

## 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 OCTOBER 1, 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 Thursday, the 1st day of October, 2020, at 9:45 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.

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#### ATTENDANCE

#### Directors In Attendance Were:

Andrew Klein  
Kevin Smith  
Otis Moore, III  
Theodore Laudick

#### Also In Attendance Were:

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

Colin B. Mielke, Esq. and Elizabeth Dauer, Esq.; Seter & Vander Wall, P.C.

Debra Sedgeley; CliftonLarsonAllen LLP

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#### 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 Mielke 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.

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#### ADMINISTRATIVE MATTERS

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

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

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amended to include a discussion of the extension of service agreement for landscape maintenance and snow removal services under “Legal Matters”.

### PUBLIC COMMENT

There was no public comment.

### LEGAL MATTERS

#### **Separation of Colorado International Center Metropolitan District No. 3 (“CICMD No. 3”) from the Aurora High Point at DIA Metropolitan District:**

Attorney Dauer reported to the Board that the Termination Agreement is in the process of being negotiated with CICMD No. 3 with a final termination date of October 31, 2020. No action was taken by the Board at this time.

#### **Extension of Service Agreement for Landscape Maintenance Services for 2020:**

The Board discussed extending a Service Agreement for Landscape Maintenance Services between the District and All Phase Landscape Construction, Inc. d/b/a All Phase Landscape for landscape maintenance services from September 30, 2020 through October 31, 2020.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved extending the Service Agreement for Landscape Maintenance Services between the District and All Phase Landscape Construction, Inc. d/b/a All Phase Landscape for landscape maintenance services from September 30, 2020 through October 31, 2020.

**Extension of Service Agreement for Snow Removal Services:** The Board reviewed the Extension of Service Agreement between the District and All Phase Landscape Construction, Inc. d/b/a All Phase Landscape for snow removal services.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved extending the Service Agreement between the District and All Phase Landscape Construction, Inc. d/b/a All Phase Landscape for snow removal services through October 31, 2020.

#### **First Amendment to the Joint Resolution of the Board of Directors of the Aurora High Point at DIA Metropolitan District and Colorado International Center Metropolitan District No. 3 Concerning the Imposition of a Maintenance Fee:**

The Board deferred discussion.

**Turf Field Use and Cost Sharing Agreement (“Agreement”):** Attorney Dauer noted for the Board that she is working with the Attorney for the High Point Academy on finalizing the Agreement. She also noted they are waiting for an estimate of the turf field maintenance and repair costs.

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### CAPITAL PROJECTS

**Capital Improvement Projects:** Director Laudick discussed with the Board the status of the High Point Neighborhood Park West Landscape Project.

*Review Bids:* Director Laudick reviewed the bid tab with the Board.

*Award Contract:* The Board entered into discussion regarding awarding the contract to All Phase Landscape Construction, Inc. d/b/a All Phase Landscape for landscaping and irrigation.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board awarded the contract to All Phase Landscape Construction, Inc. d/b/a All Phase Landscape for landscaping and irrigation improvements, for the amount of \$794,395.29.

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### OTHER BUSINESS

There was no other business.

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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