

## RECORD OF PROCEEDINGS

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### MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 13 HELD MARCH 22, 2021

A special meeting of the Board of Directors (referred to hereafter as the "Board") of the Colorado International Center Metropolitan District No. 13 (referred to hereafter as the "District") was convened on Monday, the 22nd day of March, 2021, at 1:00 p.m. The meeting was open to the public.

**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 meeting was held by conference call without any individuals (neither District representatives nor the general public) attending in person.**

#### 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.

Megan Becher Esq. and Jon Hoistad, Esq.; McGeady Becher P.C.

#### 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 Hoistad requested that the Directors review the agenda for the meeting and advise 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.

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

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**Meeting Location and Manner / Posting of Meeting Notices:** 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, 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 meeting would be held by telephonic means without any individuals (neither District Representatives nor the General Public) attending in person. Ms. Finn reported that notice was duly posted and that no objections to the telephonic manner of the meeting or any requests that the telephonic manner of the meeting be changed by taxpaying electors within the District boundaries have been received.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Klein, seconded by Director Moore, 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 as least 24 hours prior to each meeting at the following location: at the northwest corner of East 64th Avenue and North Dunkirk Street.

**Minutes:** The Board reviewed the Minutes of the October 26, 2020 Special Meeting.

Following discussion, upon motion duly made by Director Klein, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Minutes of the October 26, 2020 Special Meeting.

**2021 Regular Meeting Dates:** The Board entered into discussion regarding setting dates for 2021 Regular Meetings.

Following discussion, the Board determined to schedule Regular Meetings on April 26, May 24, June 28, July 26, August 23, September 27, October 25, November 22 and December 27, 2021. The meetings will be held at 1:00 p.m., via conference call.

### **PUBLIC COMMENTS**

There were no public comments.

### **FINANCIAL MATTERS**

**Regional Fee Collections and Use of Fee Revenues for Regional Improvements:**  
The Board deferred discussion.

**2020 Application for Exemption from Audit:** The Board reviewed the 2020 Application for Exemption from Audit.

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Following review and discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board ratified approval of the preparation, execution and filing of the Application for Exemption from Audit for 2020.

### **CAPITAL MATTERS**

**Engineer's Report and Verification of Costs Associated with Public Improvements Report prepared by Schedio Group LLC:** The Board reviewed the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 7, dated March 17, 2021, prepared by Schedio Group LLC, for the amount of \$2,293,280.10 ("Report No. 7").

Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board approved Report No. 7.

**Verified public improvement costs and allocation of same among Denver High Point at DIA Metropolitan District, Colorado International Center Metropolitan District No. 13, and Colorado International Center Metropolitan District No. 14, pursuant to Report No. 7:** Following discussion, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board accepted the verified public improvement costs and allocation of same among Denver High Point at DIA Metropolitan District, Colorado International Center Metropolitan District No. 13, and Colorado International Center Metropolitan District No. 14, pursuant to Report No. 7.

**Reimbursement to ACM High Point VI LLC ("ACM") under the Capital Funding and Reimbursement Agreement (Denver High Point – Westside) between Denver High Point at DIA Metropolitan District and ACM, pursuant to Report No. 7:** Following review, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board acknowledged, ratified and/or approved (as appropriate) the reimbursement to ACM under the Capital Funding and Reimbursement Agreement (Denver High Point – Westside) between Denver High Point at DIA Metropolitan District and ACM, pursuant to Report No. 7.

**Requisition(s) for reimbursement of verified public improvement costs, and any and all resolution(s) relating to such requisition(s), pursuant to Report No. 7:** Following review, upon motion duly made by Director Smith, seconded by Director Klein and, upon vote, unanimously carried, the Board acknowledged, ratified and/or approved (as appropriate) the requisition for reimbursement of verified public improvement costs pursuant to Report No. 7.

**Requisition Nos. 42 through 47 under the CIC MD No. 14 Series 2018 Bonds:** Following review, upon motion duly made by Director Klein, seconded by Director





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### McGeady Becher P.C. Document Retention Policy

#### Types of Documents

In representing you we will or may take possession of, create, and/or keep various types of documents. These consist of documents you provide to us, documents which constitute the District's official public record, and internal documents we create to assist us in providing services to you.

#### Documents You Provide to Us

It is our policy to copy and return original documents you provide to us as soon as practicable. Exceptions to this policy are original documents which should be kept as part of the District's official public record, instances where we must have an original document to represent you, or cases where we have affirmatively agreed retain a document for safekeeping.

#### The District's Record

As a part our engagement, we will maintain the District's official public Record (the "**Record**"). The Record is a highly useful and detailed compilation of documents reflecting the official actions of the District and serves multiple functions. First, it collects those documents which the public is entitled to inspect and copy under various state and federal public records and freedom of information statutes. Second, it organizes the records of the District – such as its contracts, land and title records, and easements - in a manner which is useful in conducting the ongoing business of the District. Third, the Record helps expedite the District's annual audit process. Fourth, in the event you should change legal counsel or employ in-house counsel, the Record will enable that counsel to understand the status and assume representation of the District with maximum efficiency.

The Record includes the District's organizational documents, fully executed agreements which are still in effect, rules, regulations, resolutions adopted by the District, official minutes books, meeting notices, agendas, insurance policies, District maps, election records, bond documents, audit documents, and many more. A comprehensive list of documents comprising the Record is available from us at any time upon request.

Creating and maintaining the Record is an important and complex task, and you agree to pay our actual costs and hourly fees associated with doing this.

#### Supplemental Documents

All other documents created in course of representing you are referred to as Supplemental Documents. These include our notes, drafts, memoranda, worksheets, electronic communications, and other electronic documents stored in various media or file servers.

#### Documents We Retain

Except as provided in this Document Retention Policy or an amendment thereto, we will keep the Record and any original documents accepted by us for safekeeping so long as we represent you.

#### Delivery of the Record

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Once a matter is concluded or our representation terminated, we deliver the original, printed Record, together with any original documents we have accepted for safekeeping, to you or the District's designee, provided our fees and costs have been paid in full. If you do not designate someone to receive these records, we will deliver them to a then-current officer or director of the District. If we are unable to deliver these documents because of your failure to designate a recipient, we may retain, destroy, or otherwise dispose of them in manner which assures their continued confidentiality within thirty (30) days following the conclusion of a matter or the termination of our representation.

We will also confidentially destroy the Record of any District in our possession if a final order of dissolution of the District is entered.

All other documents, including all Supplemental Documents, are routinely, periodically, confidentially, and permanently purged by us once they are no longer useful to us in providing services to you.