

RECORD OF PROCEEDINGS

EXECUTION COPY
DISTRICT NO. 1
DISTRICT NO. 3
DISTRICT NO. 4

**MINUTES OF THE JOINT REGULAR MEETING OF
THE BOARD OF DIRECTORS OF
THE LAKES METROPOLITAN DISTRICT NOS. 1, 3-4**

HELD OCTOBER 17, 2023

The joint regular meeting of the Boards of Directors of The Lakes Metropolitan District Nos. 1, 3-4 (referred to hereafter as “Boards”) were convened on Tuesday, October 17, 2023 at 9:30 a.m., via teleconference. The meeting was open to the public.

ATTENDANCE

Directors in Attendance were:

Michael A. Richardson
Paula J. Lindamood
Erika L. Volling

Excused Absentee: Florine T. Richardson and Amy Richardson

Also in Attendance were:

Heather Hartung, Esq., White Bear Ankele Tanaka & Waldron, P.C.
Eric Weaver and Katie Salazar, Marchetti & Weaver, LLC

JOINT MEETING

The Boards of Directors of the Districts have determined to hold a joint meeting of the Districts and to prepare joint minutes of actions taken by the Boards 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 will be so reflected in these minutes.

CALL TO ORDER

Director Richardson noted that a quorum of the Boards were present and called the Joint Regular Meeting of the Boards of Directors to order. Director Richardson designated Director Volling as the chairperson of the meeting.

**DISCLOSURE OF
POTENTIAL
CONFLICTS OF
INTEREST &
ESTABLISH
QUORUM**

Director Volling noted that disclosures of potential conflict of interest statements for each of the Directors were filed with the Secretary of State by the District General Counsel, White Bear Ankele Tanaka & Waldron, P.C., seventy-two hours in advance of the meeting. Attorney Hartung requested that the Directors consider whether they had any additional conflicts of interest to disclose. Attorney Hartung noted for the record that there were no new disclosures made by the Directors present at the meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting and in accordance with the statutes. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

**ADMINISTRATIVE
MATTERS**

Agenda: Director Volling distributed for the Boards’ review and approval an Agenda for the Districts’ joint regular meeting. Director Volling requested that ratification of Change Order No. 3 from Brannan Sand and Gravel be added to the Consent Agenda.

Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Agenda was approved as amended.

Public Comment: None.

Consent Agenda: The Boards discussed the Consent Agenda. Following review and discussion, upon a motion made, seconded and upon vote unanimously

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carried, the Boards approved, adopted, and ratified the Consent Agenda including the following items:

- a. Minutes from the September 19, 2023 Joint Regular Meeting
- b. Change Order Nos. 1 and 2 from Brannan Sand Regarding P&P Bond and Additional Work Relating to Paving
- c. Change Order No. 13 from Three Sons Construction – Farmlore North Filing 1 – additional irrigation sleeving
- d. Change Order No. 3 from Brannan Sand and Gravel

CONSTRUCTION MATTERS

144th Avenue and Chambers Trail Paving Public Improvement Pricing and Status: At the June 20, 2023 BOD meeting, it was determined that District No. 4 would provide monthly updates to District No. 3 at the monthly BOD meetings to satisfy the status report requirements in the Assignment of and Second Amendment to Capital Improvements Pledge Agreement dated November 9, 2022. The monthly update from District No. 4 was the curb, gutters, and sidewalks along 144th are complete. United Power is still working to be able to remove the power poles that are in the way of construction. Paving work has started on 144th.

Phase 1 has received the top lift of paving with the exception of Chambers Road. Xcel Energy contractors are expected on-site this week of October 17th.

DISTRICT MATTERS

No items discussed.

LEGAL MATTERS

2024 Meeting Dates and Times: The Board discussed changing the time for the monthly meetings due to scheduling issues. The Board agreed that in 2024, 8:30am on the third Tuesday of each month (except November) would be the new meeting time.

FINANCIAL MATTERS

Pay Application No. 10 – District No. 4: The Board discussed the Pay Application No. 10 for construction at Farmlore North. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 10 was approved.

Pay Application No. 5 – District No. 4: The Board discussed the Pay Application No. 5 for construction of 144th Improvements. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Pay Application No. 5 was approved.

Payables of District No. 4: The monthly invoices for payment in addition to the Pay Application were for Atwell, Marchetti and Weaver, and White Bear Ankele Tanaka & Waldron. The Board discussed the invoices totaling \$9,262.45. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the invoices were approved.

Requisition No. 17 – District No. 4: The Requisition No. 17 was reviewed and discussed by the Board. Following discussion, upon motion duly made, seconded and, upon vote unanimously carried, the Requisition No. 17 was approved.

Capital Fees: The Board discussed that capital fees were anticipated being wired from the scheduled Taylor Morrison closing on October 24, 2023. It was determined that the Board approved that the Capital Fees would be wired into a subaccount at ColoTrust.

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OTHER BUSINESS **Next Regular Meeting:** The next regular meeting is scheduled for November 8, 2023 at 9:30 a.m. via teleconference.

ADJOURNMENT There being no further business to come before the Boards at this time, upon motion duly made, seconded and, upon vote, unanimously carried, the meeting was adjourned.

Respectfully submitted,

By: Erika Valling
Secretary for Meeting