

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE AURORA HIGH POINT AT DIA METROPOLITAN DISTRICT HELD JULY 13, 2020

A Special Meeting of the Board of Directors (referred to hereafter as the "Board") of the Aurora High Point at DIA Metropolitan District (referred to hereafter as the "District") was convened on Monday, the 13<sup>th</sup> day of July, 2020, at 10:00 a.m. Due to concerns regarding the spread of the Coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the District Board meeting was held and properly noticed to be held via telephone conference. The meeting was open to the public telephonically.

#### ATTENDANCE

#### Directors In Attendance Were:

Andrew Klein  
Kevin Smith  
Otis Moore, III

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the absence of Theodore Laudick was excused.

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Elizabeth Dauer; Seter & Vander Wall, P.C.

Debra Sedgeley; CliftonLarsonAllen LLP

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

**Disclosure of Potential Conflicts of Interest:** The Board noted it was in receipt of disclosures of potential conflicts of interest statements for each of the Directors and that the statements had been filed with the Secretary of State at least seventy-two hours in advance of the meeting. Attorney Dauer requested that the Directors review the Agenda for the meeting and advised the Board of any new conflicts of interest which had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

#### ADMINISTRATIVE MATTERS

**Agenda:** Ms. Finn distributed for the Board's review and approval a proposed Agenda for the District's Special Meeting.

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Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Agenda was approved, as amended.

**Meeting Location / Posting of Meeting Notices:** 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, due to concerns regarding the spread of the coronavirus (COVID-19) and the benefits to the control of the spread of the virus by limiting in-person contact, the meeting would be held by telephonic means without any individuals (neither District Representatives nor the General Public) attending in person. Ms. Finn reported that notice was duly posted and that no objections to the telephonic manner of the meeting or any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

**Minutes:** The Board reviewed the Minutes of the May 20, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board approved the Minutes of the May 20, 2020 Special Meeting.

### **PUBLIC COMMENT**

There was no public comment.

### **FINANCIAL MATTERS**

**Claims:** Ms. Sedgeley reviewed with the Board the Cash Position Schedule, dated March 31, 2020, updated as of July 12, 2020, and the payment of claims for the period beginning May 19, 2020 through July 2, 2020.

Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board accepted the Cash Position Schedule, dated March 31, 2020, updated as of July 12, 2020, and ratified the payment of claims for the period beginning May 19, 2020 through July 2, 2020, in the amount of \$1,902,022.28.

**Unaudited Financial Statements:** Ms. Sedgeley reviewed with the Board the unaudited financial statements of the District setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending May 31, 2020.

Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board accepted the unaudited financial statements for the period ending May 31, 2020.

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### LEGAL MATTERS

**Colorado International Center Metropolitan District No. 3:** Attorney Dauer updated the Board regarding discussions concerning the separation of the Colorado International Center Metropolitan District No. 3 from the Aurora High Point at DIA Metropolitan District. This matter is ongoing.

**Turf Field License, Use and Cost Sharing Agreement and Turf Field Funding Agreement (“Agreement”):** Attorney Dauer discussed with the Board the Turf Field License, Use and Cost Sharing Agreement and Turf Field Funding Agreement with High Point Academy.

Following discussion, upon motion duly made by Director Klein, seconded by Director Moore and, upon vote, unanimously carried, the Board appointed Directors Smith and Laudick as District Representatives to work with general Counsel and legal counsel for High Point Academy on a final agreement to bring back to the Board for consideration.

**Release of Escrow and Improvement Funding Agreement:** Attorney Dauer discussed with the Board a Release of Escrow and Improvement Funding Agreement.

Following discussion, upon motion duly made by Director Klein, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Release of Escrow and Improvement Funding Agreement.

**District Collections Enforcement:** Attorney Dauer updated the Board concerning District collections enforcement. Following discussion, it was determined that Colorado International Center Metropolitan District No. 3 is responsible for directing enforcement and collections.

**2020 Annual Administrative Resolution:** The Board discussed amending the 2020 Administrative Resolution to schedule regular meetings for 10:00 a.m. and to schedule the budget hearing for October 26, 2020 at 10:00 a.m. at Westside Investment Partners, Inc., 4100 East Mississippi Avenue, Suite 500, Glendale, Colorado.

### CAPITAL PROJECTS

#### **Capital Improvement Projects:**

**Hight Point at DIA Neighborhood Park West Civil Infrastructure Project:** In Director Laudick’s absence, Ms. Finn reported to the Board on the status of the Hight Point at DIA Neighborhood Park West Civil Infrastructure Project. She noted that the Parking Lot bid opening is scheduled for July 16, 2020.

**High Point Possum Gully Sanitary Sewer Project (“Project”):** In Director Laudick’s absence, Ms. Finn reported to the Board on the status of the High Point Possum Gully Sanitary Sewer Project. She noted that the bid opening is scheduled for July 23, 2020.

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Artificial Turf Project: There was no report.

Other: There were no other reports.  
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**OTHER BUSINESS** There was no other business for discussion.  
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**ADJOURNMENT** There being no further business to come before the Board at this time, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: *Ann Finn*  
Secretary for the Meeting