MINUTES OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: February 2, 2023 at 3:00 pm At District Offices, 188 Inverness Drive West, Suite 150 Englewood, CO 80112

ATTENDEES

Directors present in person:

Joel Christensen, Charles Davis, Bill Woodward and Brett Stone. Director Morton was excused.

Others present in person:

Luis Tovar, Laurie Tatlock, Lucas Stafford, Steve Wasiecko and Clay Boelz with Mulhern MRE, Inc. and Erin Smith with Norton and Smith P.C.

Kelly Conover with Mulhern MRE attended by electronic device.

CONFLICT OF INTEREST

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

There was no public present.

AGENDA The Board reviewed the agenda. Upon motion duly made, seconded and upon vote, the Agenda was approved as presented.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the December 1, 2022 meetings, investments dated December 31, 2022, disbursements from November 29, 2022 through January 24, 2023 and financial statements through December 2022.

Lucas Stafford and Steve Wasiecko reviewed the investments, disbursements and financials with the Board.

Following Board discussion and upon motion duly made by Director Davis, seconded by Director Stone and upon vote, the Board unanimously approved the consent agenda, and ratified the investments, disbursements and financial statements.

CONSIDER 2023 ELECTION RESOLUTION

Luis Tovar and Erin Smith reviewed the Election Resolution with submittal deadlines and the appointment of Laurie Tatlock as the Designated Election Official for the election. Director Woodward noted a grammatical error in the Resolution. Staff will correct and provide revised version for signature. Upon motion duly made by Director Stone, seconded by Director Woodward and upon

CONSIDER IGA WITH ARAPAHOE COUNTY REGARDING DRY CREEK IMPROVEMENTS PHASE 2

Luis Tovar discussed the right-of-way and the temporary construction easement request from Arapahoe County for a portion of the tract that the District owns at the northwest corner of the District. Luis recommends the District donate this portion of land for the project and requests approval of the temporary construction easement. Following Board discussion, upon motion duly made by Director Christensen, seconded by Director Davis and upon vote the Board unanimously approved the donation of land to Arapahoe County for a temporary construction easement and the grant of a temporary construction easement in substantially the form presented, subject to such changes that staff and legal counsel approve for specific language addressing protection for District trees within the temporary construction easement premises area.

PROJECT UPDATES

The Board was provided a project update memo in the packet for their review. Luis discussed the Inverness Main Street and Inverness Boulevard road upgrades that are planned in 4 phases, the box culvert repairs with exposed rebar and drainage path, the Inverness Bike Lane project easement acquisition status and the County Line Improvements update on the scope and cost for civil design.

Director Christensen asked about the mockup of the Dry Creek signage. Staff is expecting a draft for review next week and will let the board know when it is available for viewing.

CONTRACTS

There were no contract items for board consideration.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, April 6, 2023 at 3:00 p.m. at the District office location at 188 Inverness Drive West, Suite 150 Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date:

Charles Davis, Secretary

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: March 22, 2023 at 3:00 pm Via Zoom Meeting Zoom.us Meeting ID 854 5081 1347 Passcode 115767

ATTENDEES

Directors attended via electronic device:

Joel Christensen, Charles Davis, Tom Morton and Brett Stone. Director Woodward was excused.

Others in attendance via electronic device:

Luis Tovar, Laurie Tatlock, and Kelly Conover with Mulhern MRE, Inc. and Erin Smith with Norton and Smith P.C.

CONFLICT OF INTEREST

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

There was no public present.

PUBLIC HEARING

Upon motion duly made, seconded and upon vote, the BoardDirector Christensen opened <u>athe</u> public hearing for discussion of on the requested Petition for Exclusion for Reunion Inverness RE LLC. Luis Tovar reviewed the petitioner's request to exclude the property detailed in the Petition. There was a call for public comment. There being no public present, the comment portion of the hearing was closed. Luis Tovar reviewed the developers request to exclude the property detailed in the petition. Following Board discussion, upon motion duly made, seconded and upon vote, the Public Hearing was closed.

CONSIDER RESOLUTION AND ORDER GRANTING EXCLUSION PETITION

Upon motion duly made by Director Morton, seconded by Director Davis, and upon vote, the Board approved the Resolution and Order Granting Exclusion subject to the following conditions in addition to those already provided in the Resolution and Order Granting Exclusion:

- 1. The Resolution will include a condition that the property completes a petitioner obtains final rezoning process with approval for the Property described in the County, Petition; and
- 2. The Resolution will include a condition that the property has an approved petitioner obtains final plat for development as well as completing a approval and closes on the sale of the property, and
- 3.2. <u>The Resolution will include clarification that</u>Property described in

the Exclusion is not final until the Exclusion Agreement is complete and a motion is filed with the CourtPetition.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, April 6, 2023 at 3:00 p.m. at the District office location at 188 Inverness Drive West, Suite 150 Englewood, CO and via Zoom meeting.

READ AND APPROVED BY THE BOARD:

Date:_____

Charles Davis, Secretary

MINUTES OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: April 6, 2023 at 3:00 pm At District Offices, 188 Inverness Drive West, Suite 150 Englewood, CO 80112

ATTENDEES

Directors present in person:

Joel Christensen, Charles Davis, Bill Woodward and Brett Stone. Upon motion duly made, seconded and unanimously carried, Director Morton's absence was excused.

Others present in person:

Luis Tovar, Laurie Tatlock, Lucas Stafford, Whitney Miller, Genevieve Love, and Clay Boelz with Mulhern MRE, Inc.; Alicia Garcia with Norton and Smith P.C.

CONFLICT OF INTEREST

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

There were no members of the public present.

AGENDA The Board reviewed the agenda. Upon motion duly made, seconded and upon vote, the Agenda was approved as presented.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the February 2, 2023 and March 22, 2022 meetings, investments and bank account as of February 28, 2023, disbursements from January 25, 2023 through March 28, 2023, and acceptance of financial statements through February 28, 2023.

Lucas Stafford reviewed the investments, disbursements and financials with the Board.

Following Board discussion and upon motion duly made by Director Davis, seconded by Director Stone and upon vote, the Board unanimously approved the consent agenda, and ratified the investments, disbursements and accepted the financial statements.

PROJECT UPDATES

Luis Tovar reviewed with the Board the Project Update memo from the Board packet.

CONTRACTS

There were no contract items for board consideration.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, June 1, 2023 at 3:00 p.m. at the District office location at 188 Inverness Drive West, Suite 150 Englewood, CO.

READ AND APPROVED BY THE BOARD:

Date:_____

Charles Davis, Secretary

MINUTES OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: June 1, 2023 at 3:00 pm At District Offices, 188 Inverness Drive West, Suite 150 Englewood, CO 80112

ATTENDEES

Directors present in person: Joel Christensen, Charles Davis, Tom Morton, Brett Stone and Bill Woodward.

Others present in person:

Luis Tovar, Laurie Tatlock, Lucas Stafford, Genevieve Love, and Clay Boelz with Mulhern MRE, Inc.; Erin Smith with Norton and Smith P.C.

CONFLICT OF INTEREST

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

There were no members of the public present.

AGENDA The Board reviewed the agenda. Upon motion duly made, seconded and upon vote, the Agenda was approved as presented.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the April 6, 2023 meeting, investments and bank accounts as of April 30, disbursements from March 29, 2023 through May 23, 2023, acceptance of financial statements through April 30, 2023, and approval of the request to extend the 2022 Audit deadline from June 30, 2023 to September 30, 2023.

Genevieve Love reviewed the investments, disbursements and financials with the Board.

Following Board discussion and upon motion duly made by Director Davis, seconded by Director Stone and upon vote, the Board unanimously approved the consent agenda, and ratified the investments, disbursements, accepted the financial statements and approved the request to extend the 2022 Audit deadline.

PROJECT UPDATES

Luis Tovar reviewed with the Board the Project Update memo from the Board packet.

The Board directed staff to begin sending Covenant Enforcement compliance notices with the intent of asking for Board approval for the District to cure covenant violations and charge back property owners if they do not cure violations in a timely manner.

Following Board discussion and upon motion duly made by Director Davis, seconded by Director Stone and upon vote, the Board unanimously approved a motion to hire a graphic designer to detail and explore Dry Creek monument sign options.

CONTRACTS

Following Board discussion and upon motion duly made by Director Woodward, seconded by Director Davis, and upon vote, the Board unanimously approved three contracts with Rocky Mountain Pavement. 1) General asphalt repairs in the north parking lot at John Derry Park in the amount of \$39,995. 2) Pot hole repairs on County Line Road in the amount of \$26,841. 3) Pot hole repairs on other District roadways in the amount of \$27,600.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, August 3, 2023 at 3:00 p.m. at the District office location at 188 Inverness Drive West, Suite 150 Englewood, CO.

Date: 2175

Charles Davis, Secretary

MINUTES OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: August 3, 2023 at 3:00 pm At District Offices, 188 Inverness Drive West, Suite 150 Englewood, CO 80112

ATTENDEES

Directors present in person: Joel Christensen, Charles Davis, Tom Morton, Brett Stone and Bill Woodward.

Others present in person:

Luis Tovar, Laurie Tatlock, Genevieve Love, and Clay Boelz with Mulhern MRE, Inc.; Erin Smith with Norton and Smith P.C.

CONFLICT OF INTEREST

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

There were no members of the public present.

AGENDA The Board reviewed the agenda. Upon motion duly made, seconded and upon vote, the Agenda was approved as presented.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the June 1, 2023 meeting, investments and bank accounts as of June 30, disbursements from May 24, 2023 through June 20, 2023, and acceptance of financial statements through June 30, 2023. Clay Boelz noted that the June 1, 2023 minutes were incomplete. Laurie Tatlock requested that consideration of the June 1, 2023 minutes be removed from the consent agenda and she be allowed to complete the minutes and that it be considered at the October Board meeting.

Genevieve Love reviewed the investments, disbursements and financials with the Board.

Following Board discussion and upon motion duly made by Director Davis, seconded by Director Stone and upon vote, the Board unanimously approved the consent agenda, and ratified the investments, disbursements, and accepted the financial statements.

PROJECT UPDATES

Luis Tovar reviewed with the Board the Project Update memo from the Board packet. The Board directed staff to begin designs and surveying for a Dry Creek Monument sign on the east corner of Dry Creek and the I-25 northbound off ramp with a tower and single Inverness logo.

CONTRACTS

Luis presented the contract items below for consideration;

- 1. Chavez Concrete-Vallagio Street Upgrades-concrete flat work repairs \$44,650.
- 2. Ground Engineers-Vallagio Street Upgrades-asphalt and subgrade coring services \$7,400.
- 3. MMRE-Vallagio Street Upgrades-Construction bid services and preproject coordination - \$8,600.
- 4. Arapahoe County-installation of a waterproofing membrane at the top section of the concrete box culvert on Inverness Drive East not to exceed \$35,000.
- 5. Benesch Engineers-IDE north bridge structural evaluation for stone veneer installation-\$16,000.
- 6. MMRE-Dry Creek Entry sign relocation-design and permitting services, \$9,100.
- 7. Galloway Consultants-Dry Creek Entry sign relocation-site survey for design, \$6,700.
- 8. Tree Climbers of Colorado-dead tree removal, \$13,200.

Upon motion duly made by Director Woodward, seconded by Director Davis, and upon vote the Board unanimously approved the contract items.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, October 5, 2023 at 3:00 p.m. at the District office location at 188 Inverness Drive West, Suite 150 Englewood, CO.

Date:

Charles Davis, Secretary

MINUTES OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: October 5, 2023 at 3:00 pm At District Offices, 188 Inverness Drive West, Suite 150 Englewood, CO 80112

ATTENDEES

Directors present in person:

Joel Christensen, Charles Davis, Brett Stone and Bill Woodward. Upon motion duly made, seconded upon vote, unanimously carried, Tom Morton's absence was excused.

Others present in person:

Luis Tovar, Laurie Tatlock, Genevieve Love, Enika Stasko, Clay Boelz, Whitney Miller and Becca Haines with Mulhern MRE, Inc.; Alicia Garcia with Norton and Smith P.C.

Public present:

Jared Flagg, from Silverwest Hotel.

CONFLICT OF

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

Jared Flagg, a representative from Silverwest Hotels (Homewood Suites and the Inverness Hotel explained that there was significant damage to the golf course as a result of the summer rain events. He expressed concern that funds were going to be available to repair the damage and was looking for long-term strategies to protect the golf course.

AGENDA The Board reviewed the agenda. Upon motion duly made, seconded and upon vote, unanimously carried, the Agenda was approved as presented.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the June 1, 2023 and August 3, 2023 meetings, investments in bank accounts as of August 31, 2023, disbursements from July 21, 2023 through September 26, 2023, and acceptance of financial statements through August 31, 2023.

The Board and Clay Boelz noted clarification and typographical errors on the minutes from June 1, 2023 and the minutes from August 3, 2023.

Genevieve Love reviewed the investments, disbursements and financials with the Board.

Following Board discussion and subject to correction to the June 1, 2023 and August 3, 2023 minutes, upon motion duly made by Director Davis, seconded by Director Woodward and upon vote, unanimously carried, the Board approved the consent agenda, ratified the investments and disbursements, and accepted the financial statements.

PUBLIC COMMENT ON THE RESOLUTION AND ORDER GRANTING EXCLUSION PETITION – 374 INVERNESS PARKWAY

Upon motion duly made, seconded and upon vote, unanimously carried, the Board opened the Public Hearing to consider the 374 Inverness Parkway Exclusion Petition at 4:57 p.m. No members of the public were present. Upon motion duly made, seconded and upon vote, unanimously carried, the Board closed the Public Hearing at 4:58 p.m.

RESOLUTION AND ORDER GRANTING EXCLUSION PETITION – 374 INVERNESS PARKWAY, LLC.

Luis Tovar reviewed with the Board, the terms of the exclusion petition. After discussion, upon motion duly made by Director Woodward, seconded by Director Davis and upon vote, unanimously carried, the Board approved the Resolution and Exclusion Petition for the property at 374 Inverness Parkway.

MICRO-MOBILITY PILOT AGREEMENT WITH MERIDIAN METRO DISTRICT

The Board discussed contracting with Spin After to add electronic scooters and bikes in the District. After discussion, upon motion duly made by Director Davis, seconded by Director Woodward and upon vote, unanimously carried, the Board approved moving forward with the terms outlined in the contract with a pilot plan starting in Douglas County only, for a fee of \$3000 per month, for a term of 2 years.

2024 DRAFT BUDGET

Luis Tovar reviewed with the Board, the 2024 draft budget with the Board. Staff recommended a work session in November to further discuss the proposed budget.

PROJECT UPDATES

Luis Tovar reviewed the project updates with the Board.

CONTRACTS

Luis presented the contract items below for consideration;

- 1. Vallagio I Street Repairs Year 2023 \$566,000
 - a. Concrete Repairs \$95,000
 - b. Asphalt Repairs \$371,000
- 2. Inverness Drive East Culvert Waterproofing \$20,000
- 3. Inverness Drive East Bike Lanes Feasibility Study (additional scope only) \$4,000
- 4. Inverness Drive East Bridge Upgrades (near Bldg. 76) Guard Rail Removal & Handrail Replacement \$30,000

Upon motion duly made by Director Davis, seconded by Director Woodward, and upon vote, unanimously carried, the Board unanimously approved the contract items 1 through 4. Staff suggested and the Board agreed that the Entry Sign Relocation will be discussed at a future meeting.

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, December 7, 2023 at 3:00 p.m. at the District office location at 58 Inverness Drive East, Suite 100, Englewood, CO.

February Date:__ O1

Charles Davis, Secretary

MINUTES OF THE BOARD OF DIRECTORS OF THE INVERNESS METROPOLITAN IMPROVEMENT DISTRICT

HELD: December 19, 2023 at 3:00 pm 188 Inverness Drive West, Suite 150 Englewood, CO 80112

ATTENDEES

Directors present in person:

Joel Christensen, Charles Davis, Brett Stone, Tom Morton and Bill Woodward.

Others present in person:

Luis Tovar, Laurie Tatlock, Genevieve Love, Clay Boelz, Whitney Miller and Becca Haines with Mulhern MRE, Inc.; Alicia Garcia with Norton and Smith P.C.

CONFLICT OF INTEREST

Upon motion duly made, seconded and unanimously carried, the statements for the Directors, filed with the State of Colorado, Division of Local Governments were ratified.

PUBLIC COMMENT

There were no members of the public present.

AGENDA The Board reviewed the agenda. Luis Tovar recommended adding an action item to consider approval of Erin Smith's new firm, Maynes, Bradford, Shipps & Sheftel, LLP, as the District's legal counsel. Upon motion duly made, seconded and upon vote, the revised agenda was approved.

CONSENT AGENDA

The Board considered the Consent Agenda. The Consent Agenda included approval of the minutes from the October 5, 2023 meeting, the investments and bank accounts as of November 30, the disbursements from September 27, 2023 through November 30, 2023, acceptance of financial statements through November 30, 2023 and approval of the 2024 posting for meeting dates and locations.

Clay Boelz noted that on the October 5, 2023 minutes, the date for the December meeting is incorrect.

Subject to the date correction, following Board discussion and upon motion duly made by Director Woodward, seconded by Director Christensen and upon vote, the revised minutes from the October 5, 2023 meeting were approved.

Following Board discussion and upon motion duly made by Director Davis, seconded by Director Stone, the Board unanimously approved the consent agenda, and ratified the investments, disbursements, and accepted the financial statements for the period ending November 30, 2023.

Upon motion made by Director Davis, seconded by Director Morton, the Board unanimously approved the posting dates and locations for the 2024 Board meetings.

PUBLIC HEARING ON 2024 BUDGET

Upon motion duly made, seconded and upon vote, the Board opened a public hearing to consider approval of the 2024 Budget. There were no members of the public present.

RESOLUTION TO ADOPT 2024 BUDGET AND APPROPRIATE SUMS OF MONEY

Genevieve Love and Luis Tovar reviewed the proposed 2024 District budget and each of the funds and addressed Board questions. After discussion, upon motion duly made by Director Stone, seconded by Director Davis and upon vote, the Board unanimously approved the Resolution to adopt the 2024 budget and appropriate sums of money.

RESOLUTION CERTIFYING 2024 MILL LEVY

Luis Tovar and Clay Boelz presented data regarding assessed values and mill levies. After discussion, upon motion duly made by Director Davis, seconded by Director Morton, and upon vote, the Board unanimously approved certifying a mill levy of 4.0 mills.

Upon motion duly made, seconded and upon unanimous vote, the Board closed the public hearing on the 2024 Budget.

PROJECT UPDATES

Luis Tovar reviewed the project updates with the Board.

APPROVE/RATIFY CONTRACTS

Luis presented the contract items below for consideration;

- i. Vallagio I Street Repairs Phase II (Asphalt Pavement Only) YR 2024 – Chavez Construction - \$274,643
- ii. Vallagio I Street Repairs Phase II (Services During Construction) YR 2024 – MMRE - \$19,500
- iii. Vallagio I Street Repairs Phase I (Services During Construction) YR 2023 – MMRE - \$23,599
- iv. Inverness Regional Detention Pond Concepts for Park & Open Space– Wenk & Assoc. \$30,000
- v. Irrigation Smart Controllers Weather Tech \$19,038
- vi. Dry Creek Road Operational Improvement Phase II, Request to Negotiate Amendment to IGA – Arapahoe County - Not-to-exceed \$240,000
- vii. 2024 General District Management Services MMRE \$183,701
- viii. 2024 General District Accounting Services MMRE \$56,450
- ix. 2024 Oversight and IPACC Member Participation MMRE \$23,626
- x. 2024 Annual Landscape Contract Inverness Landscape, LLC -\$235,512
- xi. 2024 Annual District Flowers Inverness Landscape, LLC \$68,475
- xii. 2024 District Trash Removal Inverness Service Group \$60,515
- xiii. 2024 Administration of IPACC MMRE
- xiv. 2024 IPACC Participation & Enforcement Various Consultants

- xv. 2022 2023 Time/Materials Snow Removal Services JPL
- xvi. 2023-2024-Time/Materials-Snow Removal Services-JPL
- xvii. 2024 Legal Services Maynes, Bradford, Shipps, & Sheftel, LLP

Director Woodward recused himself from voting on any items related to Inverness Landscaping.

Upon motion duly made by Director Morton, seconded by Director Stone, and upon vote the Board unanimously approved the contracts and ratifications for Inverness Landscaping (items x and xi).

Upon motion duly made by Director Woodward, seconded by Director Stone, and upon vote the Board unanimously approved the contracts and ratifications (items i-ix, xii-xvi).

As Charles Norton is retiring, Erin Smith, the District's legal counsel, has joined the firm Maynes, Bradford, Shipps & Sheftel, LLP.

Upon motion duly made by Director Davis, seconded by Director Christensen, and upon vote, the Board unanimously approved legal representation by Maynes, Bradford, Shipps & Sheftel, LLP (item xvii).

ADJOURNMENT

There being no further business to come before the Board and upon motion duly made, seconded and unanimously carried, the meeting was adjourned. The next regular meeting is scheduled for Thursday, February 1, 2023 at 3:00 p.m. at the District office location at 58 Inverness Drive East, Suite 100, Englewood, CO.

Houan Date: Ĺ

Charles Davis, Secretary