

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
FOOTHILLS METROPOLITAN DISTRICT (THE “DISTRICT”)  
HELD  
APRIL 3, 2024

A regular meeting of the Board of Directors of the Foothills Metropolitan District (referred to hereafter as the “Board”) was convened on Wednesday, April 3, 2024 at 2:30 p.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

**Directors in Attendance Were:**

Rishi Loona, President  
Dan Doherty, Vice President/Secretary  
Josh Kane, Treasurer  
Patrick Bunyard, Assistant Secretary  
Tim DePeder, Assistant Secretary

**Also in Attendance Were:**

Denise Denslow and Curtis Bourgoon; CliftonLarsonAllen LLP (“CLA”)  
Alan Pogue; Icenogle Seaver Pogue, P.C.  
Clyde Wood; McWhinney

### ADMINISTRATIVE MATTERS

**Call to Order:** Ms. Denslow called the meeting to order at 2:33 p.m.

**Disclosures of Potential Conflicts of Interest:** Mr. Pogue noted that disclosures had been filed.

**Agenda:** Upon a motion duly made by Director DePeder, seconded by Director Loona and, upon vote, unanimously carried, the Board approved the agenda, as amended, to include a discussion regarding a request from a new tenant, Birdcall, to utilize parking spaces for outdoor seating as “Item A” under “Director Matters.”

**Public Comment:** None.

### CONSENT AGENDA

- Minutes of the February 7, 2024 Regular Meeting
- Landscape Maintenance Agreement with Environmental Designs, LLC
- LOS for RAISE Grant

Ms. Denslow reviewed with the Board. Following review and discussion, upon a motion duly made by Director Kane, seconded by Director DePeder and, upon vote, unanimously carried, the Board approved/ratified approval of the Consent

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Agenda, as presented.

### FINANCIAL MATTERS

**Necessary Actions Regarding Potential Bond Refinancing:** Mr. Wood reported to the Board that Wells Fargo is still working on various scenarios, including one that assumes a restructure of the current agreement with FCURA. The analysis has shown that this is not likely to happen until summer of 2025 due to the assessed valuation numbers. No action was taken.

**Prior Claims Totaling \$124,848.36:** Mr. Bourgouin reviewed the prior claims with the Board. Following review, upon a motion duly made by Director Kane, seconded by Director Bunyard and, upon vote, unanimously carried, the Board ratified approval of the prior claims totaling \$124,848.36, as presented.

**February 29, 2024 Unaudited Financial Statements and Cash Position Schedule:** Mr. Bourgouin reviewed the Unaudited Financial Statements and Cash Position Schedule with the Board. He noted that a significant amount of property tax revenue will show up on the next financial statements. Discussion followed regarding the PIF schedule.

Following discussion, upon a motion duly made by Director Kane, seconded by Director Bunyard and, upon vote, unanimously carried, the Board accepted the February 29, 2024 Unaudited Financial Statements and Cash Position Schedule, as presented.

MANAGER MATTERS None.

### LEGAL MATTERS

**Resolution Adopting the Technology Accessibility Statement and Technical Standards:** Attorney Pogue briefed the Board on the content of the Resolution, noting that the standards are to be put in place by July 1<sup>st</sup>. He stated that CLA is working through the items required in the Resolution.

Following review and discussion, upon a motion duly made by Director Kane, seconded by Director Loona and, upon vote, unanimously carried, the Board approved the Resolution Adopting the Technology Accessibility Statement and Technical Standards, as presented.

### DIRECTOR MATTERS

**Birdcall Outdoor Seating Request:** Director Bunyard provided background information and reviewed the plan with the Board. The request was to use several parking spaces for outdoor seating. Discussion ensued. The Board asked staff to look into the grassy area next to the building where Birdcall is located to determine if there is an opportunity to use it as seating rather than parking spaces.

Director Bunyard also informed the Board that there have been issues related

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to safety on the top levels of the District parking garage. Following discussion, it was determined that the referenced areas can be closed until further notice to maintain safety in the garage.

### OTHER BUSINESS

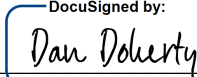
#### **Executive Session Pursuant to Section 24-6-402(4)(e), C.R.S., if needed:**

This item was not needed.

### ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 3:22 p.m.

Respectfully submitted,

By  \_\_\_\_\_  
Secretary for the Meeting

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