

MINUTES OF A JOINT REGULAR MEETING OF THE
BOARD OF DIRECTORS OF

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NOS.
4-6

Held: Thursday, October 27, 2022 at 3:00 p.m.

This meeting was held via teleconference.

Attendance

The Joint Regular meeting of the Board of Directors of Cherry Creek South Metropolitan District Nos. 4-6 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance:

Kurt Wolter
Sarah Hunsche
Kim Jensen
Brian Trybus
Christopher Elliott

Also present were Kristin B. Tompkins, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law; and Nancy Bach and Gigi Pangindian, CliftonLarsonAllen LLP, District Accountants.

**Call to Order/Declaration
of Quorum**

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

**Conflict of Interest
Disclosures**

Ms. Murphy advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy 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. Ms. Murphy 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.

Approval of Agenda

Ms. Murphy presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda, as presented.

Public Comment

None.

Consent Agenda

Ms. Murphy provided the items on the consent agenda to the Boards. Ms. Murphy advised that any item can be removed from the consent agenda to the regular agenda upon a request from any Director. No items were requested to be moved from the consent agenda. Upon a motion duly made, seconded and unanimously carried, the Boards approved, ratified and/or adopted the following items:

- Minutes from September 22, 2022 Regular Meeting

Legal Matters

Consider Adoption of Joint 2023 Annual Administrative Resolution

Ms. Murphy presented the Joint 2023 Annual Administrative Resolution to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution.

Approval of Renewal of Property and Liability Coverage and Workers Compensation Coverage and SDA Membership

Ms. Murphy presented the Property and Liability Schedule to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the schedule, workers compensation coverage, and the SDA membership renewal.

Consider Adoption of Joint Resolution Calling May 2023 Election

Ms. Murphy presented the Joint Resolution Calling May 2023 Election to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution, designating the District’s website as the second method of providing notice of Call for Nominations.

Consider Approval of First Amendment to Funding and Reimbursement Agreement with Tanterra Development, LLC (District No. 4)

Ms. Murphy presented the First Amendment to Funding and Reimbursement Agreement with Tanterra Development, LLC to the Board of District No. 4. Following discussion, upon a motion duly made and seconded, the Board of District No. 4 unanimously approved the amendment.

Consider Approval of Resolution Regarding Payment of Remaining

Ms. Murphy presented the Resolution regarding Payment of Remaining Public Infrastructure Costs to the Boards. Following discussion, upon a motion duly made and seconded, the Boards

Public Infrastructure Costs unanimously approved the resolution, subject to final legal review.

Consider Approval of TriParty Agreement Regarding Public Infrastructure between District No. 5, Tanterra Development LLC, and Trumark Homes Colorado LLC (District No. 5)

Ms. Murphy presented the TriParty Agreement Regarding Public Infrastructure between District No. 5, Tanterra Development LLC, and Trumark Homes Colorado LLC to the Board of District No. 5. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously approved the agreement, subject to final legal review.

Consider Approval of Regional Infrastructure Maintenance and Cost Sharing Agreement between District No. 4 and Tanterra Master Owner's Association, Inc. (District No. 4)

Ms. Murphy presented the Regional Infrastructure Maintenance and Cost Sharing Agreement between District No. 4 and Tanterra Master Owner's Association, Inc. to the Board of District No. 4. Following discussion, upon a motion duly made and seconded, the Board of District No. 4 unanimously approved the agreement.

Financial Matters

Consider Approval of Letter to Town of Parker Regarding Mill Levy Adjustment pursuant to Service Plans

Ms. Murphy presented the Letter to Town of Parker Regarding Mill Levy Adjustment pursuant to Service Plans to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the letter, subject to final review by legal counsel.

Consider Approval of Requisition No. 8 Related to the District No. 5's Limited Tax General Obligation Bonds, Series 2021⁽³⁾ (District No. 5)

Ms. Bach presented the Board of District No. 5 with the Project Requisition No. 8. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously approved the Project Requisition No. 8.

Approval of Special Districts Preparation Scope of Work and Payroll Services Scope of Work with Clifton Larson Allen LLP for District Accounting Services

Ms. Bach presented the Special Districts Preparation Scope of Work and Payroll Services Scope of Work to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the Scope of Work.

Conduct 2022 Budget Amendment Hearing and

Ms. Bach informed the Boards that 2022 budget amendments were not needed..

Consider Adoption of
Resolution to Amend 2022
Budget

Conduct Public Hearing on
2023 Budget and Consider
Adoption of Resolution
Adopting 2023 Budget,
Imposing Mill Levy and
Appropriating Funds

The public hearings on the proposed 2023 Budgets were opened. Ms. Murphy 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.

Ms. Bach reviewed the proposed 2023 Budgets with the Boards. Following discussion, upon a motion duly made and seconded, the Board unanimously adopted the resolutions adopting the 2023 Budgets, appropriating funds therefor and certifying mills, subject to final legal review and receipt of the final assessed valuation.

The Board directed legal counsel and the District's accountant to certify the mill levies by December 15, 2022 and file the 2023 Budget by January 30, 2023.

Other Business

Next Board Meeting

The Boards requested the meeting scheduled for November 24th (Thanksgiving Day) be rescheduled to another date in November.

Adjourn

There being no further business to come before the Boards, and following discussion and upon a 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.

The foregoing minutes were approved by District Nos. 4-6 on this 21st day of November 2022.


Kim Jensen (Nov 23, 2022 22:03 MST)

Secretary for the Meeting