

BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3

Joint Special Board Meeting
Wednesday, May 21, 2025, at 9:30 AM at
119 N. Wahsatch Ave.
Colorado Springs, Colorado 80903
and Via Zoom Teleconference

<https://us06web.zoom.us/j/87084804911?pwd=q046ZPWOaJ0M5eJXILaoNEiP8B06Af.1>

Meeting ID: 870 8480 4911

Passcode: 373586

Call in Number: 720-707-2699

Boards of Director	Title	Term
Randle W Case II	President	May 2027
Bryan T Long	Vice-President	May 2027
Ray O'Sullivan	Director	May 2029
Robert Case	Director	May 2029
Jim Byers	Director	May 2027

AGENDA

1. Call to order
2. Declaration of Quorum/Director Qualifications/ Disclosure Matters
3. Approval of Agenda
4. Consider Election of Officers; Treasurer, Secretary
5. Consider Approval of April 8, 2025 Meeting Minutes (WSDM drafted, enclosed)
6. Financial Matters
 - a. Approve Unaudited Financial Reports (Need WSDM)
 - b. Ratify and Approve Payables through May 21, 2025 (Need WSDM)
 - c. Review Developer Advance Invoicing; WSDM Services Suspended on April 30, 2025
7. District Manager Report (Need WSDM)
 - a. Discuss Drainage Channel Financing
 - b. Update on New Development
8. President of the Board Report
9. Development/Public Improvement Construction Status Review
 - a. Engineering Update
 - i. Schedule
 - b. Plan Updates
 - i. Roadway/ Utility/ Storm Water [Diversified Underground Pothole x12 for Lumen fiber optic lines]
 - ii. Channel design/construction (Naranjo): construction delay and duration
Financial assurances/funding appropriation for contract(s)
Bond in lieu of drainage fees; platting schedule for payment of drainage fees

Landowner Agreements for channel parcels access necessary for channel construction

Deed conveyance of channel parcels to District (No. 1 or No. 2); subsequent dedication to City for Channel ownership and operations/maintenance

iii. 24" and 16" water line update

iv. Sanitary Sewer outfall update

c. Construction Schedule/Construction Contracts Approval/Ratify/Pre-approval

d. Update on Construction Budget and Cash flow; Approval of construction invoices/pay applications

e. Update on Reimbursement costs

f. Redemption Hill Church and Reimbursement to District

g. Challenger Homes

h. Bradley Ridge

10. General/ Administrative Matters (Need WSDM)

a. Discuss the status of the securing Challenger Letter Agreement and initial deposit to pay for Service Plan Amendment to allow District to operate and maintain Challenger alleys

b. Pending Architectural submission requests need review and response to residents

c. Covenant violation letters and fines

d. Receiving customer payments and Assist customers with daily calls and emails

Performing billing service for the residents (including collection matters)

e. Website ADA Compliance for July 1, 2025 deadline

f. Monitor, track and comment on buckslips for new developments to pay District development fee and pledge revenue to Bond

11. Other Business

a. Next Regular Meeting scheduled: June 10, 2025, at 9:00 a.m. (Need WSDM)

12. Adjourn

NOTICE OF SPECIAL MEETINGS

NOTICE IS HEREBY GIVEN That the Boards of Directors of **BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 and 3**, County of El Paso, State of Colorado, will hold a special meeting at 9:30 AM on May 21, 2025, at 119 N. Wahsatch Ave. Colorado Springs, Colorado 80903 and via teleconference at the following:

<https://us06web.zoom.us/j/87084804911?pwd=q046ZPWoaJ0M5eJXILaoNEiP8B06Af.1>

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for the purpose of conducting such business as may come before the Boards including the business on the attached agenda. The meeting is open to the public.

BY ORDER OF THE BOARDS OF DIRECTORS:
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2 AND 3

**MINUTES OF THE REGULAR BOARD MEETING OF THE BOARD OF DIRECTORS OF THE
BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS. 1, 2, AND 3
HELD APRIL 8, 2025
AT 9:00 AM**

Pursuant to posted notice, the regular meetings of the Board of Directors of the Bradley Heights Metropolitan District Nos. 1, 2 and 3 were held on Tuesday, April 8th, 2025, at 9:00 a.m., at 119 N. Wahsatch Avenue, Colorado Springs, CO, and via tele/ videoconference:
[https:// video.cloudoffice.avaya.com/ join/ 451389423.](https://video.cloudoffice.avaya.com/join/451389423)

Attendance:

In attendance were Directors:

Randle W Case II	President
Bryan T Long	Vice President
Ray O'Sullivan	Treasurer/ Secretary

Directors Attending Virtually:

Robert Case	Assistant Secretary
Jim Byers	Assistant Secretary

Also in attendance were:

Rebecca Harris	WSDM Managers
Amber Hardekopf	WSDM Managers
Sean Allen	White Bear Ankle & Waldron
Jeff Odor	Galloway
Chris Grundy	Grundy Construction Management and Consulting
David Neville	
Grace Covington	Covington Homes
Jack Mason	Mason Lands
Mike DeGrant	DeGrant Development Strategies, LLC
Nathan Steele	ROI
Paul Broussard	Premier Homes

Combined Meeting: The Board of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

1. Call to Order:

The meeting was called to order at 9:01 am by President Case II.

2. Declaration of Quorum/ Director Qualifications/ Disclosure Matters:

President Case II indicated that a quorum of the Boards was present. He stated that each Director has been qualified as an eligible elector of the districts pursuant to Colorado law. The

Directors confirmed their qualifications. Ms. Harris informed the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Harris reported that disclosures for those directors with potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. President Case II inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of interest regarding any matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

3. Approval of Agenda:

Director Rob Case moved to approve the Agenda presented; seconded by Director Long. The motion passed unanimously, with Director O'Sullivan excused.

4. Approval of March 11, 2025 Board Meeting Minutes:

After review, Director Long moved to approve the March 11, 2025, Board Meeting Minutes as presented, seconded by Director Rob Case. The motion passed unanimously. Director O'Sullivan joined the meeting.

5. Financial Matters:

- a. Discuss Colorado Center Invoices: No. 2025-01.07 (installation of metering manhole well instrumentation); No. 4012025 (conversion of water): After discussion the Board directed Ms. Harris to get in touch with Mr. Testa at Colorado Centre to clarify there will be no more invoicing and if there is to have coordination with the Bradley Heights Metropolitan District prior to expenses being spent.
- b. Approve Unaudited Financial Reports through March 31, 2025: Ms. Harris presented the unaudited financials. After discussion and recommendation to separate out on the District No. 2 Balance sheet the restricted funds from Operating, Director Long moved to approve the Unaudited Financial Reports through March 31, 2025 as amended; seconded by Director O'Sullivan. Motion passed unanimously.
- c. Ratify and Approve Payables through April 8, 2025: Ms. Harris presented the Payables for the period. After discussion, O'Sullivan motioned to approve the payables as presented and authorize district No. 2 utilities to be set up on Auto-Payment; seconded by Director Long. Motion passed unanimously.
- d. Review Developer Advance Invoicing; Consulting Service to stop April 30, 2025, for non-payment: Ms. Harris reviewed the status of Developer advance invoicing and Management will stop providing services as of April 30 if no payments are made. She also reported they are working with legal counsel to allocate certain capital/ project legal cost that are related to and allowed to be paid from the Project Fund as authorized by the Bond Indenture, but had been paid out of the general fund which has inadvertently contributed to the District's delinquency in paying for its legal services.

6. District Manager's Report:

- a. Update on New Development: Ms. Harris provided an update we are still waiting on pending plats and associated fees.

7. President of the Board Report: Director Case II provided an update regarding the Meadow Works development in the adjacent area. Ms. Covington from Covington Homes also provided an update on the Meadow Works development. The area has been graded and Covington Homes/ Empire is now working on the retention pond, the offsite electrical and the on-site storm sewer. Waterview North will see development in the late fall.
8. Detailed Discussion of Development Status Review:
 - a. Discuss Drainage Channel Design and Financing: Mr. Grundy presented the update. After discussion, Director O'Sullivan moved to approve change order #39 in the amount of \$24,000.00 to add fiber mesh to sidewalks as per the new specifications required by the city of Colorado Springs; Director Long seconded. The motion passed unanimously.
 - b. Engineering Update
 - i. Schedule: No update provided.
 - c. Plan Updates
 - i. Roadway/ Utility/ Storm Water: After discussion Director O'Sullivan motioned to approve Frazee's request for additional mobilization in the amount of \$3,250.00 in order to connect the 16" water line at the intersection of Foreign Trade Zone and Drennan Rd. Motion seconded by Director Long. Motion passed unanimously.
 - ii. Sanitary Sewer outfall update: No update provided.
 - d. Construction Schedule/ Construction Contracts Approval/ Ratify/ Pre-Approval: after discussion it was motioned by Director O'Sullivan to approve the channel construction contract with Naranjo subject to satisfying the required funding appropriations clause in the statute. Motion seconded by Director Long. Motion passed unanimously.
 - e. Update on Construction Budget and Cash Flow: Mr. Odor provided an update regarding incoming drainage fees funding future construction costs of the project phases.
 - f. Update on Reimbursement costs: Mr. DeGrant provided an update regarding upcoming coordination with legal counsel to get written deeds for land swaps with the Boy Scouts contingent on the District curing its legal services payment delinquency and resumption of legal services.
9. Development Updates
 - a. Stockpile Removal/ Placement on Park and School Sites: Director O'Sullivan updated the board that he will follow up with the Superintendent of the contractor for Filing 5 to determine if the stockpile has been moved.
 - b. Bradley Heights Filing 5B Inlet discussion: After discussion Director O'Sullivan motioned to approve an amount not to exceed \$5,000.00 for the removal of the inlet. Motion was seconded by Director Long. Motion passed unanimously.
 - c. Redemption Hill Church: Ms. Harris updated the board that she is working with Mr. Odor and Mr. DeGrant to provide an analysis of reimbursement costs owed to the District.
 - d. Challenger Homes: No update provided.
 - e. Bradley Ridge: Director O'Sullivan provided the update regarding Filing 6 getting approved, with plating to begin in May.

10. General/ Administrative Matters

- a. Discuss the status of the Service Plan Amendment for Provision of Alleyway O/ M Services; Challenger Agreement to Pay Amendment and Reserve Study Costs/ Retainer Deposit: No Update Provided.

11. Other Business:

- a. New board members will be elected in May. Oaths of Office and Conflict Disclosures from White Bear will need to be signed by new board members in order for them to be permitted to vote at the next meeting.

12. Adjourn: President Case II adjourned the meeting at 2:02pm.

- a. Next Regular Meeting scheduled: May 14th, 2025 at 9am.

Submitted by: Recording Secretary

THESE MINUTES ARE APPROVED AS THE OFFICIAL APRIL 8, 2025, REGULAR JOINT MEETING MINUTES OF THE BRADLEY HEIGHTS METROPOLITAN DISTRICT NOS 1 -3.

Approved by: Secretary of the Board

DBE/SBE/M/WBE Certified

**Utility Locating
Hydro Vac Excavation
Directional Drilling
Sub Surface Utility Engineering (SUE)**



Diversified Underground, Inc.

2300 Cavanaugh Road
Watkins, Colorado 80137
www.diversifiedunderground.com
Email : zack@duinc.work
Cell : (720) 451-9125

Bradley Rd & Marksheffel Rd Potholing

Prepared For Wyatt Weiss with Matrix Design Group 2345 Research Parkway Colorado Springs, CO, 80920	Quote # Quote Date Estimator Amount	1067082670 05/15/2025 (Valid for 90 days) Zackary Allen \$5,040.00
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Scope of Work : Client requested 12 potholes on fiber lines near Bradley Rd & Marksheffel Rd in Colorado Springs. Exact pothole locations will be directed onsite or premarked prior to start of work

****5 hour minimum to be billed per site visit****

QUOTE DOES NOT INCLUDE PREVAILING WAGE, TRAFFIC CONTROL OR PERMITTING

Bid for : Trailer Mount Vac Unit

Backfill Required : Yes

Exclusions : Hot patch, Flo-fill, Permits, Traffic Control, Pre-Marking Pothole Locations, Prevailing Wage, Removal of any decorative hard surface, Night/Weekend Work, and Unforeseen Adverse Soil Conditions, Attenuator Truck for Traffic Control, Flaggers/Police. Contaminated Spoils Disposal. \$85/hr + standard mobilization rate per day/truck applies for additional requests including mandatory "all-hands" safety meetings, and pre-marking pothole locations (non-survey grade) if applicable/requested.

Scheduling : UPON RECEIVING A SIGNED NTP OR EXECUTED CONTRACT, WORK WILL THEN BE SCHEDULED ACCORDINGLY. If your company requires a PO#, Work Order#, Project# and/or Contract# in order to process payment, that information MUST be provided to Diversified at the time of NTP, otherwise, the work will NOT be scheduled.

Estimate

Description	Qty	Rate	Tax	Total
Hydro Vacuum Excavation (Hourly) H300 Per Hour Hydro Vacuum Excavation (Per Hour, On Site) Diversified Dig Limit Standard : Potholes on Wet Utilities will be excavated until target utility is exposed or a depth of 10 feet has been reached. Potholes on Dry Utilities will be excavated until target utility is exposed or a depth of 6 feet has been reached.	21.00	\$190.00	\$0.00	\$3,990.00
Equipment Mobilization H301	3.00	\$350.00	\$0.00	\$1,050.00

Please sign to authorize work and approve terms

Estimate Total: \$5,040.00

Diversified Underground, Inc. - Terms and Conditions

Acceptance of this Proposal is strictly limited to the terms of this Proposal and the standard terms and conditions contained herein, and any terms and conditions proposed by the Customer in any purchase order or other document of acceptance which alter or conflict with the terms contained herein are void and shall not constitute part of the Contract. All invoices are to be paid 30 days from the date of invoice. Any unpaid invoice shall accumulate interest at the rate of 18% per annum (1.5% per month). In the event Diversified Underground obtains the services of an attorney or a collection firm to recover any amounts owed under this Agreement, Customer will be responsible for all Diversified Underground's attorney's fees and costs including any, and all expert witness costs and fees, associated with its efforts of collection. Customer shall save and hold harmless Diversified Underground, its officers, agents and employees against all liabilities, including damages, fines, penalties, damage to property or injury or death of any person or persons arising out of, or in any way connected with or resulting from the work to be performed hereunder, including but not limited to such liability arising out of, or in any way connected with, or resulting from the acts, non-acts or omissions, negligence or alleged negligence of the Customer, its officers, agents, employees and other subcontractors and/or other third parties invited or brought to the project site by Customer, in the performance of the work set forth in this contract. Diversified Underground recognizes that any liability arising out of the sole and exclusive acts of negligence of Diversified Underground, its officers, agents and employees, shall be the responsibility of Diversified Underground. It is the responsibility of the client to ensure that all privately owned utilities are clearly identified and marked prior to the commencement of project. This is to include but is not limited to irrigation, sprinkler, electric, gas, sewer, water, communications or any other buried privately-owned facility. Any unmarked utility damaged from job performance shall be of no fault to the Company. Diversified Underground and Customer waive any and all claims against each other for any and all consequential damages arising out of or related to this agreement, including but not limited to damages for principal office expenses in compensation for personnel stationed there, loss of financing, loss of business, reputation and profits. This Contract shall be construed in accordance with the laws of the State of Colorado. Diversified Underground, Inc. makes every effort to be successful on every job, unfortunately, with some of the adverse ground conditions that exist in Colorado, there are a small percentage of jobs that cannot be completed due to these conditions. In the rare instance where the scope of work is unable to be completed due to adverse soil (or any other conditions outside of Diversified Undergrounds control) all work completed will be invoiced. This includes, but not limited to, mobilizations, pits, potholes, locates, permits and traffic control. Diversified Underground, Inc. will communicate any adverse conditions ahead of time. If there is a market increase in material cost after estimate has been accepted, both parties agree that the material cost increase will be covered and accepted via change order.

HYDRO EXCAVATION

At Diversified Underground we work hard to hold on to our roots. To us diversity means not only having a versatile workforce, but it also means having the right tool for the job. In saying this, we realize that the most hydro-excavation projects can be done with smaller vac trucks – which are more economical and maneuverable, but sometimes digging conditions are extremely difficult with large rocks, hard soil, or a high water table – just to name a few. When you run into these difficult digging situations we also take care of you with our fleet of large vacuum units.

- UTILITY POTHOLING
- HYDRO TRENCHING
- CASSION EXCAVATION
- HYDRO JETTING

BENEFITS OF HYDRO-VAC EXCAVATION:

- Provides a safer and more efficient method to excavate buried utilities.
- Enables a visual confirmation of surface locate marks.
- Minimizes ground disturbance and reduces site restoration costs.
- Eliminates the need for hand excavation, reducing damage to buried underground structures and possible worker injuries and tens of thousands of dollars in insurance claims.



DIRECTIONAL DRILLING



Directional drilling can be a cost effective alternative to conventional trenching excavations. With our various sized drills, we are capable of installing products ranging from 1/4" diameter to 12" diameter. With directional drilling, there is no need to open excavate a trench to install a utility. This especially comes in handy when an underground utility needs to be installed across a road. A directional drill rig can be placed on one side of the road, which then a "pilot hole" is drilled horizontally under the road. Once this is completed, the product (Conduit, Pipe or Cable) is then connected to the drill rod, and pulled back to the drill rig. This is all done with minimal to no disruption of traffic.

UTILITY LOCATES

- ENGINEERING LOCATES
- PRIVATE UTILITY LOCATES
- ELECTRIC LINE FAULT FINDING
- CONTRACT LOCATES
- SUB SURFACE UTILITY ENGINEERING (SUE)

Diversified Underground offers complete utility locating services for the identification and marking of public and privately owned underground utilities.

Our experienced technicians provide superior utility locating and damage prevention services.

Diversified Underground utilizes electronic designation, simple and complex induction and meticulous map and Data Research to ensure your facilities are protected, identified and no loss of service occurs; We're Shattering industry standards for Damage-to-locate ratios.

