
RECORD OF PROCEEDINGS

Minutes of the Regular Meeting Of the Board of Directors Edwards Metropolitan District March 21, 2019

A Regular Meeting of the Board of Directors of the Edwards Metropolitan District, Eagle County, Colorado, was held on March 21, 2019 at 12:00 p.m. at the Community Room of the Mountain Recreation District Field House, 450 Miller Ranch Road, Edwards, Eagle County, Colorado, in accordance with the applicable statutes of the State of Colorado.

Attendance The following Directors were present and acting:

- Kara Heide
- Mick Woodworth
- Bill Simmons (joined the meeting at 12:16pm)
- Beth Reilly

The following Director was absent and excused:

- John McCaulley

Also in attendance were:

- Dustin Oakley, Eagle County Sheriff's Office
- Jeremy Lepore, Edwards Jones
- Don MacKenzie, Upstream Development
- Matt Larson, West End Subdistrict
- Cliff Thompson, IKS Consulting
- Emma Sloan, Eagle County
- Todd Williams, Riverwalk Representative
- Nina Timm, Berry Creek Metro District
- Ken Marchetti, Marchetti & Weaver, LLC
- James Collins, Esq., Collins Cockrel & Cole
- Meghan Hayes, Recording Secretary for the meeting

Call To Order

The Regular Meeting of the Board of Directors of Edwards Metropolitan District was called to order by Director Reilly on March 21, 2019 at 12:09 p.m. noting a quorum was present.

Changes to the Agenda

Rickie Davies did not attend the meeting so the update on the Highway 6 Project was removed from the agenda. The Updates and Reports section was moved up on the Agenda in order for the Board to go into Executive Session at the end of the meeting.

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Public Input Todd Williams, Riverwalk Community Manager, informed the board that the Vail Jazz schedule has been released. The first concert at the Riverwalk Amphitheater will be on July 6 and a concert will be held every Friday through August 24th.

Legal There was no legal input.

**West End
Subdistrict**

Matt Larsen, West End Representative, met with Directors Reilly and Woodworth on March 8th to discuss what he presented in the February meeting that Director Reilly could not attend. At that meeting, he was asked to keep the Board informed as his development plans progress. Mr. Larsen reported that he is working on the best location for access to the property. There are 3 potential locations for a roundabout which will serve to accommodate entrance to and exit from the development. Mr. Larsen presented the pros and cons of each location:

- The location at the Edwards Preserve entrance will need approximately 15,000 sq.ft. of open space to construct, which would need approval from the parties to the conservation easement and would involve payment of compensation for the land used.
- The location at the Vogelmann Property would need approval of the adjacent land owner, which Mr. Larson perceives to be an unlikely scenario.
- The location at the Highway 6 entrance to Edwards Village Center may be an option but it is very close to the new Spur Road roundabout and therefore may not receive approval from CDOT or Eagle County.

Mr. Larsen also informed the Board about the preliminary plans of the development which he pointed out are in line with Edwards Master Plan, to build high density, affordable housing for the community. Within the next 30 days, he is planning to have a dialogue with property owners and will attend the next meeting to keep the Board up to date on the planning progress.

Minutes The Board reviewed the February 21, 2019 Regular Meeting minutes. By motion duly made and seconded, it was unanimously

RESOLVED to approve the February 21, 2019 Regular Meeting minutes as presented.

**Accounts
Payable**

The Board reviewed the March 2019 accounts payable lists and by motion duly made and seconded it was unanimously

RESOLVED to approve the March 2019 accounts payable list as presented.

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Mayors & Managers

Update

Director Heide presented an update on the Mayors and Managers March meeting. She highlighted the house bill on Nicotine to increase the age of persons purchasing tobacco or vaping products. This will be presented in more detail to the Board at the April meeting by Mandy Ivanov. Mr. Marchetti informed the board that Eagle County's Down Payment Assistance program is out of money until some of the outstanding loans are repaid. Program directors are currently putting together ideas on how to obtain more funds to keep the program active. Also, Nina Timm, Berry Creek Metro District, pointed out that the County is working on a dog leash ordinance for all unincorporated areas of the County.

Head Start/CO Preschool

Community Survey

Results

Director Reilly presented the results of the Head Start and Colorado Preschool Community Survey. The survey identified community goals set by low income, at-risk families with children ages 3-5 in the fall of 2018. The goals for the Edwards area include more parks or places to play, after school and summer activities for children at low cost, more college classes at CMC, just to name a few. The Board pointed out that there are great programs already in place in the community and that there needs to be a better method of informing the community about them.

Updates & Reports

Edwards Metro District was ranked #17 on the Walton Foundations "Most Dynamic Micropolitan Index", which ranks the 531 Micropolitan areas across the U.S., analyzes the economic performance and indicators that impact the social and economic fabric of America.

Mr. Collins informed the Board that there are talks to unify the Upper Eagle River Water Authority and the Eagle River Water & Sanitation District. There is currently a committee reviewing this. More details will be presented to the board as they become available.

Financial

Statements

By motion duly made and seconded it was unanimously

RESOLVED to accept the District's February 2019 financial statements as presented.

Edwards RiverPark

Project

Don MacKenzie, Upstream Development, presented the preliminary plans for the Edwards RiverPark Development. The development is located at the old B&B Gravel pit along Highway 6, just across from Lake Creek Road. The project received conditional

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sketch plan approval by the Eagle County Planning Commission in October 2017 and by the BoCC in December 2017. Mr. MacKenzie reported the plan consists of 594 dwelling units and various commercial uses and is in compliance with the Edwards Area Community Plan. Mr. MacKenzie noted some of the challenges of this site such as enhancing and protecting open space/Eagle River access and contributing towards the community's more difficult problems such as traffic and affordable housing. Mr. MacKenzie presented the substantial public benefits of the Development such as a roundabout at Lake Creek Road (to be fully funded by the project), increased tax revenues and open space and wildlife enhancements.

Edwards RiverPark is requesting to be an overlapping Metro District within the Edwards Metro District Boundaries. They do not want to burden the Edwards Metro District Board with the administration of such a large project. He is hoping to have approval from the Board for the overlapping district at the next meeting on April 18th.

The project's preliminary plans will be submitted to the BOCC on April 4th. Mr. Mackenzie will provide the filings to the board once they are public.

Executive Session

By motion duly made and seconded, it was unanimously

RESOLVED to enter into executive session pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice on specific legal questions related to infrastructure development at Edwards RiverPark.

Adjournment

Upon conclusion of the executive session, there being no further business to come before the Board, by motion duly made and seconded it was unanimously

RESOLVED to adjourn the Regular Meeting of the Edwards Metropolitan District Board of Directors this 21st day of March 2019.

Respectfully submitted,

Meghan Hayes

Meghan Hayes
Recording Secretary for the Meeting

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Attorney Statement

REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as special counsel to Edwards Metropolitan District, I attended the executive session meeting convened on March 21, 2019, held pursuant to §24-6-402(4)(b) and (e) C.R.S., conference with an attorney for the purpose of receiving legal advice related to specific legal questions and determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b) and (e), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept, and no further record, written or electronic was kept or required to be kept pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Signature

Name and Title

Date

[Handwritten Signature]
[Handwritten Name and Title: Tim Collins, Esq. Counsel]
[Handwritten Date: 4-18-19]