

## RECORD OF PROCEEDINGS

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### MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE AURORA CENTRETECH METROPOLITAN DISTRICT (THE “DISTRICT”) HELD JUNE 15, 2023

A Regular Meeting of the Board of Directors of the Aurora CentreTech Metropolitan District (the “Board”) was duly held on Friday, the 15th day of June, 2023, at 11:00 a.m. The District Board meeting was held and properly noticed to be held via Zoom. The meeting was open to the public.

#### ATTENDANCE

#### Directors In Attendance Were:

Erika K. Shorter  
Jeffrey A. Wikstrom  
Susan K. Wikstrom

#### Also In Attendance Were:

David Solin; Special District Management Services, Inc. (“SDMS”)  
MaryAnn McGeady, Esq.; McGeady Becher P.C.  
Dawn Schilling; Schilling & Company, Inc. (For a portion of the meeting)  
Zach Lauterbach; Evergreen Devco, Inc. (For a portion of the meeting)

#### DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Attorney McGeady that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

#### ADMINISTRATIVE MATTERS

Meeting Location: 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 the meeting would be held by video/telephonic means and encouraged public participation. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the Board did not receive any objections to the video/telephonic manner of the meeting, or any requests that the manner of the meeting be changed, by taxpaying electors within the District's boundaries.

Designation of 24-Hour Posting Location: Following discussion, upon motion

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duly made by Director Shorter, seconded by Director S. Wikstrom, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted within the boundaries of the District at least 24-hours prior to each meeting on the District's website: <https://auroracentretechmd.colorado.gov/>.

**Agenda:** Mr. Solin reviewed the proposed Agenda for the District's Regular Board Meeting with the Board.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board approved the Agenda, as presented and excused the absences of Directors A. Carlson and T. Carlson.

**Minutes:** The Board reviewed the Minutes of the November 17, 2022 Special Meeting.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board approved the Minutes of the November 17, 2022 Special Meeting.

**Appointment of Acting President:** The Board discussed appointment of an Acting President.

Following discussion, upon motion duly made, seconded and, upon vote, unanimously carried, the Board appointed Director Shorter as Acting President.

**Resignation of Secretary:** The Board discussed the resignation of Steve Beck as Secretary to the Board and considered the appointment of David Solin as Secretary to the Board.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board acknowledged the resignation of Steve Beck and appointed David Solin as Secretary to the Board.

**May 2, 2023 Election:** Mr. Solin noted for the Board that the May 2, 2023 Election was cancelled, as allowed under Colorado law, by the Designated Election Official because there were not more candidates than positions available on the Board of Directors.

**Appointment of Officers:** The Board entered into discussion regarding the appointment of officers. Following discussion, upon motion duly made by

Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the following slate of officers was appointed:

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President	Tyler L. Carlson
Treasurer	Amber L. Carlson
Secretary	David Solin
Assistant Secretary	Erika K. Shorter
Assistant Secretary	Jeffrey A. Wikstrom
Assistant Secretary	Susan K. Wikstrom

### PUBLIC COMMENTS

None.

### FINANCIAL MATTERS

**Payment of Claims:** Mr. Solin reviewed with the Board the payment of claims as follows:

Fund	Period Ending Dec. 31, 2022	Period Ending Jan. 31, 2023	Period Ending Feb. 28, 2023	Period Ending March 31, 2023
General	\$ 14,540.42	\$ 7,635.37	\$ 8,456.91	\$ 9,655.00
Debt	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Capital	\$ 1,922.70	\$ -0-	\$ -0-	\$ 742.50
<b>Total</b>	<b>\$ 16,463.12</b>	<b>\$ 7,635.37</b>	<b>\$ 8,456.91</b>	<b>\$ 10,397.50</b>

Fund	Period Ending April 30, 2023	Period Ending May 31, 2023
General	\$ 5,047.80	\$ 8,901.68
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 5,047.80</b>	<b>\$ 8,901.68</b>

Following review and discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board ratified approval of the payment of claims, as presented.

**Unaudited Financial Statements:** Mr. Solin reviewed with the Board the unaudited financial statements of the District for the period ending March 31, 2023.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board accepted the unaudited financial statements through the period ending on March 31, 2023.

**2022 Audit:** Ms. Schilling reviewed the 2022 Audit with the Board. Attorney McGeady advised that notice of a possible amendment to the 2022 Budget was published for this date, time and location in preparation of the meeting. Ms. Schilling advised that, upon further review of the 2022 Audit, an amendment to the 2022 Budget was not needed.

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Following review and discussion, upon motion duly made by Director Shorter, seconded by Director J. Wikstrom and, upon vote, unanimously carried, the Board approved the 2022 Audit and authorized execution of Representations Letter.

### LEGAL MATTERS

**Engineer's Report and Certification No. 3 ("Report No. 3"), prepared by Ranger Engineering, LLC:** Discussion of this item was deferred by the Board and no action was taken.

**Termination of Agreement Regarding Covenant Enforcement and Design Review:** The Board discussed the termination of Agreement Regarding Covenant Enforcement and Design Review between the District and Aurora CentreTech Park Association.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board approved the termination of Agreement Regarding Covenant Enforcement and Design Review between the District and Aurora CentreTech Park Association and directed legal counsel to proceed as necessary.

**GIS and Tax Information Data:** Attorney McGeady advised the Board that there is a discrepancy in the County Assessor's office mapping on the District boundaries and the District's records of its boundaries. Attorney McGeady also advised that her office has provided the District Surveyor with the original Order and Decree Creating District containing the legal description of the District from its organization and copies of all inclusion and exclusion Court Orders since the District's organization so he can confirm the District's boundaries. With the information provided by the surveyor after review of the documentation provided, Attorney McGeady's office and the surveyor will work with the County Assessor to have corrected any errors in the County's records, if any. Acting President Shorter noted that it would not be the Board's position that the payment of back taxes be pursued against the property owner as any error in this process was made at the County offices and not a result of the property owner's actions.

**Master License Agreement between the District and the City of Aurora:** The Board reviewed the Master License Agreement between the District and the City of Aurora. Attorney McGeady explained the agreement was required in order for construction to proceed on the City's property.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board ratified approval of the Master License Agreement between the District and the City of Aurora.

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**Sidewalk Easement with the City of Aurora:** The Board reviewed the Sidewalk Easement with the City of Aurora. Attorney McGeady explained the easement was required in order for construction to proceed on property owned by the City.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board ratified approval of the Sidewalk Easement with the City of Aurora.

**Service Agreement with Consolidated Divisions Inc. d/b/a CDI Environmental Contractor:** The Board reviewed Change Order No. 1 to the Service Agreement with Consolidated Divisions Inc. d/b/a CDI Environmental Contractor for 2023 Landscape Maintenance Services.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board ratified approval of Change Order No. 1 to the Service Agreement with Consolidated Divisions Inc. d/b/a CDI Environmental Contractor for 2023 Landscape Maintenance Services.

**Service Agreement with Consolidated Divisions Inc. d/b/a CDI Environmental Contractor:** The Board reviewed the Service Agreement with Consolidated Divisions Inc. d/b/a CDI Environmental Contractor for Snow Removal Services for the 2022-2023 season.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board ratified approval of the Service Agreement with CDI Environmental Contractor for Snow Removal Services for the 2022-2023 season.

**CONSTRUCTION  
AND  
MAINTENANCE  
MATTERS**

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None.  
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**OTHER BUSINESS**

**Status of Development Within the District:** There was no update at this time.  
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**ADJOURNMENT**

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

Respectfully submitted,

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By   
Secretary for the Meeting