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## RECORD OF PROCEEDINGS

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### Minutes of the Special Meeting of the Board of Directors Arrowhead Metropolitan District April 8, 2024

A special meeting of the Board of Directors of the Arrowhead Metropolitan District, Eagle County, Colorado, was held on April 8, 2024, at 3:30 p.m. via electronic Zoom meeting, Meeting ID: 889 9887 0889, in accordance with the applicable statutes of the State of Colorado.

**Attendance** The following Directors were present and acting:

- Vincent Riggio
- Bill Roe
- Michelle Horton
- Steve McPhetridge
- Robert Warner, Jr.

Also in attendance were:

- Jerry Hensel, Director of Resort Operations, Vail Resorts
- Ken Marchetti, Marchetti & Weaver, LLC
- Beth Johnston, Marchetti & Weaver, LLC, recording secretary
- George Coleman, representative of Arrowhead Association
- Randy Smith, representative of Arrowhead Association
- Todd Goulding, Goulding Development Advisers
- Matt Wadey, Alpine Engineering

#### **Call To Order**

The meeting of the Board of Directors of Arrowhead Metropolitan District was called to order by Director Riggio on April 8, 2024, at 3:30 p.m. noting a quorum was present.

#### **Disclosure of Potential Conflict**

**Of Interest** The Board noted that it has received certain written disclosures of potential conflict of interest statements from Director Warner more than seventy-two hours prior to the meeting, indicating that Director Warner is a Board Member for Eagle River Water and Sanitation District, a former Builder/Developer in the District, a member of the Eagle County Planning Commission and Board of Adjustment, and President of the McCoy Springs at Arrowhead Homeowners Association. The Board noted, for the record, that this disclosure is restated at this time with the intent of fully complying with laws pertaining to potential conflicts of interest.

#### **Consideration**

**Of Agenda** There are no changes to the agenda.

**Public Input** There was no public input.

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**Minutes**        The Board reviewed the minutes included in the packet. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the minutes for March 27, 2024, as presented.

**Accounts Payable**        The Board reviewed the Accounts Payable list. By motion duly made and seconded, it was unanimously

**RESOLVED** to approve the updated Accounts Payable list as presented.

**Highway 6 Safe  
Crossing Project  
Consideration  
of Proposals**

Director Riggio introduced Todd Goulding, the District's Owner's Representative for the project. Mr. Goulding confirmed that the project was publicly noticed for bids in early March as required for special districts and gave background on the bid timeline, request for proposals, addendum to the initial bid request, and proposals received. Mr. Goulding recommended the 360 Civil proposal due to it being the lowest bidder with the earliest start date. Mr. Goulding and Mr. Wadey fielded questions from the Board on the large spread of the bids in general and within specific categories, such as traffic control, viability and recommendations of the contractors that submitted bids, and bonding and insurance required from the contractor and District. Discussion continued on the status of the CDOT access permit, type of construction contract, cost contingency recommended for the project, and cost penalties or other options available to the District if the project runs long. Mr. Marchetti commented that it has been rare that projects are coming in at or below budget, commended Mr. Goulding and the project team for their diligence, and assured the Board that the financial statements will be updated to reflect the proposal, contingency, and soft costs for the project. Mr. Goulding reviewed the pay application process and timing for paying the contractor throughout construction.

Following discussion and upon motion duly made by Director Warner and seconded Director Roe, it was unanimously

**RESOLVED** to accept the Proposal submitted by 360 Civil for construction of the Highway 6 Safe Crossing Project Roundabout.

Conversation turned to status of the landscaping for the roundabout. Mr. Smith reported that the landscaping plan has been submitted to CDOT for review, but no

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comments have been received yet. He also commented that some minimal landscaping may be done prior to the winter depending on when the hardscape construction is completed.

Next steps and timeline review:

- Priority is getting the access permit and notice to proceed from CDOT as soon as possible so construction can commence.
- Provide 360 Civil with notice that they are the selected contractor.
- Construction needs to be completed within 105 days per CDOT's schedule
- The construction team, consisting of Director Riggio, Mr. Hensel, and Mr. Goulding will meet weekly to review any issues from the previous week and upcoming work to be completed, including change orders.
- Mr. Marchetti will provide cost estimates for the project to include in owner communications
- Owner communication needs to be sent out prior to construction starting. Mr. Wadey estimated the earliest start date for construction to be three weeks from today in early May.

**Action Log** The Board reviewed the Action Log in the packet. Director Riggio clarified that there would not be a Maintenance and Easement Agreement between the District and CDOT. Instead, there would be a two-page exhibit to the special use permit outlining maintenance responsibility.

**Future Meetings** There was discussion of cancelling the regular April meeting. Following discussion, the Board decided it was necessary and confirmed the next meeting for April 24, 2024, at 3:00 p.m.

**Adjournment** There being no further business to come before the Board, by motion duly made and seconded, it was unanimously

**RESOLVED** to adjourn the special meeting of the Arrowhead Metropolitan District Board of Directors this 8th day of April 2024.

Respectfully submitted,



Beth Johnston  
Secretary for the Meeting