

**MINUTES OF THE CONTINUED BOARD MEETING
OF THE BOARD OF DIRECTORS OF THE
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2, AND 3
HELD JULY 19, 2022
AT 3:00 PM**

Pursuant to posted notice, the continued meetings of the Board of Directors of the Bradley Heights Metropolitan District Nos. 1, 2 and 3 were held on Tuesday, July 19, 2022, at 3:00 p.m., at 119 N. Wahsatch Avenue, Colorado Springs, CO, and at the tele/videoconference platform of GoToMeeting link: <https://meet.goto.com/547622885>.

Attendance

In attendance were Directors:

Randle Case II, President
Bryan Long, Vice President
Robert Case, Assistant Secretary
Ray O’Sullivan, Assistant Secretary
Jim Byers, Director

Also in attendance were:

K. Sean Allen, Esq., White Bear Ankele Tanaka & Waldron
Kevin Walker, WSDM
Rebecca Hardekopf, WSDM
Eric Smith, Matrix Design Group, District Engineer
Chris Grundy, Project Manager
David Neville, Kiemele Family Partnerships
Jeff Odor, Matrix Design Group

Combined Meeting: The Board of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

1. Call to order: The meeting was called to order by President Case II at 3:03 p.m.
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters: President Case II indicated that a quorum of the Boards was present and stated that each Director has been qualified as an eligible elector of the Districts pursuant to Colorado law. The Directors confirmed their qualification. Mr. Allen advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Walker reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State’s Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Mr. Allen inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.
3. Approval of Agenda: Director Robert Case moved to approve the Agenda as presented; seconded by Director O’Sullivan. Motion passed unanimously.
4. Approval of June 14, 2022 Meeting Minutes: After review, Director O’Sullivan moved to approve the June 14, 2022 Meeting Minutes; seconded by Director Long. Motion passed unanimously.

5. District Manager Report: Mr. Walker reported he has been working primarily on the Individual Plan and Interim Utility Service Plan Agreement with the City of Colorado Springs and Colorado Center Metro District for interim water and wastewater service. Ms. Hardekopf noted she has been working with the City to get the District on the distribution list for plats since they are not currently being notified when plats are pulled.
6. President of the Board Report: President Case II reported that he has made weekly visits to the project site and there is a lot of activity going on. He discussed neighborhood updates including activity to the north with seven scrapers working on the City's utility substation.
7. Development Status Review
 - a. Engineering Update: Mr. Grundy provided an engineering update.
 - Schedule: Mr. Grundy presented the schedule status for the project.
 - b. Plan Updates
 - Roadway/ Utility/ Storm Water: Mr. Grundy reported that phase 1 water plans should be approved soon. Phase 1 storm drawings were resubmitted on 7/15 as well as phase 1 roadway drawings for hopefully final approval. Mr. Odor discussed the coordination with Galloway on sanitary sewer that crosses Bradley Ridge Road. Mr. Grundy and Mr. Odor discussed phase 2 submissions and noted a delay with storm water due to a pond design that needed to be updated by Galloway. The Board discussed needing a minimum of three feet of cover on the Black Hills Energy gas line south of Bradley Road.
 - Channel Design: Mr. Odor reported on channel improvements. He expects the alternatives analysis to be complete by mid-August. Director O'Sullivan asked if the material will be suitable for development ground. Mr. Odor commented that it is loose material but does have clay content, so he will check into that.
 - 24" Water Line, IGA Individual Plan: Mr. Walker reported the City has made a change from cast iron to PVC. The Board discussed that the District has done a lot to prepare for moving the 24" water line forward including an \$800,000 contribution. Mr. Walker noted the Individual Plan and Interim Utility Service Plan Agreement is still in development and should be ready for signatures in the next few days. Director O'Sullivan moved to authorize the necessary officers and district management to execute these documents subject to Mr. Allen's legal review; seconded by Director Long. Motion passed unanimously.
 - c. Construction Schedule/Construction Contracts Approval/Ratify/Pre-Approval: The Board discussed needing a supervisor in the field to manage issues at the site. President Case II commented that he would like to have Mr. Grundy serve in that role if possible. The Board agreed to discuss this further at the stakeholder's meeting on Thursday at 1:00 p.m. Director O'Sullivan moved to authorize Chris Grundy and Kevin Walker until the Board reconvenes to engage a consultant for the activities in the field for the Bradley Ridge - Bradley Heights project and not to exceed \$25,000; seconded by Director Long. Motion passed unanimously. Director Long moved to ratify the action of the \$800,000 contribution for the 24" water line that was discussed at the June Board meeting and the issuance of an assurance for \$100,000; seconded by Director O'Sullivan. Motion passed unanimously.
 - d. Update on Budget and Assurance: Mr. Walker discussed the budget and noted they are in good shape and a more detailed report will be provided in the next few days. Mr. Walker reported he is still working on purchasing treasury notes to be used as collateral for required assurances.
 - e. Redemption Hill Church: There was no update.
 - f. Challenger Homes: There was no update.
 - g. Bradley Ridge: Director O'Sullivan provided an update and reported they will resubmit for approvals on filing 1.

8. Financial Matters

- a. Approve Unaudited Financial Reports for June 30, 2022: Mr. Walker presented the Unaudited Financial Reports for June 30, 2022.
 - b. Payables for July 19, 2022: Mr. Walker presented the payables for July 19, 2022. Director O'Sullivan moved to approve both the Unaudited Financial Reports for June 30, 2022 and the Payables for July 19, 2022 as presented; seconded by Director Robert Case. Motion passed unanimously.
 - c. Consider Approval of Resolution for District Imposition/Collection of Drainage Fee: Mr. Walker requested the Board table this item until the next Board meeting.
9. Other Business
- a. Next Regular Meeting Scheduled: August 9, 2022, at 9:00 a.m.
10. Adjourn: The Board adjourned the meeting at 4:38 p.m.

Respectfully Submitted,

DocuSigned by:



By: 4A1D632EEF5746105 Recording Secretary