

MINUTES OF A JOINT REGULAR MEETING OF THE BOARD  
OF DIRECTORS

OF

FIRELIGHT IRRIGATION METROPOLITAN DISTRICT,  
FIRELIGHT COMMERCIAL METROPOLITAN DISTRICT,  
FIRELIGHT RESIDENTIAL METROPOLITAN DISTRICT,  
WHISPERING WATERS IRRIGATION METROPOLITAN  
DISTRICT, AND WHISPERING WATERS METROPOLITAN  
DISTRICT NOS. 1-6

Held: Monday, November 13, 2023, at 9:00 a.m.

The meeting was held via teleconference.

**Attendance**

The meeting was held in accordance with the laws of the State of Colorado. The following directors were in attendance:

Reggie Golden  
Dale Bruns  
Paige Mathews

Following discussion, upon motion made by Director Bruns, seconded by Director Mathews and, upon vote, unanimously carried, the absence of Director Miles was excused.

Also present were:

AJ Beckman, Public Alliance LLC, District Manager; Jennifer Gruber Tanaka, Esq., and Erin K. Stutz, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Neil Schilling, Schilling and Company, Inc., District Accountant; Blaine Hawkins, Piper Sandler & Co.; Todd Cristiano, Raftelis, Inc.; Phil Pike, Highway 119 Holdings, LLC.

**ADMINISTRATIVE  
MATTERS**

**Call to Order:** The meeting was called to order at 9:00 a.m.

**Declaration of Quorum and Confirmation of Director Qualifications:** Mr. Beckman noted that a quorum for each of the Boards was present and the directors confirmed their qualification to serve.

**Reaffirmation of Disclosures of Potential or Existing Conflicts of Interest:** Attorney Tanaka advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Attorney Tanaka 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 Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Attorney Tanaka inquired into whether members of the Boards 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 Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

**Combined Meetings:** The Districts are meeting in a combined Board meeting. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of Firelight Irrigation Metropolitan District, Firelight Commercial Metropolitan District, Firelight Residential Metropolitan District, Whispering Waters Irrigation Metropolitan District, and Whispering Waters Irrigation Metropolitan District Nos. 1 through 6, inclusive and collectively.

**Agenda:** The Boards reviewed the proposed agenda.

Following discussion, upon a motion duly made by Director Bruns, seconded by Director Mathews, and upon vote, unanimously carried, the Boards approved the agenda as presented.

**Public Comment**

There was no public in attendance.

**Consent Agenda**

The following items on the consent agenda were considered routine or administrative. Following a summary by Mr. Beckman, upon motion duly made Director Mathews, seconded by Director Golden, and upon vote, unanimously carried, the Boards took the following actions:

**Firelight Districts**

- Approved of Minutes for October 10, 2023, Joint Special Meeting.
- Ratified approval of Payment of Claims (October 2023) (\$11,265.01).
- Accepted Unaudited Financial Statements as of September 30, 2023.
- Approved the renewal of District's Insurance and Special District Association Membership for 2024.
- Adopted Resolution No. 2023-11-01: 2024 Joint Annual Administrative Resolution (Firelight Districts).
- Ratified approval of Firelight Park Minor Subdivision Plat and Acceptance of Tracts for Ownership, Operation and Maintenance (Firelight Commercial District).

- Approved the Engagement Letter for Schilling & Company, Inc. for 2024 Accounting Services (Firelight Districts).
- Approved Termination of the Independent Contactor Agreement with Schilling & Company, Inc (Firelight Districts).
- Approved the Independent Contactor Agreement with Public Alliance, LLC (Firelight Districts) for District Management Services.
- Approved the First Addendum to Independent Contractor Agreement with Raftelis Financial Consultants d/b/a/ Raftelis (Irrigation District).

### **Whispering Water Districts**

- Approved Minutes for October 10, 2023, Joint Special Meeting.
- Adopted Resolution No. 2023-11-02: 2024 Joint Annual Administrative Resolution (Whispering Waters Districts).
- Approved Engagement Letter for Schilling & Company, Inc. for 2024 Accounting Services (Whispering Waters Districts).
- Approved the Independent Contactor Agreement with Public Alliance, LLC (Whispering Waters Districts) for District Management Services.

## **Financial Matters**

**Requirements of SB23-303 Relating to Limitations on Property Tax Revenue:** Mr. Schilling discussed with the Board the requirements of SB23-303 Relating to Limitations on Property Tax Revenue.

### **Firelight Districts**

**2024 Budget Hearing:** The public hearings on the 2024 budgets for the Districts were opened. Mr. Beckman reported that notice of the public hearings was provided in accordance with Colorado law and no written objections were received. There being no public comment, the hearings were closed. Mr. Schilling reviewed the proposed budgets with the Boards.

Upon motion of Director Bruns, seconded by Director Mathews, the Boards unanimously approved the 2024 budgets and adopted Resolution Nos. 2023-11-03 (Irrigation District), 2023-11-04 (Commercial District), 2023-11-05 (Residential District): Adopting Budget, Imposing Mill Levy and Appropriating Funds.

### **Whispering Water Districts**

**2024 Budget Hearing:** The public hearings on the 2024 budgets for the Districts were opened. Mr. Beckman reported that notice of the public hearings was provided in accordance with Colorado law

and no written objections were received. There being no public comment, the hearings were closed. Mr. Schilling reviewed the proposed budgets with the Boards.

Upon motion of Director Mathews, seconded by Director Bruns, the Boards unanimously approved the 2024 budgets and adopted Resolution Nos. 2023-11-06 (Whispering Waters Irrigation), 2023-11-07 (District No. 1), 2023-11-08 (District No. 2), 2023-11-09 (District No. 3), 2023-11-10 (District No. 4), 2023-11-11 (District No. 5), 2023-11-12 (District No. 6): Adopting Budget, Imposing Mill Levy and Appropriating Funds.

## **Legal Matters**

### **Firelight Irrigation District**

**Updated Water Rights Valuation Report by BBA Water Consultants Inc.:** The Board reviewed the updated Water Rights Valuation Report by BBA Water Consultants Inc.

Following discussion, upon a motion duly made by Director Bruns, seconded by Director Mathews, and upon vote, unanimously carried, the Board approved the updated Water Rights Valuation Report by BBA Water Consultants Inc.

**Water Tap Fee and Water Resources Report by Raftelis Financial Consultants, Inc.:** Mr. Cristiano reviewed the Water Tap Fee and Water Resources Report by Raftelis Financial Consultants, Inc. with the Board.

Following discussion, upon a motion duly made by Director Bruns, seconded by Director Mathews, and upon vote, unanimously carried, the Board approved the Water Tap Fee and Water Resources Report by Raftelis Financial Consultants, Inc.

**Resolution No. 2023-11-13: Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Non-Potable Water Services and Facilities:** Attorney Tanaka reviewed Resolution No. 2023-11-13: Resolution Concerning the Imposition of Various Fees, Rates, Penalties and Charges for Non-Potable Water Services and Facilities with the Board.

Following discussion, upon a motion duly made by Director Bruns, seconded by Director Mathews, and upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-13.

**Resolution No. 2023-11-14: Resolution Establishing Guidelines for the Collection of Delinquent Fees:** Attorney Tanaka reviewed Resolution No. 2023-11-14: Resolution Establishing Guidelines for the Collection of Delinquent Fees with the Board.

Following discussion, upon a motion duly made by Director Bruns, seconded by Director Golden, and upon vote, unanimously carried, the Board adopted Resolution No. 2023-11-14.

**Management Matters**

There were no management matters to discuss at this time.

**Other Business**


**Water Service Fees:** Discussion ensued regarding the need to establish non-potable water operations and maintenance service fees. Following discussion, the Firelight Irrigation Board directed Mr. Beckman to work with Mr. Cristiano to develop a structure for non-potable water service fees.

**Next Meeting:** The next meeting is scheduled for December 11, 2023, at 9:00 A.M.

**Adjournment**

Upon a motion duly made by Director Bruns, seconded by Director Mathews, and upon vote, unanimously carried, the meeting was adjourned at 10:45 A.M.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

DocuSigned by:  
  
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Secretary for the Meeting