

RECORD OF PROCEEDINGS

MINUTES OF A MEETING OF
THE BOARD OF DIRECTORS OF
THE CANYONS METROPOLITAN DISTRICT NO. 7 (THE "DISTRICT")
HELD
September 13, 2023

A regular meeting of the Board of Directors of The Canyons Metropolitan District No. 7 (referred to hereafter as the "Board") was convened on Wednesday, September 13, 2023, at 10:00 a.m. This meeting was held via Zoom and was open to the public.

ATTENDANCE

Directors In Attendance Were:

Michele Miller, President
Dennett Hutchinson, Vice President/Secretary
Jessica McDonagh, Treasurer
Derek Zahler, Assistant Secretary

Director Kappes was absent and excused.

Also, In Attendance Were:

Stephanie Odewumi, Ashley Heidt and Carrie Beacom; CliftonLarsonAllen LLP ("CLA"), District Manager and Accountant
Zachary P. White, Esq., White Bear Ankele Tanaka & Waldron P.C., District General Counsel
Ryan McDermed and Dave Birt; Shea Canyons, LLC, Construction Managers
Will Medellin; BrightView Landscaping

ADMINISTRATIVE MATTERS

Call to Order/Declaration of Quorum: The meeting was called to order at 10:07 a.m. A quorum was confirmed. Upon a motion duly made by Director Miller, seconded by Director Zahler and, upon vote, unanimously carried, the Board excused the absence of Director Kappes.

Director Conflict of Interest Disclosures: Attorney White advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Attorney White reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Attorney White inquired into whether members of the Board 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 participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

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Approval of Agenda: The Board reviewed the Agenda for the meeting. Following review, upon motion duly made by Director Hutchinson, seconded by Director Miller and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

Public Comment: None.

CONSENT AGENDA

Ms. Odewumi presented the Board with the Consent Agenda items. Upon motion duly made by Director McDonagh, seconded by Director Hutchinson and, upon a vote, the Board unanimously took the following actions:

- a. Approval of Minutes of August 9, 2023 Regular Meeting

FINANCIAL MATTERS

Payables: Ms. Beacom reviewed the payables with the Board. Following review, upon a motion duly made by Director McDonagh, seconded by Director Hutchinson and, upon vote, unanimously carried, the Board approved the payables, as presented.

July 31, 2023 Financial Statements, Schedule of Cash Position and Property Tax Reconciliation: Ms. Beacom reviewed the July 31, 2023 Financial Statements, Schedule of Cash Position and Property Tax Reconciliation with the Board. Director McDonagh asked about the site utility expenditure. Ms. Beacom noted that this is for electric and gas, and are a minimal expense that are under budget. Discussion ensued regarding the bridge cover expenditures. Following review and discussion, upon a motion duly made by Director McDonagh, seconded by Director Hutchinson and, upon vote, unanimously carried, the Board accepted the July 31, 2023 Financial Statements, Schedule of Cash Position and Property Tax Reconciliation, as presented.

2022 Draft Audit: Ms. Beacom reviewed the 2022 Draft Audit with the Board. Following review and discussion, upon a motion duly made by Director Hutchinson, seconded by Director Zahler and, upon vote, unanimously carried, the Board approved the 2022 Draft Audit, subject to final review.

Aging Report: Ms. Odewumi reviewed the Aging Report with the Board. She noted the high balances that were sent to legal and are still reflected on this report. Ms. Odewumi further noted that there are a few more high balances that are coming up on the 90 day deadline.

MANAGER / OPERATIONS MATTERS

Managers' Report: Ms. Odewumi noted the main focus has been erosion issues and she is working with Mr. McDermed and Mr. Birt on this. Mr. Clem has been working on the violation reports, noting a slower season of design review requests. Ms. Odewumi further noted that five accounts need Board direction for violations of covenants. Following discussion, upon a motion duly made by Director Miller, seconded by Director Zahler and, upon vote,

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unanimously carried, the Board authorized sending to the five accounts that have violations of covenants to legal for further handling.

Covenant Enforcement Report: Ms. Odewumi reviewed the Report with the Board.

BrightView Monthly Maintenance Report: Mr. Medellin reviewed the report that was included in the packet, noting the heavy rain has been causing the erosion issues. He noted tree wrapping will start in October to protect the new trees.

CONSTRUCTION MATTERS

Summary and Status of Construction Matters, Review Construction Manager Board Communication: Mr. McDermed provided an update to the Board on construction matters, noting the weather is still prohibiting progress of construction. He noted he is still working to complete lots in Filing 3. The concrete trails are still ongoing and are approximately 20% complete. Mr. McDermed hopes to have the trails completed in late October, weather permitting.

Independent Contractor Agreements: None.

Change Orders: None.

Construction Agreements: None.

LEGAL MATTERS

Agreement Regarding Vegetation Establishment of Development Improvement Project Drainage and Flood Control Improvements for Newlin Gulch between I-25 and Rueter Hess Reservoir between the District and Urban Drainage and Flood Control District d/b/a Mile High Flood District: Mr. McDermed provided some background on the relationship with the Mile High Flood District (“MHFD”), noting the majority of the stormwater system is primarily controlled by the City of Castle Pines. MHFD managed and constructed the drainage improvements that were funded by the District. This Agreement would be for MHFD to close out the vegetation and flood control improvements, and close out the project on behalf of the District. Following discussion, upon a motion duly made by Director Hutchinson, seconded by Director McDonagh and, upon vote, unanimously carried, the Board approved the Agreement Regarding Vegetation Establishment of Development Improvement Project Drainage and Flood Control Improvements for Newlin Gulch between I-25 and Rueter Hess Reservoir between the District and Urban Drainage and Flood Control District d/b/a Mile High Flood District, subject final negotiations of the terms by legal counsel.

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Management and Accounting Services with CliftonLarsonAllen: The Board engaged in continued discussions regarding the status of discussions between the District and CliftonLarsonAllen for management and accounting services. This item will be discussed during executive session.

Resolution in Support of City Ballot Issue re Park and Recreation Tax: Attorney White noted there is a request from the City of Castle Pines to support the City's ballot issue. Mr. White and the Board discussed a desire to have some level of comfort from the City regarding an agreement that the District and City will enter into if the ballot issue passes. This item will be discussed during executive session.

Executive Session for the following purposes: Receiving legal advice pursuant to §24-6-402(4)(b), C.R.S., and discussing matters subject to negotiation and strategy pursuant to § 24-6-402(4)(e), C.R.S. related to Management and Accounting Services Agreements with CliftonLarsonAllen, and Resolution in Favor of City Ballot Issue re Park and Recreation Tax: Upon motion of Ms. McDonagh, seconded by Mr. Hutchinson, and upon an affirmative vote of at least two-thirds of the quorum present, the Board convened in executive session at 10:36 A.M. for the purpose of receiving legal advice pursuant to §24-6-402(4)(b), C.R.S.; determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators pursuant to § 24-6-402(4)(e), C.R.S.

Pursuant to § 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of the District's attorney, constitutes privileged attorney-client communication pursuant to § 24-6-402(4)(b), C.R.S.

Also pursuant to § 24-6-402(4), C.R.S., the Board did not adopt any proposed policy, position, resolution, rule, regulation or take formal action during execution session.

The Board reconvened in regular session at 11:12 A.M.

The Board directed legal counsel to work with the City to develop an agreement regarding park and recreation improvements.

The Board directed Ms. Miller and legal counsel to continue discussions with CLA.

OTHER BUSINESS

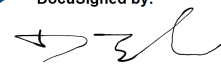
Other: None.

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ADJOURNMENT

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

Respectfully submitted,

DocuSigned by:
By  _____
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Secretary for the Meeting

Certificate Of Completion

Envelope Id: 11E5E9DA8FD94C17A7DAACD3EF16CD6D	Status: Completed
Subject: Canyons MD 7 n: Minutes 09-13-2023 CMD7 Final.pdf	
Client Name: The Canyons MD 7	
Client Number: A509726-OS03-2023	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Kathy Suazo
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Kathy.Suazo@claconnect.com
	IP Address: 65.59.88.254

Record Tracking

Status: Original	Holder: Kathy Suazo	Location: DocuSign
10/19/2023 2:20:17 PM	Kathy.Suazo@claconnect.com	

Signer Events

Derek Zahler
 derek.zahler@gmail.com
 FOUNDER
 ROCKY MOUNTAIN PIPE SOLUTIONS
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:

 35FFED4AD54247C...
 Signature Adoption: Drawn on Device
 Using IP Address: 67.165.243.78
 Signed using mobile

Timestamp

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In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

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Agent Delivery Events

Status

Timestamp

Intermediary Delivery Events

Status

Timestamp

Certified Delivery Events

Status

Timestamp

Carbon Copy Events

Status

Timestamp

Kristine Stone
 kstone@wbapc.com
 Security Level: Email, Account Authentication (None)

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Record Retention
 SDRetention@claconnect.com
 Security Level: Email, Account Authentication (None)

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Witness Events

Signature

Timestamp

Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Signing Complete	Security Checked	10/23/2023 8:22:43 AM
Completed	Security Checked	10/23/2023 8:22:45 AM

Payment Events	Status	Timestamps
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