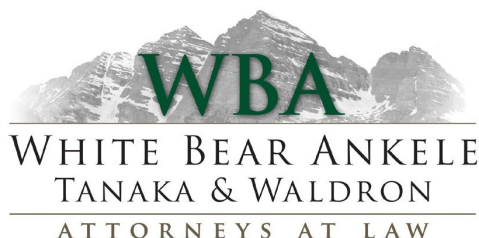


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July 27, 2022

VIA E-MAIL

City Council
Alicia Calderon, City Attorney
City of Brighton
500 S Fourth Avenue
Brighton, CO 80601

Re: City Appointment of Board Members for the Boards of Directors of Brighton
Crossing Metropolitan District Nos. 5-8

Dear Council Members and Ms. Calderon:

It has recently come to our attention that the Boards of Directors (each a “Board” and collectively, the “Boards”) for Brighton Crossing Metropolitan District Nos. 5-8 (collectively, the “Districts”) are vacant due to a clerical oversight with completing the directors’ oaths of office following the May 3, 2022 election by the deadline set forth by statute. Title 32 of the Colorado Revised Statutes provides a process for the reconstitution of boards in these instances. Specifically, Section 32-1-905(2.5), C.R.S., provides that “[i]f there are no duly elected directors and if the failure to appoint a new board will result in the interruption of services that are being provided by the district, then the [governing body of the municipality] which approved the organizational petition may appoint all directors from the pool of duly qualified, willing candidates.”

As such, we are petitioning the City Council to reconstitute the Boards by appointing the following qualified, willing eligible electors to each Board at the City Council’s meeting on August 16, 2022:

- District Nos. 5, 6, and 8: Ashley Tarufelli, Neil Simpson, Christopher Bremner, Justin Wells, and Matthew Haley
- District No. 7: Stephen Parker, Chelsea Dale, Cheri Skaggs, Tim Wagley, and Neil Simpson

July 27, 2022

Page 2

No residents or other property owners reside within Brighton Crossing Metropolitan District Nos. 5, 6, or 8. No residents or other property owners within Brighton Crossing Metropolitan District No. 7 ran for election in the May 3, 2022 election. However, Anneke Vargas, Chelsea Dale, Cheri Skaggs, and Tim Wagley responded to the request for interested candidates distributed by the District Manager. There are no other qualified, willing eligible electors from which to reconstitute the Boards. Further, failure to immediately reconstitute the Boards would result in the interruption of services provided by the Districts. As required by Section 32-1-905(2.5), C.R.S., within six (6) months after the reconstitution of the Boards, an election is required to re-elect the directors who are duly appointed by the City Council.

Enclosed with this letter is a proposed resolution for consideration. We appreciate your consideration and assistance. Please let us know if you have any issues or questions regarding this request.

Sincerely,

WHITE BEAR ANKELE TANAKA & WALDRON



Eve M. G. Velasco

Attorney

Enclosure