

**MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
LORETTO HEIGHTS METROPOLITAN DISTRICT NO. 1  
HELD  
JANUARY 27, 2025**

A Regular Meeting of the Board of Directors of the Loretto Heights Metropolitan District No. 1 (referred to hereafter as the “Board”) was convened on Monday, January 27, 2025, at 2:00 p.m. The District Board meeting was held via Zoom. The meeting was open to the public.

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**ATTENDANCE**

**Directors In Attendance Were:**

Mark J. Witkiewicz, President  
Megan Waldschmidt, Assistant Secretary  
Blake Amen, Assistant Secretary

**Also In Attendance Were:**

Peggy Ripko; Special District Management Services, Inc.

Megan Becher, Esq.; McGeady Becher Cortese Williams P.C.

Lindsay Ross; CliftonLarsonAllen LLP (“CLA”)

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**ADMINISTRATIVE  
MATTERS**

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. It was noted that a quorum was present, and Attorney Becher requested members of the Board disclose any potential conflicts of interest regarding any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with the statute. Attorney Becher noted that Directors’ Disclosure Statements were filed for all Directors by the statutory deadline. No additional conflicts were disclosed at the meeting.

**Quorum / Meeting Location and Posting of Meeting Notice:** Ms. Ripko 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. The Board determined that the meeting would be held via video/telephonic means and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted on the District website, and that the Board had not received any objections to the video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District’s boundaries.

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**Agenda / Director Absences:** Ms. Ripko distributed for the Board's review and approval a proposed Agenda for the District's Regular Meeting.

Following discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Agenda was approved, and the absences of Directors Andrew Klein and Paige Langley were excused.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board designated the location for posting meeting notices pursuant to Section 24-6-402(2)(c), C.R.S., as the District website. If the website is unavailable, notice will be physically posted within the boundaries of the District.

**Minutes:** The Board reviewed the Minutes of the November 24, 2024 Regular Meeting and the November 25, 2024 Statutory Annual Meeting.

Following discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Minutes of the November 24, 2024 Regular Meeting and the November 25, 2024 Statutory Annual Meeting were approved.

### **PUBLIC COMMENT**

There were no public comments.  
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### **FINANCIAL MATTERS**

**Payment of Claims:** Ms. Ross reviewed with the Board the claims for the period of November 25, 2024 through January 27, 2025.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt, and upon vote, unanimously carried, the Board approved the payment of claims for the period of November 25, 2024 through January 27, 2025 in the amount of \$293,961.90.

**Schedule of Cash Position:** Ms. Ross reviewed with the Board the schedule of cash position for the period ending December 31, 2024, updated as of January 27, 2025.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt, and upon vote, unanimously carried, the Board accepted the schedule of cash position.

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### **CAPITAL/ CONSTRUCTION/ MATTERS**

**Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 26 ("Report No. 26"):** There was no report presented for review.

**Acceptance of Verified Public Improvement Costs Pursuant to Report No. 26:** The Board deferred discussion.

**Reimbursement by Loretto Heights Metropolitan District No. 1 to ACM Loretto VI LLC under the Facilities Funding and Acquisition Agreement between Loretto Heights Metropolitan District No. 1 and ACM Loretto VI LLC, pursuant to Report No. 26:** The Board deferred discussion.

**Payment by Loretto Heights Metropolitan District No. 1 to Westside Property Investment Company, Inc. ("Westside") under the Project Management Services Agreement between Loretto Heights Metropolitan District No. 1 and Westside, pursuant to Report No. 26:** The Board deferred discussion.

**Status of Loretto Heights Infrastructure Project:** Director Witkiewicz provided an update on the infrastructure project.

### **LEGAL MATTERS**

**Public Access Easement Agreement by and between ACM Loretto VI LLC and Loretto Heights Metropolitan District No. 1:** The Board reviewed the Public Access Easement Agreement by and between ACM Loretto VI LLC and Loretto Heights Metropolitan District No. 1

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board approved the Public Access Easement Agreement by and between ACM Loretto VI LLC and Loretto Heights Metropolitan District No. 1, subject to final legal review.

**Encroachment Easement Agreement by and between ACM Loretto VI LLC and Loretto Heights Metropolitan District No. 1:** The Board reviewed the Encroachment Easement Agreement by and between ACM Loretto VI LLC and Loretto Heights Metropolitan District No. 1.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board approved the Encroachment Easement Agreement by and

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between ACM Loretto VI LLC and Loretto Heights Metropolitan District No. 1, subject to final legal review.

**Public Service Company of Colorado Utility Easement between Loretto Heights Metropolitan District No. 1:** The Board reviewed the Public Service Company of Colorado Utility Easement between Loretto Heights Metropolitan District No. 1 as Grantor and Public Service Company of Colorado as Grantee.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Langley and, upon vote, unanimously carried, the Board ratified approval of the Public Service Company of Colorado Utility Easement between Loretto Heights Metropolitan District No. 1 as Grantor and Public Service Company of Colorado as Grantee.

**Proposal from Pet Scoop, Inc.:** The Board reviewed the proposal from Pet Scoop, Inc. for dog station maintenance.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board ratified approval of the proposal from Pet Scoop, Inc. for dog station maintenance, and authorized preparation of a Service Agreement.

**Proposal from Consolidated Divisions, Inc. d/b/a CDI Environmental Contractor for 2024/2025 Snow and Ice Mitigation Services:** The Board reviewed the Proposal from Consolidated Divisions, Inc. d/b/a CDI Environmental Contractor for 2024/2025 Snow and Ice Mitigation Services.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board ratified approval of the Proposal from Consolidated Divisions, Inc. d/b/a CDI Environmental Contractor for 2024/2025 Snow and Ice Mitigation Services and approved Change Order No. 2 to the Service Agreement for 2023-2024 Snow removal between Loretto Heights Metropolitan District No. 1 and Consolidated Divisions, Inc. d/b/a CDI Environmental Contractor.

**Service Agreement for Filing No. 4 Snow Removal between Loretto Heights Metropolitan District No. 1 and Nature's Workforce, Inc.:** The Board reviewed the Service Agreement for Filing No. 4 Snow Removal between Loretto Heights Metropolitan District No. 1 and Nature's Workforce, Inc.

Following review and discussion, upon motion, duly made by Director Witkiewicz, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement for Filing No. 4

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Snow Removal between Loretto Heights Metropolitan District No. 1 and Nature's Workforce, Inc.


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**OTHER BUSINESS** There was no other business.

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

Respectfully submitted,

By:   
Secretary for the Meeting