

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF
THE BOARDS OF DIRECTORS OF THE
RAMPART RANGE METROPOLITAN DISTRICT NOS. 4, 5, 6 & 8
(THE “DISTRICTS”)
HELD
JUNE 26, 2024**

A regular meeting of the Boards of Directors of the Rampart Range Metropolitan District Nos. 4, 5, 6 & 8 (referred to hereafter as the “Boards”) was convened on June 26, 2024 at 4:04 p.m. at Coventry Development Corp., 9878 Schwab Way, Suite 415, Lone Tree, Colorado. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Keith Simon, President

Darryl Jones, Treasurer

Elizabeth Matthews, Secretary

Ken Linhardt, Assistant Secretary

Jennifer Miller, Assistant Secretary (RRMD No. 5 only)

Also, In Attendance Were:

Denise Denslow, Nic Carlson, Susan Sanchez and Ashley Heidt;
CliftonLarsonAllen LLP

Jon Hoistad, Esq.; McGeady Becher P.C.

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

Carson Besgrove; Merrick & Company

Ernie Warzecha; Diverse Project Consultants

John Connelly; Coventry Development Corp.

ADMINISTRATIVE MATTERS

Quorum/call to order/disclosures of potential conflicts of interest: 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,

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unanimously carried, the Boards approved the Agenda, as presented.

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. 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

The Boards considered the following items on the Consent Agenda:

Approval of minutes from the March 27, 2024 Regular Meeting:

RRMD No. 5 – Approval of minutes from April, 11, 2024 Special Meeting:

RRMD No. 8 – Approval of minutes from November 28, 2018 Regular Meeting:

Ratify approval of Change Order No. 04 to Work Order 1.1 to Landscape Services Agreement for East Side Landscaping (MD5-019) Larry Levin Park between RRMD No. 5 and BrightView Landscape Development to reconcile construction quantities, in the deductive amount of (\$40,907.19):

Ratify approval of Change Order No. 06 to Work Order 1.2 to Landscape Services Agreement for East Side Landscaping (MD5-019) Koelbel ROW RidgeGate Station between RRMD No. 5 and BrightView Landscape Development for additional work for construction updates in Field Order #5, in the amount of \$36,576.20:

Ratify approval of Change Order No. 01 to Task Order No. 2 to Master Service Agreement for Design and Construction Administration Services – Irrigation Design for RTD Garage-Havana ROW between RRMD No. 5 and Consilium Design, Inc. for irrigation design, in the amount of \$5,000.00:

Ratify approval of Change Order No. 02 to Task Order No. 1 to Master Service Agreement for Design and Construction Administration Services – Irrigation Design for Larry Levin Park between RRMD No. 5 and Consilium Design, Inc. for irrigation design, in the amount of \$7,000.00:

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Ratify approval of Change Order No. 03 to Task Order No. 3 to Master Service Agreement for Design and Construction Administration Services – RidgeGate Station TOD Phase 1 Streetscape between RRMD No. 5 and Consilium Design, Inc., in the amount of \$15,000:

Ratify approval of Change Order No. 03 to Task Order No. 6 to Master Service Agreement for Design and Construction Administration Services – RidgeGate Parkway Phase 1B Irrigation Design between RRMD No. 5 and Consilium Design, Inc., in the amount of \$600.00:

Ratify approval of Change Order No. 04 to Task Order No. 3 to Master Service Agreement for Design and Construction Administration Services – RidgeGate Station TOD Irrigation Design between RRMD No. 5 and Consilium Design, Inc., in the amount of \$5,000.00:

Ratify approval of Change Order No. 04 to Service Agreement for Badger Gulch Park Landscape Architecture between the RRMD No. 5 and Consilium Design, Inc. for additional services, in the amount of \$10,000.00:

Ratify approval of Change Order No. 05 to Service Agreement for Badger Gulch Park Landscape Architecture between RRMD No. 5 and Consilium Design, Inc. for additional coordination for bridge landscape DD and SIP, in the amount of \$30,000.00:

Ratify approval of Change Order No. 05 to Service Agreement for Landscape Architecture Design (RidgeGate Parkway Couplet Center Streetscape) between RRMD No. 5 and Consilium Design, Inc. for couplet Filing 3 and 4 additional services, in the amount of \$7,500.00:

Ratify approval of Change Order No. 06 to Service Agreement for Landscape Architecture Design (RidgeGate Parkway Couplet Center Streetscape) between RRMD No. 5 and Consilium Design, Inc. for couplet Filing 3 and 4 additional services, in the amount of \$20,000.00:

Ratify approval of Change Order No. 07 to Service Agreement for Landscape Architecture Design (RidgeGate Parkway Couplet Center Streetscape) between RRMD No. 5 and Consilium Design, Inc. for couplet Filing 3 and 4 additional services, in the amount of \$10,000.00:

Ratify approval of Change Order No. 01 to Service Agreement for Design Verification between RRMD No. 5 and Design Workshop, Inc. for bridge improvement LiDAR survey, in the amount of \$8,500.00:

Ratify approval of Service Agreement for Construction Management Services for RidgeGate Badger Gulch Trunk Sanitary Sewer Project (MD5-

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007) between RRMD No. 5 and Diverse Project Consultants, LLC, in the amount of \$94,000.00:

Ratify approval of Service Agreement for Construction Management Services for RidgeGate East Filing No. 4 Street and Utilities Project (MD5-026) between RRMD No. 5 and Diverse Project Consultants, LLC, in the amount of \$310,000.00:

Ratify approval of Work Change Directive No. 01 to Service Agreement for Filing 4 Roadway and Improvement Project between RRMD No. 5 and Fiore & Sons for not installing sidewalk or completing over excavation for sidewalk in Lot 2, Lot 3, and Tract A, in the deductive amount of (\$162,731.20):

Ratify approval of Change Order No. 01 to the Agreement for the Badger Gulch Trunk Sanitary Sewer Project between RRMD No. 5 and SMH West LLC for reconciling time due to plan approval delay, in the amount of \$0.00:

Ratify approval of Agreement for High Note Avenue transformer installation between RRMD No. 5 and PSCo, in the amount of \$114,789.02:

Ratify approval of Temporary Construction and Access Easement Agreement between RRMD No. 5 and the City of Lone Tree for grading, erosion and sediment control work :

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

ENGINEER/CONSTRUCTION MATTERS

Engineering/Design Report: Mr. Besgrove reviewed the below with the Boards.

Design Updates:

Badger Gulch Park Design: Mr. Besgrove reported he is preparing the SIP sheets, drainage memo and the civil construction plans for submitted to the City by June 28th.

RidgeGate Havana Street Bikeway Project: Mr. Besgrove noted he is preparing the FIR plans for submittal to CDOT and targeting a FIR meeting at the end of July.

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Construction Report: Mr. Warzecha provided an update on the various projects.

FINANCIAL MATTERS

Claims: Ms. Sanchez reviewed the prior claims with the RRMD No. 5 Board. Upon a motion duly made by Director Simon, seconded by Director Miller and, upon vote, unanimously carried, the RRMD No. 5 Board ratified approval of prior claims totaling \$5,357,730.59, including check numbers 2094 to 2159, 8 ACH payments to Fiore & Sons, Mile High Flood District, or SMH West and 1 wire to ADP.

Cash Position Report: Ms. Sanchez reviewed the Cash Position Report, noting that this is informational only.

LEGAL MATTERS

Status of inclusions under Inclusion Agreement: Attorney Hoistad reviewed the status of various inclusions with the Boards.

Legislative Update: Attorney Hoistad provided an update to the Boards.

MANAGER MATTERS

District website accessibility matters and authorize necessary actions in connection therewith: Ms. Denslow provided an update to the Boards. Following discussion, upon a motion duly made by Director Simon, seconded by Director Jones and, upon vote, unanimously carried, the Boards approved the District website accessibility matters and authorized necessary actions in connection therewith.

BOARD MEMBER ITEMS

Director Miller provided an update on sales and closings in Lyric. Director Matthews provided an update on land sales.

OTHER BUSINESS

None.

ADJOURNMENT

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

Respectfully submitted,

DocuSigned by:
Elizabeth Matthews
By _____
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Secretary for the Meeting