

## RECORD OF PROCEEDINGS

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MINUTES OF A REGULAR MEETING OF  
THE BOARDS OF DIRECTORS OF THE  
MIRABELLE METROPOLITAN DISTRICT NOS. 1 AND 2 (THE  
“DISTRICTS”)  
HELD  
OCTOBER 13, 2021

A special meeting of the Boards of Directors of the Mirabelle Metropolitan District Nos. 1 and 2 (referred to hereafter as the “Boards”) was convened on Wednesday, October 13, 2021, at 10:00 a.m. This District Board meeting was held via Microsoft Teams. The meeting was open to the public.

### ATTENDANCE

#### Directors In Attendance Were:

##### District No. 1:

Tim Roberts, President  
Michele Miller, Assistant Secretary  
Jennifer Fulton-Miller, Treasurer  
Thomas Schreifer, Assistant Secretary

##### District No. 2:

Tim Roberts, President  
Michele Miller, Assistant Secretary  
Jennifer Fulton-Miller, Treasurer  
Thomas Schreifer, Assistant Secretary

Vice President Kershisnik was absent and excused.

#### Also, In Attendance Were:

Denise Denslow, Stephanie Odewumi and Shelby Clymer; CliftonLarsonAllen LLP (“CLA”)  
Trisha K. Harris, Esq.; White Bear Ankele Tanaka & Waldron P.C. (“WBA”)  
Aaron Clutter; J.R. Engineering  
Ryan McDermed and Jessica McDonagh; Shea Homes

### ADMINISTRATIVE MATTERS

**Call to order and approval of agenda:** Ms. Denslow called the meeting to order at 10:07 a.m. Following review, upon a motion duly made by Director Fulton-Miller, seconded by Director Miller and, upon vote, unanimously carried, the Boards approved the agenda as presented.

**Disclosures of potential conflicts of interest:** The Boards of Directors of the Districts 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 shall be deemed to be the action of all Districts. Where necessary, action taken by an individual District

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will be so reflected in these minutes. The Boards were advised that pursuant to Colorado law, certain disclosures by the Boards' members may be required prior to taking official action at the meeting. Attorney Harris reported that disclosures for those directors with 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. Attorney Harris 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 Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

**Quorum, location of meeting and posting of meeting notices:** A quorum was confirmed with four Board members present. It was noted that the location of the meeting and the posting of the meeting notice was confirmed.

**Public comment:** None.

### CONSENT AGENDA

**Minutes from the September 8, 2021 Meeting:** Following review, upon a motion duly made by Director Miller, seconded by Director Schriefer and, upon vote, unanimously carried, the Boards approved the minutes from the September 8, 2021 meeting as presented.

### FINANCIAL MATTERS

**Payables and Schedules of Cash Position:** Ms. Clymer reviewed the Payables in the amount of \$562,297.41 and Schedules of Cash Position with the Boards, noting that 100% of property taxes have been collected. Following review, upon a motion duly made by Director Fulton-Miller, seconded by Director Miller and, upon vote, unanimously carried, the Boards approved the Payables and Schedules of Cash Position as presented.

**Draft 2022 Budgets:** The Boards determined that Directors Fulton-Miller and Kershisnik will review the budgets with Ms. Clymer; it will be brought back to the Boards at the November meeting. It was noted that no increases in the maintenance fees are anticipated at this time.

### LEGAL MATTERS

**Other:** None.

### MANAGER MATTERS

**Manager's Report:** Ms. Denslow provided a report to the Boards and noted that design review request approvals will be processed at a meeting this upcoming Friday, October 15.

**Other:** None.

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### CONSTRUCTION MATTERS

**District On-Site Utilities, Street and Landscaping Monthly Progress Report:** Mr. Clutter provided a status report to the Boards with information reflected in the report included in the packet regarding work performed to date.

**September Budget and Funding Tracking for Solstice Filings 2-4:**  
This item was distributed to the Board via email prior to the meeting. No action was taken.

### **Approval of Change Orders:**

**BrightView Landscape Development – Change Order #6 to Agreement with District No. 1 for Solstice Streetscape One Landscaping:** Following review, upon a motion duly made by Director Roberts, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No. 1 approved Change Order #6 to Agreement with District No. 1 for Solstice Streetscape One Landscaping in the amount of \$259,716.24 as presented.

**BrightView Landscape Development – Change Order #1 to Agreement with District No. 1 for Solstice 2021 Landscaping:** Following review, upon a motion duly made by Director Miller, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No.1 approved Change Order #1 to Agreement with District No. 1 for Solstice 2021 Landscaping in the amount of \$19,748.99 as presented.

**Addendum 2021D to Infrastructure Acquisition and Reimbursement Agreement between District No. 1 and Shea Homes:** Following review, upon a motion duly made by Director Miller, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No. 1 approved Addendum 2021D to Infrastructure Acquisition and Reimbursement Agreement between District No. 1 and Shea Homes as presented.

**License Agreement between District No. 1 and Douglas County for Pedestrian Lights:** Following review, upon a motion duly made by Director Miller, seconded by Director Fulton-Miller and, upon vote, unanimously carried, the Board of District No. 1 approved the License Agreement between District No. 1 and Douglas County for Pedestrian Lights as presented.

**High Line Canal Conservancy presentation:** Mr. McDermed inquired if the Boards would like to see the High Line Canal Conservancy presentation at a future Board meeting. It was noted that Ms. Denslow will coordinate with Mr. McDermed on information to present.

**Other:** None.

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### OTHER BUSINESS

**Other:** Director Miller inquired about snow removal within the Districts. Mr. McDermed suggested working with BrightView on snow removal and clarified trigger depths which are currently two inches on sidewalks and four inches on driving areas. He noted that these depths will be re-evaluated next year. It was noted that the construction manager recommends the approval of these conditions with BrightView. Director Miller suggested that these services include supplying ice melt around mailbox areas. Attorney Harris stated that she will present a contract with BrightView to ratify at the November meeting.

### ADJOURNMENT

There being no further business to come before the Boards at this time, the Boards adjourned the meeting at 10:37 a.m.

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

Respectfully submitted,

DocuSigned by:

*Michele Miller*

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Secretary for the Meeting