

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE AURORA CENTRETECH METROPOLITAN DISTRICT (THE “DISTRICT”) HELD JULY 24, 2023

A Special Meeting of the Board of Directors of the Aurora CentreTech Metropolitan District (the “Board”) was duly held on Monday, the 24th day of July, 2023, at 1:30 p.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

Following discussion, upon motion duly made by Director J. Wikstrom, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the absences of Directors Tyler L. Carlson and Amber L. Carlson were excused and Director Shorter was appointed as acting President for this meeting.

#### Also In Attendance Were:

David Solin and James Ruthven (for a portion of the meeting); Special District Management Services, Inc. (“SDMS”)

MaryAnn McGeady, Esq. and Kate Olson, Esq.; McGeady Becher P.C.

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.

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### ADMINISTRATIVE MATTERS

**Quorum/Confirmation of Meeting Location/Posting of Notice:** Mr. Solin confirmed the presence of a quorum.

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.

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

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

**Agenda:** The Board reviewed the Agenda for the Meeting. Following discussion, upon motion duly made by Director J. Wikstrom, seconded by Director Shorter and, upon vote, unanimously carried, the Board approved the Agenda, as presented and excused the absence of Directors T. Carlson and A. Carlson.

**Minutes:** The Board reviewed the Minutes of the June 15, 2023 Regular Meeting.

Following discussion, upon motion duly made by Director J. Wikstrom, seconded by Director Shorter and, upon vote, unanimously carried, the Board approved the Minutes of the June 15, 2023 Regular Meeting.

### PUBLIC COMMENTS

None.

### FINANCIAL MATTERS

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

Fund	Period Ending June 30, 2023	Period Ending July 24, 2023
General	\$ 9,811.74	\$ 28,557.43
Debt	\$ -0-	\$ -0-
Capital	\$ -0-	\$ -0-
<b>Total</b>	<b>\$ 9,811.74</b>	<b>\$ 28,557.43</b>

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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 ratified approval of the payment of claims, as presented, subject to review and approval by Director T. Carlson.

**Unaudited Financial Statements:** Mr. Ruthven reviewed with the Board the unaudited financial statements of the District for the period ending June 30, 2023.

Following discussion, upon motion duly made by Director Shorter, seconded by Director J. Wikstrom and, upon vote, unanimously carried, the Board accepted the unaudited financial statements through the period ending on June 30, 2023.

**Public Hearing on Amendment to 2023 Budget:** The Acting President opened the public hearing to consider an amendment to the 2023 Budget.

It was noted that publication of a Notice stating that the Board would consider amendment of the 2023 Budget 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 the public hearing.

Following discussion, upon motion duly made by Director J. Wikstrom, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board amended the 2023 Budget and appointed Director Shorter as the budget committee to work with the District Accountant to provide clarification and final numbers for the amendment.

**Buckley Yard Metropolitan District No. 2:** Mr. Ruthven discussed with the Board the receipt of revenues from Buckley Yard Metropolitan District No. 2 pursuant to the terms of the Exclusion Agreement by and between the District, Buckley Yard Metropolitan District No. 2 and Buckley Ref Acquisition LLC, dated April 28, 2022.

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### **LEGAL MATTERS**

**Engineer's Report and Certification No. 3 ("Report No. 3"), prepared by Ranger Engineering, LLC, dated January 25, 2023:** The Board discussed Report No. 3, certifying Public Improvements in the amount of \$813,597.00.

Following discussion, upon motion duly made by Director Shorter, seconded by Director J. Wikstrom and, upon vote, unanimously carried, the Board approved Report No. 3, certifying Public Improvements in the amount of \$813,597.00.

**Engineer's Report and Certification No. 4 ("Report No. 4"), prepared by Ranger Engineering, LLC, dated July 21, 2023:** The Board discussed Report No. 4, certifying Public Improvements in the amount of \$1,932,730.35.

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Following discussion, upon motion duly made by Director Shorter, seconded by Director J. Wikstrom and, upon vote, unanimously carried, the Board approved Report No. 4, certifying Public Improvements in the amount of \$1,932,730.35.

**Reimbursement of Evergreen-Airport & Alameda, L.L.C. (the “Developer”)**: The Board discussed the reimbursement of the Developer based upon Report No. 3, Report No. 4, and the Project Funding, Acquisition, and Reimbursement Agreement between the District and the Developer.

Following discussion, upon motion duly made by Director Shorter, seconded by Director J. Wikstrom and, upon vote, unanimously carried, the Board approved the reimbursement of the Developer based upon Report No. 3, Report No. 4, and the Project Funding, Acquisition, and Reimbursement Agreement between the District and the Developer.

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### **CONSTRUCTION AND MAINTENANCE MATTERS**

**Backflow Replacements and New Controller, Concrete and Lock Installation**: Mr. Solin discussed the backflow replacements and new controller, concrete and lock installation. Mr. Solin noted that he is still working on getting a proposal for replacement of the backflow with a plastic model, as allowed by Aurora Water. No action was taken at this time.

**Proposals for Snow Removal Services**: The Board discussed the proposals from Consolidated Divisions, Inc. dba CDI Environmental Contractor (“CDI”) for the 2023/2024 Snow Removal.

Following discussion, upon motion duly made by Director Shorter, seconded by Director S. Wikstrom and, upon vote, unanimously carried, the Board approved the proposal from CDI for the 2023/2024 Snow Removal.

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### **OTHER BUSINESS**

**Status of Development Within the District**: Mr. Lauterbach discussed with the Board the status of development within the District.

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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,

By   
Secretary for the Meeting