

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE AURORA HIGH POINT AT DIA METROPOLITAN DISTRICT HELD NOVEMBER 16, 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 16th day of November, 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
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

Mark Witkiewicz; Board candidate

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.

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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.

Appointment of Director: The Board considered the appointment of Mark Witkiewicz to fill a vacancy on the Board of Directors. It was noted that publication of a Notice of Vacancy on the Board was published in a newspaper having general circulation in the District on November 5, 2020 and no Letters of Interest from qualified eligible electors were received within ten days after such publication.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board appointed Mark Witkiewicz to fill a vacancy on the Board of Directors. The Oath of Office was administered.

**PUBLIC
COMMENT**

There was no public comment.

**FINANCIAL
MATTERS**

There were no financial matters at this time.

LEGAL MATTERS

Public Hearing on the Inclusion of approximately 0.009 acres of land owned by ACM High Point VI LLC: Director Klein opened the Public Hearing on a Petition for Inclusion of approximately 0.009 acres of land owned by ACM High Point VI LLC (“Petition”).

It was noted that publication of notice stating that the Board would consider the inclusion of the property and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the inclusion of the property as described in the Petition and adopted Resolution No. 2020-11-01, Resolution for Inclusion of Real Property. A copy of the resolution is attached hereto and incorporated herein by this reference.

Public Hearing on the Exclusion of approximately 1.000 acres of land owned by ACM High Point VI LLC: Director Klein opened the Public Hearing on a Petition for Exclusion of approximately 1.000 acres of land owned by ACM High Point VI LLC (“Petition”).

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It was noted that publication of notice stating that the Board would consider the inclusion of the property and the date, time and place of the public hearing was made in a newspaper having general circulation within the District. No written objections were received prior to this public hearing. No public comments were received and the public hearing was closed.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the exclusion of property as described in the Petition and adopted Resolution No. 2020-11-02, Resolution for Exclusion of Real Property. A copy of the resolution is attached hereto and incorporated herein by this reference.

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 separation of Colorado International Center Metropolitan District No. 3 (“CICMD No. 3”) from the Aurora High Point at DIA Metropolitan District is on-going. Attorney Dauer reviewed with the Board a list of maintenance items the Board of Directors of the CICMD No. 3 is requesting to be completed prior the acceptance of the improvements by CICMD No. 3.

The Board also discussed the supplemental Merrick Report concerning the current conditions of the detention ponds. It was noted that sediment has been removed from Forebay 801 and no sediment removal is needed for Pond C.

No action was taken by the Board at this time.

FFCOA Termination Agreement: Attorney Dauer reported to the Board that negotiations of the FFCOA Termination Agreement continue.

Turf Field Use and Cost Sharing Agreement: Attorney Dauer noted for the Board that the High Point Academy has executed the Agreement.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Turf Field Use and Cost Sharing Agreement.

CAPITAL PROJECTS

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

Neighborhood Park/Playground Project: Director Laudick noted construction is underway.

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Parking Lot: Director Laudick noted the Parking Lot Project is 100% complete, except for final payment.

Denali Street Project: Director Laudick discussed with the Board the status of the Denali Street Project and noted that the bid opening is scheduled for next week.

OTHER BUSINESS There was no other business.

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

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting