

MINUTES OF A REGULAR MEETING OF
THE BOARDS OF DIRECTORS OF THE
RAMPART RANGE METROPOLITAN DISTRICT NOS. 4, 5, 6 AND 8
(THE “DISTRICTS”)
HELD
July 24, 2024

A regular meeting of the Boards of Directors of the Rampart Range Metropolitan District Nos. 4, 5, 6 and 8 (referred to hereafter as the “Boards”) was convened on Wednesday, July 24, 2024 at 3:01 p.m., at Coventry Development Corp., 9878 Schwab Way, Suite 415, Lone Tree, Colorado 80124, and virtually via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Keith Simon, President (virtually)

Elizabeth Matthews, Secretary (in person)

Darryl Jones, Treasurer (in person)

Ken Linhardt, Assistant Secretary (in person)

Jennifer Hepp (fka Miller), Assistant Secretary (RRMD No. 5 only) (in person)

Also, In Attendance Were:

Densie Denslow and Susan Sanchez; CliftonLarsonAllen LLP (“CLA”) (virtually)

Jon Hoistad, Esq.; McGeady Becher P.C. (virtually)

John Connelly; Coventry Development Corp. (virtually)

Leigh Dufresne; BrightView Landscape Services, Inc. (“BrightView”) (in person)

Carson Besgrove; Merrick & Company (in person)

Ernie Warzecha; Diverse Project Consultants (in person)

ADMINISTRATIVE MATTERS

Declaration of Quorum/Director Qualifications/Disclosure items:

Director Simon called the meeting to order and confirmed the presence of a quorum.

The Boards discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Boards of Directors to the Secretary of State. The members of the Boards 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 Boards’ members prior to this meeting in accordance with statute. It was noted by Attorney Hoistad that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

Agenda, location of meeting and posting of meeting notices:

The Boards reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Jones, seconded by Director Linhardt and, upon vote, unanimously carried, the Boards approved the Agenda, as amended to add Item IV.D. under legal matters.

The Boards entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the Districts' Board meeting. Following discussion, and upon motion duly made by Director Jones, seconded by Director Linhardt and, upon vote, unanimously carried, the Boards determined to conduct the meeting at the above-stated date, time, and location, which is within 20 miles of the Districts. The Boards also determined to conduct the meeting virtually via Microsoft Teams at the above-stated date and time. 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 Districts' boundaries have been received.

Public Comment:

There were no public comments.

CONSENT AGENDA

June 26, 2024 Regular Meeting Minutes:

Change Order No. 03 to Construction Agreement for Filing 2 & 3 Roadway & Utility Project between RRMD No. 5 and Fiore & Sons for installing T rope along the work area perimeter as part of the initial GESC permit and erosion control installation; install additional rail along the outlet structures in the pond, in the amount of \$29,906.40:

Change Order No. 03 to Service Agreement for East Side On-Call Services between RRMD No. 5 and Consilium Design, Inc., in the amount of \$10,000:

Change Order No. 06 to Service Agreement for Badger Gulch Park Landscape Architecture between RRMD No. 5 and Consilium Design, Inc., in the amount of \$20,000:

Following discussion, upon a motion duly made by Director Matthews, seconded by Director Linhardt and, upon vote, unanimously carried, the Boards approved and/or ratified, as appropriate, the Consent Agenda, as presented.

ENGINEER/CONSTRUCTION MATTERS

Engineering/Design Report:

Badger gulch Park Design:

Mr. Besgrove noted he anticipates the SIP comments from the City of Lone Tree on August 8th.

Mesa Tops PWSD Pipeline Project:

Mr. Besgrove noted Merrick has prepared a summary on how the booster station would function. It was presented to PWSD for review, and he is waiting for feedback from PWSD regarding the booster station design vs. Zone 3 water main connection down Havana to Hess Road.

Mr. Besgrove reported the CDOT Special Use Permit for the Interstate 25/CDOT ROW crossing was submitted on July 18th.

Mr. Besgrove reported Merrick is preparing the sanitary sewer and water plans for submittal to PWSD.

Mr. Besgrove reported Merrick is preparing an engineer's opinion for probable construction costs for the utility extensions.

Mr. Besgrove noted ERO has prepared their proposal for environmental clearance support, and he is anticipating presenting it at the next Board meeting.

RidgeGate Havana Bikeway Project:

Mr. Besgrove reported the plans were submitted to the City on July 12th. He is waiting to hear from the City on the plan review meeting with CDOT.

Construction Report:

Mr. Warzecha reported on various construction matters, noting that the landscaping on RidgeGate Parkway has been completed and BrightView is working through punch list items. Additionally, he stated that the landscaping on High Note is nearly done and the walk through is scheduled for this coming Monday, with the punch list anticipated by Friday.

LEGAL MATTERS

RRMD No. 6 - Conduct Public Hearing on Petition for Inclusion from Ridgeway Investments, Inc. ("RGI") for the inclusion of approximately 45.0 acres of real property into the boundaries of Rampart Range Metropolitan District No. 6 ("RRMD No. 6") and consider adoption of Resolution No. 2024-07-01; Resolution for

Inclusion of Real Property: Upon a motion duly made by Director Simon, the RRMD No. 6 Board opened the public hearing to consider RGI's Petition for Inclusion for the inclusion of real property into the boundaries of RRMD No. 6. It was noted that publication of Notice stating that the RRMD No. 6 Board would consider approving the inclusion of property into the boundaries of RRMD No. 6 was made in a newspaper having general circulation within RRMD No. 6. No written objections were received prior to the public hearing. No further public comments were received, and the public hearing was closed.

Attorney Hoistad reviewed RGI's Petition for Inclusion of approximately 45 acres, consisting of the Southwest Village Filing No. 3. Attorney Hoistad reviewed the Resolution with the RRMD No. 6 Board. Following review, upon a motion duly made by Director Jones, seconded by Director Matthews and, upon vote, unanimously carried, the RRMD No. 6 Board adopted the Resolution for Inclusion of Real Property.

Fourth Amendment to Joint Resolution of Rampart Range Metropolitan District Nos. 1, 5 and 6 to Impose Water Resource Credit Fees (Shea SWV Filing No. 3 Plat):

Following review, upon a motion duly made by Director Linhardt, seconded by Director Jones and, upon vote, unanimously carried, the RRMD Nos. 5 and 6 Boards adopted the Fourth Amendment to Joint Resolution of Rampart Range Metropolitan District Nos. 1, 5 and 6 to Impose Water Resource Credit Fees (Shea SWV Filing No. 3 Plat).

Fifth Amendment to Joint Resolution of Rampart Range Metropolitan District Nos. 5 and 6 Concerning the Imposition of Development Fees (Shea SWV Filing No. 3 Plat):

Following review, upon a motion duly made by Director Linhardt, seconded by Director Jones and, upon vote, unanimously carried, the RRMD Nos. 5 and 6 Boards adopted the Fifth Amendment to Joint Resolution of Rampart Range Metropolitan District Nos. 5 and 6 Concerning the Imposition of Development Fees (Shea SWV Filing No. 3 Plat).

Acknowledge PILOT Covenant between RGI and Koebel Affordable Housing for the benefit of RRMD No. 8: Director Simon explained that this is the same vehicle used for other tax-exempt properties. Following discussion, the RRMD No. 8 Board acknowledged the PILOT Covenant between RGI and Koebel for the benefit of RRMD NO. 8.

MANAGER MATTERS

Service Agreement for Geotechnical Data Collection Services (RidgeGate Havana Bikeway; Proposal No. 2402-0784) between RRMD No. 5 and Ground Engineering:

Ms. Denslow reviewed the Service Agreement, noting that this is for the standard geotechnical services for the RidgeGate Havana Bikeway Project. Following discussion, upon a motion duly made by Director Jones, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board approved the Service Agreement for Geotechnical Data Collection Services (RidgeGate Havana Bikeway; Proposal No. 2402-0784) between RRMD No. 5 and Ground Engineering in the amount of \$6,800.00.

BOARD MEMBER ITEMS

Director Hepp informed the group that Lokal Homes is starting sales on the townhomes next week, and the Lyric Amenity Center is starting construction.

Director Simon reported on the status of several items, noting the Badger Gulch Park SIP will be going to the Planning Commission soon, the Grocery Center will be going in mid-August and the Tall Tales Ranch had a preconstruction event that showed the layout of the building, noting that construction will begin soon.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, the Boards adjourned the meeting.

Respectfully submitted,

By _____
Secretary for the Meeting