

# RECORD OF PROCEEDINGS

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## MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF LOVELAND MIDTOWN METROPOLITAN DISTRICT

HELD  
November 13, 2024

The Regular Meeting of the Board of Directors of Loveland Midtown Metropolitan District was held via Zoom and Teleconference on Wednesday, November 13, 2024, at 3:30 p.m.

### ATTENDANCE

#### Directors in Attendance:

Blaine Rappe, President & Chairperson  
Eric Holsapple, Vice President  
Chris Johnston, Secretary & Treasurer  
Vince Ealey, Director  
Jeff Mere, Director

#### Also in Attendance:

Deborah Early; Icenogle Seaver Pogue, P.C.  
Shannon Randazzo, Andrew Kunkel, Wendy McFarland, Christy McCutchen, and Dillon Gamber; Pinnacle Consulting Group, Inc.  
Nathan Warner; Member of the Public.

### ADMINISTRATIVE ITEMS

Declaration of Quorum/Call to Order: Ms. Randazzo noted that a quorum was present, with five out of five Directors in attendance. The Regular Meeting of the Board of Directors of the Loveland Midtown Metropolitan District was called to order by Ms. Randazzo at 3:30 p.m.

Director Qualifications/Disclosure of Potential Conflicts of Interest: All Board Members confirmed their qualifications to serve on the Board. Ms. Early noted that conflicts of interest for Directors Rappe, Holsapple and Johnston were filed with the Office of the Colorado Secretary of State. Ms. Early advised the Board that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Board reviewed the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Board determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Approval of Agenda: The Board considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director

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Rappe, seconded by Director Ealey, and upon vote, unanimously carried, it was

**RESOLVED** to approve the agenda, as presented.

Public Comment for Non-Agenda Items:

Mr. Warner raised a question regarding awareness of the homelessness issue in the District. Mr. Gamber responded by acknowledging the concern and presenting potential options to address it.

Mr. Warner inquired about covenant enforcement, specifically whether it applies solely to landscaping, and highlighted recurring issues with residents leaving their trash cans out. Mr. Warner also inquired about the limited scope of residential inspections. Ms. Randazzo and Director Holsapple explained that covenant enforcement does solely apply to landscaping. He noted that the restrictions stem from budgetary constraints. Director Holsapple further elaborated that while implementing a fee for residents was considered, it was ultimately declined. As a result, the decision was made to reduce the scope of inspections to prevent additional costs for residents.

Mr. Warner inquired why board meetings are not communicated via email blasts. Ms. Randazzo responded, stating that the meetings are posted on the website. Director Holsapple added that the lack of volunteers and the associated costs, including those for email blasts, are contributing factors.

Director Comment: There were no Director Comments received.

CONSENT AGENDA

Ms. Randazzo reviewed the items on the consent agenda with the Board. Ms. Randazzo advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Rappe, seconded by Director Johnston, the following items on the consent agenda were unanimously approved, ratified and adopted:

- A. Minutes – June 12, 2024, Special Meeting.
- B. Payment of Claims.
- C. Contract Modifications.
- D. 2025 Administrative Matters Resolution.
- E. 2025 Meeting Resolution.
- F. 2025 Election Resolution.
- G. Fifth Amendment to Public Records Policy.

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DISTRICT MANAGER  
ITEMS

District Manager's Report: Ms. Randazzo and Mr. Gamber presented the District Manager's Report to the Board and answered questions.

Paint Color Variance: Ms. McCutchen discussed paint color requirements and options for remediation with the Board. Following review and discussion, upon a motion duly made by Director Holsapple, seconded by Director Mere, and upon vote, unanimously carried, it was

**RESOLVED** to approve the paint color variance, as presented.

2025 Master Service Agreements with Operations and Maintenance Service Contractors: Ms. Randazzo presented the 2025 Master Service Agreements with Operations and Maintenance Service Contractors to the Board and answered questions.

- A. Affordable Pest Control.
- B. Denver Commercial Property Services.
- C. E3 Signs.
- D. Fiske Electric.
- E. Foothills Landscape Maintenance.
- F. Mill Brothers Landscaping Group
- G. SavAtree.
- H. SWPPP Colorado

Following review and discussion, upon a motion duly made by Director Johnston, seconded by Director Rappe, and upon vote, unanimously carried, it was

**RESOLVED** to approve the 2025 Master Service Agreements with Operations and Maintenance Service Contractors within the Approved 2025 Budget, as presented.

Authorization of District Manager to Execute 2025 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2025 Budget: Ms. Randazzo requested the Board consider delegating authority to the District Manager to Execute 2025 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2025 Budget. Following review and discussion, upon a motion duly made by Director Rappe, seconded by Director Johnston, and upon vote, unanimously carried, it was

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**RESOLVED** to authorize the District Manager to Execute 2025 Work Orders with Approved Operations and Maintenance Service Contractors within the Approved 2025 budget, as presented.

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## FINANCIAL ITEMS

Financial Statements: Ms. McFarland reviewed the unaudited Financial Statements for the period ending June 30, 2024, with the Board. Following review and discussion, upon a motion duly made by Director Rappe, seconded by Director Holsapple, and upon vote, unanimously carried, it was

**RESOLVED** to accept the unaudited Financial Statements for the period ending June 30, 2024, as presented.

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## 2025 BUDGET HEARING

Ms. Randazzo reported that notice of the budget hearing was published on October 30, 2024, in the *Loveland Reporter-Herald*, in accordance with state budget law. Upon a motion duly made by Director Holsapple, seconded by Director Ealey, and upon vote, unanimously carried, the 2025 Budget Hearing was opened. Ms. McFarland reviewed the proposed budgets and answered questions. Upon a motion duly made by Director Rappe, seconded by Director Holsapple, and upon vote, unanimously carried, the 2025 Budget Hearing was closed. The 2025 budgets for the Districts are as follows:

Mill Levy: 52.594 mills  
General Fund: \$181,624.00  
Debt Service Fund: \$148,598.00

Following review and discussion, upon a motion duly made by Director Holsapple, seconded by Director Johnston, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Resolution to Adopt the 2025 Budgets for Loveland Midtown Metropolitan District, set the mill levy, and appropriate budgeted funds upon final certification of values being received by the County of Larimer on or before December 15, 2024, and approve all other documents related to the 2025 budget. The District Manager is authorized to make minor modifications that may be necessary following receipt of final assessed values.

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## LEGAL ITEMS

Election for Debt Authorization and De-Brucing Authorization: Ms. Early discussed new legislation impacting the property tax revenue limit previously waived (known as de-brucing) by the District and reminded

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the Board that the District no longer has debt authorization to issue future debt if necessary. The Board determined that if a director election is required in May 2025, the Board will meet in late February to set the ballot titles necessary to obtain reauthorization debt and to waive the property tax limit. If no direction election is needed in May 2025, the Board will wait until August for the preliminary AV to be received and hold a meeting in late August to set the ballot titles to hold a November 2025 election if Pinnacle determines the District will exceed the property tax revenue threshold for 2026.

Covenant/Design Standard Enforcement, Fine Imposition, and Dispute Resolution Policy: Ms. Early discussed the Covenant/Design Standard Enforcement, Fine Imposition, and Dispute Resolution Policy with the Board and requested input on fines and the Impartial Decision Maker. The Board determined fines to impose and to appoint former board member Nathan Kline to serve as the "Impartial Decision Maker" for the District. Following review and discussion, upon a motion duly made by Director Holsapple, seconded by Director Johnston, and upon vote, unanimously carried, it was

**RESOLVED** to approve the Covenant/Design Standard Enforcement, Fine Imposition, and Dispute Resolution Policy as discussed.

Modifications to Rules and Regulations: Ms. Early discussed the modifications to the District's Rules and Regulations to the Board. It was determined that certain proposed changes may not be in compliance with the City of Loveland requirements. Ms. Early will further evaluate the proposed changes with City of Loveland policy present proposed revised Rules and Regulations at the next meeting of the Board.

DIRECTOR  
COMMENT

There were no Director Comments received.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Holsapple, seconded by Director Rappe, and upon unanimous vote, the meeting was adjourned at 5:15 p.m.

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

Respectfully submitted,

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*Sarah Bromley*  
Sarah Bromley (Dec 3, 2025 16:48:08 MST)

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Sarah Bromley, Recording Secretary for the Meeting