

MINUTES OF A REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
AVIATION STATION NORTH METROPOLITAN DISTRICT NO. 1 (THE “DISTRICT”)
HELD
SEPTEMBER 4, 2024

A regular meeting of the Board of Directors of the District (referred to hereafter as the “Board”) was convened on Wednesday, September 4, 2024 at 2:35 p.m. This District Board meeting was held virtually via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors in attendance were:

Ferdinand L. Belz, III, President
Mark Throckmorton, Secretary
Henry (Rick) Wells, Assistant Secretary

The absence of Director Stewart was excused.

Also, In Attendance Were:

Matthew Urkoski, Stephanie Odewumi and Alyssa Ferreira; CliftonLarsonAllen LLP (“CLA”)
Paula Williams, Esq. and Eric Trout, Esq.; McGeady Becher Cortese Williams P.C.
Gregg Johnson; L.C. Fulenwider, Inc.

ADMINISTRATIVE MATTERS

Disclosures of Potential Conflicts of Interest: The Board 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 by Attorney Williams that disclosures of potential conflicts of interest were filed with the Secretary of State for all directors, and no additional conflicts were disclosed at the meeting.

Quorum, Location of Meeting Posting of Meeting Notice: The presence of a quorum was confirmed.

The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. The District Board meeting was held via video conference and public participation was encouraged via Microsoft Teams. The Board further noted that notice of the time, date and Microsoft Teams access information was duly posted and that no objections or requests that the means of hosting the meeting be changed by taxpaying electors within the District’s boundaries have been received.

Agenda: Following review, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Agenda was approved.

Public Comment: There was no public comment.

Minutes of June 5, 2024 Regular Board Meeting: Following review, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board approved the Minutes of the June 5, 2024 Regular Board meeting.

FINANCIAL MATTERS

Claims: Ms. Ferreira reviewed the claims with the Board. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Wells and, upon vote unanimously carried, the Board approved and/or ratified approval of payment of claims in the amount of \$1,002,753.16.

July 31, 2024 Unaudited Financial Statements: Ms. Ferreira reviewed the July 31, 2024 Unaudited Financial Statements with the Board. Following review, upon a motion duly made by Director Wells, seconded by Director Throckmorton and, upon vote unanimously carried, the Board accepted the July 31, 2024 Unaudited Financial Statements.

Request for Extension of Time to File 2023 Audit: Following discussion, upon a motion duly made by Director Wells, seconded by Director Throckmorton and, upon vote unanimously carried, the Board ratified approval of the Request for Extension of Time to File the 2023 Audit.

Engineer's Report and Certification #17 - Phase VI: Pena Station Filing 6, dated August 7, 2024, prepared by Ranger Engineering, LLC: Following review, upon a motion duly made by Director Throckmorton, seconded by Director Wells and, upon vote unanimously carried, the Board accepted the Engineer's Report and Certification #17 - Phase VI: Pena Station Filing 6, dated August 7, 2024, prepared by Ranger Engineering, LLC in the amount of \$504,120.04

Engineer's Report and Certification #18 - Phase VI: Pena Station Filing 6, dated August 26, 2024, prepared by Ranger Engineering, LLC: Following review, upon a motion duly made by Director Throckmorton, seconded by Director Wells and, upon vote unanimously carried, the Board accepted the Engineer's Report and Certification #18 - Phase VI: Pena Station Filing 6, dated August 26, 2024, prepared by Ranger Engineering, LLC in the amount of \$139,364.47.

LEGAL MATTERS

Correspondence from the District and Smith Metropolitan District No. 1 to Community Planning and Development City of Denver regarding the Traffic Signal at 60th and Telluride: Following review, upon a motion duly made by Director Wells, seconded by Director Throckmorton and, upon vote unanimously carried, the Board authorized the execution and transmittal of correspondence from the District and Smith

Metropolitan District No. 1 to Community Planning and Development City of Denver regarding the Traffic Signal at 60th and Telluride.

Correspondence from Gateway Regional Metropolitan District regarding Reimbursement for Regional Public Improvements Constructed Within the Denver Gateway Area: Following review, upon a motion duly made by Director Wells, seconded by Director Belz, with Director Throckmorton abstaining, the Board authorized execution of the Waiver and Release related to the correspondence from Gateway Regional Metropolitan District regarding Reimbursement for Regional Public Improvements Constructed within the Denver Gateway Area.

MANAGER MATTERS

Pena Station Filing 3 – CORE – Park Infrastructure Work Order No. 12 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) by and between the District and Crossland Construction Company, Inc. for various credits: Following review, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board ratified approval of Pena Station Filing 3 – CORE – Park Infrastructure Work Order No. 12 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) by and between the District and Crossland Construction Company, Inc. for various credits, in the deductive amount of (\$95,682.71).

District Website Accessibility Matters: Mr. Urkoski discussed website accessibility matters with the Board.

Engagement of Consultant to Perform Remediation Services: Following discussion, upon a motion duly made by Director Wells, seconded by Director Throckmorton and, upon vote unanimously carried, the Board directed District staff to obtain proposals for remediation services for documents designated as statutorily required to be posted on the District's website. Additionally, the Board authorized Director Wells to execute any necessary contractual documents, upon review and approval by Director Wells and District Counsel. The Board further directed District staff to post and maintain only statutorily required documents on the District website.

Designate Website Compliance Coordinator: The Board designated CLA as the website compliance coordinator.

CAPITAL IMPROVEMENTS

None.

OTHER BUSINESS

None.

ADJOURNMENT

There being no further business to come before the Board at this time, the Board adjourned the meeting.

Respectfully submitted,

DocuSigned by:
By Mark Throckmorton
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Secretary for the Meeting