

## RECORD OF PROCEEDINGS

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**MINUTES OF A SPECIAL MEETING OF  
THE BOARD OF DIRECTOR OF THE  
RAMPART RANGE METROPOLITAN DISTRICT NO. 5  
(THE “DISTRICT”)  
HELD  
APRIL 11, 2024**

A special meeting of the Board of Directors of the Rampart Range Metropolitan District No. 5 (referred to hereafter as the “Board”) was convened on April 11, 2024 at 3:01 p.m., virtually via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

**Directors In Attendance Were:**

Keith Simon, President  
Elizabeth Matthews, Secretary  
Ken Linhardt, Assistant Secretary  
Jennifer Miller, Assistant Secretary

The absence of Director Jones was excused.

**Also, In Attendance Were:**

Denise Denslow, Ashley Heidt and Susan Sanchez; CliftonLarsonAllen LLP (“CLA”)  
Jon Hoistad, Esq.; McGeady Becher P.C.  
Carson Besgrove; Merrick & Company  
John Connelly; Coventry Development Corp.  
Richard Martin and Craig Karn; Consilium Design, Inc.

### 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 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. 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 Board reviewed the Agenda for the meeting. Following discussion, upon motion duly made by Director Miller, seconded by Director Simon and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

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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 by Director Miller, seconded by Director Simon and, upon vote, unanimously carried, the Board 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 video link information was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries.

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

### ENGINEER/CONSTRUCTION MATTERS

**RidgeGate Badger Gulch Pedestrian Bridge Project, bid tabulation, award of contact and Notice to Proceed to Concrete Express, Inc. (d/b/a CEI Constructors):** Mr. Besgrove presented the bid tabulation and recommendation to the Board regarding selection of a contractor for the Ridgegate Badger Gulch Pedestrian Bridge Project. Following review and discussion, upon a motion duly made by Director Matthews, seconded by Director Miller and, upon vote, unanimously carried, the Board awarded the contract and Notice to Proceed to Concrete Express, Inc. (d/b/a CEI Constructors), the lowest responsible bidder.

### LEGAL MATTERS

**Service Agreement for Professional Engineering and Surveying Services (Badger Gulch Park Design) between RRMD No. 5 and Merrick & Company in the amount of \$104,800.00:** Ms. Denslow reviewed the Service Agreement with the Board. Following review, upon a motion duly made by Director Linhardt, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the Service Agreement for Professional Engineering and Surveying Services (Badger Gulch Park Design) between RRMD No. 5 and Merrick & Company in the amount of \$104,800.00.

**Temporary Construction and Staging License Agreement by and between RRMD No. 5 and Koelbel and Company:** Ms. Denslow reviewed the Temporary Construction and Staging License Agreement with the Board. Following review, upon a motion duly made by Director Simon, seconded by Director Linhardt and, upon vote, unanimously carried, the Board approved the Temporary Construction and Staging License Agreement by and between RRMD No. 5 and Koelbel and Company.

**Agreement between RRMD No. 5, Concrete Express, Inc. (d/b/a CEI Constructors) for Progressive Design-Build:** Ms. Denslow reviewed the proposed Agreement with the Board. Following review, upon a motion duly made by Director Simon, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the Agreement between RRMD No. 5 and Concrete Express, Inc. (d/b/a CEI Constructors) for Progressive Design-

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Build, subject to final negotiations and review by District Counsel and authorized execution of same by the President of RRMD No. 5.

BOARD MEMBER  
ITEMS

Director Simon noted that King Soopers would like to start construction next year.

OTHER BUSINESS

None.

ADJOURNMENT

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

Respectfully submitted,

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