

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

EASTERN HILLS METROPOLITAN DISTRICT NOS. 1, 2, 4, 5
& 8

Held: Thursday, October 6, 2022 at 1:00 p.m. via Zoom
teleconference.

Attendance

The joint special meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors, having confirmed their qualification to serve, were in attendance.

District Nos. 1, 2, 5 & 8:

Jonathan Alpert

Marc Cooper

Director Miller was absent and excused.

District No. 4:

Jonathan Alpert

Marc Cooper

Steven Cohen

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; and John Simmons, Simmons & Wheeler, District Accountant.

Call to Order/Declaration of
Quorum

Director Alpert noted that a quorum of the Boards was present and called the meeting to order.

Director Conflict of Interest
Disclosures

Mr. Waldron advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. Waldron reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Boards at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Boards. Mr. Waldron inquired into whether members of the Boards had any additional disclosures of potential or existing conflicts of

interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings The Boards of Directors of the Districts have determined to hold joint meetings of the Districts and to prepare joint minutes of action taken by the Districts in such meetings. Unless otherwise noted herein, all official action reflected in these minutes is the action of each of the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

Approval of Agenda The Boards reviewed the proposed agenda. Following discussion, upon motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Consider Election of Officers (District No. 4) of The Board of District No. 4 discussed the election of officers. Following discussion, upon motion duly made and seconded, the Board of District No. 4 unanimously elected Director Cohen as Secretary and Director Cooper as Treasurer.

Public Comment None.

Consent Agenda The Boards reviewed the items on the consent agenda. Mr. Waldron advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any director. No items were requested to be removed from the consent agenda. Upon a motion duly made and seconded, the following items on the consent agenda were unanimously approved and adopted:

- February 23, 2022 Special Meeting Minutes (District No. 5);
- August 10, 2022 Special Meeting Minutes (District Nos. 1, 2 & 8);
- 2021 Annual Report to the City of Aurora (District No. 5);
- Special District Disclosure Notices Pursuant to §32-1-809, C.R.S. (District Nos. 2, 4 & 5);
- Joint Resolution Designating Meeting Notices Posting Location; and
- Joint Resolution Calling May 2, 2023 Regular Election.

Legal Matters

Consider Adoption of 2023 Annual Administrative Resolution (District Nos. 2 & Ms. Murphy reviewed the 2023 Annual Administrative Resolution with the Boards of District Nos. 2 & 5. Following discussion, upon motion duly made and seconded, the Boards of

- 5) District Nos. 2 & 5 unanimously adopted the resolution.
- Consider Adoption of 2023 Annual Administrative Resolution (District No. 4) Ms. Murphy reviewed the 2023 Annual Administrative Resolution with the Board of District No. 4. Following discussion, upon motion duly made and seconded, the Board of District No. 4 unanimously adopted the resolution.
- Discuss and Review Insurance General Liability Schedule and Limits, Consider Authorization to Bind Coverage (District Nos. 2, 4 & 5) Ms. Murphy reviewed the current general liability schedule noting the \$5,000,000 liability coverage limit. Following discussion, upon motion duly made and seconded, the Boards of District Nos. 2, 4 & 5 unanimously approved the general liability schedule and authorized legal counsel to bind coverage.
- Consider Approval of 2023 Exclusion from Worker's Compensation (District Nos. 2, 4 & 5) Ms. Murphy reviewed the 2023 Exclusion from Worker's Compensation with the Boards of District Nos. 2, 4, & 5. Following discussion, upon motion duly made and seconded, the Boards unanimously approved the exclusion.
- Discuss 2022 Legislative Memorandum Ms. Murphy reviewed the 2022 Legislative Memorandum with the Boards. No action was taken.
- Discuss Aurora Regional Improvement Authority Director Cooper noted that the Developers have come to terms with the Aurora Regional Improvement Authority and will be scheduling meetings with the City. Mr. Waldron noted the next action would be to adopt the Master Plan once it has been prepared.
- Consider Approval of Contractor Agreement with Heatherly Creative for Website Maintenance Management Ms. Murphy presented the Contractor Agreement with Heatherly Creative for Website Maintenance Management to the Boards. Following discussion, upon motion duly made and seconded, the Boards unanimously approved the agreement.
- Discuss Board Member Contact Emails for District Website Mr. Waldron noted that the new law requires contact information be posted on the Districts' website. He explained that a general email inbox can be set up so the emails come to White Bear Ankele Tanaka & Waldron and will be forwarded to the Boards if necessary. Following discussion, upon motion duly made and seconded, the Boards unanimously approved setting up a general email inbox.
- Other Legal Matters None.

Financial Matters

Review Property Tax Summary, Cash Position and Unaudited Financial Statements	Deferred.
Public Hearing on 2022 Budget Amendment (if necessary)	Not needed.
Consider Approval of Resolution Amending the 2022 Budget	Not needed.
Public Hearing on 2022 Budget (District No. 1)	Director Alpert opened the public hearing on the proposed 2022 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Approval of Resolution Adopting the 2022 Budget (District No. 1)	Mr. Simmons reviewed the 2022 Budget Resolution with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2022 Budget, appropriating funds therefor as shown in the 2022 Budget, subject to receipt of final assessed valuation.
Public Hearing on 2022 Budget (District No. 2)	Director Alpert opened the public hearing on the proposed 2022 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Approval of Resolution Adopting the 2022 Budget (District No. 2)	Mr. Simmons reviewed the 2022 Budget Resolution with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2022 Budget, appropriating funds therefor as shown in the 2022 Budget, subject to receipt of final assessed valuation.
Public Hearing on 2022 Budget (District No. 8)	Director Alpert opened the public hearing on the proposed 2022 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Approval of	Mr. Simmons reviewed the 2022 Budget Resolution with the

Resolution Adopting the 2022 Budget (District No. 8)	Board of District No. 8. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2022 Budget, appropriating funds therefor as shown in the 2022 Budget, subject to receipt of final assessed valuation.
Public Hearing on 2023 Budget (District No. 2)	Director Alpert opened the public hearing on the proposed 2023 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Approval of Resolution Adopting the 2023 Budget (District No. 2)	Mr. Simmons reviewed the 2023 Budget Resolution with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the general fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.
Public Hearing on 2023 Budget (District No. 4)	Director Alpert opened the public hearing on the proposed 2023 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Approval of Resolution Adopting the 2023 Budget (District No. 4)	Mr. Simmons reviewed the 2023 Budget Resolution with the Board of District No. 4. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.
Public Hearing on 2023 Budget (District No. 5)	Director Alpert opened the public hearing on the proposed 2023 Budget. Mr. Waldron noted that the notice of public hearing was provided in accordance with Colorado law. No written objections have been received prior to the meeting. There being no public comment, the hearing was closed.
Consider Approval of Resolution Adopting the 2023 Budget (District No. 5)	Mr. Simmons reviewed the 2023 Budget Resolution with the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolution adopting the 2023 Budget, appropriating funds therefor and certifying mills for the General Fund as shown in the 2023 Budget, subject to receipt of final assessed valuation.
Consider Authorization for	Mr. Simmons presented the 2022 Application from Exemption

filing 2022 Application for Exemption from Audit

from Audit. Following discussion, upon motion duly made and seconded, the Boards unanimously authorized the application.

Discuss Resolution Regarding Funding of O&M Costs on Behalf of Eastern Hills Metropolitan District Nos. 1, 4, 5 and 7-20 (District No. 2)

Mr. Simmons and Mr. Waldron noted that previously all the Districts' cash has been sitting with District No. 2. Following discussion, upon motion duly made and seconded, the Board of District No. 2 unanimously authorized the adoption of a resolution regarding the funding of O&M Costs amongst the Districts subject to final review by Kaitlin Crandell.

Other Financial Matters

None.

Directors' Items

None.

Other Business

Consider Adoption of Resolutions Declaring Special District Return to Inactive Status (District Nos. 1 & 8)

Ms. Murphy reviewed the Resolutions Declaring Special District Return to Inactive Status to the Boards of District Nos. 1 & 8. Following discussion, upon motion duly made and seconded, the Boards of District Nos. 1 & 8 unanimously adopted the resolutions.

Adjourn

There being no further business to come before the Boards, and following discussion and upon motion duly made, seconded and unanimously carried, the Boards determined to adjourn the meeting.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Marc Cooper
Marc Cooper (Jan 24, 2023 14:30 MST)

District No. 1 Secretary for the Meeting

The foregoing minutes were approved by District No. 1 on this 23rd day of January, 2023.

Marc Cooper
Marc Cooper (Jan 24, 2023 14:30 MST)

District No. 2 Secretary for the Meeting

The foregoing minutes were approved by District No. 2 on this 23rd day of January, 2023.

Steven M. Cohen
Steven M. Cohen (Sep 18, 2023 15:21 MDT)

District No. 4 Secretary for the Meeting

The foregoing minutes were approved by District No. 4 on this 18th day of September, 2023.

Marc Cooper
Marc Cooper (Jan 24, 2023 14:30 MST)

District No. 5 Secretary for the Meeting

The foregoing minutes were approved by District No. 5 on this 23rd day of January, 2023.

Marc Cooper
Marc Cooper (Jan 24, 2023 14:30 MST)

District No. 8 Secretary for the Meeting

The foregoing minutes were approved by District No. 8 on this 23rd day of January, 2023.