

RECORD OF PROCEEDINGS

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE COLORADO INTERNATIONAL CENTER METROPOLITAN DISTRICT NO. 7 HELD DECEMBER 16, 2022

A Regular Meeting of the Board of Directors (referred to hereafter as the "Board") of the Colorado International Center Metropolitan District No. 7 (referred to hereafter as the "District") was convened on Friday, the 16th day of December, 2022, at 10:00 a.m. This District Board meeting was held and properly noticed to be held via Zoom. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Timothy D'Angelo
Todd Witty
Theodore Laudick

Also In Attendance Were:

Ann E. Finn; Special District Management Services, Inc.

Megan Becher, Esq. and Erica Montague, Esq.; McGeady Becher P.C.

Zachary Leavitt; CliftonLarsonAllen LLP

Paul Hyde; Hyde Development

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

Location of Meeting and Posting of 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 that this meeting would be held by video/telephonic means, and encouraged public participation via video or telephone. The Board further noted that notice of the time, date and location/manner of the meeting was duly posted and that the District had not received any objections

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to the 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.

Agenda: Ms. Finn 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 D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Agenda was approved, as presented.

Consent Agenda: The Board considered the following actions:

- Approve the Minutes of the October 21, 2022 Regular Meeting.

Following review, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved and/or ratified approval of, as appropriate, the above actions.

PUBLIC COMMENTS

There were no public comments.

FINANCIAL MATTERS

Unaudited Financial Statements / Cash Position Statement: There were no financial statements or cash position statement presented.

Payment of Claims: The Board reviewed payment of claims for the period of June 13, 2022 through December 7, 2022 in the amount of \$3,785,334.50.

Following review, upon motion duly made by Director D'Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved payment of claims for the period of June 13, 2022 through December 7, 2022 in the amount of \$3,785,334.50.

LEGAL MATTERS

Facilities Acquisition Agreement by and between Colorado International Center Metropolitan District No. 7, DG Strategic VI, LLC, and Highpoint North Acquisition, LLC: The Board deferred discussion.

CAPITAL MATTERS

66th/68th and Denali Project ("Project"):

Infrastructure Financing and Coordination Agreement – Denali Street from 66th Avenue to 68th Avenue Improvements, by and between HM Metropolitan

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District No. 1 and Colorado International Center Metropolitan District No. 7: Attorney Montague reviewed with the Board the Infrastructure Financing and Coordination Agreement – Denali Street from 66th Avenue to 68th Avenue Improvements, by and between HM Metropolitan District No. 1 and Colorado International Center Metropolitan District No. 7.

Following discussion, upon motion duly made by Director D’Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved the Infrastructure Financing and Coordination Agreement – Denali Street from 66th Avenue to 68th Avenue Improvements, by and between HM Metropolitan District No. 1 and Colorado International Center Metropolitan District No. 7.

Amended and Restated Intergovernmental Agreement – Regarding Cost Sharing of the Extension of Denali Street (60th Avenue to 66th Avenue) by and between HM Metropolitan District No. 1, Aurora High Point at DIA Metropolitan District, and Colorado International Center Metropolitan District No. 7: Attorney Montague reviewed with the Board the Amended and Restated Intergovernmental Agreement – Regarding Cost Sharing of the Extension of Denali Street (60th Avenue to 66th Avenue) by and between HM Metropolitan District No. 1, Aurora High Point at DIA Metropolitan District, and Colorado International Center Metropolitan District No. 7.

Following discussion, upon motion duly made by Director D’Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved the Amended and Restated Intergovernmental Agreement – Regarding Cost Sharing of the Extension of Denali Street (60th Avenue to 66th Avenue) by and between HM Metropolitan District No. 1, Aurora High Point at DIA Metropolitan District, and Colorado International Center Metropolitan District No. 7.

Engineer’s Report and Certification #01, dated December 9, 2022 and prepared by Ranger Engineering, LLC: The Board reviewed the Engineer’s Report and Certification #01, dated December 9, 2022, prepared by Ranger Engineering, LLC, certifying soft, indirect, District-funded, and hard costs for Public Improvements in the amount of \$4,076,202.85 (“Report #01”).

Following discussion, upon motion duly made by Director D’Angelo, seconded by Director Witty and, upon vote, unanimously carried, the Board approved Report #01 and accepted \$4,076,202.85 in certified costs for Public Improvements.

Dandelion Draw, No Name Pond and the 68th Avenue/Loop Road west of Gun Club Road: Mr. Laudick reported to the Board that the design review and approval is ongoing.

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66th/68th Ave. and Denali Project: Mr. Laudick reported to the Board that the underground work is complete, grading is underway on the northwest section of the project, and the roadway work has been delayed due to the temperature.


OTHER BUSINESS

Status of Development: Director D'Angelo provided an update on the development within the District. He noted the grading work has started and the Dollar General building should be completed by January 2024.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Laudick, seconded by Director D'Angelo and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: 

Secretary for the Meeting