

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE AURORA HIGH POINT AT DIA METROPOLITAN DISTRICT HELD OCTOBER 12, 2021

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 Tuesday, the 12th day of October, 2021, at 1:00 p.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 by video/telephone conference. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Andrew Klein
Kevin Smith
Otis Moore, III
Theodore Laudick
Mark Witkiewicz

Also In Attendance Were:

Ann Finn; Special District Management Services, Inc.

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

Megan Becher, Esq.; McGeady Becher, PC

Zachary Levitt; 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 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.

ADMINISTRATIVE MATTERS

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

RECORD OF PROCEEDINGS

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

PUBLIC COMMENT

There was no public comment.

CAPITAL PROJECTS

Capital Improvement Projects: Director Laudick reported on the Capital Improvement Projects.

High Point 66th & 67th Ave Improvement Project: Director Laudick reviewed the bid tab with the Board.

Award Contract: Director Laudick recommended the contract be awarded to American West Contractors, for the amount of \$3,226,336.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Laudick and, upon vote, unanimously carried, the Board awarded the contract to American West Contractors, for the amount of \$3,226,336.

Notice of Award and Notice to Proceed: The Board entered into discussion regarding authorizing issuance of Notice of Award and Notice to Proceed.

Following discussion, upon motion duly made by Director Smith, seconded by Director Laudick and, upon vote, unanimously carried, the Board authorized Director Laudick to issue the Notice of Award and Notice to Proceed to Duran Excavation, Inc.

Construction Contract: The Board entered into discussion regarding the Construction Contract with the contractor.

Following discussion, upon motion duly made by Director Smith, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the Construction Contract with American West Contractors.

OTHER BUSINESS

Termination Agreement for Facilities Funding, Construction, and Operation Agreement solely as to Colorado International Center Metropolitan District No. 7 and Colorado International Center Metropolitan District No. 11: Attorney Mielke reviewed with the Board the Termination Agreement for Facilities Funding, Construction, and Operation Agreement solely as to Colorado International Center Metropolitan District No. 7 and Colorado International Center Metropolitan District No. 11.

RECORD OF PROCEEDINGS

Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board approved the Termination Agreement for Facilities Funding, Construction, and Operation Agreement solely as to Colorado International Center Metropolitan District No. 7 and Colorado International Center Metropolitan District No. 11.

Overlap Consent Agreement with East Cherry Creek Valley Water and Sanitation District: Attorney Mielke reviewed with the Board the Overlap Consent Agreement with East Cherry Creek Valley Water and Sanitation District. He noted that the East Cherry Creek Valley Water and Sanitation District has no further revisions to the Agreement and will consider approval of the agreement at its board meeting at the end of the month.

Following discussion, upon motion duly made by Director Smith, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the Overlap Consent Agreement with East Cherry Creek Valley Water and Sanitation District.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Klein, seconded by Director Smith and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting