

RECORD OF PROCEEDINGS

**MINUTES OF A SPECIAL MEETING OF
THE BOARD OF DIRECTORS OF THE
AURORA HIGHLANDS METROPOLITAN DISTRICT NO. 6
F/K/A/ FIRST CREEK RANCH METROPOLITAN DISTRICT
("DISTRICT")
HELD
JUNE 21, 2022**

A special meeting of the Board of Directors of the District, County of Adams (referred to hereafter as the "Board") was convened on Tuesday, June 21, 2022 at 3:13 p.m. at the Construction Trailer, 3900 E. 470 Beltway, Aurora, Colorado. The District Board meeting was accessible both in person at the physical meeting location, and via videoconference.

Directors in Attendance Were:

Matt Hopper
Carla Ferreira
Michael Sheldon
Cynthia Shearon

Also in Attendance Were:

MaryAnn McGeady, Esq., Elisabeth A. Cortese, Esq. and Jon Hoistad, Esq.;
McGeady Becher P.C.
Denise Denslow and Shauna D'Amato; CliftonLarsonAllen LLP ("CLA")
Cristina Madrigal; Timberline District Consulting, LLC
Brandon Wyszynski; Oakwood Development

**ADMINISTRATIVE
MATTERS**

Disclosure of Potential Conflicts of Interest: Attorney McGeady discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors 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 that the disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors. No new conflicts were disclosed.

Quorum/Confirmation of Meeting Location/Posting of Notice: Director Hopper confirmed a quorum for the special meeting. 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. Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Board determined that because there was not a suitable or convenient location within the District boundaries to conduct this meeting it was determined to conduct this meeting at the above-stated location, with participants attending both

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in person and via videoconference. The Board further noted that notice providing the time, date and location was duly posted and that no objections, or any requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries have been received.

Agenda: The Board considered the proposed Agenda for the District's special meeting. Following discussion, upon motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Agenda was approved, as presented.

May 3, 2022 Regular Directors' Election: Ms. Denslow discussed the results of the May 3, 2022 Regular Election with the Board, noting that the Election had been cancelled pursuant to Section 1-13.5-503, C.R.S., as there were not more candidates than open seats on the Board. It was further noted that Director Hopper and Director Ferreira were each deemed elected by acclamation to 3-year terms ending in May, 2025.

Appointment of Officers: Following discussion, upon a motion duly made by Director Sheldon, seconded by Director Ferreira and, upon vote, unanimously carried, the Board appointed the following slate of officers:

President:	Matt Hopper
Vice President:	Carla Ferreira
Treasurer:	Michael Sheldon
Assistant Secretary:	Cynthia Shearon
Secretary:	Denise Denslow

Public Comment: There were no public comments.

CONSENT AGENDA

The Board considered the following actions:

April 27, 2022 Special Meeting Minutes

Following discussion, upon motion duly made by Director Sheldon, seconded by Director Shearon and, upon vote, unanimously carried, the Board ratified and/or approved of the Consent Agenda items, as presented.

LEGAL MATTERS

Resolution Appointing a Representative to The Aurora Highlands Community Authority Board ("CAB"): Attorney Hoistad reviewed the Resolution with the Board. Following discussion, upon a motion duly made by Director Hopper, seconded by Director Sheldon and, upon vote, unanimously carried, the Board appointed Director Sheldon as the District's Representative on the CAB and adopted the Resolution Appointing a Representative to the CAB.

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Public Hearing on Petition for Exclusion of Property owned by Clayton Properties Group II, LLC: Upon a motion duly made by Director Hopper, the District Board opened the public hearing to consider the exclusion of approximately 18.49 acres of real property from the boundaries of the District. It was noted that publication of notice of the date, time and place of the public hearing for the District Board to consider approving the exclusion of real property out of the boundaries of the District was made in a newspaper having general circulation within the District boundaries as well as on the District website. It was noted that no written objections were received prior to the public hearing. Mr. Wyszynski, a representative of Clayton Properties Group II, LLC, the owner of the property and petitioner requesting the exclusion, reviewed the request with the Board. Mr. Wyszynski advised the Board that the owner of the property would not be requesting the District or The Aurora Highlands Community Authority Board to fund, design or construct the public improvements needed to support development in the property, if it is excluded from the District's boundaries. Mr. Wyszynski advised the Board that the excluded property was not within the boundaries of the Aerotropolis Regional Transportation Authority and that the petitioner had not had any discussions with ARTA regarding including the property within ARTA's boundaries. The Board noted that the petitioner owned other parcels that had been included into the boundaries of ARTA but that the property that is the subject of this exclusion hearing was not one of those parcels. Mr. Wyszynski confirmed the petitioner, has agreed to pay all costs associated with the processing of the exclusion by the District and in that regard has delivered to the District a check for payment of the costs as requested by the District staff and acknowledged if the costs of the inclusion exceeded the amount deposited that the petitioner would be responsible for payment to the District of the difference between the actual costs and the amount deposited. Mr. Wyszynski also noted the petitioner's agreement that the District would not reimburse any amounts remaining from the deposit if the cost of processing the exclusion were less than the amount deposited. Following discussion, the public hearing was closed.

Following discussion, upon a motion duly made by Director Ferreira, seconded by Director Sheldon and, upon vote, unanimously carried, the Board adopted the Resolution for Exclusion of Real Property.

**FINANCIAL
MATTERS**

None.

**MANAGER
MATTERS**

None.

**CONSTRUCTION
MATTERS**

None.

OTHER BUSINESS

None.

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ADJOURNMENT

There being no further items before the Board, upon motion duly made by Director Ferreira, seconded by Director Hopper and, upon vote, unanimously carried, the meeting was adjourned at 3:39 p.m.

Respectfully submitted,

DocuSigned by:
Denise Denlow
By 77517AF6E925439...
Secretary for the Meeting