

## RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING OF  
THE BOARDS OF DIRECTORS OF THE  
RAMPART RANGE METROPOLITAN DISTRICT NOS. 4, 5, 6 & 8  
(THE “DISTRICTS”)  
HELD  
JULY 19, 2023**

A special 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 July 19, 2023 at 3:32 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 (via telephone)

Elizabeth Matthews, Secretary

Ken Linhardt, Assistant Secretary

Jennifer Miller, Assistant Secretary (District No. 5 Board only)

**Also, In Attendance Were:**

Denise Denslow, Nic Carlson and Susan Sanchez; CliftonLarsonAllen LLP (“CLA”)

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

Dennis Bedford; 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 Linhardt, seconded by Director Matthews and, upon vote,

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

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 Linhardt, seconded by Director Matthews 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.

**Appointment of Officers:** Following discussion, upon motion duly made by Director Simon, seconded by Director Matthews and, upon vote, unanimously carried, the following slate of officers were appointed for the Districts:

President: Keith Simon  
Secretary: Elizabeth Matthews  
Treasurer: Darryl Jones  
Assistant Secretary: Kenneth Linhardt  
Assistant Secretary: Jennifer Miller (District No. 5)

**Public Comment:** There were no public comments.

### CONSENT AGENDA

**Minutes of April 26, 2023 Regular Board Meeting and District No. 5 June 2, 2023 Special Meeting:**

**Proposal between RRMD No. 5 and Brightview Landscape Services for Havana Pond Clean Up in the amount of \$16,175.00:**

**Change Order No. 01 to Work Order No. 1.2 to the Multiple Project Delivery Agreement for MD5-019 East Side Landscaping between Rampart Range Metropolitan District No. 5 ("RRMD No. 5") and Brightview Landscape Development (Koelbel ROW Rail Way and Havana) in the amount of \$50,060.26:**

**Change Order No. 02 to Work Order No. 1.2 to the Multiple Project Delivery Agreement for MD5-019 East Side Landscaping between RRMD No. 5 and Brightview Landscape Development (Koelbel ROW Rail Way and Havana) in the amount of \$73,725.15:**

**Change Order No. 02 to Work Order No. 1.1 to the Multiple Project Delivery Agreement for MD5-019 East Side Landscaping RRMD No. 5 and Brightview Landscaping Development (Larry Levin Park) in the amount of \$5,367.55:**

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**Service Agreement for On-Call Services between RRMD No. 5 and Consilium Design, Inc. dated May 31, 2023, in the amount of \$10,000.00:**

**Service Agreement for Badger Gulch Park Landscape Architecture between RRMD No. 5 and Consilium Design, Inc. dated June 13, 2023, in the amount of \$69,180.00:**

**Change Order No. 01 to Service Agreement for Streetscape Design between RRMD No. 5 and Consilium Design, Inc. (Larry Levin Park additional submittals) in the amount of \$26,000.00:**

**Change Order No. 02 to Service Agreement for Landscape Architecture Design for Ridgeway Parkway Phase 1 between RRMD No. 5 and Consilium Design, Inc. (additional submittal and construction administration) in the amount of \$21,000.00:**

**Change Order No. 03 to Service Agreement for Landscape Architecture Design for Ridgeway Parkway Couplet Center Streetscape between RRMD No. 5 and Consilium Design, Inc. (Couplet Filing 3 updates) in the amount of \$2,400.00:**

**Change Order No. 01 to Task Order No. 005 to MSA Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Phase 1-A Koebel ROW Construction Administration), in the amount of \$1,755.00:**

**Change Order No. 02 to Service Agreement for Traffic Signal Design for Ridgeway Parkway Couplet between RRMD No. 5 and Felsburg Holt & Ullevig (two new intersections and address City's comments) in the amount of \$12,000.00:**

**Change Order No. 02 to the Construction Contract for MD5-020 City Center Earthworks Phase 1 Project between RRMD No. 5 and Fiore & Sons (updated design) in the deductive amount of (-\$49,242.79):**

**Change Order No. 03 to the Construction Contract for MD5-020 City Center Earthworks Phase 1 Project between RRMD No. 5 and Fiore & Sons (reconcile quantities) in the deductive amount of (-\$232,752.58):**

**Change Order No. 04 to the Construction Contract for MD5-020 City Center Earthworks Phase 1 Project between RRMD No. 5 and Fiore & Sons (add quantities) in the amount of \$56,051.87:**

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**Service Agreement for Geotechnical Evaluation Services (Ridgeway/Havana Retaining Walls) between RRMD No. 5 and Ground Engineering Consultants, Inc. dated June 21, 2023, in the amount of \$6,100.00:**

**Service Agreement for Geotechnical Evaluation Services (Ridgeway Parkway Couplet Road C) between RRMD No. 5 and Ground Engineering Consultants, Inc. dated July 12, 2023, in the amount of \$5,100.00:**

**Service Agreement for Materials Testing and Special Inspection Services (Ridgeway East – Filing No. 2) between RRMD No. 5 and Ground Engineering Consultants, Inc. dated July 12, 2023, in the amount of \$22,635.00:**

**Service Agreement for Materials Testing and Special Inspection Services (Ridgeway East – Filing No. 3) between RRMD No. 5 and Ground Engineering Consultants, Inc. dated July 12, 2023, in the amount of \$44,965.00:**

**Service Agreement for Materials Testing and Special Inspection Services (Ridgeway Parkway Sidewalks) between RRMD No. 5 and Ground Engineering Consultants, Inc. dated July 12, 2023, in the amount of \$16,530.00:**

**Change Order No. 01 to Service Agreement for Graphic Assistance of Parks Master Plan between RRMD No. 5 and Sage Design Group, LLC (Compliance with City of Lone Tree comments and power point presentation) in the amount of \$7,500.00:**

**Change Order No. 03 to the Construction Contract for MD5-018 for Lyric Street Traffic Signal Project between RRMD No. 5 and Sturgeon Electric (install of streetlights in Havana ROW) in the amount of \$113,680.00:**

**Change Order No. 04 to the Construction Contract for MD5-018 for Lyric Street Traffic Signal Project between RRMD No. 5 and Sturgeon Electric (install fiber optic conduit Lyric Street to High Note Street) in the amount of \$219,130.00:**

**Change Order No. 05 to the Construction Contract for MD5-018 for Lyric Street Traffic Signal Project between RRMD No. 5 and Sturgeon Electric (install of pedestrian lighting along Ridgeway Parkway) in the amount of \$831,577.00:**

**Engagement Letter between RRMD No. 5 and Arbitrage Compliance Specialists (Series 2021 Bonds) in the amount of \$625.00:**

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**First Amendment to Agreement Regarding Conceptual Design of Fee-In-Lieu Drainage and Flood Control Improvements for Badger Gulch Upstream of Ridgeway Parkway (Agreement No. 20-01.36A, Project No. 107992) between RRMD No. 5 and Urban Drainage and Flood Control District dba Mile High Flood District:**

Director Simon reviewed the Consent Agenda with the Boards. Following review and discussion, upon a motion duly made by Director Simon, 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:

Ridgeway East Filing 3: Mr. Besgrove reported the final plat package was submitted to the City on July 14<sup>th</sup>.

Ridgeway East Filing 4: Mr. Besgrove reported the final plat package was submitted to the City on June 30<sup>th</sup>. Merrick received a completeness response from the City on July 6<sup>th</sup> requesting additional documents. The plat package will be ready for resubmittal once the Park Master Plan is finalized.

Ridgeway East Filing 2 & 3 Street and Utility Project: Mr. Besgrove reported the Notice of Award was issued to Fiore & Sons. A pre-construction meeting is scheduled for this Friday. The contract and license agreement are with Fiore & Sons for signature.

**Construction Report:** Mr. Warzecha updated the Boards on the street light project on High Note, noting that boring is nearing completion. The park is under construction with a desired completion date of October. The Mural has been completed.

**FINANCIAL MATTERS**

**Claims:** Ms. Sanchez reviewed the prior claims with the RRMD No. 5 Board. Upon a motion duly made by Director Miller, seconded by Director Simon and, upon vote, unanimously carried, the RRMD No. 5 Board ratified approval of prior claims totaling \$5,778,257.70, including check numbers 1847 to 1888, 2 wire transfers and 4 ACH payments.

Ms. Sanchez reviewed the current claims with the RRMD No. 5 Board. Upon a motion duly made by Director Linhardt, seconded by Director Miller and, upon vote, unanimously carried, the RRMD No. 5 Board approved the current claims totaling \$1,616,654.70, including check numbers 1889 to 1913, and 1 ACH payment.

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

**Arbitrage Rebate Calculations for the 2021 Bonds Year #1:** Ms. Sanchez reviewed the calculations for the 2021 Bonds Year #1 with the Boards, noting arbitrage has been negative.

**2022 Audit for RRMD No. 5:** This item was removed from the agenda.

### LEGAL MATTERS

None.

### MANAGER MATTERS

**Service Agreement for Ridgeway Signage Implementation between RRMD No. 5 and Arthouse Design in the amount of \$12,750.00:** Following review and discussion, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board approved the Service Agreement for Ridgeway Signage Implementation between RRMD No. 5 and Arthouse Design in the amount of \$12,750.00.

**Change Order No. 01 to Task Order No. 001 to MSA Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Larry Levin Park Construction Administration), in the amount of \$13,000.00:** Following review and discussion, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board approved Change Order No. 01 to Task Order No. 001 to MSA Design and Construction Administration Services between RRMD No. 5 and Consilium Design, Inc. (Larry Levin Park Construction Administration), in the amount of \$13,000.00.

**Change Order No. 03 to Service Agreement for Traffic Signal Design (Ridgeway Parkway Couplet) between RRMD No. 5 and Felsburg Holt & Ullevig, in the amount of \$10,000.00:** Following review and discussion, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board approved Change Order No. 03 to Service Agreement for Traffic Signal Design (Ridgeway Parkway Couplet) between RRMD No. 5 and Felsburg Holt & Ullevig, in the amount of \$10,000.00.

**Construction Contract for Signage between RRMD No. 5 and Broomfield Sign Company, Inc.:** Following review and discussion, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board approved the Construction Contract for Signage between RRMD No. 5 and Broomfield Sign Company, Inc. d/b/a BSC Signs.

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BOARD MEMBER  
ITEMS

Director Miller updated the RRMD No. 5 Board on recent home sales. Director Simon updated the Boards on recent land sales. Director Matthews updated the Boards on Schweiger Ranch.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Boards at this time, Director Simon adjourned the meeting at 4:07 p.m.

Respectfully submitted,

By DocuSigned by:  
*Elizabeth Matthews*  
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Secretary for the Meeting