

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT HELD SEPTEMBER 25, 2023

A Regular Meeting of the Board of Directors (the “Board”) of the Denver High Point at DIA Metropolitan District (the “District”) was convened on Monday, September 25, 2023, at 1:00 p.m., via Zoom. The meeting was open to the public.

ATTENDANCE

Directors in Attendance:

Andrew Klein
Theodore Laudick
Megan Waldschmidt
Blake Amen

Also in Attendance:

David Solin; Special District Management Services, Inc.

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

Nichole Kirkpatrick and Lindsay Ross; CliftonLarsonAllen LLP

ADMINISTRATIVE MATTERS

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 that had not been previously disclosed. No further disclosures were made by Directors present at the meeting.

Agenda: Mr. Solin distributed for the Board's review and approval, a proposed agenda for the District's Regular Meeting.

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

Meeting Location / 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 the meeting would be held by video/telephonic means. The Board further noted that notice of the time, date and location was duly posted and that no objections to the

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video/telephonic manner of the meeting, or any requests that the video/telephonic manner of the meeting be changed by taxpaying electors within the District boundaries, have been received.

Resignation of Director: Following discussion, upon motion duly made by Director Amend, seconded by Director Klein, upon vote, unanimously carried, the Board acknowledged the resignation of Otis C. Moore, III from the Board of Directors effective July 26, 2023.

Appointment of Treasurer: Following discussion, upon motion duly made by Director Klein, seconded by Director Amen, upon vote, unanimously carried, the Board appointed Director Amen as Treasurer.

CONSENT AGENDA

The Board considered the following actions:

- Review and approve minutes of the July 24, 2023, Regular Meeting.

Following review, upon motion duly made by Director Amen, seconded by Director Klein and, upon vote, unanimously carried, the Board approved, ratified or acknowledged, as appropriate, the above Consent Agenda items/actions.

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

Claims: The Board reviewed the payment of claims for the period through September 20, 2023, in the amount of \$53,509.83.

Following discussion, upon motion duly made by Director Amen, seconded by Director Klein and, upon vote, unanimously carried, the Board ratified the approval of the payment of claims for the period through September 20, 2023, in the amount of \$53,509.83.

Cash Position Schedule: The Board reviewed the Cash Position Schedule for the period ending June 30, 2023, updated as of September 21, 2023.

Following review and discussion, upon motion duly made by Director Amen, seconded by Director Klein and, upon vote, unanimously carried, the Board accepted the Cash Position Schedule for the period ending June 30, 2023, updated as of September 21, 2023.

2022 Audit: The Board reviewed the 2022 Audit.

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Following discussion, upon motion duly made by Director Amen, seconded by Director Klein and, upon vote, unanimously carried, the Board approved the 2022 Audit (subject to final legal review and receipt of a clean opinion letter from the auditor), and authorized execution of the Representations Letter.

Directors' Fees: The Board discussed the payment of statutory directors' fees.

Following discussion, upon motion duly made by Director Klein, seconded by Director Amen and, upon vote, unanimously carried, the Board authorized the payment of statutory directors' fees in the amount of \$100 per meeting, not to exceed \$2,400 per year.

CAPITAL MATTERS

Engineer's Report and Verification of Costs Associated with Public Improvements Report prepared by Schedio Group LLC: There was no report presented.

Acceptance of 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 (the "Districts"), pursuant to Report No. 18: The Board deferred action.

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. 18: The Board deferred action.

Requisition(s) for Reimbursement of Verified Public Improvement Costs, and any and all Resolution(s) Relating to such Requisition(s), Pursuant to Report: The Board deferred action.

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 Klein, seconded by Director Amen and, upon vote, unanimously carried, the meeting was adjourned.

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Respectfully submitted,

By: 
Secretary for the Meeting