

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING OF
THE BOARDS OF DIRECTORS OF THE
RAMPART RANGE METROPOLITAN DISTRICT NOS. 1, 2 & 7
(THE “DISTRICTS”)
HELD
MARCH 27, 2024**

A regular meeting of the Boards of Directors of the Rampart Range Metropolitan District Nos. 1, 2 & 7 (referred to hereafter as the “Boards”) was convened on March 27, 2024 at 3:02 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

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
Jennifer Miller; Shea Homes and Rampart Range Metropolitan District No. 5

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 Matthews, seconded by Director Simon and, upon vote, unanimously carried, the Boards approved the Agenda, as amended.

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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 Matthews, seconded by Director Simon 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

Minutes of February 13, 2024 Special Meeting: Following review and discussion, upon a motion duly made by Director Matthews, seconded by Director Linhardt and, upon vote, unanimously carried, the Boards approved the Minutes of the February 13, 2024 Special Meeting.

FINANCIAL MATTERS

Claims: Ms. Sanchez reviewed the prior claims with the RRMD No. 1 Board. Upon a motion duly made by Director Jones, seconded by Director Linhardt and, upon vote, unanimously carried, the RRMD No. 1 Board ratified approval of prior claims totaling \$613,858.60, including ACH payments for Denver Water and Xcel Energy, and wires to ADP.

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

LANDSCAPE MATTERS

Landscape Report: Ms. Dufresne provided an update on landscaping matters to the Boards.

LEGAL MATTERS

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 No. 1 Board. Following discussion, upon a motion duly made by Director Simon, seconded by Director Matthews and, upon vote, unanimously carried, the RRMD No. 1 Board approved 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 No. 1 Board. Following discussion, upon a motion duly made by Director Simon, seconded by Director Matthews and, upon vote, unanimously carried, the RRMD No. 1 Board approved the Third Amendment to Joint Resolution of Rampart Range

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Metropolitan District No. 1, No. 5 and No. 8 to Impose Water Resource Credit Fees.

MANAGER MATTERS

Damage to Target Parking Garage: Ms. Denslow provided an update on the damage to date at the parking garage, noting RRMD No. 1 has just reached a break-even point on the charging stations. Ms. Denslow also noted the Charge Point Fast Charger is in need of being updated. The proposal came in at around \$10,000.00. Discussion ensued regarding whether to ask the City to take on this cost. Director Simon noted he would like this to be presented to the City to see if they would be willing to pay for all or some of the cost.

Director Simon asked if there could be a camera system in place at the clearance bars to catch incidents when they occur. Ms. Denslow noted Target has a camera system and she will check with Heather Bailey for footage on the most recent incident.

Ms. Denslow noted the pond in front of the parking garage needs to be mucked out as there is a lot of silt and appears to not be draining properly.

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.

Service Agreement for Professional Engineering and Survey Services (RidgeGate Mesa Tops PWSD Pipeline Design Project) between RRMD No. 1 and Merrick & Company: Ms. Denslow and Mr. Besgrove reviewed the Service Agreement with the RRMD No. 1 Board. Following discussion, upon a motion duly made by Director Matthews, seconded by Director Jones and, upon vote, unanimously carried, the RRMD No. 1 Board approved the Service Agreement for Professional Engineering and Survey Services (RidgeGate Mesa Tops PWSD Pipeline Design Project) between RRMD No. 1 and Merrick & Company in the amount of \$291,500.

BOARD MEMBER ITEMS

None.

EXECUTIVE SESSION

Status of lawsuit captioned as: David J. Tepoorten, an individual and as trustee of The Pescado Trust, owner of real property v. Ridgeway West Village Community Association, Inc., and Rampart Range Metropolitan District No. 1, Case No. 2024CV30056, District Court, Douglas County, Colorado (the "Tepoorten Lawsuit").

Convene in executive session pursuant to Section 24-6-402(4)(b), C.R.S., to receive legal advice related to the Tepoorten Lawsuit


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An Executive Session was not needed. The Board was informed that RRMD No. 1's insurance carrier has appointed counsel to address the Tepoorten lawsuit. Not action taken.

OTHER BUSINESS None.

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

Respectfully submitted,

By 
 DocuSigned by:
Elizabeth Matthews
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Secretary for the Meeting