

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

THE CANYONS METROPOLITAN DISTRICT NOS. 1-4

Held: Thursday, May 18, 2023 at 8:00 a.m. via 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.

Jonathan Alpert  
Darren Everett  
Brian Alpert

Also present were Clint C. Waldron, Esq. and Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Carrie Beacom, CliftonLarsonAllen, LLP, District Accountant; Skyler Hager and Kaitlin Crandell, Alpert Companies.

Call to Order

Director Jonathan Alpert called the meeting to order.

Declaration of  
Quorum/Conflict of Interest  
Disclosures

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. 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 a motion duly made and seconded, the Boards unanimously approved the agenda as amended.

Consider Election of Officers      The Boards engaged in general discussion regarding the election of officers. Following discussion, upon a motion duly made and seconded, the Boards unanimously elected Director Everett as Treasurer.

Public Comment      None.

**Consent Agenda**      The Boards reviewed the items on the consent agenda. 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, ratified and adopted:

- February 24, 2023 Joint Special Meeting Minutes;
- License Agreement with Shea Canyons LLC for Access to the Eastern Loop Waterline Project; and
- Engagement Letter with Ballard Spahr for General Advice Related to 2021 Bonds.

### **Legal Matters**

Discuss Service Plan Amendments      Ms. Crandell noted the Districts are going to break up the Service Plans into one Service Plan per District, add new Districts and address the increased costs for development of the community which have increased over time. Director Everett asked about the process to amend the Service Plan. Mr. Waldron noted that the Districts are required to notify property owners and taxing entities within 3 miles of the Districts that the Service Plan is being amended.

Update on Legislative Matters      Ms. Murphy reviewed the 2023 legislative memorandum with the Board.

Other Legal Matters      None.

### **Financial Matters**

Review Unaudited Financial Statements, Property Tax Summary and Cash Position      Ms. Beacom presented the March 31, 2023 Unaudited Financial Statements to the Boards of District Nos. 1 and 3.

Approval of Claims Listing      Ms. Beacom presented the Claims Listing in the amount of \$41,201.10 to the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the Claims Listing in the amount of

\$41,201.10.

Ms. Beacom presented the Claims Listing in the amount of \$3,684,702.15 to the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously approved the Claims Listing in the amount of \$3,684,702.15.

Consider Approval of  
Acceptance Resolution  
Pursuant to Infrastructure  
Acquisition and Project  
Fund Disbursement  
Agreement (District No. 3)      Deferred.

Other Financial Matters      None.

**Construction      Matters  
(District No. 3)**

Construction Update      Mr. Hager provided an update to the Board of District No. 3 regarding ongoing construction matters. Parker Water & Sanitation infrastructure in Filing 2 has been accepted, the streetlights are in the process and design and engineering for South Havana Street realignment. Ms. Crandell noted that Mr. Hager is taking over as project manager for North Canyons Development Company.

Consider Approval of      Deferred.  
Change Orders

Update on Agreement with      Mr. Hager noted that the agreement is being reviewed by Douglas  
City Regarding Relocation      County staff and he expects to receive comments from them  
of Havana Street      shortly.

Discuss and Consider      Ms. Crandell reviewed the Termination of Independent  
Termination of Independent      Contractor Agreement with CORE Consultants, Inc. for  
Contractor Agreement with      Surveying Services, Environmental Services and Engineering  
CORE Consultants, Inc. for      Design (“CORE”) with the Board of District No. 3 noting that  
Surveying      Services,      this will terminate CORE’s services for Filing 4 and South  
Environmental Services and      Havana Street relocation project. Following discussion, upon a  
Engineering Design      motion duly made and seconded, the Board of District No. 3  
unanimously approved the Termination of Independent  
Contractor Agreement with CORE Consultants, Inc. for  
Surveying Services, Environmental Services and Engineering  
Design.

Discuss and Consider Approval of Independent Contractor Agreement with Terracina Design LLC for Surveying and Design

Mr. Hager reviewed the Independent Contractor Agreement with Terracina Design LLC for Surveying and Design with the Board of District No. 3 noting that this is in line with action taken by The Canyons Metropolitan District No. 7 action and is for the Filing 4 plat. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously approved the Independent Contractor Agreement with Terracina Design LLC for Surveying and Design.

Discuss and Consider Approval of Proposal AzTec Consultants Inc. for Surveying and platting services

Mr. Hager reviewed the Approval of Proposal AzTec Consultants Inc. for Surveying and platting services with the Board of District No. 3. Following discussion, upon a motion duly made and seconded, the Board of District No. 3 unanimously approved the Approval of Proposal AzTec Consultants Inc. for Surveying and Platting Services.

Other Construction Matters

Mr. Hager noted the Eastern Water Loop project has been delayed due to recent rainstorms. Ms. Crandell noted that CORE will not be providing services after the Eastern Water Loop is completed.

**Other Business**

None.

**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.

The foregoing minutes were approved by District No. 1 on this 14th day of August, 2023.

*Brian Alpert*  
Brian Alpert (Aug 14, 2023 14:22 MDT)

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District No. 1 Secretary for the Meeting

The foregoing minutes were approved by District No. 2 on this 14th day of August, 2023.

*Brian Alpert*  
Brian Alpert (Aug 14, 2023 14:22 MDT)

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District No. 2 Secretary for the Meeting

The foregoing minutes were approved by District No. 3 on this 14th day of August, 2023.

Brian Alpert  
Brian Alpert (Aug 14, 2023 14:22 MDT)

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District No. 3 Secretary for the Meeting

The foregoing minutes were approved by District No. 4 on this 14th day of August, 2023.

Brian Alpert  
Brian Alpert (Aug 14, 2023 14:22 MDT)

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District No. 4 Secretary for the Meeting