

RECORD OF PROCEEDINGS

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT HELD SEPTEMBER 29, 2022

A special meeting of the Board of Directors (referred to hereafter as the "Board") of the Denver High Point at DIA Metropolitan District (referred to hereafter as the "District") was convened on Thursday, the 29th day of September, 2022, at 10:00 a.m., via conference call. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Otis Moore, III
Theodore Laudick

Following discussion, upon motion duly made by Director Moore, seconded by Director Laudick 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.

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

Zachary Leavitt; CliftonLarsonAllen LLP

Megan Waldschmidt, Westside Investment Partners, Inc.

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 Becher 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 Moore, seconded by Director Laudick and, upon vote, unanimously carried, the agenda was approved, as presented, and Director Moore was appointed as Acting President for the meeting.

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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 telephonic means. The Board further noted that notice of the time, date and location 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 25, 2022 Regular Meeting.

Following discussion, upon motion duly made by Director Moore, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the Minutes of the July 25, 2022 Regular Meeting.

TownCloud Subscription Agreement: The Board reviewed the TownCloud Subscription Agreement.

Following discussion, upon motion duly made by Director Moore, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the TownCloud Subscription Agreement.

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

Claims: The Board reviewed the payment of claims for the period ending August 31, 2022 in the amount of \$243,487.56.

Following discussion, upon motion duly made by Director Moore, seconded by Director Laudick and, upon vote, unanimously carried, the Board approved the payment of claims for the period ending August 31, 2022 in the amount of \$243,487.56.

2021 Budget Amendment Hearing: The Acting President opened the public hearing to consider an amendment to the 2021 Budget and discuss related issues.

It was noted that publication of Notice stating that the Board would consider an amendment to the 2021 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 this public hearing. No public comments were received, and the public hearing was closed.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Laudick and, upon vote, unanimously carried, the Board adopted Resolution No. 2021-09-01, Resolution to Amend the 2021 Budget and

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Appropriate Sums of Monty. A copy of the adopted Resolution is attached hereto and incorporated herein by this reference.

2021 Audit: The Board reviewed the 2021 Audit.

Following review and discussion, upon motion duly made by Director Moore, seconded by Director Laudick and, upon vote, unanimously carried, the Board ratified the approval of the 2021 Audit and authorized execution of Representations Letter.

CAPITAL MATTERS

There were no Capital Matters presented.

OPERATIONS AND MAINTENANCE

Operation and Maintenance Services for 2023: Mr. Laudick noted that he is gathering proposals for operation and maintenance services.

LEGAL MATTERS

There were no legal matters presented.

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

Respectfully submitted,

By: *Ann Finn*
Secretary for the Meeting

RESOLUTION NO. 2022 - 09 - 01

A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE DENVER HIGH POINT AT DIA METROPOLITAN DISTRICT
TO AMEND THE 2021 BUDGET AND APPROPRIATE SUMS OF MONEY

WHEREAS, the Board of Directors of the Denver High Point at DIA Metropolitan District ("District") has appointed the District Accountant to prepare and submit An amended 2021 budget to the Board at the proper time; and

WHEREAS, the District Accountant has submitted an amended budget to this Board on or before September 29, 2022 for its consideration; and

WHEREAS, upon due and proper notice, published or posted in accordance with the law, said proposed budget was open for inspection by the public at a designated place, a public hearing was held on September 29, 2022 and interested electors were given the opportunity to file or register any objections to said proposed budget; and

WHEREAS, the amended budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, reserve transfers and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever increases may have been made in the expenditures, like increases were added to the revenues so that the amended budget remains in balance, as required by law.

WHEREAS, the Board of Directors of the District has made provisions therein for revenues in an amount equal to or greater than the total proposed expenditures as set forth in said amended budget; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the amended budget to and for the purposes described below, as more fully set forth in the budget, including any inter-fund transfers listed therein, so as not to impair the operations of the District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Denver High Point at DIA Metropolitan District:

1. That the amended budget as submitted, amended, and summarized by fund, hereby is approved and adopted the amended budget as the budget of the Denver High Point at DIA Metropolitan District for the 2021 fiscal year.

2. That the amended budget, as hereby approved and adopted, shall be certified by the Secretary of the District to all appropriate agencies and is made a part of the public records of the District.

3. That the sums set forth as the total expenditures of each fund in the budget attached hereto as **EXHIBIT A** and incorporated herein by reference are hereby appropriated from the revenues of each fund, within each fund, for the purposes stated.

ADOPTED this 29th day of September, 2022.

Ann Finn

Secretary

EXHIBIT A
(2021 Budget Amendment)

**Denver High Point at DIA Metropolitan District
Capital Projects Fund
2021 Amended Budget**

	Original Budget 2021	Amended Budget 2021
REVENUES		
Intergovernmental - Transfer from CIC14	\$ 4,041,585	\$ 5,560,047
Other Revenue	-	1,201,834
Total Revenues	4,041,585	6,761,881
EXPENDITURES		
Accounting	10,000	5,856
Legal	15,000	592
Miscellaneous	500	92
Construction Management	250,000	152,500
Engineering	200,000	94,627
Dry Utilities	200,000	-
Erosion Control	40,000	17,225
Grading/Earthwork	50,000	310,120
Park and Landscaping	2,605,000	327,873
Streets	1,475,000	4,682,257
Storm Drainage	30,000	57,871
Sanitary Sewer	40,000	149,309
Water	30,000	380,166
Contingency	449,481	321,512
Total Expenditures	5,394,981	6,500,000
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	(1,353,396)	261,881
OTHER FINANCING SOURCES (USES)		
Developer Advance	1,353,396	3,800,000
Developer Advance Repayment - Principal	-	(3,424,817)
Total Other Financing Sources (Uses)	1,353,396	375,183
NET CHANGE IN FUND BALANCE (DEFICIT)	-	637,064
Fund Balance (Deficit) - Beginning of Year	-	(637,064)
FUND BALANCE (DEFICIT) - END OF YEAR	\$ -	\$ -

I, Ann E. Finn, hereby certify that I am the duly appointed Secretary of the Denver High Point at DIA Metropolitan District, and that the foregoing is a true and correct copy of the amended budget for the budget year 2021, duly adopted at a meeting of the Board of Directors of the Denver High Point at DIA Metropolitan District held on September 29, 2022.

By: Ann Finn
Secretary