

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

CHERRY CREEK SOUTH METROPOLITAN DISTRICT NOS.
4-6

Held: Thursday, February 22nd, 2024 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:

Sarah Hunsche
Brian Trybus
Kim Jensen

Director Elliott was absent. All absences are deemed excused unless otherwise noted in these minutes.

Also present were Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District Counsel; Matt Janke, E5X Development; and Nancy Bach, CliftonLarsonAllen LLP, District Accountant.

**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. Each of the Directors noted for the record their relationship with Tanterra Development, LLC, Tanterra Development II, LLC, and North Parker Investments, LLC, as reflected in their conflicts of interests disclosures. 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

Following a summary by Ms. Murphy, the items on the consent agenda were ratified, approved or accepted in one motion duly made and seconded and unanimously carried:

- Minutes from January 25, 2024 Regular Meeting.

Legal Matters

Other Legal Matters

None.

Financial Matters

Consider Adoption of Resolution Regarding Acceptance of District Eligible Costs for Public Improvements pursuant to the Infrastructure Acquisition and Project Fund Disbursement Agreement with Tanterra Development II, LLC

Ms. Bach presented Resolution Regarding Acceptance of District Eligible Costs for Public Improvements pursuant to the Infrastructure Acquisition and Project Fund Disbursement Agreement with Tanterra Development II, LLC to the Boards of District Nos. 5 and 6. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 5 and 6 unanimously adopted the resolution.

Consider Approval of Requisition No. 28 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. 28 in the amount of \$2,074.77 to be paid to District No. 4. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 voted against approval of Requisition No. 28. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 unanimously approved payment to the District from the checking account. Ms. Bach to make the transfer from the General Fund to the Capital Projects Fund for payment.

Consider Approval of Requisition No. 29 Related to the District No. 5's Limited Tax General Obligation Bonds, Series

Ms. Bach presented the Board of District No. 5 with the Project Requisition No. 29 in the amount of \$911,905.92 to be paid to Tanterra Development II, LLC. Following discussion, upon a motion duly made and seconded, the Board of District No. 5 voted against approval of Requisition No. 29. Following discussion, upon a motion

2021⁽³⁾ (District No. 5)

duly made and seconded, the Board of District No. 5 unanimously approved payment to the Developer from the checking account. Ms. Bach to make the transfer from the General Fund to the Capital Projects Fund for payment.

Other Financial Matters

Ms. Bach engaged in discussion with the Board regarding the establishment of a COLOTRUST account to earn interest on the money from the Town of Parker. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the establishment of a COLOTRUST account.

Other Business


None.

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 28th day of March, 2024.


Kim Jensen (Mar 29, 2024 15:51 MDT)

Secretary for the Meeting