



CHAPARRAL POINTE METROPOLITAN DISTRICT

Special Board Meeting

Wednesday, July 23, 2025, at 6:00 p.m.

Via Teleconference

Please join my meeting from your computer, tablet, or smartphone.

<https://video.cloudoffice.avaya.com/join/958539942>

United States: +1 (213) 463-4500

Access Code: 958-539-942

Board of Director	Title	Term
David Berstein		May 2027
Grant Westerfield		May 2027
Dan Lackey		May 2027
Linda Bernstein		May 2029
Vacant		May 2029

AGENDA

1. Administrative Matters

- a. Present disclosures of potential conflicts of interest.
- b. Confirm quorum, location of meeting and posting of meeting notices and designate 24-hour posting location. Approve agenda.
- c. Public Comment – Members of the public may express their views to the Board on matters that affect the Districts. Comments will be limited to three (3) minutes.
- d. Consent Agenda – The items listed below are a group of items to be acted on with a single motion and vote by the Board. Any item may be removed from the Consent Agenda upon request of any Board Member.
 - Approve Minutes from November 18, 2024 Special Board Meeting (**enclosure**).
 - Approve Minutes from November 18, 2024 Statutory Annual Meeting (**enclosure**).
- e. Discuss results of the cancelled May 6, 2025 Regular Director Election.

- f. Consider appointment of officers.

President:
Secretary:
Treasurer:
Assistant Secretary:

- g. Discuss Vacancy on the Board of Directors

2. Financial Matters

- a. Review Unaudited Financial Statements as of June 30, 2025 **(enclosure)**.
- b. Ratification of Approved Payables through July 23, 2025.
- c. Ratification of the 2024 Audit Exemption Application.

3. Operation and Maintenance Matters

- a. Ratification of Timberline Landscaping 2025 Maintenance Contract **(enclosure)**.
- b. Update from Landscape Committee.

4. Covenant Enforcement Matters

- a. Covenant Enforcement Updates.

5. Legal Matters

- a. Tract Acceptance Update.
 - Consider acceptance of tracts conveyed by Century Land Holdings, LLC to the Chaparral Pointe Metropolitan District (if applicable).
- b. Discuss 2025 legislation impacting the District.

6. Other Business

- a. Discuss scheduling of Statutory Annual Meeting.

7. Adjourn

The next regular meeting is scheduled for November 17, 2025 at 6:00 PM



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**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
CHAPARRAL POINTE METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD
NOVEMBER 18, 2024**

A special meeting of the Board of Directors of the Chaparral Pointe Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, November 14, 2025, at 6:00 p.m., via videoconference. The meeting was open to the public.

Attendance:

In attendance were Directors:

David Berstein	President
Grant Westerfield	Treasurer
Sima Annis	Secretary
Linda Bernstein	Assistant Secretary

Also in attendance were:

Adam Noel	District Manager, WSDM
Suzanne Meintzer	District Counsel, McGeady Becher Cortese Williams P.C.
Kim Taylor	Member of the Public

1. ADMINISTRATIVE MATTERS

- a. **Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to 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 statute. Attorney Meintzer noted that disclosures of potential conflicts of interest were filed with the Secretary of State for Director Myers, and that potential conflicts of interest were not filed on behalf of the other Directors, as they are residents of the District. No additional conflicts were disclosed at the meeting.
- b. **Quorum/Confirmation of Meeting Location/Posting of Notice:** Mr. Noel confirmed the presence of a quorum.

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. Following discussion, and upon motion duly made, seconded, and upon vote unanimously carried, the Board determined to conduct the meeting at the above-stated date, time and location. It was further noted that notice of the time, date and location was duly posted and that no objections to the location or any requests that the meeting place be changed by taxpaying electors within the District's boundaries have been received.

- c. **Agenda:** The Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Westerfield, seconded by Director D. Bernstein, and upon vote unanimously carried, the Board approved the Agenda, as amended, and excused the absence of Director Myers.
- d. **Public Comment:** There was no public comment.
- e. **Consent Agenda:** Following review, upon motion duly made by Director D. Bernstein, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board approved the Consent Agenda:
 - (i) Approval of July 14, 2024, Regular Board Meeting Minutes:
- f. **Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices:** The Board discussed the business to be conducted in 2025. Following discussion, upon motion duly made by Director D. Bernstein, seconded by Director Westerfield, and upon vote unanimously carried, the Board adopted a Resolution Establishing Regular Meeting Dates, Time and Location, and Designating Location for Posting of 24-Hour Notices and determined to hold 2025 meetings on July 15 and November 17 at 6:00 p.m. via virtual means.
- g. **Engagement of WSDM District Managers for 2025 Management and Accounting Services:** Following review and discussion, upon motion duly made by Director D. Bernstein, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board approved engagement letter with WSDM for 2025 management and accounting services.
- h. **District Insurance:** Following review and discussion, upon motion duly made by Director D. Bernstein, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board approved renewing the District's general liability insurance coverage, public officials' coverage, workers' compensation coverage, and instructed consultants to proceed accordingly. The Board further directed renewal of the District's Special District Association membership.
- i. **Website Accessibility Matters:**
 - (i) ***Migration to a website accessibility vendor:*** Attorney Meintzer and Mr. Noel discussed new legislation regarding the accessibility of District websites with the Board.
 - (ii) ***Discuss accessibility matters:*** Following discussion, upon motion duly made by Director Annis, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board adopted the Resolution Adopting a Digital Accessibility Policy and Designating a Compliance Officer.

2. FINANCIAL MATTERS

- a. **Unaudited Financial Statements:** Mr. Noel reviewed the unaudited financial statements for the period ending October 31, 2024 with the Board. Following discussion, upon motion duly made by

Director Westerfield, seconded by Director D. Bernstein, and upon vote unanimously carried, the Board accepted the unaudited financial statements.

- b. **Public Hearing on Amendment to 2024 Budget:** Director D. Bernstein opened the public hearing to consider an amendment to the 2024 Budget.

It was noted that publication of Notice stating that the Board would consider amendment of the 2024 Budget and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

It was noted that an amendment to the 2024 Budget was not required.

- c. **Public Hearing on 2025 Budget:** Director D. Bernstein opened the public hearing to consider the proposed 2025 Budget and to discuss related issues.

It was noted that Notice stating that the Board would consider adoption of the 2025 budget and the date, time and place of the public hearing was published pursuant to statute. No written objections were received prior to the public hearing.

No public comments were received, and the public hearing was closed.

The Board reviewed the estimated 2024 expenditures and the proposed 2025 expenditures.

Upon motion duly made by Director D. Bernstein, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board approved the 2025 Budget, as discussed, and considered adoption of a Resolution to Adopt the 2025 Budget and Appropriate Sums of Money and a Resolution to Set Mill Levies (12.508 mills in the General Fund and 40.670 mills in the Debt Service Fund, for a total mill levy of 53.178 mills.)

Following discussion, upon vote unanimously carried, the Board adopted the Resolutions and authorized execution of the Certification of Budget. The District Accountant was directed to transmit the Certification of Tax Levies to the Board of County Commissioners of El Paso County not later than December 15, 2024. District Management was directed to transmit the Certification of Budget to the Division of Local Government no later than January 30, 2025.

- d. **Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan:** Attorney Meintzer discussed the resolution with the Board. Following discussion, upon motion duly made by Director D. Bernstein, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board adopted the Resolution Authorizing Adjustment of the District Mill Levy in Accordance with the Service Plan.
- e. **DLG-70 Mill Levy Certification Form:** Following discussion, upon motion duly made by Director Westerfield, seconded by Director D. Bernstein, and upon vote unanimously carried, the Board authorized the District Accountant to prepare and sign the DLG-70 Mill Levy Certification Form for certification to the Board of County Commissioners and other interested parties.

- f. **Preparation of 2026 Budget:** Following discussion, upon motion duly made by Director Westerfield, seconded by Director D. Bernstein, and upon vote unanimously carried, the Board appointed the District Accountant to prepare the District's 2026 Budget.
- g. **2024 Audit Exemption Application:** Following discussion, upon motion duly made by Director Westerfield, seconded by Director D. Bernstein, and upon vote unanimously carried, the Board directed the District Accountant to prepare and file the 2024 Audit Exemption Application.
- h. **Payment of Claims:** Mr. Noel reviewed the payment of claims through November 18, 2024 with the Board. Following discussion, upon motion duly made by Director D. Bernstein, seconded by Director Westerfield, and upon vote the Board ratified the payment of claims through November 18, 2024.

3. **LEGAL MATTERS**

- a. **Resolution Calling May 6, 2025 Election:** The Board discussed the May 6, 2025 election. Following discussion, upon motion duly made by Director D. Bernstein, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board adopted the Resolution Calling a May 6, 2025 Directors' Election which appointed Rebecca Harris as the Designated Election Official and authorized her to perform all tasks required for the May 6, 2025 Regular Election of the Board of Directors for the conduct of a mail ballot election.
- b. **Status of Acceptance of Tracts from Century Land Holdings, LLC:** Attorney Meintzer and Director D. Bernstein provided a status on the acceptance of Tracts A and C from Century Land Holdings, LLC to the District.
- c. **Resolution Adopting the Amended and Restated Policies and Procedures Governing the Enforcement of the Covenants and Restrictions of The Vistas at Chaparral:** Attorney Meintzer discussed the resolution with the Board. Following discussion, upon motion duly made by Director Westerfield, seconded by Director L. Bernstein, and upon vote unanimously carried, the Board adopted the Resolution Adopting the Amended and Restated Policies and Procedures Governing the Enforcement of the Covenants and Restrictions of The Vistas at Chaparral, setting violation notices as: a) first notice – courtesy; b) second notice – \$50 fine; c) third notice – \$75 fine; d) fourth and ongoing notice(s) – \$100.
- d. **Section 32-1-809, C.R.S. Requirements (Transparency Notice):** Attorney Meintzer discussed the special district transparency requirements of Section 32-1-809, C.R.S. with the Board. Following discussion, the Board directed District Counsel to post the special district transparency notice on the Special District Association website.

4. **COVENANT ENFORCEMENT MATTERS**

- a. **Covenant Enforcement updates:** Mr. Noel noted that there were fewer weed and landscaping violations, due to the winter months, but there were a few trash can violations still outstanding.

5. **OTHER BUSINESS – none.**

6. **ADJOURNMENT** – Director D. Bernstein adjourned the meeting at 8:01 PM.

Submitted by: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL NOVEMBER 18, 2024 REGULAR MEETING MINUTES OF THE CHAPARRAL POINTE METROPOLITAN DISTRICT.

Approved by: Secretary of the Board



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**MINUTES OF THE STATUTORY ANNUAL MEETING
OF THE BOARD OF DIRECTORS OF THE
CHAPARRAL POINTE METROPOLITAN DISTRICT (THE “DISTRICT”)
HELD NOVEMBER 18, 2024**

Pursuant to Section 32-1-903(6), C.R.S., a statutory annual meeting of the Board of Directors of the Chaparral Pointe Metropolitan District (referred to hereafter as the “Board”) was convened on Monday, November 18, 2024, at 6:00 p.m., via video teleconference. The meeting was open to the public.

Attendance

In attendance were Directors:

David Bernstein, President

Grant Westerfield, Treasurer

Sima Annis, Secretary

Linda Bernstein, Assistant Secretary

Also in attendance were:

Adam Noel; WSDM

Suzanne Meintzer, Esq.; McGeady Becher Cortese Williams P.C.

Kim Taylor; Member of the Public

1. Confirmation of Posting of Annual Meeting Notice: It was noted for the record that notice of the time, date and location of the annual meeting was duly posted on the District’s website and that no objections to the means of hosting the meeting by taxpaying electors within the District’s boundaries have been received.
2. Presentation Regarding the Status of Public Infrastructure Projects within the District and Outstanding Bonds, if any: Mr. Noel presented information regarding the status of the District’s outstanding bonds. Attorney Meintzer noted that public infrastructure within the District was complete, and the only item outstanding was the transfer of landscaping tracts.
3. Unaudited Financial Statements, Including Year-to-Date Revenue and Expenditures of the District in Relation to its Adopted Budget, for the Calendar Year: Mr. Noel presented the District’s Unaudited Financial Statements, including year-to-date revenue and expenditures of the District in relation to the District’s adopted budget, for the calendar year.
4. Public Questions: There were no questions from the public in attendance.
5. Adjourn: The meeting was adjourned at 6:07 pm.

Respectfully Submitted,

Secretary



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Chaparral Pointe Metropolitan District

Balance Sheet

As of June 30, 2025

	Jun 30, 25
ASSETS	
Current Assets	
Checking/Savings	
ECB Checking	50,546.48
UMB - Bond Fund	44,160.56
Total Checking/Savings	94,707.04
Accounts Receivable	
Accounts Receivable	7,669.00
Total Accounts Receivable	7,669.00
Total Current Assets	102,376.04
Fixed Assets	
Capital Assets	1,165,935.00
Total Fixed Assets	1,165,935.00
TOTAL ASSETS	1,268,311.04
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	3,422.68
Total Accounts Payable	3,422.68
Other Current Liabilities	
Accrued Interest Payable	69,701.00
Closings Escrow	5,500.00
Total Other Current Liabilities	75,201.00
Total Current Liabilities	78,623.68
Long Term Liabilities	
Accrued Interest on Dev Advance	25,574.00
Developer Advance Payable	166,000.00
Series 2021 Bond Payable	1,350,000.00
Total Long Term Liabilities	1,541,574.00
Total Liabilities	1,620,197.68
Equity	
Fund Balance - Unrestricted	-445,340.00
Fund Balance - Capital Imp	1,000.38
Fund Balance - Debt	47.48
Fund Balance - O&M	-14,518.25
32000 - Retained Earnings	35,963.11
Net Income	70,960.64
Total Equity	-351,886.64
TOTAL LIABILITIES & EQUITY	1,268,311.04

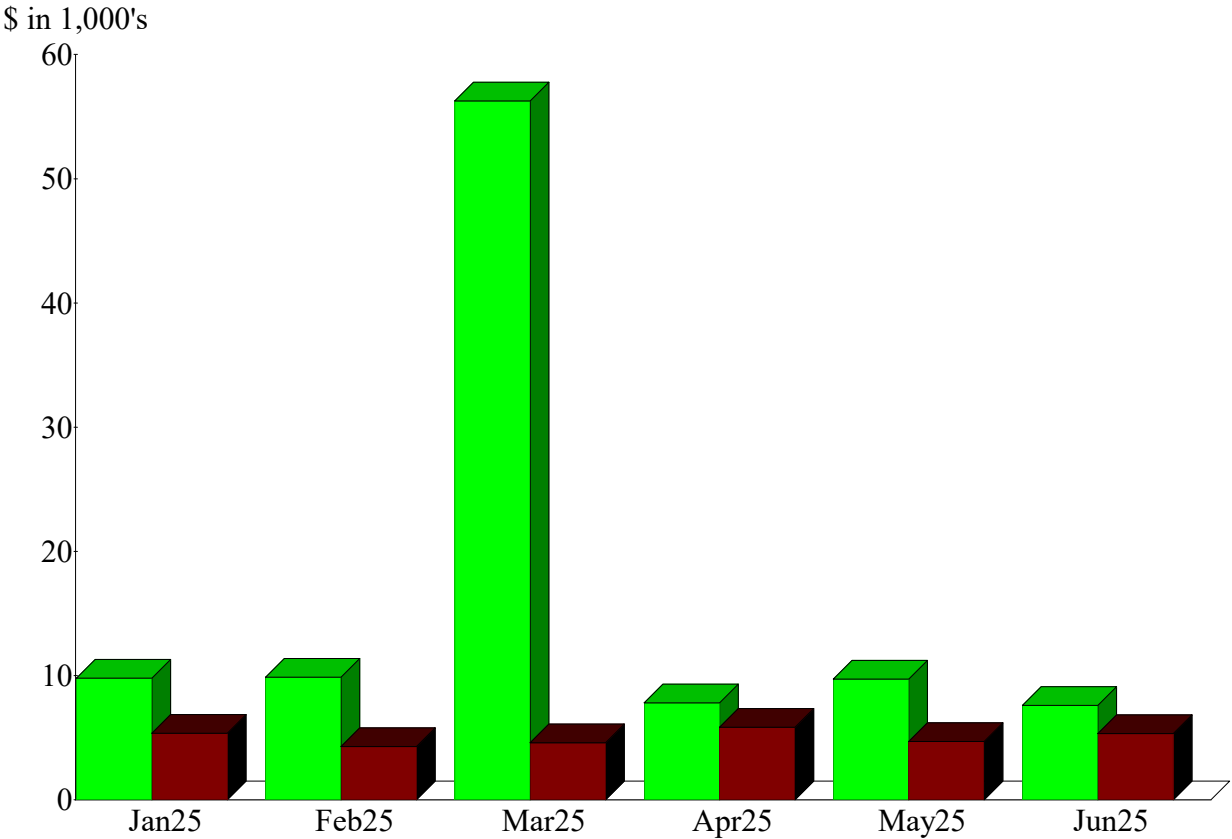
Chaparral Pointe Metropolitan District
Profit & Loss Budget vs. Actual
January through June 2025

	TOTAL				
	Jun 25	Jan - Jun 25	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
Specific Ownership Tax	185.77	936.54	1,555.00	-618.46	60.23%
CY Property Tax	0.00	12,610.38	22,217.00	-9,606.62	56.76%
Homeowners Fee	6,702.00	46,361.89	85,680.00	-39,318.11	54.11%
Total Income	6,887.77	59,908.81	109,452.00	-49,543.19	54.74%
Expense					
General & Administrative					
Bank Fees	3.99	36.74			
Billing	89.33	438.37			
CLA Settlement	278.00	1,668.00	3,336.00	-1,668.00	50.0%
Contingency	0.00	0.00	10,000.00	-10,000.00	0.0%
District Management	1,438.31	9,158.47	33,000.00	-23,841.53	27.75%
Dues & Licenses	0.00	0.00	450.00	-450.00	0.0%
Election Expense	0.00	406.86	5,000.00	-4,593.14	8.14%
Insurance	0.00	-250.00	4,000.00	-4,250.00	-6.25%
Legal	636.78	5,587.35	20,000.00	-14,412.65	27.94%
SDA Dues	0.00	378.63			
Treasurer Collection Fee	0.00	189.16	333.00	-143.84	56.81%
Total General & Administrative	2,446.41	17,613.58	76,119.00	-58,505.42	23.14%
Operations & Maintenance					
Landscaping	1,243.00	4,068.60	15,000.00	-10,931.40	27.12%
Trash Collection	1,123.90	6,645.02	12,000.00	-5,354.98	55.38%
Utilities	507.81	1,214.11	5,000.00	-3,785.89	24.28%
Total Operations & Maintenance	2,874.71	11,927.73	32,000.00	-20,072.27	37.27%
Total Expense	5,321.12	29,541.31	108,119.00	-78,577.69	27.32%
Net Ordinary Income	1,566.65	30,367.50	1,333.00	29,034.50	2,278.13%
Net Income	1,566.65	30,367.50	1,333.00	29,034.50	2,278.13%

Chaparral Pointe Metropolitan District
Profit & Loss Budget vs. Actual
January through June 2025

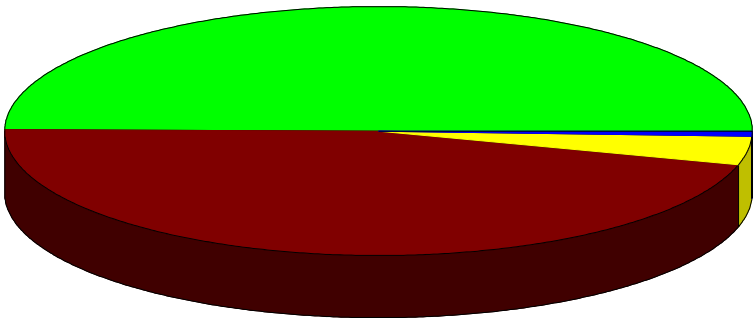
	TOTAL				
	Jun 25	Jan - Jun 25	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense					
Income					
Specific Ownership Tax	557.31	2,809.62	5,057.00	-2,247.38	55.56%
CY Property Tax	0.00	37,831.13	72,240.00	-34,408.87	52.37%
Interest Income	161.54	543.26			
Total Income	718.85	41,184.01	77,297.00	-36,112.99	53.28%
Expense					
General & Administrative					
Bank Fees	8.58	23.40			
Treasurer Collection Fee	0.00	567.47	1,084.00	-516.53	52.35%
Total General & Administrative	8.58	590.87	1,084.00	-493.13	54.51%
Bond Expense					
Paying Agent Fee	0.00	0.00	4,000.00	-4,000.00	0.0%
Interest Expense 2021A Bond	0.00	0.00	65,291.00	-65,291.00	0.0%
Total Bond Expense	0.00	0.00	69,291.00	-69,291.00	0.0%
Total Expense	8.58	590.87	70,375.00	-69,784.13	0.84%
Net Ordinary Income	710.27	40,593.14	6,922.00	33,671.14	586.44%
Net Income	710.27	40,593.14	6,922.00	33,671.14	586.44%

Income and Expense by Month
January through June 2025

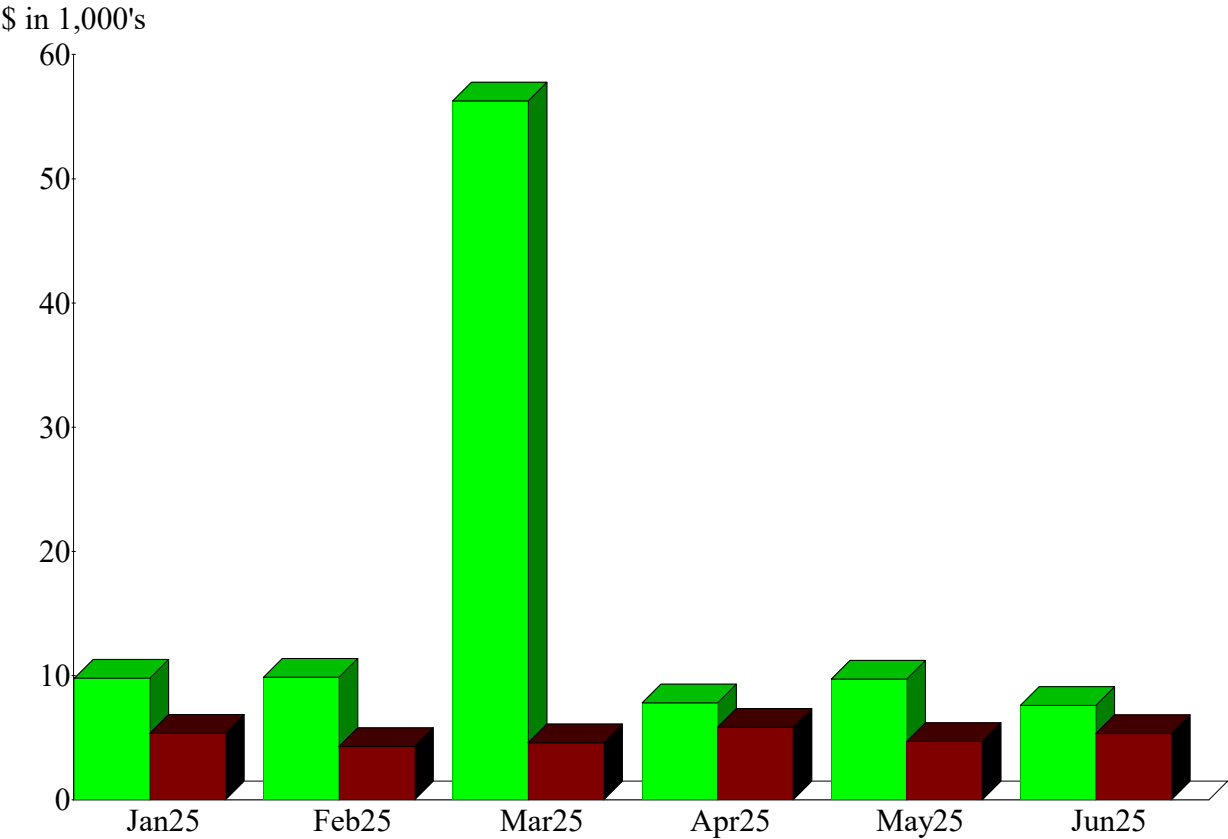
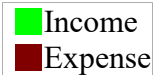


Income Summary
January through June 2025

CY Property Tax	49.90%
Homeowners Fee	45.86
Specific Ownership Tax	3.71
Interest Income	0.54
Total	\$101,092.82

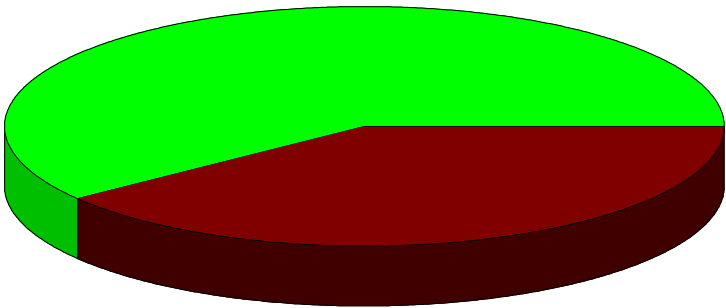


Income and Expense by Month January through June 2025



Expense Summary January through June 2025

General & Administrative	60.42%
Operations & Maintenance	39.58
Total	\$30,132.18





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Chaparral Pointe Metropolitan District
PAYMENT REQUEST
7/23/2025
GENERAL FUND ACCOUNT

Company	Invoice	Date	Amount	Comments
Bradley Heights Metro Dist #2	6325	6/30/2025	\$ 268.66	
CLA	62825	6/28/2025	\$ 278.00	Recurring Pmt
Colorado Springs Utilities	540132044	6/26/2025	\$ 507.81	ACH
HBS	FR5525568	6/30/2025	\$ 1,123.90	
Mailing Services, Inc.	20683	7/15/2025	\$ 88.64	
Timberline Landscaping	67537	6/30/2025	\$ 84.00	Backflow Testing
Timberline Landscaping	67973	7/1/2025	\$ 761.29	July Landscaping
Winzenburg, Leff, Purvis & Payne, LLP	713913	7/10/2025	\$ 884.00	Collections Attorney
WSDM Managers	888	6/30/2025	\$ 1,438.31	
TOTAL			\$ 5,434.61	

Chaparral Pointe Metropolitan District
PAYMENT REQUEST
7/23/2025
DEBT SERVICE FUND

Company	Invoice	Date	Amount	Comments
UMB Bank N.A.	71025	7/10/2025	\$ 33,074.39	June Pledged Revenue

Total Due \$ 38,509.00

Cash Balance	\$	95,302.86
Current Draw	\$	(38,509.00)
Cash Balance	\$	56,793.86



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**CHAPARRAL POINTE METROPOLITAN DISTRICT
RESOLUTION FOR EXEMPTION FROM AUDIT**

A RESOLUTION APPROVING AN EXEMPTION FROM AUDIT FOR FISCAL YEAR 2024 FOR THE CHAPARRAL POINTE METROPOLITAN DISTRICT, EL PASO COUNTY, COLORADO.

WHEREAS, the Board of Directors wishes to claim exemption from the audit requirements of Section 29-1-603, C.R.S.; and

WHEREAS, Section 29-1-604 C.R.S. states that any local government where neither revenue nor expenditures exceeds \$750,000, may with the approval of the state auditor, be exempt from the provisions of Section 29-1-603 C.R.S.; and

WHEREAS, neither revenues nor expenditures exceeded \$750,000 for fiscal year 2024;

WHEREAS, an application for exemption from audit has been prepared by WSDM District Managers who is skilled in government accounting; and

WHEREAS, said application for exemption from audit has been completed in accordance with regulations issued by the state auditor.

NOW THEREFORE, be it resolved by the Chaparral Pointe Metropolitan District that the application for exemption from audit for the fiscal year ending December 31, 2024 has been reviewed and is hereby approved by a majority of the Board of Directors and that those Directors have signified their approval by signing below and that this Resolutions shall be attached to and become a part of the application for exemption from audit for the fiscal year ended December 31, 2024.


Adopted this 21st day of March 2025.

DIRECTORS:

Cynthia Myers



David Bernstein


Sima Annis (Mar 21, 2025 13:30 MDT)

Sima Annis



Grant Westerfield

Linda Bernstein
Linda Bernstein (Mar 24, 2025 08:40 MDT)

Linda Bernstein












Resolution Audit Exemption

Final Audit Report

2025-03-24

Created:	2025-03-21
By:	Adam Noel (adam.n@wsdistricts.co)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-4aqb_Cw49nJhFtpvqrcbfC5QTP6Tc-N

"Resolution Audit Exemption" History


-  Document created by Adam Noel (adam.n@wsdistricts.co)
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-  Document emailed to David Bernstein (dmb9330@gmail.com) for signature
2025-03-21 - 7:13:16 PM GMT
-  Document emailed to Grant Westerfield (gwesterfield@skrco.com) for signature
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-  Document emailed to Linda Bernstein (lindam9330@yahoo.com) for signature
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-  Document emailed to Sima Annis (sima.a.annis@gmail.com) for signature
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-  Email viewed by Sima Annis (sima.a.annis@gmail.com)
2025-03-21 - 7:28:32 PM GMT
-  Email viewed by Linda Bernstein (lindam9330@yahoo.com)
2025-03-21 - 7:30:08 PM GMT
-  Document e-signed by Sima Annis (sima.a.annis@gmail.com)
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-  Email viewed by Grant Westerfield (gwesterfield@skrco.com)
2025-03-21 - 9:21:17 PM GMT



Adobe Acrobat Sign

 Document e-signed by Grant Westerfield (gwesterfield@skrco.com)

Signature Date: 2025-03-21 - 9:21:29 PM GMT - Time Source: server

 Document e-signed by Linda Bernstein (lindam9330@yahoo.com)

Signature Date: 2025-03-24 - 2:40:08 PM GMT - Time Source: server

 Agreement completed.

2025-03-24 - 2:40:08 PM GMT



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February 24, 2025



2025 Maintenance Agreement

Billing Information

To: WSDM
Address: 614 N. Tejon St.
Colorado Springs, CO 80903

Project Information

Property: Chaparral Pointe Meteropolitan District
Address: 4710 Integrity Center Pt
Colorado Springs, CO 80917

TERMS: Beginning: **April 1, 2025**

Ending: **November 30, 2025**

Base Contract Amount: **\$6,090.34**

Contract No. - 44931

CONTRACT SERVICES PROVIDED

This contract provides landscape management to the address referenced above for all exterior landscape areas including turf grass and native grass areas (as applicable), irrigation system, planting beds, shrubs and groundcovers as described in the services section.

2025 Commercial Maintenance Contract

Included Services

Description of Services	Frequency
Turf Maintenance	
Weekly Maintenance	13
Clean Up Services	
Spring Cleanup	1
Fall Cleanup	1
Safety Pruning (Under 12')	1
Native Maintenance	
Native Mow	3
Native Post App	2
PHC Maintenance	
Bed Pre-emergent	2
Irrigation Maintenance	
Irrigation Check	9
Irrigation Startup	1
Irrigation Blow Out	1
Annual Maintenance Price	\$6,090.34

Services Billed Upon Completion

Description of Services	Frequency

Optional Services


Description of Services	Frequency	Cost per Occ.	Annual Cost
Winter Policing	23	\$30.90	\$710.70
Tree Wrap Install	1	\$122.30	\$122.30
Tree Wrap Removal	1	\$37.48	\$37.48
Deep Root Tree Fert	1	\$250.00	\$250.00

PAYMENT SCHEDULE

SCHEDULE	PRICE	SALES TAX	TOTAL PRICE
April	\$761.29	\$0.00	\$761.29
May	\$761.29	\$0.00	\$761.29
June	\$761.29	\$0.00	\$761.29
July	\$761.29	\$0.00	\$761.29
August	\$761.30	\$0.00	\$761.30
September	\$761.29	\$0.00	\$761.29
October	\$761.30	\$0.00	\$761.30
November	\$761.29	\$0.00	\$761.29
	\$6,090.34	\$0.00	\$6,090.34

By _____
Pamela Gilpatric
Date 2/24/2025

Timberline Landscaping

By  _____
Date 02/25/2025

Chaparral Pointe Meteropolitan
District

Terms & Conditions

Rates:

Irrigation Technician: \$84.00 per hour (1 hour minimum)

Materials: Based upon current pricing

After Hours Rates:

Monday – Friday from 7:00pm – 7:00am

All day Saturday, Sunday and/or holidays

Irrigation Technician: \$125.00 per hour (1 hour minimum)

Materials: Based upon current pricing

GENERAL INFORMATION:

A. Timberline Landscaping, Inc. agrees to furnish all labor, supervision, materials and equipment necessary to perform landscape management at the property specified above.

B. Timberline currently carries General Liability Insurance (not less than \$1,000,000.00), Automotive (not less than \$500,000.00) and Workman's Compensation Insurance. If additional insurance is required, an adjustment to the contract will be necessary.

C. If this property has a sales tax-exempt certificate, owner must supply this contractor with certificate prior to work being performed. Otherwise, Timberline will charge sales tax on all materials purchased.

D. Landscape management within this contract specifically excludes concrete walks and patios, asphalt areas, site lighting and any fencing.

E. Upon acceptance, the owner shall notify Timberline of any special requirements/ access to the property and provide any access keys or badges as may be necessary.

F. Any work not described within services section shall be considered extra and will be invoiced on a time and materials basis upon written acceptance from the owner.

G. Timberline will assume responsibility for contacting the Utility Notification Center of Colorado (UNCC) for any underground line locations as necessary. Timberline will not, however, be held responsible for any sub-surface lines which are not normally located and marked by UNCC or 2nd tier parties. These may include private or secondary electric, gas, phone and cable lines, irrigation and site lighting. Additional costs may be charged to locate these facilities.

H. All pesticide applications shall be supervised by a "Qualified Supervisor" certified by the

Colorado Department of Agriculture whether work is performed in house or sub contracted.

I. Losses of plants due to weather, pests, water restrictions, or irrigation malfunction not caused by this contractors negligence, are not warrantied.

PAYMENT TERMS:

Timberline shall submit invoices on the 1st of the month with payment terms of Net 30. A service charge of 1.5% per month will be added to all balances not paid within thirty (30) days of invoice date. This represents an annual rate of 18%. In addition to all service charges, there shall also be paid the reasonable costs of collection including attorney's fees and court costs.

This contract is set to auto-renew at the anniversary date described above with a minimum of a 5% increase. If the economy dictates a greater increase a new contract will be sent 30 days prior to renewal date. If Timberline chooses to not renew at the contract term a 30-day written notice will be given. Timberline may cancel the contract for non-payment within 10 days of being overdue. If this Agreement is terminated by Owner before the contract term expires, the parties agree Timberline's damages will be substantial and difficult to ascertain. Therefore, if this Agreement is terminated by Owner prior to the expiration date for any reason other than because of any uncured default by Timberline, or terminated by Timberline for cause at any time, Owner will pay Timberline, as liquidated damages and not as a penalty, 50% of the remaining contract value through the end of the contract term. If such termination occurs during the season (4/1/2025 12:00:00 AM - 11/30/2025 12:00:00 AM), the contract value will be calculated based on 50% of the balance to be paid for the remaining months in the current contract, plus 50% of the amounts to be billed for any remaining years. Owner shall also be responsible for any unpaid charges on Owner's account prior to termination.

The Weathermatic platform program will require a termination fee of \$300. 00 per controller installed if this contract is terminated within 3 years of program implementation. This fee includes the Owner retaining the smart controller(s) and weather station(s) while the Contractor will remove and retain the Aircard(s) used for monitoring.

*A 3% fuel surcharge will be added to the contract if gas prices exceed \$5.50 per gallon.

*This bid is expressly conditioned upon the parties entering into a contract upon terms acceptable to Timberline Landscaping. If accepted, this proposal shall become a full part of the contract documents.

Services

Weekly Maintenance

- **Mowing:** Timberline shall maintain turf grass to a height of approximately 2.5" to 3" and will trim all turf grass around tree wells, landscape edging and foundations weekly throughout the growing season up to **26** cuttings per season. Mulching mowers will be used to return clippings to your soil.
- **Hard Edging:** All walk-ways and curbs shall be edged **2** times and maintained throughout the season with a stick edger.
- **Insect/Disease Control:** Timberline shall monitor and provide updates to owner regarding the need for insect/disease control. If control is needed, owner will be notified, and work shall be performed upon owner's approval.
- **Tree Wells:** All established tree wells in turf areas shall be maintained weed and grass free. If tree wells are not established, this may be performed on a time and material charge or quoted price.
- **Wood Mulch:** Timberline will monitor all wood mulch bed areas and provide updates to the owner regarding areas that may need mulch replenishment or turning. Any mulch areas needing replenishment shall be performed via change request as directed by the owner.
 1. Turning of mulch is **excluded** from this contract. If mulch is turned after pre-emergent has been applied, an additional application of pre-emergent will need to be applied for an additional charge.
- **Crack Weeds:** All weeds in public/private streets and parking lots will be sprayed on a time and materials basis.
- **Policing:** Picking up and disposing of all non-contained trash and debris shall be performed on a weekly basis for the duration of the contract. This does not include clean up and removal of dog waste, tumbleweeds, and debris that has blown in through winds. Excess removal shall be charged on a time and materials basis upon notification and approval by the owner. Timberline shall advise owner as to conditions that may warrant removal of excess debris.

Spring Cleanup

- Spring: **One** general clean up and removal of all debris that has accumulated on exterior landscaped areas during the winter months. Ornamental grasses and select shrubs to be cut back at this time.

Fall Cleanup

- **Fall:** **One** general clean up and removal of all debris and leaves that have accumulated on exterior landscaped areas. To occur when at least 80% of the leaves have dropped. Perennials to be cut back at this time.
- **Excluded** from spring and fall cleanups: Parking lots and curb pans (gutters) to be done on a time and materials basis.

Safety Pruning (Under 12')

- **Safety Pruning:** Contractor shall perform safety pruning of all shrubs under 12' in height **1** time early in season. Safety pruning includes removal of growth from shrubs overhanging sidewalks and drives and limbing up low hanging tree branches. Plants shall be pruned to maintain natural form using acceptable horticultural practice.

Native Mow

- **Native Grass:** All native grass to be cut **three** times per growing season.

Native Post App

- **Weed Control:** A pre-emergent shall be applied **once** in early Spring along with **1** post-emergent application for broad leaf weed control **in native areas**.

Bed Pre-emergent

- **Weed Control:** All planting beds shall receive **two** applications of pre-emergent herbicide early in the growing season to prevent weed seed germination. During the growing season, planting beds to be "spot" sprayed with a non-selective herbicide as needed.

Irrigation Check

- **Controller:** The irrigation system shall be programmed to water turf grass, native grass and shrub beds with the necessary moisture throughout the growing season. In an effort to conserve water resources, Timberline will create a cycle and soak irrigation program to be utilized where applicable. All watering times shall be coordinated with the owner and in accordance with the local water provider's watering guidelines and restrictions.
- **Repairs:** Irrigation repairs or modifications shall be made on a time and materials basis. Any repairs or modifications due to negligence by this contractor shall be made at contractor's expense.
- **Inspections:** Timberline may perform up to 18 wet inspections of the irrigation system during normal hours of operation throughout the growing season. Zones will be activated to ensure that all heads and valves are in working order. Minor adjustments may be made during inspections. A set amount of time is dedicated to inspections, which may result in not all zones being activated during that inspection. Repairs and major adjustments will be made on a T&M basis.

Irrigation Startup

- **Activation:** The irrigation system shall be activated in the spring (after the average temperature during the night is above 32°) and adjusted as necessary.

Irrigation Blow Out

- **Winterization:** At the end of the growing season, the irrigation system shall be winterized by using compressed air. Adverse weather conditions may dictate additional activations and/or winterizations which will be an additional cost.

Optional

Winter Policing

- Policing: Picking up and disposing of all non-contained trash and debris shall be performed on a **weekly basis for the duration of the contract**. This does not include clean up and removal of dog waste, tumbleweeds, and debris that has blown in through winds. Excess removal shall be charged on a time and materials basis upon notification and approval by the owner.

Tree Wrap Install

- Tree Wrap Installation: Wrap all smooth bark trees less than 6" caliper in the fall.

Tree Wrap Removal

- Tree Wrap Removal: Un-wrap all smooth bark trees less than 6" caliper in the spring.

Deep Root Tree Fert