

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
MARCH 27, 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 March 27, 2024 at 3:36 p.m. at Coventry Development Corp., 9878 Schwab Way, Suite 415, Lone Tree, Colorado and virtually via Microsoft Teams. 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

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 Miller and, upon vote, unanimously carried, the Boards approved the Agenda, as amended.

RECORD OF PROCEEDINGS

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 Miller 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 February 13, 2024 Special Meeting:

Ratify approval of Change Order No. 04 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 work authorization, in the amount of \$10,000:

Ratify approval of Change Order No. 02 to Service Agreement for On-Call Services between RRMD No. 5 and Consilium Design, Inc. for services outside of contracted project work, in the amount of \$10,000:

Ratify approval of RRMD No. 5 letter to Parker Water and Sanitation District (PWSD) regarding RidgeGate East Filing 4 utility and tap fees:

Ratify approval of Memorandum of Understanding by and between RRMD No. 8, Ridgegate Investments, Inc. and the City of Lone Tree:

Ratify approval of Service Agreement for Consulting Services (Badger Gulch Park Sculpture Project) between RRMD No. 5 and ThereSquared LLC in the amount of \$15,000:

Ratify approval of Service Agreement for Design and Environmental Clearance Services between RRMD No. 5 and Felsburg Holt & Ullevig, Inc. for the Havana Street Railway intersection and Havana Street Corridor in the amount of \$65,625:

Ratify approval of Water and/or Sewer Main Improvement Agreement (Badger Gulch Trunk Sanitary Sewer) between RRMD No. 5 and PWSD:

RECORD OF PROCEEDINGS

Ratify approval of Cash in Lieu Letter of Credit Financial Guarantee Agreement (Badger Gulch Trunk Sanitary Sewer) between RRMD No. 5 and PWSD:

Ratify approval of Water and/or Sewer Main Improvement Agreement (Filing 4 Couplet) between RRMD No. 5 and PWSD:

Ratify approval of Cash in Lieu Letter of Credit Financial Guarantee Agreement (Filing 4 Couplet) between RRMD No. 5 and PWSD:

Ratify approval of Change Order No. 02 to Construction Contract for Filing 2 & 3 Roadway & Utility Project between RRMD No. 5 and Fiore & Sons, Inc.:

Following review, upon a motion duly made by Director Linhardt, seconded by Director Matthews 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:

RidgeGate East Filing 4: Mr. Besgrove reported the plat was recorded by the City on March 20th. The PWSD easement agreements for Filing 4 and Badger Gulch Trunk Sanitary Sewer were delivered to PWSD on March 27th for execution. The last outstanding item with PWSD is to schedule the pre-construction meetings for both projects.

RidgeGate East Filing 3: Mr. Besgrove reported the plat has not yet been recorded.

Construction Report: Mr. Warzecha provided an update, noting the landscape at High Note is starting. He also noted there is a lot of damage on RidgeGate Parkway that needs to be fixed. Fiore is working on finishing the pond.

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 Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board ratified approval of prior claims totaling \$6,544,336.95, including check numbers 2007 to 2093, and 10 ACH or wire payments to Fiore & Sons, BSC Signs, ADP, Mile High Flood District and Parker Water & Sanitation District

Cash Position Report: Ms. Sanchez reviewed the Cash Position Report, noting

RECORD OF PROCEEDINGS

that this is informational only.

RRMD No. 4 – Discuss and consider authorization to open a FirstBank checking account, authorize Directors as signers on the account: Ms. Sanchez reviewed the proposed checking account with the RRMD No. 4 Board. Following review, upon a motion duly made by Director Matthews, seconded by Director Jones and, upon vote, unanimously carried, the RRMD No. 4 Board authorized the opening of a FirstBank checking account, authorized Directors Simon, Matthews and Jones as signers on the account and authorized the necessary actions associated therewith.

RRMD No. 4 – Discuss and consider authorization to open CSAFE Savings Accounts: Ms. Sanchez reviewed the proposed CSAFE account with the RRMD No. 4 Board. Following review, upon a motion duly made by Director Matthews, seconded by Director Jones and, upon vote, unanimously carried, the RRMD No. 4 Board authorized the opening of a CSAFE Savings Accounts and authorized the necessary actions associated therewith.

2023 Audit Exemption Applications for RRMD Nos. 4, 6 and 8: Ms. Sanchez reviewed the Applications with the RRMD Nos. 4, 6 and 8 Boards. Following review, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD Nos. 4, 6 and 8 Boards approved its 2023 Audit Exemption Application.

LEGAL MATTERS

Status of inclusions under Inclusion Agreement: Attorney Hoistad reviewed the status of various inclusions with the Boards, noting a few are being held until their closing is final. Discussion ensued regard the two parcels that are currently in escrow.

Third Amendment to Joint Resolution of Rampart Range Metropolitan District No. 1, No. 5 and No. 6 to Impose Water Resource Credit Fees: Attorney Hoistad reviewed the Third Amendment with the RRMD Nos. 5 and 6 Boards. Following review, upon a motion duly made by Director Simon, seconded by Director Jones and, upon vote, unanimously carried, the RRMD Nos. 5 and 6 Boards adopted the Third Amendment to Joint Resolution of Rampart Range Metropolitan District No. 1, No. 5 and No. 6 to Impose Water Resource Credit Fees.

Third Amendment to Joint Resolution of Rampart Range Metropolitan District No. 1, No. 5 and No. 8 to Impose Water Resource Credit Fees: Attorney Hoistad reviewed the Third Amendment with the RRMD Nos. 5 and 8 Boards. Following review, upon a motion duly made by Director Simon, seconded by Director Jones and, upon vote, unanimously carried, the RRMD Nos. 5 and 8 Boards adopted the Third Amendment to Joint Resolution of Rampart Range Metropolitan District No. 1, No. 5 and No. 8 to Impose Water

RECORD OF PROCEEDINGS

Resource Credit Fees.

First Amendment to District Infrastructure Agreement among RRMD No. 5, Ridgeway Investments, Inc. and Century Land Holdings, LLC: Attorney Hoistad reviewed the First Amendment with the RRMD No. 5 Board. Following review, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 5 Board approved the First Amendment to District Infrastructure Agreement among RRMD No. 5, Ridgeway Investments, Inc. and Century Land Holdings, LLC.

**MANAGER
MATTERS**

Lone Tree Urban Renewal Area (URA) and Districts' Participation: Ms. Denslow reviewed the communication received from the City of Lone Tree regarding South Metro Fire's interest in serving as the special district representative on the URA Board.

Change Order No. 5 to Service Agreement for Professional Engineering and Design Services (Ridgeway Parkway Couplet Development Roadway and Utility Design) between RRMD No. 5 and Merrick & Company: Ms. Denslow reviewed Change Order No. 5 with the RRMD No. 5 Board. Following discussion, upon a motion duly made by Director Simon, seconded by Director Miller and, upon vote, unanimously carried, the RRMD No. 5 Board approved Change Order No. 5 to Service Agreement for Professional Engineering and Design Services (Ridgeway Parkway Couplet Development Roadway and Utility Design) between RRMD No. 5 and Merrick & Company in the amount of \$42,000.

Service Agreement for Professional Engineering and Survey Services (RidgeGate Havana Street Bikeway Project) between RRMD No. 5 and Merrick & Company: Ms. Denslow reviewed the Service Agreement with the RRMD No. 5 Board. Following discussion, upon a motion duly made by Director Simon, seconded by Director Miller and, upon vote, unanimously carried, the RRMD No. 5 Board approved the Service Agreement for Professional Engineering and Survey Services (RidgeGate Havana Street Bikeway Project) between RRMD No. 5 and Merrick & Company in the amount of \$198,000.

Change Order No. 1 to Service Agreement for Environmental Services (Badger Gulch Sanitary Sewer Line) between RRMD No. 5 and ERO Resources Corporation: Ms. Denslow reviewed the Change Order No. 1 with the RRMD No. 5 Board. Following discussion, upon a motion duly made by Director Simon, seconded by Director Miller and, upon vote, unanimously carried, the RRMD No. 5 Board approved Change Order No. 1 to Service Agreement for Environmental Services (Badger Gulch Sanitary Sewer Line) between RRMD No. 5 and ERO Resources Corporation in the amount of \$4,320.

RECORD OF PROCEEDINGS

City of Lone Tree Fire Mitigation Plan: Ms. Denslow discussed the City's Fire Mitigation Plan, noting the City met today and will be sending a survey out to residents. Ms. Denslow suggest beauty band mowing. Discussion ensued.

**BOARD MEMBER
ITEMS**

Director Miller provided an update on sales and construction in Lyric. Director Simon noted the school site will be included in the Douglas County bond election this November. He noted the grocery site is making progress. Director Simon also noted the construction is projected to start next year and the SIP will be submitted to the City this week.

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 _____
469677B2561B4D8...
Secretary for the Meeting