or more in age. Schedule 40 PVC piping is not an ideal material for this application because it cannot be correlated for leaks or located using conventional methods and equipment, and the thin walled pipe is prone to breakage. This has been identified as an area of risk that may warrant replacement of the PVC piping and other appurtenances with higher quality materials to insure uninterrupted service to the District. A condition assessment of the raw water network is anticipated to develop project scope and cost estimates.
- Territories Backflow Prevention: The existing water main that was intended to provide fire suppression only to properties within the Territories poses challenges for compliance with new water quality regulations due to the long length of the dead-end line and low demands. The Authority plans to add a backflow prevention device on the line immediately after Summit Springs Road to mitigate the risk of water quality issues for customers on Summit Springs Road and Webb Peak Road. This project is estimated to cost \$75,000.
- Fenno Well #5 Improvements: The existing well is in need of a new pump, a rebuilt motor, and a new check valve. These improvements are estimated at \$20,000.
- Advanced Metering Infrastructure Tower: The Authority is in the process of upgrading its metering infrastructure to utilize an advanced metering network that will allow customers to remotely monitor their water usage in real-time using an internet portal. A new radio tower and networking equipment to cover the District is estimated to cost \$100,000.
- Cordillera East Tank 1 Instrumentation and Controls Improvements: Improvements to the instrumentation and controls at the East Tank 1 are necessary to reduce the risk of future overflows from the tank. Costs are estimated at \$100,000.

FINANCING RESOLUTION

Resolution to authorize exploration of financing options:

“Resolved that: The Assistant Treasurer of the Cordillera Metro District (“CMD”), Dan Roberts, along with Bob Donovan and other community members with relevant expertise (as Mr. Roberts may determine necessary and appropriate) are hereby authorized to explore alternative credit facilities for the CMD, including but not limited to a line of credit, and to bring their recommendations to the full CMD Board of Directors for review and approval.”

DRAFT



CORDILLERA METRO DISTRICT BOARD PACKET

March 2021



BOARD OF DIRECTORS

David Bentley, President
Term May 2022

Gene McGuire, Vice President
Term May 2022

Cheryl Foley, Treasurer
Term May 2022

John Van Deusen, Secretary
Term May 2023

Dan Roberts
Assistant Secretary/ Assistant Treasurer
Term May 2023



MANAGEMENT TEAM REPORT

March 2021



DISTRICT BUSINESS

Fiscal Stewardship, Transparency And Accountability

- [2021 Transparency Notice](#)
- [2021 Budget Resolution](#)
- [Annual Audits](#)
- Finance has been completing the year end financial statements for the CPOA and CMD; draft 4th Quarter Financials were provided to the CPOA Board on March 3.
- 2020 CPOA and CMD audits are scheduled for the week of April 12.
- 2020 Retirement Plans 401a total assets are up 13% to \$4,741,165 and the 457b total assets are up 14% to \$1,233,117 as of December 31, 2020.
- 2020 Cigna medical level funded plan is projecting a \$26,000 surplus.
- Online billing has been set up for gate access stickers; vendor renewal is occurring now.
- Automatic billing processes are being established for equestrian, trailer storage, parking, road impact and escort fees.
- CMD applied for a People for Bikes Grant for the Cordillera Way multi-use lane and was not selected as a finalist.

COMMUNICATION

Community Communications

Property owners, managers and vendors receive up to date community and county information through community newsflashes, the Cordillera Connection newsletter as well as News & Updates for upcoming regular and special board meetings. The total amount of emails sent from January to March was 11,380 with a 58% open rate as well as a 29% click through rate. The industry average open rate for civic associations and governing agencies is 18% with a 9% click through rate.

The Cordillera Connection has been revamped with a fresh look in 2021. It addresses cordillera happenings, board information, local partnerships of interest to Cordillera as well as news and events occurring in Vail Valley. The connection is sent bi-weekly to property owners through Constant Contact.

Cordillera Connection materials have also included up to date county and state COVID-19 information pertinent to homeowners and the community. Content includes vaccination group eligibility, local dial levels with guidelines and restrictions for residents and businesses as well as where and how to get vaccinated. COVID-19 updates have been the most clicked on topic for the Cordillera Connection followed by the new Cordillera trail map and winter trail grooming information.

Website

Cordilleraliving.com has been updated during the CMD and CPOA transition. It continues to be the hub for information to direct homeowners to both entities.

Analytics

From January to March of 2021, 5,888 unique users visited Cordilleraliving.com with a total of 27,827 page views. The top pages visited were the homepage, access to Cordillera webcams and access to the recreation reservation system for the Athletic Center.

Cordillera Connection

February 19, 2021



Eagle County moves to state's Level Yellow on COVID-19 dial

Feb. 18, 2021- Eagle County is moving to Level "Yellow" on the state's COVID-19 dial. The change requires updates to the local public health order. Yellow changes will be effective as of 6 a.m. Feb. 19. State guidelines for Level Yellow...

TRAININGS

Team Member Aubrey Lewis continuing her education.

Small District Association of Colorado Leadership Academy

The leadership academy is comprised of four quarterly meetings with a variety of leadership professionals training on personal and professional development. The first training was Wednesday, February 17 and Nick Kittle with Sustainovation presented on building leadership while living in a world of change and how innovation is at its highest when we are in a constant state of uncertainty. The next meeting will be held virtually on April 21.

Taking Care of Our Mountain Communities

Hosted by Health Links and Vail Valley Partnership

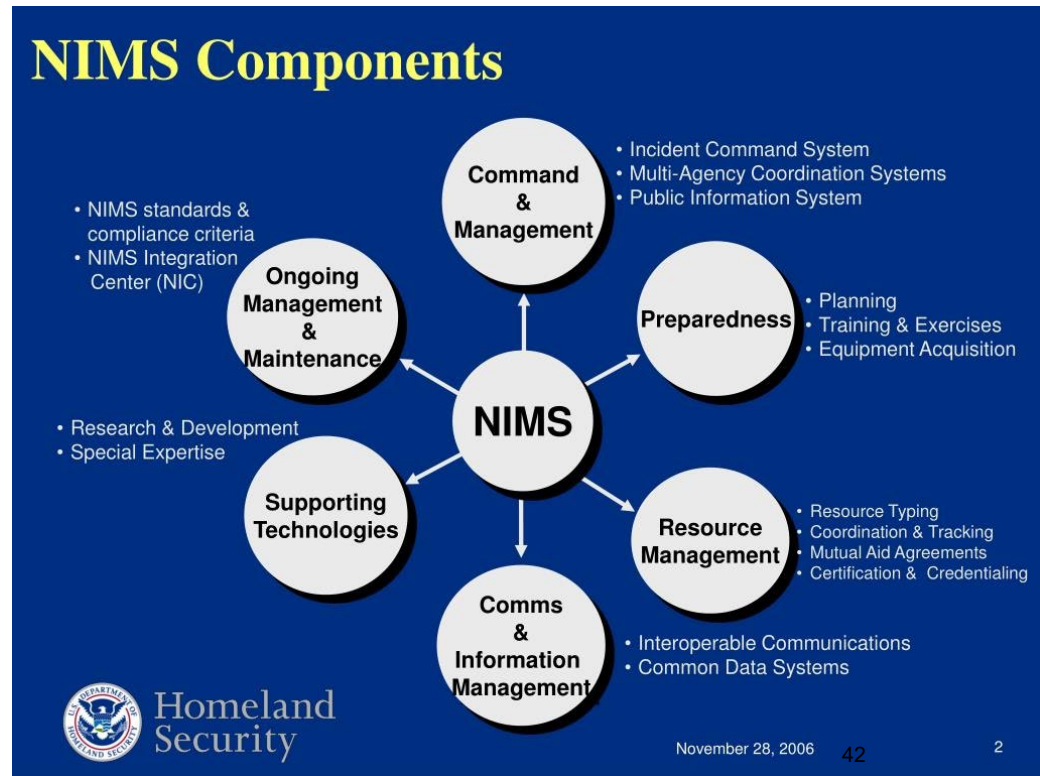
The event had local business leaders in hospitality, chambers of commerce and the ski industry talk about this winter season’s balance of keeping everyone safe while keeping the employee and guest experience positive in mountain towns. How is the valley working together during hard times and what does work “post-COVID” look like? The training is part of the 2021 Taking Care series for Health Links.

New Public Safety Team Members

Public safety welcomed 4 new team members since December each of whom have completed 40 hours of initial training, including two sessions of Incident Management System training, courses IS-00700.b and IS-00100.c.



Sponsored by



HEALTHY WORKPLACE

CMD is taking steps towards becoming a Certified Healthy Workplace™ and promoting Total Worker Health. The program measures six benchmarks:

- Organizational Supports
- Workplace Assessment
- Health Programs and Policies
- Safety Programs and Policies
- Engagement
- Evaluation

TEAM MEMBER ANNIVERSARIES

- Irving Castillo, Public Safety - 1 year
- Matt Worley, Public Safety - 1 year
- Cliff Simonton, Community Operations - 2 years
- Kaitlin Driscoll, Equestrian Center - 2 years
- Ron Hoppner, Administration - 2 years
- Trevor Broersma, Community Operations - 5 years
- Mike Hyslop, Community Operations - 5 years

CPOA AND CMD TRANSITION

INFORMATION TECHNOLOGY

The District is continuing to support the network, access control, and surveillance infrastructure at CPOA facilities through the CMD/CPOA service agreement. End user support responsibilities fall to the Grand Manors team while CMD will focus on maintaining building infrastructure. IT will also help with integrating the new Post Office network into the larger access control and surveillance system. This collaborative effort provides a convenient way for CPOA to benefit from on site support for issues that are notoriously difficult to troubleshoot remotely. It also allows Public Safety to continue to provide a seamless access control and surveillance experience throughout the community.

COMMUNITY OPERATIONS

The District is maintaining all CPOA facilities and grounds including preventative maintenance, plowing and general maintenance and repairs pursuant to routine maintenance standards. Additionally, the team maintained the ice rink and is grooming of the Short Course Nordic track.

RECORDS

As part of the CPOA and CMD transition twenty plus years of records were separated, reorganized and digitalized.





CPOA AND CMD TRANSITION

DESIGN REVIEW BOARD

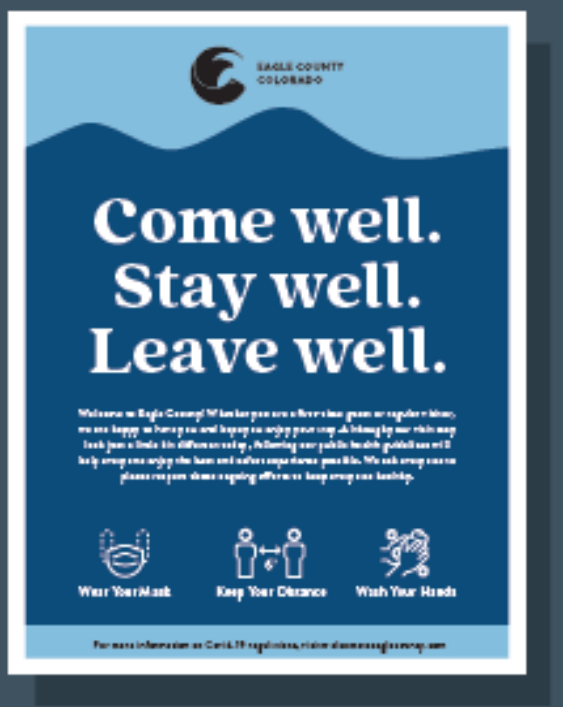
- Supported the on-boarding of the new Architectural Control Coordinator and TAB Associates.
- Information exchanged included projects, processes, involved parties, approaches and philosophies.
- Conducted tours to current projects.
- Assisted plan review and report writing for the January 2021 meeting and attended the February DRB meetings in an advisory capacity.
- Provided options to the DRB regarding process associated with variances for guidelines.
- Files since 2004 were assembled and provided, including active plan sets and detailed status reports.
- Historic DRB files were organized and moved to the Post Office.
- Information updated on the website.



SAFETY & SECURITY



COVID 19 CURRENT **YELLOW** LEVEL AND VACCINE



Current Level

On February 19 Eagle County moved to “Yellow” on the state’s COVID 19 dial. The changes required updates to the local public health order. All community members are encouraged to read the state and local public health orders in their entirety.

Vaccine

In alignment with new statewide guidance as of March 5 additional employees and residents are eligible to receive vaccine. The upcoming eligible group, phase 1B.3, will include people aged 60 and older and people aged 16 to 59 with two or more high risk conditions. Those who wish to pre-register should verify their eligibility and then sign up at www.eaglecountycovid.org.

Cordillera Public safety has begun to receive their shots. In the adjacent picture, Officer Mike Bosely is receiving his vaccine from Cordillera property owner and volunteer, Dr. Amy Miller.

Cordillera

We continue our commitment to providing timely and relevant COVID 19 information to our community. Appropriate signage is prevalent, protocols at facilities and messaging delivered to community. Team members are active participants in Public Information Officer and Policy groups with other local, county and state officials. In addition, Public Safety and Community Operations staff are eligible for the vaccine. Synesis is operating in all CMD buildings including administration, community operations, equestrian and the public safety gate houses.



EC ALERT – SIGN UP

Effective February 1, Eagle County’s EC Alert service changed how it delivers non-emergency messages. Non-emergency messaging from EC Alert are no longer being sent as text messages; instead, the messaging for announcements such as traffic alerts, area alerts, business alerts and red flag warnings are being sent via email and the Everbridge app.

Messaging regarding emergency activities such as evacuations or incidents causing imminent danger that are taking place in the county are continuing to be sent via text message, email, phone calls and included within the Everbridge app. For more information and instructions visit www.ecalert.org



EC ALERT CHANGES

Take Action & Stay Informed
Effective Feb. 1, 2021

EC ALERTS

Non-Emergency Alerts

such as traffic alerts, pass closures, severe weather, natural disasters and community area alerts will be sent via **email and the Everbridge App** only.

EMERGENCY ALERTS

Emergency alerts such as gas leaks, evacuations and wildfires will be sent via **email, text message, phone calls, and the Everbridge App**. You do not need the Everbridge App to continue receiving Emergency Alerts.



You must **DOWNLOAD** the **EVERBRIDGE MOBILE APP** on your phone to continue receiving **EC ALERTS**



INCIDENT SUMMARIES

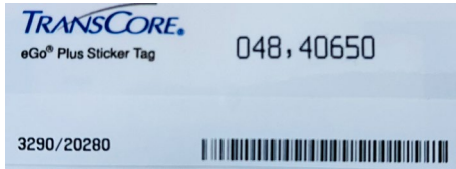
Between December 1, 2020 and March 1, 2021, the public safety team responded to 221 calls for the following services:

ALARM	23
ANIMAL ISSUE- NON-WILDLIFE	4
ASSIST OUTSIDE AGENCY	3
COMPLAINT (NOT NOISE)	2
ESCORT	7
HAZARDOUS CONDITION	2
MEDICAL RESPONSE	11
MISCELLANEOUS	4
NOISE COMPLAINT	3
OP TRAINING	4
OPEN DOOR/WINDOW	6
OPEN GARAGE DOOR	36
PARKING	32
PROPERTY DAMAGE	4
RESIDENT/CONTRACTOR ASSIST	25
SERVICE CALL	4
SUSPICIOUS ACTIVITY	4
TRASH VIOLATION	27
TRESPASSING	3
VEHICLE CRASH	14
WELFARE CHECK	2
WILDLIFE ISSUE	1
Total	221

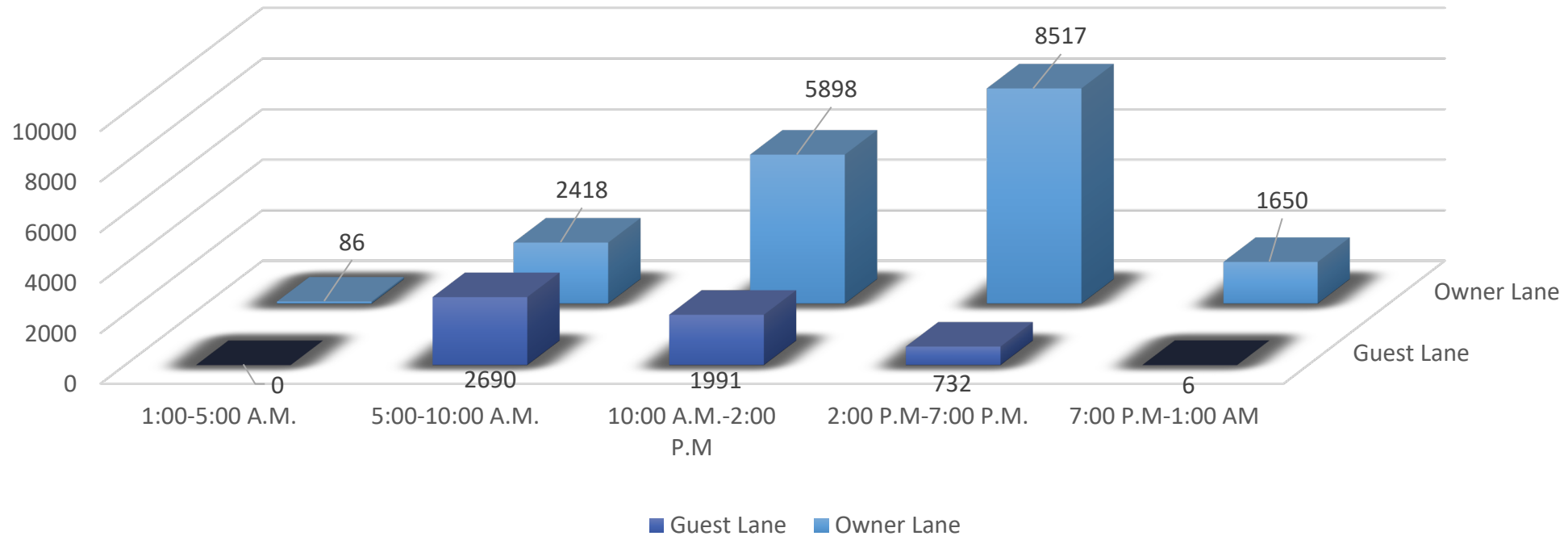
RANCH GATE ACCESS

Total Guest Lane 5,419

Total Owner Lane 18,569



Ranch Gate Access with Credentials 1/1/21-3/2/2021



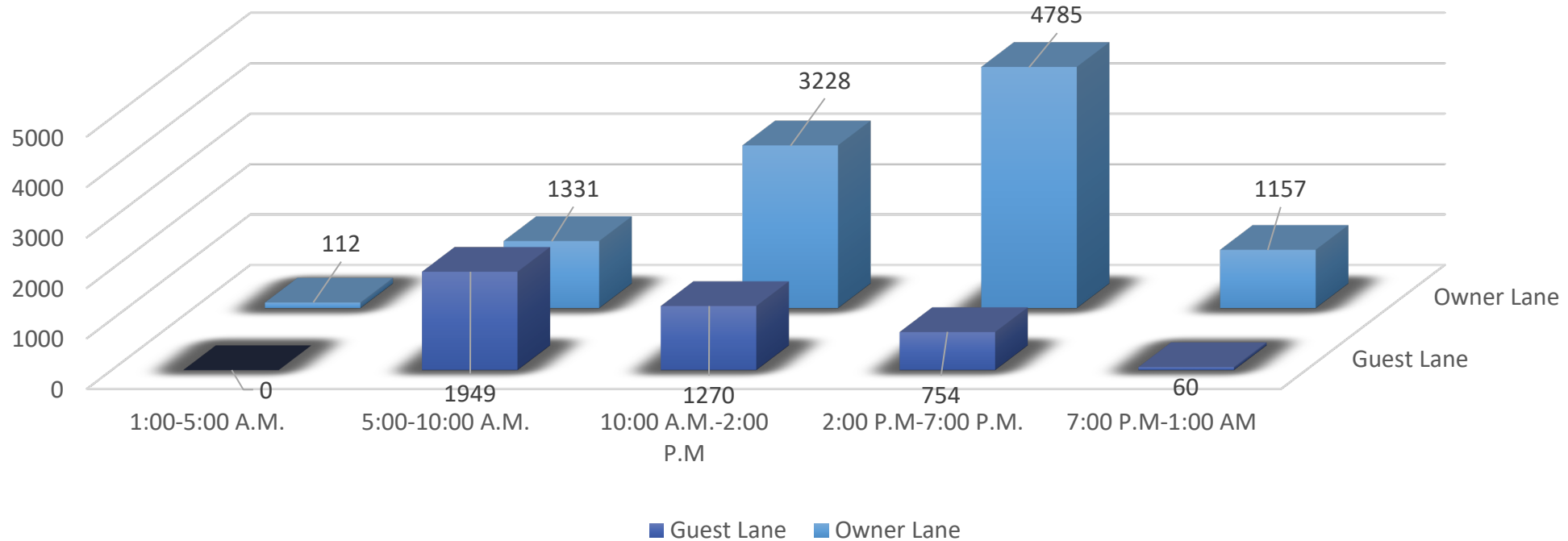
DIVIDE GATE ACCESS

Total Guest Lane 4,033

Total Owner Lane 10,613



Divide Gate Access with Credentials 1/1/21-3/2/2021



ROAD SAFETY



- Public safety officers continue to conduct RADAR speed monitoring on a regular basis. From December 1, 2020 through March 1, 2021, 472 vehicles were observed with 25 of those exceeding the speed limit by 9+ MPH. 21 of the 25 speeding vehicles were identified and contacted with a request to slow down and observe the traffic laws. The remaining 4 were unable to be identified.
- The 2021 Road Program includes paving Fenno from Cimarron to Settlers Loop, extending the multi-use path from Cimarron to Settlers Loop, adding a multi-use path on Cordillera Way, and widening Squaw Creek at the Cordillera Way intersection for improved safety entering and exiting the Divide.
- Preparations are underway for summer campaigns, engineering tactics, radar and enforcement.



EMERGENCY PREPAREDNESS



- The Dam Safety Branch of the Colorado Division of Water Resources, in partnership with Eagle County Emergency Management, Vail Dispatch, National Weather Service, Colorado Division of Homeland Security & Emergency Management, Eagle River Water & Sanitation District, and Climax Molybdenum Company are hosting a dam safety and emergency management preparedness workshop for all jurisdictional dams in the Eagle River Valley.
- The Emergency Action Plan (EAP) workshop and tabletop exercise will be held as a virtual event on March 31, 2021. The goal of the workshop is to provide an overview of the dams in the Eagle River Valley; increase EAP awareness; and improve emergency preparedness, response and management practices. This workshop will provide a basic understanding of dams, explain the EAP process and how Eagle County is alerted, and offer an opportunity for the emergency management and first responder community to get together and work through emergency response protocols and logistics for a dam failure event. The tabletop exercise will use Eagle Park Reservoir Dam as the example failure with the discussions focused on emergency management responses applicable to most dams in Eagle County.

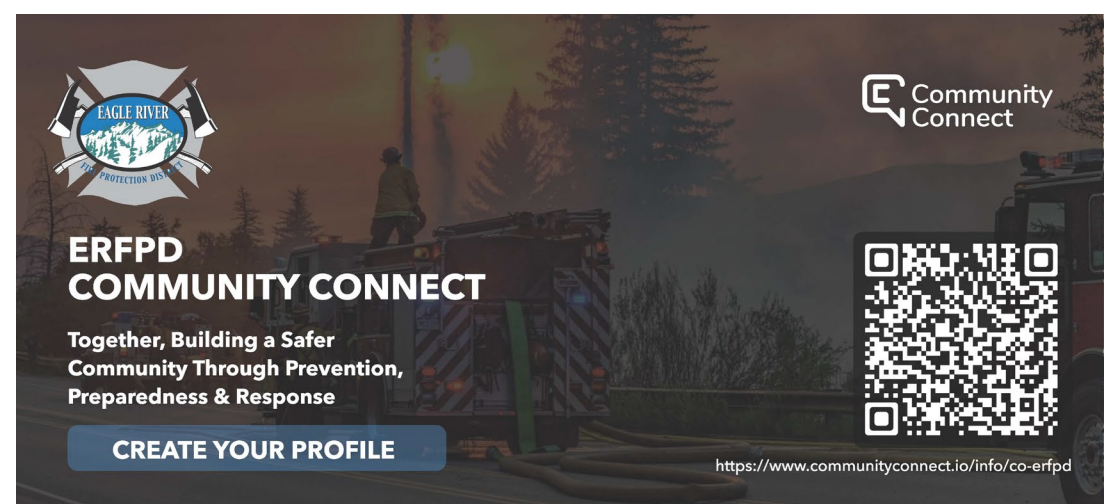


WHAT IS COMMUNITY CONNECT?

We are always looking for ways to better serve the people of Eagle River. For this reason, we are rolling out a new program to protect our residents and their property in the most effective way possible. Community Connect is a free, secure, and easy to use platform that allows you to share critical information about your household that will aid first responders and emergency response personnel when responding to your residence. By providing information about your household that you feel is important for us to know about at the time of an emergency, we can ensure you and everything you care about is protected to the best of our ability.

Fire Chief Bauer

<https://youtu.be/9HUT9p7tw9U>



1 Create account

Sign in for free and get started doing your part. It just takes your email, phone number and address.

2 Enter the info that matters most

Enter valuable information that can help us assist more effectively during an emergency.

3 Help your Fire Department when seconds count

That's it. Just keep us updated when things change overtime so we can always be prepared.

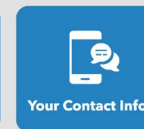
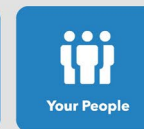
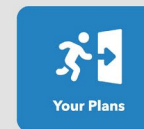
WHAT KINDS OF INFORMATION CAN I PROVIDE?

For Households

Any information you provide through Community Connect is completely voluntary and based on what you are comfortable sharing. We have made it easy for you to know what may be important by organizing your secure portal into buckets of information you can enter.

For Businesses

Enable your business, school, age-care facility or other public location First Responders with critical information, valuable emergency plans and more - available at a moment's notice in the event of an incident. Stay aware with notifications from First Responders through text messages in the event they are ever dispatched to your property.



HOW SECURE IS MY DATA AND HOW IS IT USED?

Data that you provide Community Connect is secure and is used only for the purpose of better serving you during emergency situations. Your information is never used for any other purpose. All logins are password protected with bank level encryption and security. If you're comfortable logging in to your online bank you'll be comfortable logging in to Community Connect.



Community Connect is **Safe & Secure**

INFORMATION TECHNOLOGY

- Surveillance – 4 cameras at the Ranch Gate and 4 at the Divide gate are scheduled for replacement in the spring.
- Cyber Security Assessment – CMD underwent a cybersecurity audit in late-February. The audit was conducted by NetDiligence, a global leader in cyber risk management and assessment. The audit found CMD's infrastructure and technical implementation to be above average and sufficient for our IT footprint. Suggested areas of improvement centered on documenting response procedures in the unlikely event of an incident.
- CMD's legacy network file shares were retired on March 10. File sharing has fully migrated to CMD's Microsoft 365 infrastructure. This new system implementation provides greater data protection, improved network security, dramatically improved collaboration abilities, and improved file sharing capabilities, both on and off CMD's network. This implementation comes at no cost to the district as it uses featured already present in our Microsoft subscription.





OPERATIONS

Plowing and Winter Operations

- Weather station at the Divide Gate house has recorded 39.5 inches of snow resulting in 19 call outs.
- Operations team has been busy clearing snow from all 254 fire hydrants.

Composting

- Operations is working with Vail Honey Wagon to begin composting a portion of the manure from the Equestrian Center.

Facilities

- A variety of 60 work orders have been completed year to date.
- Safety and efficiency improvements were implemented to the Operations woodshop.
- Installed new exterior LED light fixtures at the Administration building.

Fleet Purchases

- Fleet purchased a used tandem dump truck to haul materials, a new skid steer with snow blower and Kubota for Equestrian center.
- New vehicle lifts have been ordered and will be installed early April.





SPRING CLEAN UP

For bulk household items, Operations places a dumpster in each neighborhood for use on a first come, first serve basis. The dumpsters are intended for property owner use only; do not discard paint products, tires, batteries, fluorescent lights, chemicals or Freon in the dumpsters.

Drop-off schedule on **Thursdays** in June 9:00 a.m. to 4:00 p.m.

- Divide/Community Dog Parking Lot (Carterville Road): June 3
- Ranch/Trailhead Parking: June 10
- Summit/Golf Maintenance: June 17

For property yard debris, Operations collects neatly stacked debris that is placed alongside the road.

Pick-up schedule on **Tuesdays** throughout the summer:

- | | | | | |
|-----------|--------|---------|---------|-----------|
| • Divide: | May 4 | June 1 | July 6 | August 3 |
| • Ranch: | May 11 | June 8 | July 13 | August 10 |
| • Summit: | May 18 | June 15 | July 20 | August 17 |

CAR WASH

Access

Cordillera property owners have access to a car wash. Before using the car wash, located at 543 Carterville Road, property owners must take a class, sign a waiver and obtain a CordilleraID.

The car wash is open Monday through Friday 5 p.m. to 10 p.m., and Saturday and Sunday 8 a.m. to 8 p.m.

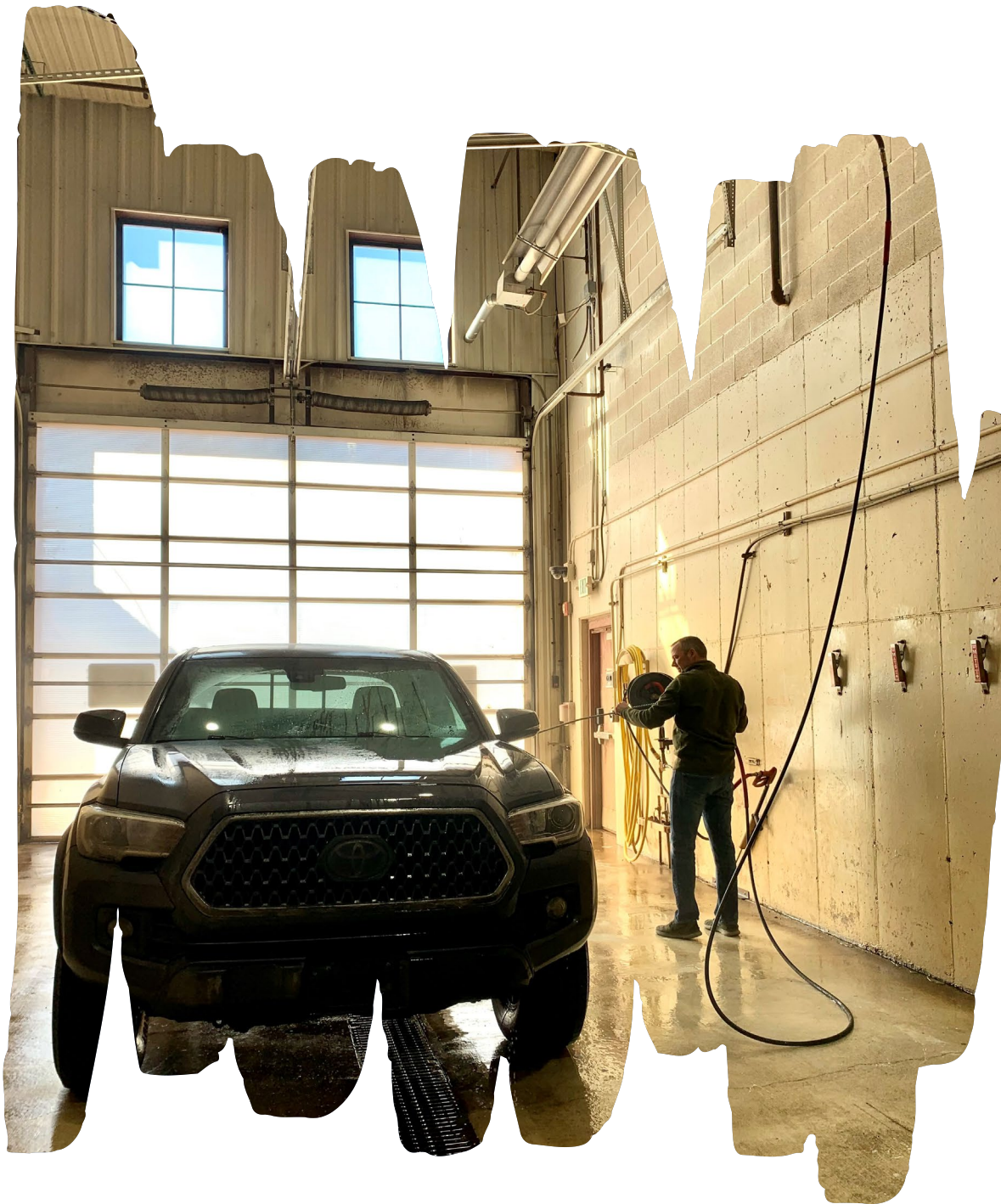
Training

For class times or questions, contact Wes Zittel at 970-569-6285 or via email, wzittel@cordillerametro.org.

Coming soon...virtual training and waiver.

Improvement

A new 360-degree swivel hose has been installed at the car wash.



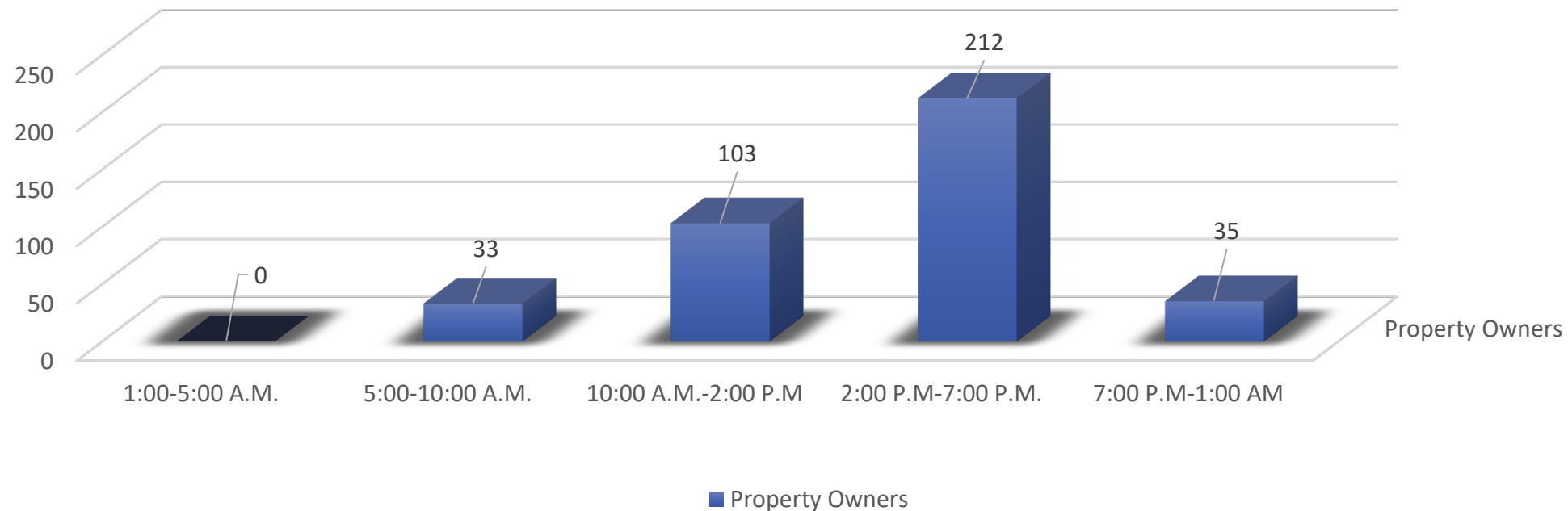
CAR WASH ACCESS



Total Property Owner Access 383

*The data does not represent all car wash usage due to "tailgating", an event that has a user badging into the car wash and leaving the bay door open for the next user waiting in line. Because the door is already open in this scenario, the next user in line does not scan their card. Our estimate is that the actual number of property owner washes is 25% higher than is reflected in the data due to tailgating.

Property Owner Access with Credentials 1/1/21-3/2/2021



OPEN SPACE & TRAILS



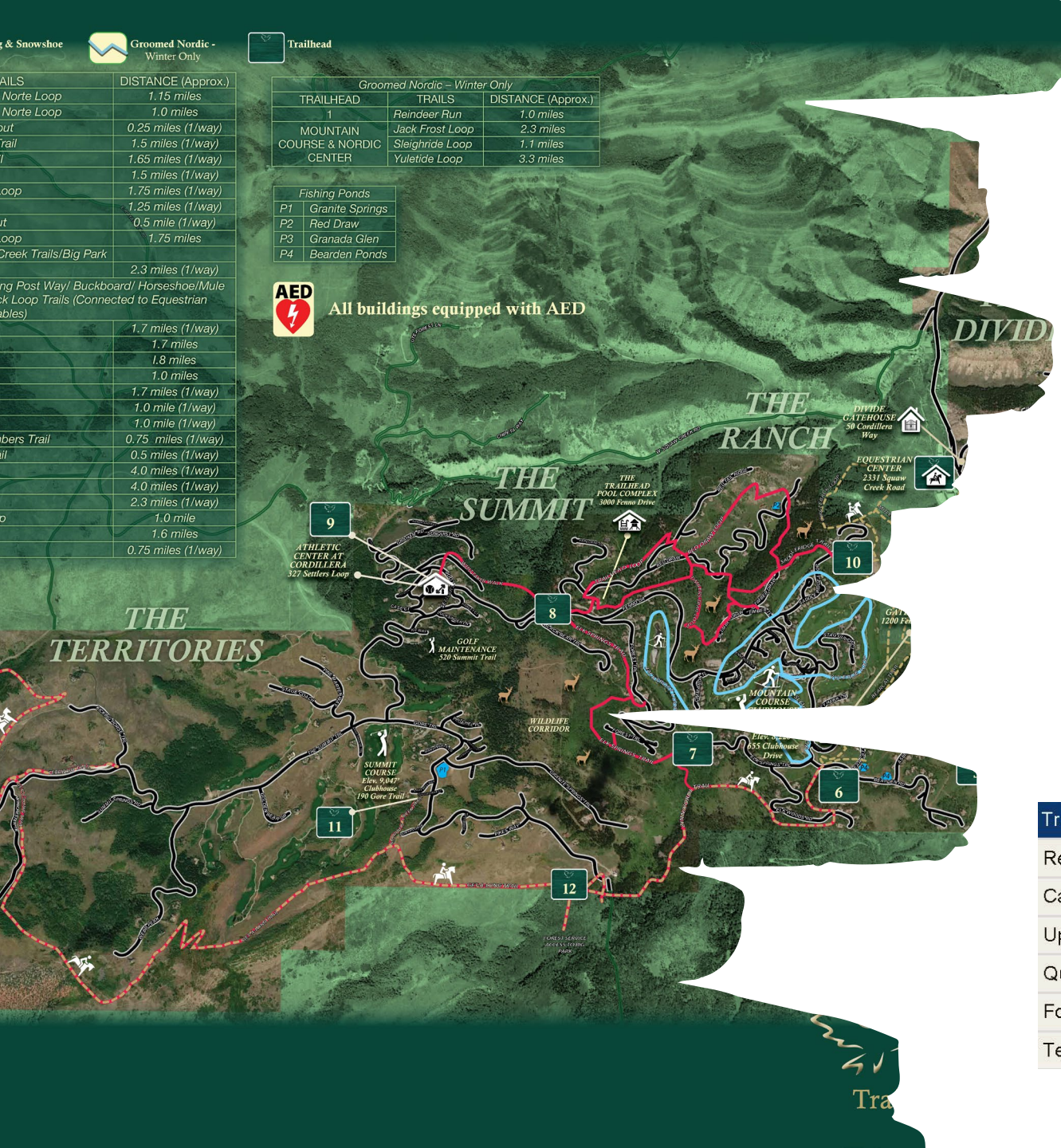
Cordillera property owners have access to the dog park from 6 a.m. to 9 p.m. daily. This designated off leash exercise area is conveniently located on Carterville road past the operations building. Users are reminded to pick up after pets and follow the dog park rules and regulations.

TRAILS	DISTANCE (Approx.)
Camino Del Norte Loop	1.15 miles
Camino Del Norte Loop	1.0 miles
Camino Del Norte Loop	0.25 miles (1/way)
Camino Del Norte Loop	1.5 miles (1/way)
Camino Del Norte Loop	1.65 miles (1/way)
Camino Del Norte Loop	1.5 miles (1/way)
Camino Del Norte Loop	1.75 miles (1/way)
Camino Del Norte Loop	1.25 miles (1/way)
Camino Del Norte Loop	0.5 mile (1/way)
Camino Del Norte Loop	1.75 miles
Creek Trails/Big Park	2.3 miles (1/way)
Camino Del Norte Loop	1.7 miles (1/way)
Camino Del Norte Loop	1.7 miles
Camino Del Norte Loop	1.8 miles
Camino Del Norte Loop	1.0 miles
Camino Del Norte Loop	1.7 miles (1/way)
Camino Del Norte Loop	1.0 mile (1/way)
Camino Del Norte Loop	1.0 mile (1/way)
Camino Del Norte Loop	0.75 miles (1/way)
Camino Del Norte Loop	0.5 miles (1/way)
Camino Del Norte Loop	4.0 miles (1/way)
Camino Del Norte Loop	4.0 miles (1/way)
Camino Del Norte Loop	2.3 miles (1/way)
Camino Del Norte Loop	1.0 mile
Camino Del Norte Loop	1.6 miles
Camino Del Norte Loop	0.75 miles (1/way)

Groomed Nordic - Winter Only		
TRAILHEAD	TRAILS	DISTANCE (Approx.)
1	Reindeer Run	1.0 miles
MOUNTAIN COURSE & NORDIC CENTER	Jack Frost Loop	2.3 miles
	Sleighride Loop	1.1 miles
	Yuletide Loop	3.3 miles

Fishing Ponds	
P1	Granite Springs
P2	Red Draw
P3	Granada Glen
P4	Bearden Ponds

AED All buildings equipped with AED



Cordillera Trail maps have been updated and are now available. Additional new signage is in production and will be prominently placed at Trailheads with maps available at each ready for spring/summer. Cordillera has approximately 27 miles of year-round trails and nearly 35 miles in total when including winter specific.

A new trail status report has been added to the website and will feature grooming reports, closures, advisories and conditions year-round.

The Nordic Center at Cordillera Mountain Course is open from 9:00 a.m. to 4:00 p.m. daily except for Monday. Snowshoe and cross-country ski rentals are available. The Short course also has one mile of groomed Nordic trail available. Grooming conditions are weather dependent.

The ice rink located at the Athletic Center opened December 11 and closed February 23.

Trail Name	Location	Date Groomed
Reindeer Run	Short Course	3-3-21
Camino Del Norte	Divide	3-1-21
Upper El Mirador Loop	Divide	3-1-21
Quarter Horse Loop	Territories	2-16-21
Fox Trotter Loop	Territories	2-16-21
Territory Trail	Territories	2-16-21

FLY FISHING AND PONDS

The Eagle River streamflow near Avon was 28 cubic feet per second this last week. The median average for this date is 63 cfs. The historical record low streamflow was 44 cfs in 2013. Water temperatures have been 34 to 38 Fahrenheit.

Size 22 midges have been hatching in small numbers on an infrequent basis. Insect activities should increase as the weather warms and the streamflow increases later this month.

Rainbow and Cutthroat trout spawning season is March 15 through May 15. Beat 4 will be **closed** to protect the spawn Redds at the Squaw Creek confluence. Please wade carefully on all other beats as there may be spawning activity anywhere during these extremely low stream flows.

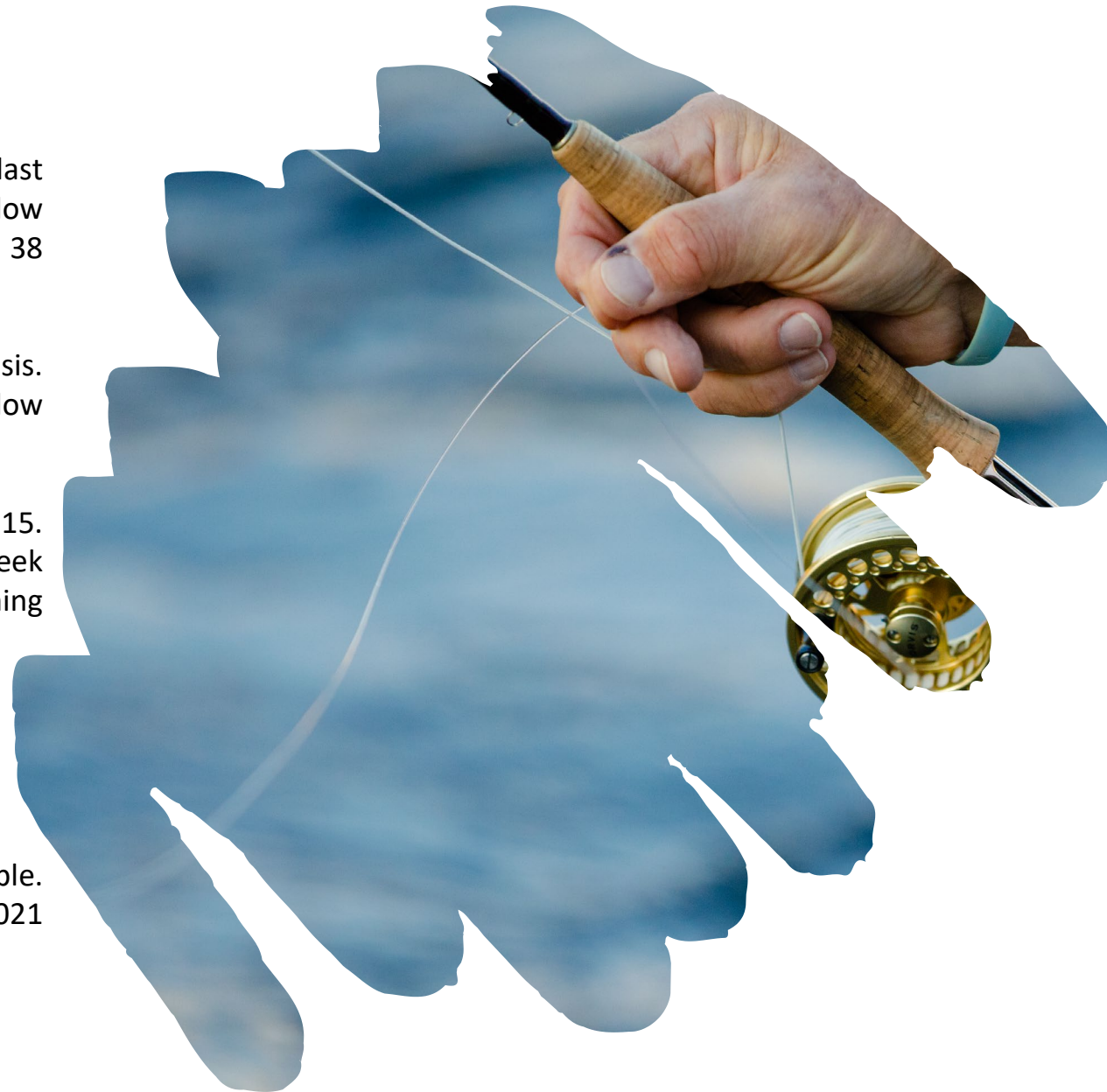
All ponds are closed due to ice at this time.

2021 River Parcel Access Passes

2021 River Parcel Access Passes for authorized property owners are available. Club at Cordillera members that are not property owners need to submit [2021 River Parcel Access Pass Application](#).

Forty-one passes have been issued year to date.

Tom Stoffel, Vail Valley Anglers, can be reached at 970-926-0900.



EQUESTRIAN CENTER

Effective March 1 , monthly boarding fees were increased to align with the costs of providing quality services for the boarding community, which is largely behind the scenes and includes:

- Managing the largest such facility in the Vail Valley.
- Providing daily operations for the facility and boarding up to 45 horses.
- Ensuring visible oversight of hours daily and public safety patrols twice a night.
- Conducting of snow removal, application of gravel and ice melt, road and facility repairs.
- Implementing capital improvement projects that include the installation of fencing for the pathways, paddocks, and outdoor arena, new jumps for the outdoor arena and additional arena footing material.
- Monitoring with the care and welfare of horses including nutritional recommendations, behavioral health, veterinary concerns, blanketing, etc.
- Maintaining: two heated indoor riding arenas designed for basic horsemanship, dressage and show jumping, large outdoor arena available May-November, a community trail system available for use during the spring, summer and fall, 22 indoor stalls, tack room, break room, heated wash stall, round pen, 10 paddocks that are equipped with shelters and automatic waterers, gate access, camera system, tack up area and farrier stall and two covered quarantine/recovery pens.



BEARCAT STABLES

Bearcat Stables is our hidden gem located right here in Cordillera. You feel as if you have stepped back in time while visiting the rustic cabins and touring the grounds. Knowledgeable sleigh drivers provide a history of Cordillera while patrons sip on a warm beverage nestled under cozy blankets. As the horse drawn sleigh ride comes to an end, a hearty dinner is waiting for you back at the cabins.

Bearcat is a place to make memories with friends and loved ones this winter. Come back in the summer for a trail ride up to Big Park or a three-day hut trip to Aspen on horseback. For more information call 970-926-1578 or visit www.bearcatstables.com.

REGIONAL & VAIL VALLEY NEWS



US HIGHWAY 6 WEST STUDY

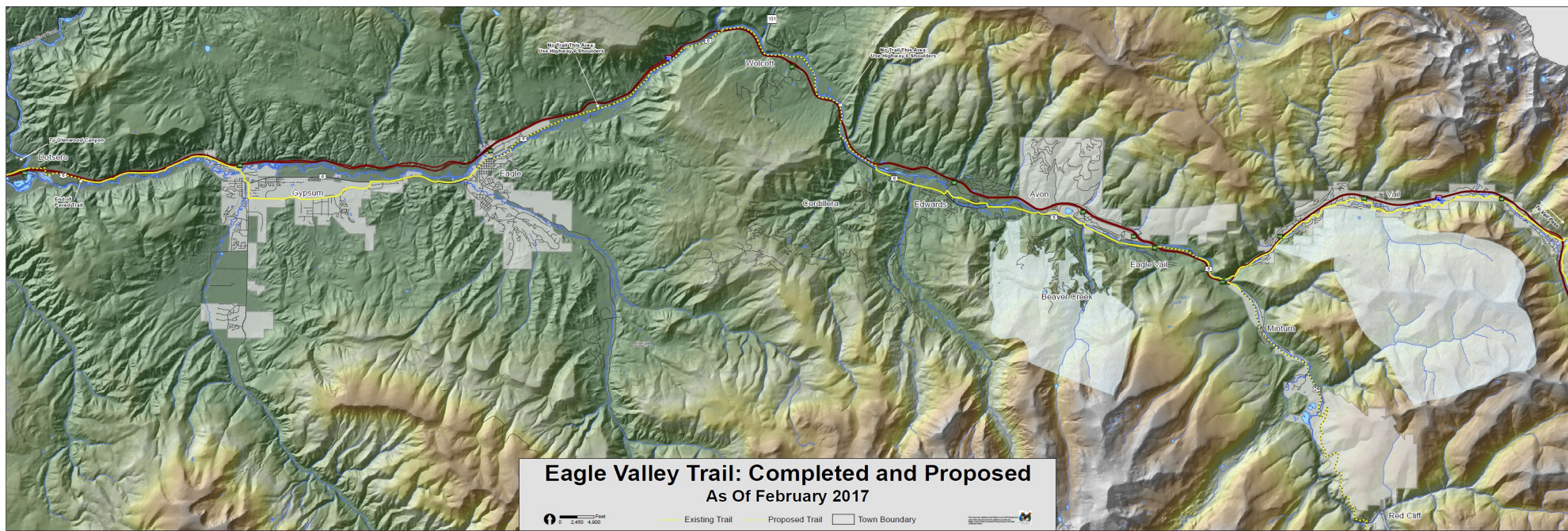
Since late 2019, CMD has been monitoring activities and outcomes associated with a planning exercise sponsored by Eagle County and the Colorado Department of Transportation (CDOT) titled the *US 6 West Edwards Improvements Design and ECO Transit Connectivity Design Plan*. Public meetings associated with this project culminated in June of 2020, and a final report was just recently released.

The planning exercise studied a variety of multimodal safety and operational improvements along US Highway 6 in West Edwards, beginning at Lake Creek Road and ending just west of Squaw Creek Road. Alternatives studied include a roundabout at Squaw Creek Road, a roundabout at Hillcrest Road, lane widening in select locations, and intersection and bus stop improvements at both Fox Hollow and Arrow Grass Roads. Conceptual engineering and cost estimates for construction were included in the study, which gathered input from a broad stakeholder group.

For those interested, the *Recommendations and Conceptual Design Report* and the *US 6 West Edwards Final Conceptual Design and Estimate* can be found at <https://www.eaglecounty.us/engineering/westedwardsdesignimprovements>

No construction is forthcoming on this project, as the selected alternatives have all been “shelved” pending funding that would advance the project to the next level of design.





The Eagle County Board of Commissioners has pledged \$9 million to complete three of the four remaining sections of the Eagle Valley Trail. The funds are meant to jumpstart a multi-year fundraising process led by the ECO Trails Committee, a partnership that includes county government as well as the towns of Gypsum, Eagle, Avon, Vail, Red Cliff and Minturn. The committee hopes to raise an additional \$12 million. Officials believe the project will promote sustainability, economic vitality, and an improved recreational experience for both residents and visitors. The funds for this priority project will not impact pandemic or other emergency spending. The Eagle Valley Trail is the paved recreation trail that extends from the top of Vail Pass to Dotsero, with a planned spur trail from Dowd Junction to Minturn. The remaining sections of the Eagle Valley Trail to be constructed include between EagleVail and Dowd Junction, between Dowd Junction and Minturn, between Duck Pond Open Space and Dotsero and Glenwood Canyon, and between Horn Ranch Open Space and Edwards. Once these four segments are constructed, the trail will complete Eagle County’s section of the paved trail system that runs from Breckenridge to Aspen. The funding allocation will allow the county’s ECO Trails Department, which oversees design, construction and maintenance of the Eagle Valley Trail, to design and construct the trail sections between EagleVail and Dowd Junction, Dowd Junction and Minturn, and Duck Pond Open Space and Dotsero over the next three years. The Trails Committee intends to raise the estimated additional \$12 million needed to complete the remaining Horn Ranch to Edwards section. Overall, the county is striving to have the entire trail completed by 2025.

MOUNTAIN MIGRATION- TAKE THIS SURVEY

The Northwest Colorado Council of Governments and Colorado Association of Ski Towns has commissioned a study covering six Colorado mountain counties, including Eagle County. The purpose of the study is to help answer the question *"Is the COVID-migration here to stay and, if so, how will housing and services be impacted?"* They are conducting an online survey of long-time, new, and part-time residents to understand your plans and priorities. This research will help communities understand and plan for service and infrastructure needs.

They are asking community members to take 10-minutes to respond to the survey at www.polco.us/nwccog-survey.

Individual survey responses are confidential; overall results will be used by each county to help plan future direction. Combined results will also be published in a report available in June. Questions can be directed to Wendy Sullivan, WSW Consulting, Inc., at wendy@wswconsult.com.



I-70 MOUNTAIN CORRIDOR TAKE THIS SURVEY

The Colorado Department of Transportation (CDOT) is conducting a survey of recent travelers on the I-70 Mountain Corridor to the west of Denver. The purpose of this study is to understand drivers' travel patterns and preferences when using the I-70 Mountain Corridor.

If you've used this part of I-70 in the last 9 months, they want to hear from you! Participants who qualify for and complete the survey can be entered for a chance to win one of ten \$100 Amazon gift cards.

If you have any questions about the survey, please email i70survey@rsgsurvey.com.





Master Planning Underway

Following a **name change** and freshly distilled **vision and mission** for the Mountain Recreation Metropolitan District in 2018, the Mountain Rec Board also approved a **strategic plan** with seven priorities. One of which is centered around converting recreation centers into community centers and expanding district facilities to meet the community's needs.

For the last three years Mountain Rec staff have been working diligently with partners, planners, consultants and the community to create Master Plans for our three service areas in Edwards, Eagle and Gypsum.

Following public survey, user group and consultant feedback and a draft plan was created for the Edwards Fieldhouse. View the draft concept plan that was shared with the community **HERE**. Additional details are forthcoming this spring.



Summer Camps registration opened March 1

Mountain Rec is over the moon about the 80+ summer camps they will be offering this summer across Eagle, Edwards, Gypsum, and beyond.

Find the right fit for your families and register. Camps will be added if interest exceeds current capacity.

Mountain Rec has baseball, softball, and t-ball in Edwards for your child. Sign up **here** for the 2021 Spring Season beginning March 30!

CALLING VOLUNTEERS

As The Community Market has rallied to help feed over **3,800** people each week since CCVID-19 hit. That is almost four times more people every week coming in for FREE groceries than currently last year. That equates to over **857,000** meals in 2020!

Looking for a way to give back to your community? Interested in making a difference in the lives of people in Eagle County? Hoping to connect with other kind-hearted, generous volunteers?

Please consider volunteering your time at The Community Market locations in both Gypsum and Edwards.

For more information on volunteer opportunities, please contact Eagle Valley Community Foundation volunteer coordinator, Jen Barcza, or visit our online volunteer registration portal, Golden Volunteer to sign up for a volunteer session that is most conducive with your schedule!





Vail Valley Partnership's mission is to lead collaboration and serves as the regional chamber of commerce for the Vail Valley.

Cordillera team members join the table in VPP efforts...

Economic Development Leadership

- Vail Valley Economic Development (VVED) has an active Advisory Council representative of our trade area in terms of industry sectors and geography. It includes a mix of both public and private representation to improve communication and understanding on local economic issues across this common divide. Advisory Council member's expertise and experience across a range of local industries, will equip VVED with a more complete understanding of our local and regional economy to allow us to continually adapt our programming and marketing efforts to best serve local needs.

VVP Connect Launch

- Vail Valley Partnership (VVP) is launching a new collaborative, online platform that merges professional networking with a resource library exclusively for VVP members and community partners that allows users to connect, discuss, share and champion ideas for the Vail Valley businesses and community. VVP Connect brings together current and future leaders, fosters creativity, grows our networks, and is a catalyst for innovation.

WINTER MUST DOS

Snowmobiling
Snowshoeing
Fly-Fishing
Horseback Riding
Mountain Skinning
Gondola Rides
Ice Rink Biking
Sleigh Rides and Hot Chocolate
Tubing

