

RECORD OF PROCEEDINGS

MINUTES OF THE COORDINATED SPECIAL MEETING OF ACCESS - 25 METROPOLITAN DISTRICT NOS. 1-6

HELD
September 7, 2023

The Coordinated Special Meeting of the Boards of Directors (collectively, “Boards”) of Access 25 Metropolitan District Nos. 1-6 (collectively, the “Districts”) was held via MS TEAMS and teleconference, on Thursday, September 7, 2023, at 9:00 a.m.

ATTENDANCE

Directors in Attendance:

Marc Savela, President
Ron Corsentino, Secretary/Treasurer
John Spiegelman, Vice President/Asst. Secretary/Asst. Treasurer

Directors Absent but Excused:

Brian Spittell, Vice President/Asst. Secretary/Asst. Treasurer
Mary-Kate Corbitt, Vice President/Asst. Secretary/Asst. Treasurer

Also in Attendance:

David O’Leary, Esq; Spencer Fane, LLP
Shannon Randazzo, Kevin Mitts, and Nic Ortiz; Pinnacle Consulting Group, Inc.

ADMINISTRATIVE ITEMS

Call to Order: The Coordinated Special Meeting of the Board of Directors of Access 25 Metropolitan District Nos. 1-6 was called to order by Ms. Randazzo at 9:01 a.m. She noted that a quorum was present for the Board of Directors. All Board Members also confirmed that prior to the meeting they had been notified of the meeting and all Board Members confirmed their qualification to serve on the Board.

Meeting Notice. Notices of the Boards Meetings were properly posted on the District’s website in compliance with state statutes, Board resolution and pursuant to Section 24-6-402(2)(c)(III) C.R.S., regarding meeting notices. The Notice also included the agenda items. Meetings are open to the public.

Combined and Coordinated Meetings: The Boards of Directors of the Districts determined to hold coordinated meetings and prepare coordinated minutes of action taken by the Districts at such meetings. Unless otherwise noted herein, all official action reflected in these minutes shall be deemed to be the action of all the Districts. Where necessary, action taken by an individual District will be so reflected in these minutes.

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Declaration of Quorum/Director Qualifications/Disclosure of Potential Conflicts of Interest: Mr. O'Leary noted that a quorum was present, with confirmation of the presence of a quorum of each of the Boards of Directors of each of the Districts. Mr. O'Leary discussed the law relating to conflicts of interest and ethical standards for public officials, and the statutory requirements to disclose any potential conflict of interest to the Board and to the Colorado Secretary of State. Mr. O'Leary further advised the Board regarding the requirements pertaining to general and specific conflicts. Mr. O'Leary indicated that appropriate forms disclosing potential conflicts had previously been sent to and completed by each of the Directors at least 72 hours in advance of the meeting as required by statute. Mr. O'Leary noted additional potential conflicts and questions should be submitted to Spencer Fane LLP for review and preparation of applicable disclosure statements in advance of each meeting. Mr. O'Leary discussed the obligations of individual Directors to ensure that state law regarding disclosure of potential conflicts of interest is properly satisfied. Mr. O'Leary's office will assist the Directors in filing forms completed by the Directors in connection with each District's meetings at which matters giving rise to potential conflicts are discussed. The Boards reviewed the agenda for the meeting, following with each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Board to act.

Approval of the Agenda: The Boards reviewed the agenda. Following discussion, upon motion duly made by Director Savela, seconded by Director Spiegelman and, upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as presented.

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

CONSENT AGENDA

Ms. Randazzo reviewed the items on the consent agenda with the Boards. Ms. Randazzo advised the Boards that any item may be removed from the consent agenda to the regular agenda upon the request of any Director. No items were requested to be removed from the consent agenda. Upon a motion duly made by Director Savela, Seconded by Director Spiegelman, the following items on the consent agenda were unanimously approved, ratified and adopted:

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A. Approval of Minutes – October 23, 2022, Formation and Organizational Meeting Minutes.

LEGAL ITEMS

Public Hearing to Consider Petitions for the Exclusion of Property from Access 25 Metropolitan District Nos. 2 and 3: Mr. O’Leary discussed the request of the petitioners to consider their petitions for the Exclusion of Property from Access 25 Metropolitan District Nos. 2 and 3 to help correct the District boundaries to align with the current phases of development and district boundaries and answered questions. Publication of Notice of the Exclusions were provided in compliance with statutory requirements. Following discussion, upon motion duly made by Director Savela, seconded by Director Spiegelman the public hearings regarding the proposed exclusion of property from District No. 2 and No. 3 were opened. Hearing no public comments, upon motion duly made by Director Savela, seconded by Director Spiegelman the public hearing was closed. Upon motion duly made by Director Savela, seconded by Director Spiegelman and, upon vote, unanimously carried, it was

RESOLVED to approve the Resolutions Approving the Petitions for Exclusion of property from District No. 2 and No. 3, as presented.

Public Hearing to Consider Petitions for the Inclusion of Land into Access 25 Metropolitan District Nos. 1, 2, and 3: Mr. O’Leary presented the Public Hearing to Consider Petitions for the Inclusion of Land into Access 25 Metropolitan District No. 1, 2, and 3 and answered questions. The previous exclusions and these inclusions of property were intended to realign the District Nos. 1, 2 and 3 with the current platting and phases of development. Publication of Notices of the Inclusions were provided in compliance with statutory requirements. Following discussion, upon motion duly made by Director Savela, seconded by Director Spiegelman the public hearings regarding the proposed inclusion of property into District No. 1, No. 2 and No. 3 were opened. Hearing no public comments, upon motion duly made by Director Savela, seconded by Director Spiegelman the public hearings were closed. Upon motion duly made by Director Savela, seconded by Director Spiegelman and, upon vote, unanimously carried, it was

RESOLVED to approve the Resolutions Approving the Petitions for Inclusion, as presented.

DIRECTOR ITEMS

There were no additional Director Matters to come before the Boards.

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OTHER MATTERS

There were no other matters to come before the Boards.

ADJOURNMENT

There being no further business to come before the Board at this time, upon motion duly made by Director Savela, seconded by Director Spigelman and, upon unanimous vote, the meeting was adjourned at 9:12 a.m.

Respectfully submitted,

Kevin Mitts

Kevin Mitts, Recording Secretary for the Meeting