

## 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 AUGUST 30, 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 30th day of August, 2021, at 1:30 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:

Kevin Smith  
Otis Moore, III  
Theodore Laudick

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the absence of Director Andrew Klein, was excused.

#### Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

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

Zachary Leavitt; 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 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.

## RECORD OF PROCEEDINGS

---

### 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 Smith, seconded by Director Moore and, upon vote, unanimously carried, the agenda was approved, as presented.

**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.

**Minutes:** The Board reviewed the Minutes of the July 26, 2021 Special Meeting.

Following discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Minutes of the July 26, 2021 Special Meeting.

### PUBLIC COMMENTS

There were no public comments.

### FINANCIAL MATTERS

**Financial Statements/Schedule of Cash Position:** Mr. Leavitt reviewed the unaudited financial statements of the District, setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending June 30, 2021, and the schedule of cash position for the period ending June 30, 2021, updated as of August 12, 2021.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board accepted the unaudited financial statements of the District, setting forth the cash deposits, investments, budget analysis, and accounts payable vouchers for the period ending June 30, 2021, and the schedule of cash position for the period ending June 30, 2021, updated as of August 12, 2021, as presented.

### 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

## RECORD OF PROCEEDINGS

---

Improvements Report No. 10, dated August 17, 2021, prepared by Schedio Group LLC, for the amount of \$645,557.94.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the Engineer's Report and Verification of Costs Associated with Public Improvements Report No. 10, dated August 17, 2021, prepared by Schedio Group LLC, for the amount of \$645,557.94.

**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. 10:** The Board discussed verified public improvement costs and allocation of Colorado International Center Metropolitan District No. 13, pursuant to Report No. 10.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board approved the verified public improvement costs and allocation of Colorado International Center Metropolitan District No. 13, pursuant to Report No. 10.

**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. 10:** The Board considered approval, ratification or acknowledgement (as appropriate) of reimbursement to ACM High Point VI LLC ("ACM") under Capital Funding and Reimbursement Agreement (Denver High Point - Westside) between Denver High Point at DIA Metropolitan District and ACM, pursuant to Report No. 10.

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board acknowledged reimbursement to ACM High Point VI LLC 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. 10.

**Requisition(s) for reimbursement of verified public improvement costs, and any and all resolution(s) relating to such requisition(s), pursuant to Report No. 10:** The Board considered adoption, approval, ratification or acknowledgement (as appropriate) of requisition(s) for reimbursement of verified public improvement costs, and any and all resolution(s) relating to such requisition(s), pursuant to Report No. 10.

## RECORD OF PROCEEDINGS

---

Following review and discussion, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board accepted requisition(s) for reimbursement of verified public improvement costs, and any and all resolution(s) relating to such requisition(s), pursuant to Report No. 10.

**Requisition No. 54 under the CIC MD No. 14 Series 2018 Bonds:** Following review, upon motion duly made by Director Smith, seconded by Director Moore and, upon vote, unanimously carried, the Board ratified approval of Requisition No. 54, in the amount of \$26,589.86 under the CIC MD No. 14 Series 2018 Bonds.

**OPERATIONS AND MAINTENANCE**

There were no operations and maintenance matters.

**LEGAL MATTERS**

There were no legal matters.

**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 Laudick, seconded by Director Smith and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: *Ann Finn*  
Secretary for the Meeting