

**MINUTES OF A REGULAR MEETING
OF THE BOARDS OF DIRECTORS OF**

PAINTED PRAIRIE METROPOLITAN DISTRICT NOS. 1 - 9

HELD: Thursday, the 11th day of October, 2018 at 2:30 p.m. at 5750 DTC Parkway, Suite 210, Greenwood Village, Colorado

ATTENDANCE:

A regular meeting of the Boards of Directors (collectively, the “Board”) of Painted Prairie Metropolitan District Nos. 1 – 9 (collectively, the “District”), City of Aurora, Adams County, Colorado, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado, with the following directors present and acting:

Christopher H. Fellows, President
Timothy Patrick O’Connor, Secretary/Treasurer
Bryan C. McFarland, Assistant Secretary
Dustin Patrick Bannon, Assistant Secretary

Also present was Diane Wheeler of Simmons and Wheeler, P.C. and Russell W. Dykstra of Spencer Fane, LLP.

CALL TO ORDER:

The meeting was called to order at 2:30 p.m. and it was confirmed that a quorum was present for the purpose of conducting a meeting of the Board of Directors.

Director Michael Patrick Bannon was absent, absence excused.

DISCLOSURE OF POTENTIAL CONFLICT OF INTEREST:

Mr. Dykstra reported that written conflict of interest disclosure statements had been filed with the Secretary of State for each of the Directors at least 72 hours prior to this meeting. Upon motion duly made, seconded and upon vote unanimously carried, the Board directed that both said written and verbal disclosures be incorporated herein.

APPROVAL OF AGENDA:

The Board reviewed the Agenda. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved the Agenda as presented.

PUBLIC COMMENT:

None.

APPROVAL OF MINUTES:

The Board reviewed the Minutes of the special meeting held on August 24, 2018. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved the Minutes as presented.

ATTORNEY ITEMS:

- a. Ratify Consultant Agreement between the District and CIVITAS, Inc. Mr. Dykstra discussed details regarding the Consultant Agreement. Upon motion duly made, seconded and upon vote unanimously carried, the Board approved the Consultant Agreement subject to final legal review.

FINANCIAL MATTERS:

- a. Claims. Ms. Wheeler presented the claims to be ratified and current claims represented by check numbers 1033 through 1043 totaling \$26,414.67. Discussion ensued regarding allocation of costs. Upon motion duly made, seconded and upon vote unanimously carried, the Board approved the claims as presented.
- b. Accountant's Report. Ms. Wheeler presented information regarding developer advances and payments. Discussion ensued.
- c. 2019 Budget. Mr. Dykstra distributed the 2019 Budget. Discussion ensued. Upon motion duly made, seconded and upon vote unanimously carried, the Board approved the scheduling of the public budget hearing for November 8, 2018.

EXECUTIVE SESSION:

None.

DEVELOPER UPDATE:

- a. Review and consider approval of the Change Order(s) for ECI Landscape. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved the base landscape, Phase I, with approval for the President and Secretary to sign on behalf of the District.
- b. Review and consider approval of Ventura Electric, LLC contract for onsite and off-site landscaping. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved street lighting in the amount of \$824,000.

- c. Review and consider approval of the Change Order(s) for HEI Civil (deductive change order to remove private/DIA scope/cost). Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board approved the contract as presented.

OTHER BUSINESS:

- a. Discuss vacancy on Board of Directors. Discuss vacancy on Board of Directors. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board accepted the resignation of Mr. Bannon and the future appointment of Mr. Walter to the Board.
- b. Discussion regarding interim draw payments. Following discussion and upon motion duly made, seconded and upon vote unanimously carried, the Board authorized the President and Secretary to execute interim draw payments between Board meetings subject to District Engineer and Accountant approval as long as the contract amount isn't exceeded.

ADJOURNMENT:

There being no further business to come before the board and upon motion duly made, seconded and upon vote unanimously carried, the Board adjourned the meeting at approximately 3:10 p.m. The foregoing Minutes constitute a true and correct copy of the Minutes of the above-referenced meeting and were approved by the Board of Directors of the Painted Prairie Metropolitan District Nos. 1 - 9.



Secretary