

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF  
PEAK METROPOLITAN DISTRICT NO. 2 (THE “DISTRICT”)  
HELD MARCH 28, 2024**

A regular meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Thursday, the 28<sup>th</sup> day of March, 2024, at 9:00 a.m. The District Board meeting was held and properly noticed to be held via video enabled web conference (Zoom). The meeting was open to the public.

---

Directors In Attendance Were:

Garrett Baum  
William R. Branyan  
Bonner Gilmore

Following discussion, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the absences of Directors McDonald and Knight were excused.

Also In Attendance Was:

Megan Becher, Esq. and Kate Olson, Esq.; McGeady Becher P.C.  
Lindsay Ross; CliftonLarsonAllen LLP  
Sze Fong; MSI, LLC  
Ian Branyan; Urban Frontier, LLC

**ADMINISTRATIVE  
MATTERS**

Disclosure of Potential Conflicts of Interest: The Board noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State seventy-two hours in advance of the meeting. Attorney Becher requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Becher noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board Members prior to this meeting and in accordance with the statutes.

Quorum/Confirmation of Meeting Location/Posting of Notice: Attorney Becher confirmed the presence of a quorum.

The Board entered into a discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District's Board meeting. It was noted that the District Board meeting was held and properly noticed to be held via video enabled web conference (Zoom). The Board further noted that notice providing the Zoom access information was duly posted and that they have not received any objections or any requests that the means of hosting the meeting be changed by taxpaying electors within the District’s boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion duly made by Director Branyan, seconded by Director Knight, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted on the District website at least 24 hours prior to each meeting, or if the website is unavailable at the following location: Southeast corner of the intersection of Milton E Proby Parkway and Powers Boulevard, in the City of Colorado Springs, El Paso County, Colorado.

Agenda: Attorney Becher presented for the Board's review and approval a proposed Agenda for the District's regular meeting.

Following discussion, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the Agenda was approved, as amended.

Public Comment: There was no public comment.

Minutes of the October 31, 2023 Regular Meeting: The Board reviewed the Minutes of the October 31, 2023 regular meeting. Following review and discussion, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board approved the Minutes of the October 31, 2023 regular meeting.

## **FINANCIAL MATTERS**

Unaudited Financial Statements and Schedule of Cash Position: Ms. Ross presented the District's Unaudited Financial Statements, dated December 31, 2023, and Schedule of Cash Position, dated December 31, 2023, updated as of January 31, 2024.

Following discussion, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the Board accepted the District's Unaudited Financial Statements, dated December 31, 2023, and Schedule of Cash Position, dated December 31, 2023, updated as of January 31, 2024.

Claims: The Board reviewed the claims through the period ending March 21, 2024, in the amount of \$200,428.35 to be ratified by the Board. Following review, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the Board ratified approval of the payment of claims in the amount of \$200,428.35.

## **LEGAL MATTERS**

First Amendment to Peak Metropolitan District No. 1 ("District No. 1"), District and Peak Metropolitan District No. 3 ("District No. 3") Operations and Maintenance Mill Levy Limitation Agreement by and among District No. 1, the

District and District No. 3: Following review, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board approved the First Amendment to District No. 1, District and District No. 3 Operations and Maintenance Mill Levy Limitation Agreement by and among District No. 1, the District and District No. 3.

Non-Exclusive Drainage, Construction, Maintenance and Access Easement Agreement by and among Cygnet Land, LLC, the District, District No. 1, District No. 3 and the City of Colorado Springs, by and through its enterprise, the Colorado Springs Municipal Airport (“Non-Exclusive Access Easement Agreement”): Attorney Becher updated the Board regarding the status of the Non-Exclusive Access Easement Agreement. Following review and discussion, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the Board approved the Non-Exclusive Access Easement Agreement, subject to final legal review.

Grant of Permanent Access Easement by and among Waterview I Metropolitan District, the District, District No. 1, District No. 3 and the City of Colorado Springs, by and through its enterprise, the Colorado Springs Municipal Airport (“Permanent Access Easement Agreement”): Attorney Becher updated the Board regarding the status of the Permanent Access Easement Agreement. Following discussion, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the Board approved the Permanent Access Easement Agreement, subject to final legal review.

---

**MAINTENANCE  
MATTERS**

Off-Site Stormwater Interim Repair Work: The Board deferred discussion of this matter.

District Maintenance Matters: The Board deferred discussion of this matter.

Proposal from Brightview Landscape Services, Inc. for Tumbleweed Removal and Native Mowing: Following discussion, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board ratified approval of the Proposal from Brightview Landscape Services, Inc. for Tumbleweed Removal and Native Mowing.

Proposal from Brightview Landscape Services, Inc. for Winter Weather and Fertilizer Application: Following discussion, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board ratified approval of the Proposal from Brightview Landscape Services, Inc. for Winter Weather and Fertilizer Application.

Proposal from Brightview Landscape Services, Inc. for 2023-2024 Pricing: Following discussion, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board ratified approval of

the Proposal from Brightview Landscape Services, Inc. for 2023-2024 Pricing.

Service Agreement for Snow Removal, Fertilization, Weed and Insect Control Services by and between the District and Monarch Landscaping & Lawn Care Maintenance LLC d/b/a Monarch Landscaping & Construction: Following discussion, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board ratified approval of the Service Agreement for Snow Removal, Fertilization, Weed and Insect Control Services by and between the District and Monarch Landscaping & Lawn Care Maintenance LLC d/b/a Monarch Landscaping & Construction.

Change Order No. 1 to Service Agreement for Snow Removal, Fertilization, Weed and Insect Control Services by and between the District and Monarch Landscaping & Lawn Care Maintenance LLC d/b/a Monarch Landscaping & Construction: Following discussion, upon motion duly made by Director Branyan, seconded by Director Baum and, upon vote unanimously carried, the Board approved Change Order No. 1 to Service Agreement for Snow Removal, Fertilization, Weed and Insect Control Services by and between the District and Monarch Landscaping & Lawn Care Maintenance LLC d/b/a Monarch Landscaping & Construction.

\_\_\_\_\_  
**OTHER BUSINESS**

None.  
\_\_\_\_\_

**ADJOURNMENT**

There being no further business to come before the Board at this time, upon motion duly made by Director Branyan, seconded by Director Gilmore and, upon vote unanimously carried, the meeting was adjourned.

Respectfully submitted,



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