

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
COLORADO CROSSING METROPOLITAN DISTRICT NO. 1
(THE "DISTRICT")
HELD
DECEMBER 21, 2023

A regular meeting of the Board of Directors of the District (referred to hereafter as the "Board") was convened on Thursday, December 21, 2023, at 10:00 a.m. The District Board meeting was held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Michael Sandene, President
Paige Langley, Secretary
Megan Waldschmidt, Assistant Secretary

Following discussion, upon a motion duly made by Director Sandene, seconded by Director Waldschmidt and, upon vote, unanimously carried, the absences of Directors Andrew Klein and Jason Pock were excused.

Also In Attendance Were:

AJ Beckman and Sarah Warner; Public Alliance LLC
Jon Hoistad, Esq.; McGeady Becher P.C.
Nancy Bach and LaMont Harris; CliftonLarsonAllen LLP ("CLA")

ADMINISTRATIVE MATTERS

Quorum, Call to Order, Disclosures of Potential Conflicts of Interest: The Board called the meeting to order, noted a quorum was present, and discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board and 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 Hoistad that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors.

Agenda, Location of Meeting and Meeting Notice: The Board reviewed the agenda for the meeting. Following review, upon a motion duly made by Director Sandene, seconded by Director Waldschmidt and, upon vote, unanimously carried, the Board approved the agenda, as amended.

The Board discussed the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District Board meeting. The Board noted that notice of this meeting and conference call information was duly posted, and the Board had not received any objections to the location or to the video/telephonic format or any

RECORD OF PROCEEDINGS

requests that the meeting be changed by taxpaying electors within the District's boundaries.

Public Comment: None.

Minutes of the November 16, 2023 Regular Board Meeting: Following review, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board approved the November 16, 2023 Regular Meeting Minutes.

FINANCIAL MATTERS

Schedule of Cash Position: Ms. Bach reviewed the Schedule of Cash Position dated September 30, 2023, updated as of December 19, 2023, with the Board.

Following review and discussion, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board accepted the Schedules of Cash Position, as presented.

Claims: Ms. Bach reviewed claims for the period of September 18, 2023, to December 15, 2023, with the Board.

Following review, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board ratified approval of the claims for the period of September 18, 2023, to December 15, 2023, in the amount of \$208,124.70.

Verified District Eligible Costs:

Engineer's Report and Certification #35, Dated December 15, 2023, Prepared by Ranger Engineering, LLC ("Ranger") ("Engineer's Report and Certification #35"): Ms. Bach reviewed Engineer's Report and Certification #35 with the Board. Following review, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board accepted Engineer's Report and Certification #35, in the amount of \$607,251.88.

Reimbursement to Interquest Westside LLC Under Facilities Funding and Acquisition Agreement, as Amended, in the Amount of Costs Verified by Ranger: Ms. Bach noted that there are no reimbursements due to Interquest Westside LLC under Engineer's Report and Certification #35.

Payments to Vendors in the Amounts as Verified and Described in Engineer's Report and Certification #35: Ms. Bach reviewed the payments to vendors with the Board. Following review, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board authorized payments to vendors in the amounts described in Engineer's Report and Certification #35.

RECORD OF PROCEEDINGS

LEGAL MATTERS

Mr. Beckman updated the Board on the status of a recent Slip and Fall Claim. He noted that the claim is being handled by the Colorado Special Districts Property and Liability Pool (“the Pool”). To date the Claimant has been unresponsive to the Pool.

MANAGER MATTERS

Maintenance Items: Mr. Beckman provided an overview regarding the following maintenance items:

- Landscaping/Irrigation
- Roadway patching
- Sidewalk and curb & gutter repair
- Sump pump maintenance
- Elevator maintenance
- Fire extinguishers/signage maintenance
- Cleaning

Mr. Beckman reported to the Board that Public Alliance is working with Director Sandene and Mr. Green to recover damages caused primarily by utility contractors. He noted that approximately \$127,692.00 in damages have been identified, approximately \$86,086 has been settled with contractors and approximately \$19,068 has been submitted to the Pool.

Otis Elevator Company Service Agreement: Mr. Beckman reported to the Board that Public Alliance has concluded through elevator inspections that Otis is not meeting requirements of the service agreement. He further noted that the termination provision of the service agreement allows for a 30-day termination. Mr. Beckman recommended engaging Schindler Elevator Company.

Following discussion, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board authorized the termination of Otis Elevator Company and the engagement of Schindler Elevator LLC. Attorney Hoistad will prepare and send the notice of termination.

OTHER BUSINESS

Mr. Harris recommended to the Board opening an investment account with COLOTRUST. Director Sandene requested that this matter be included for action on the next meeting agenda.

ADJOURNMENT

There being no further business to come before the Boards at this time, upon a motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board adjourned the meeting.

Respectfully submitted,

By Paige Langley
DocuSigned by: Paige Langley
 Secretary for the Meeting