



RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE SKY RANCH COMMUNITY AUTHORITY BOARD (“CAB”) HELD JULY 21, 2023

A special meeting of the Board of Directors (referred to hereafter as the “**Board**”) of the CAB convened on July 21, 2023, at 8:30 a.m. at Pure Cycle Corporation, 34501 E. Quincy Ave., Bldg. 65, Suite A, Watkins, CO 80137. This CAB Board meeting was also held virtually via Microsoft Teams and by conference call. The meeting was open to the public.

Directors in Attendance Were:

Mark Harding, President
Joe Knopinski, Vice President
Scott Lehman, Secretary
Dirk Lashnits, Assistant Secretary

Also in Attendance Were:

Lisa Johnson, Celeste Terrell, Shauna D’Amato, and Cathee Sutton (for a portion of the meeting); CliftonLarsonAllen LLP (“**CLA**”)
Suzanne Meintzer, Esq.; McGeady Becher P.C.
Stan Fowler; Independent District Engineering Services, LLC (“**IDES**”) (for a portion of the meeting)
Cyrena Finnegan and Deb Saya; Pure Cycle Corporation
Adam Haskin; Board Member of Sky Ranch Metropolitan District No. 1

Members of the Public:

Katherine Funk

**ADMINISTRATIVE
MATTERS**

Ms. Johnson called the meeting to order.

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Meintzer noted that all Directors’ Disclosure Statements were filed. Attorney Meintzer requested members of the Board to disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. No additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting, Posting of Meeting Notice and Agenda: Ms. Johnson



RECORD OF PROCEEDINGS

confirmed the presence of a quorum. The Board reviewed a proposed agenda for the CAB's special meeting.

Following discussion, upon a motion duly made by Director Knopinski, seconded by Director Lashnits and, upon vote, unanimously carried, the Board approved the agenda, as amended.

The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the CAB's Board meeting.

Upon a motion duly made by Director Knopinski, seconded by Director Lashnits and, upon vote, unanimously carried, the Board determined that certain Board members and consultants of the CAB would attend this meeting in person at the above-referenced location. However, certain other Board members and consultants of the CAB would attend this meeting via video conference or teleconference.

Resignation of Kevin McNeill: The Board acknowledged the resignation of Kevin McNeill, effective as of July 20, 2023.

CONSENT AGENDA The Board considered the following item under the Consent Agenda:

- Approve Minutes of the June 9, 2023 Regular Meeting

Upon a motion duly made by Director Harding, seconded by Director Knopinski and, upon vote, unanimously carried, the Board approved the Consent Agenda item.

PUBLIC COMMENT Katherine Funk addressed the Board regarding the stressed grass in the parks. She also reported an odor concern from the irrigation water in some of the irrigated areas. Director Harding addressed Ms. Funk's comments.

**CITIZENS
ADVISORY
COMMITTEE
("CAC") MATTERS**

CAC Presentation on Recommendations: None.

**FINANCIAL
MATTERS**

Schedule of Cash Position as of March 31, 2023, Updated as of July 17, 2023, Accounts Receivable Summaries, Tax Schedules, and Developer Advance Schedule: Following a presentation by Ms. Sutton, upon a motion duly made by Director Lashnits, seconded by Director Lehman and, upon vote, unanimously carried,



RECORD OF PROCEEDINGS

the Board accepted the Schedule of Cash Position as of March 31, 2023, updated as of July 17, 2023, the accounts receivable summaries, tax schedules and developer advance schedule.

Payables through July 14, 2023: The Board reviewed the payables through July 14, 2023. Following review, upon a motion duly made by Director Knopinski, seconded by Director Harding and, upon vote, unanimously carried, the Board approved the payables through July 14, 2023, in the amount of \$715,489.27.

CONSTRUCTION MATTERS

Project Manager's Report: Director Lashnits presented the Project Manager's Report.

Engineers Report: Mr. Fowler presented the Engineer's Report to the Board.

Street Improvements Bid Package: Mr. Fowler reported that the street improvements bid package has been advertised. A pre-bid meeting was held on July 20, 2023, and bids are due August 10, 2023. The Board acknowledged the same.

Task Order No. 11 to the Master Services Agreement ("MSA") with CTL Thompson, Inc. ("CTL") for Filing 5 Construction Observation and Material Testing in an Amount Not to Exceed \$202,985.00: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Task Order No. 11 to the MSA with CTL for Filing 5 for construction observation and material testing in an amount not to exceed \$202,985.00.

Task Order No. 5 to the MSA with Independent District Engineering Services, LLC ("IDES") for Filings 4-7 for Continuation of Oversight Services in an Amount Not to Exceed \$50,000.00: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Task Order No. 5 to the MSA with IDES for Filings 4-7 for continuation of oversight services in an amount not to exceed \$50,000.00.

Proposal from Consolidated Divisions, Inc. ("CDI") for Salt Tolerant Plant Replacements in Filing 1, Neighborhood B, in the Amount of \$80,648.10: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved the proposal from CDI for salt tolerant plant replacements in Filing 1, Neighborhood B, in the amount of \$80,648.10.

Proposal from CDI for Cellular Monitoring Upgrade of Neighborhood B Irrigation



RECORD OF PROCEEDINGS

Controllers at E. 6th Ave. and Monaghan Rd. in the Amount of \$3,978.00: The Board did not take action on this proposal.

Proposal from CDI for Providing Cellular Modems and System Configuration Work for Neighborhood B Irrigation Controllers at E. 6th Ave. and Monaghan Rd. in the Amount of \$11,934.00: The Board discussed the proposal. Director Lehman reported that this work is to modify 9 of the 10 existing irrigation controllers in Neighborhood B. In addition, the proposal includes the annual cellular SMS fee of \$109 per year, per controller. Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved the proposal from CDI for providing cellular modems and system configuration work for Neighborhood B irrigation controllers at E. 6th Ave. and Monaghan Rd., in the amount of \$11,934.00.

PHASE 1 (FILING NOS. 1, 2 AND 3) CONSTRUCTION MATTERS:

Drainage and Utilities: None.

Roadway Improvements: None.

Grading/Earthwork: None.

Landscape Improvements:

Phase 1: None.

Phase 2: None.

Phase 3: None.

PHASE II (FILING NO. 4) CONSTRUCTION MATTERS:

Grading/Earthwork:

Change Order No. 12 to the Grading Contract with Bemas Construction, Inc. ("Bemas") for Costs Associated with Additional Scope Requested to Complete Regrading and Removal of Dirt Piles Within Pond C in an Amount Not to Exceed \$33,366.50: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 12 to the Grading Contract with



RECORD OF PROCEEDINGS

Bemas for costs associated with additional scope requested to complete regrading and removal of dirt piles within Pond C in an amount not to exceed \$33,366.50.

Pay Application No. 12 to the Grading Contract with Bemas in the Amount of \$83,242.50: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Pay Application No. 12 to the Grading Contract with Bemas in the amount of \$83,242.50.

Drainage and Utilities:

Change Order No. 20 to the Construction Contract with Nelson Pipeline Constructors, LLC ("Nelson Pipeline") for Additional Costs Associated with Additional Linear Feet of Handrail Along Headwalls, Wingwalls, and Forebays 1-3 of Pond C in an Amount Not to Exceed \$7,353.70: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 20 to the Construction Contract with Nelson Pipeline for additional costs associated with additional linear feet of handrail along headwalls, wingwalls, and forebays 1-3 of Pond C in an amount not to exceed \$7,353.70.

Erosion Control: None.

Roadway Improvements:

Paving/Asphalt: None.

Concrete/Striping/Signage: None.

Landscape:

Change Order No. 2 to the Construction Contract with CDI for Additional Costs for Hand Watering Services That Were Performed in April (labor and water trailer) in an Amount Not to Exceed \$3,744.00: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 2 to the Construction Contract with CDI for additional costs for hand watering services that were performed in April (labor and water trailer) in an amount not to exceed \$3,744.00.



RECORD OF PROCEEDINGS

Change Order No. 3 to the Construction Contract with CDI for Additional Costs for Irrigation Sleeving Services Performed in April for the

Park and Detention Pond in an Amount Not to Exceed \$14,360.00:

Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 3 to the Construction Contract with CDI for additional costs for irrigation sleeving services performed in April for the park and detention pond in an amount not to exceed \$14,360.00.

Change Order No. 4 to the Construction Contract with CDI for Additional Costs Irrigation Stop and Waste Valve Lowerings in an Amount Not to Exceed \$1,110.00:

Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 4 to the Construction Contract with CDI for additional costs irrigation stop and waste valve lowerings in an amount not to exceed \$1,110.00.

Change Order No. 5 to the Construction Contract with CDI for a Reduction of Monthly Landscape Maintenance Costs in the Reduction Amount of (\$72,615.00):

Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 5 to the Construction Contract with CDI for a reduction of monthly landscape maintenance costs in the reduction amount of (\$72,615.00).

Change Order No. 6 to the Construction Contract with CDI for Inclusion of Monthly Landscape Maintenance Costs Per Phase (Filing 4 Park, Streetscapes, Detention Pond) in an Amount Not to Exceed \$72,615.00:

Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Change Order No. 6 to the Construction Contract with CDI for inclusion of monthly landscape maintenance costs per phase (Filing 4 Park, Streetscapes, Detention Pond) in an amount not to exceed \$72,615.00.

Pay Application No. 7 to the Construction Contract with CDI in the Amount of \$62,405.78:

Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Pay Application No. 7 to the Construction Contract with CDI in the amount of \$62,405.78.



RECORD OF PROCEEDINGS

Partial Acceptance of Filing 4 Park Tract: Mr. Fowler presented. It was determined that there are still outstanding punch list items to be completed prior to acceptance. No action was taken.

Fencing: None.

PHASE II (FILING NO. 5) CONSTRUCTION MATTERS:

Grading/earthwork: None.

Drainage and Utilities:

Pay Application No. 1 to the Construction Contract with American West Construction, LLC in the Amount of \$349,806.15: Following discussion, upon a motion duly made by Director Harding, seconded by Director Lehman and, upon vote, unanimously carried, the Board approved Pay Application No. 1 to the Construction Contract with American West Construction, LLC in the amount of \$349,806.15.

Erosion Control: None.

Roadway Improvements:

Paving/Asphalt: None.

Concrete/Striping/Signage: None.

Landscape: None.

LEGAL MATTERS

Executive Session: The Board determined that an Executive Session was not necessary.

COMMUNITY MANAGEMENT / COVENANT CONTROL / OPERATIONS

Community Manager's Report: Ms. Terrell presented her report to the Board.

OTHER BUSINESS

Quorum for August 11, 2023 Board Meeting: The Board confirmed a quorum for the August 11, 2023 Board meeting.

Certificate Of Completion

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Client Name: Sky Ranch CAB	
Client Number: A206873-OS09-2023	
Source Envelope:	
Document Pages: 8	Signatures: 1
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Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	9/6/2023 11:58:04 AM
Certified Delivered	Security Checked	9/6/2023 12:49:31 PM
Signing Complete	Security Checked	9/6/2023 12:49:53 PM
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