

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARD OF DIRECTORS OF THE  
COLORADO CROSSING METROPOLITAN DISTRICT NO. 1  
(THE "DISTRICT")  
HELD  
SEPTEMBER 19, 2024

A regular meeting of the Board of Directors of the District (referred to hereafter as the "Board") was convened on Thursday, September 19, 2024, 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  
Andrew Klein, Treasurer  
Jason Pock; Assistant Secretary

Following discussion, upon a motion duly made by Director Sandene, seconded by Director Pock and, upon vote, unanimously carried, the absence of Director Megan Waldschmidt was excused.

#### **Also In Attendance Were:**

AJ Beckman; Public Alliance LLC  
Megan Becher, Esq. and 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 Becher that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors. No additional disclosures were made by the 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 Pock and, upon vote, unanimously carried, the Board approved the agenda, as presented.

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 video/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

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

**Public Comment:** There were no members of the public in attendance.

**Minutes of the July 18, 2024 Regular Board Meeting:** Following review, upon a motion duly made by Director Sandene, seconded by Director Pock and, upon vote, unanimously carried, the Board approved the July 18, 2024 Regular Meeting Minutes.

**Minutes of the September 3, 2024 Special Board Meeting:** Following review, upon a motion duly made by Director Sandene, seconded by Director Klein and, upon vote, unanimously carried, the Board approved the September 3, 2024 Special Meeting Minutes.

### **FINANCIAL MATTERS**

**Schedule of Cash Position:** Ms. Bach reviewed the Schedule of Cash Position dated August 31, 2024, updated as of September 17, 2024, with the Board.

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

**Claims:** Ms. Bach reviewed claims for the period of July 13, 2024 to September 17, 2024, with the Board.

Following review, upon a motion duly made by Director Sandene, seconded by Director Klein and, upon vote, unanimously carried, the Board ratified approval of the claims for the period of July 13, 2024 to September 17, 2024, in the amount of \$393,763.25.

### **Verified District Eligible Costs:**

**Engineer's Report and Certification #40, Dated September 16, 2024, Prepared by Ranger Engineering, LLC ("Ranger") ("Engineer's Report and Certification #40"):** Ms. Bach reviewed Engineer's Report and Certification #40 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 #40, in the amount of \$218,714.08.

**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 #40.

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Payments to Vendors in the Amounts as Verified and Described in Engineer's Report and Certification #40: 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 #40.

**Public Hearing on Further Amending the 2023 Budget:** Director Sandene opened the public hearing to consider the proposed 2023 Budget Amendment and to discuss related issues.

Mr. Beckman noted that Notice stating that the Board would consider amending the 2023 budget and the date, time, and place of the public hearing was published pursuant to the statute. No written objections were received prior to the public hearing.

Hearing no comment from the public, Director Sandene closed the public hearing.

Ms. Bach presented for the Board's review and consideration the estimated 2023 expenditures to further amend the 2023 Budget.

Upon motion duly made by Director Sandene, seconded by Director Klein and, upon vote unanimously carried, the Board approved further amending the 2023 budget and adopted Resolution No. 2024-09-01 to Further Amend the 2023 Budget.

**2023 Audit:** Ms. Bach reviewed the 2023 draft Audit with the Board.

Following Discussion, upon a motion duly made by Director Sandene, seconded by Director Klein and, upon vote unanimously carried, the Board approved the 2023 Audit, subject to final review by counsel and receipt of an unmodified opinion letter from the Auditor, and authorized execution of the Representations Letter.

### **LEGAL MATTERS**

**Non-Exclusive Public Access and Maintenance Easement Agreement (Stormwater Improvements) (Lot 1, Victory Ridge Filing No. 13) from Interquest Westside LLC to Colorado Crossing Metropolitan District No. 1:**

Attorney Becher reviewed with the Board the Non-Exclusive Public Access and Maintenance Easement Agreement (Stormwater Improvements) (Lot 1, Victory Ridge Filing No. 13) from Interquest Westside LLC to Colorado Crossing Metropolitan District No. 1.

Following review and discussion, upon a motion duly made by Director Sandene, seconded by Director Klein and, upon vote unanimously carried, the Board acknowledged and accepted the Non-Exclusive Public Access and Maintenance Easement Agreement (Stormwater Improvements) (Lot 1, Victory Ridge Filing No. 13) from Interquest Westside LLC to Colorado Crossing Metropolitan District No. 1.

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**Termination of Lot 4, Filing 1 Non-Exclusive Easement recorded in the real property records of El Paso County, Colorado at Reception No. 224061706 (Lot 4, Filing 1 Non-Exclusive Easement):** Attorney Becher reviewed with the Board the Termination of Lot 4, Filing 1 Non-Exclusive Easement recorded in the real property records of El Paso County, Colorado at Reception No. 224061706 (Lot 4, Filing 1 Non-Exclusive Easement).

Following review and discussion, upon a motion duly made by Director Sandene, seconded by Director Klein and, upon vote unanimously carried, the Board acknowledged the Termination of Lot 4, Filing 1 Non-Exclusive Easement recorded in the real property records of El Paso County, Colorado at Reception No. 224061706 (Lot 4, Filing 1 Non-Exclusive Easement).

**Bill of Sale for Playground Improvements from Interquest Westside LLC to Colorado Crossing Metropolitan District No. 1 and acknowledge acceptance of the conveyance of such Playground Improvements:** Attorney Becher reviewed with the Board the Bill of Sale for Playground Improvements from Interquest Westside LLC to Colorado Crossing Metropolitan District No. 1.

Following review and discussion, upon a motion duly made by Director Sandene, seconded by Director Klein and, upon vote unanimously carried, the Board approved the Bill of Sale for Playground Improvements from Interquest Westside LLC to Colorado Crossing Metropolitan District No. 1 and acknowledged acceptance of the conveyance of such Playground Improvements.

### **MANAGER MATTERS**

**Maintenance Items:** Mr. Beckman provided an overview of ongoing maintenance efforts related to the following maintenance items:

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

**Change Order No. 2 to Service Agreement for Electrical Installation with Encore Electric, Inc.:** The Board reviewed Change Order No. 2 to Service Agreement for electrical installation with Encore Electric, Inc.

Following discussion, upon motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board approved Change Order No. 2 to the Service Agreement for electrical installation with Encore Electric, Inc., in the amount of \$1,549.

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**Change Order No. 2 to Service Agreement for Security Services with Advantage Security:** The Board reviewed Change Order No. 2 to Service Agreement for Security Services with Advantage Security.

Following discussion, upon motion duly made by Director Sandene, seconded by Director Pock and, upon vote, unanimously carried, the Board approved Change Order No. 2 to Service Agreement for Security Services with Advantage Security, in the amount of \$480.

**Service Agreement for Snow Removal Services (2024/2025) with Robertson's Lawn Sprinkler Co d/b/a Robertson's Landscape:** The Board reviewed the Service Agreement for Snow Removal Services (2024/2025) with Robertson's Lawn Sprinkler Co d/b/a Robertson's Landscape.

Following discussion, upon motion duly made by Director Sandene, seconded by Director Langley and, upon vote, unanimously carried, the Board approved the Service Agreement for Snow Removal Services (2024/2025) with Robertson's Lawn Sprinkler Co d/b/a Robertson's Landscape.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

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

Respectfully submitted,

Signed by:  
By Paige Langley  
Secretary for the Meeting  
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