

MINUTES OF A JOINT SPECIAL MEETING OF THE  
BOARDS OF DIRECTORS

OF

FOREST TRACE METROPOLITAN DISTRICT NOS. 1-3

Held: Tuesday, April 4, 2023 at 1:15 p.m. via teleconference.

The meeting referenced above was called and held in accordance with the applicable statutes of the State of Colorado. The following directors were in attendance:

Daniel Frank  
Richard Frank  
Marc Cooper

Also present were Clint C. Waldron, Esq., White Bear Ankele Tanaka & Waldron, District General Counsel; Diane Wheeler, Simmons & Wheeler, P.C., District Accountant; and Scott Goldhammer, Miller Real Estate Investments, Inc., District Manager.

Call to Order/Declaration of Quorum      Director D. Frank noted that a quorum of the Boards was present and called the meeting to order.

Director Qualifications/Conflicts of Interest/Reaffirmation of Disclosures      of      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. No additional disclosures were noted. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Joint 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 presented.

**Public Comment**

None.

**Consent Agenda**

The Boards reviewed the items on the consent agenda. Mr. Waldron 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 and seconded, the following items on the consent agenda were unanimously approved, ratified and adopted;

- October 13, 2022 Joint Special Meeting Minutes;
- Claims Payable;
- Independent Contractor Agreement with KPM Property Maintenance LLC for Day Porter and Street Sweeping Services (District No. 2);
- Independent Contractor Agreement with ColoradoScapes LLC for Landscape Maintenance Services (District No. 2);
- Independent Contractor Agreement with Colorado Lighting, Inc. for Exterior Lighting Inspections (District No. 2); and
- Independent Contractor Agreement with Storm Water Asset Protection LLC for 2023 Stormwater System Inspection (District No. 2)

**Legal Matters**

**Other Legal Matters**

Mr. Waldron noted that SB23-110 “Concerning Transparency for Metropolitan Districts” had been signed by the Governor, and he reviewed the legislation with the Boards.

**Financial Matters**

**Review Unaudited Financial Statements, Property Tax Statement and Schedule of Cash Position**

Ms. Wheeler reviewed the December 31, 2022 Unaudited Financial Statements with the Boards.

**Other Financial Matters**

Ms. Wheeler noted the auditor is working on the Audit for District No. 3. The audit exemption applications have been filed for District Nos. 1 and 2.

**District Operations**

**Discuss and Consider Approval of Proposal from**

Mr. Goldhammer reviewed the Proposal from Martin/Martin Consulting Engineers for Design of ADA Route with the Board

Martin/Martin Consulting Engineers for Design of ADA Route (District No. 2) of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously approved the proposal.

Discuss and Consider Approval of Proposal from Brown Brothers Asphalt and Concrete for Asphalt Repairs (District No. 2) Mr. Goldhammer reviewed the Proposal from Brown Brothers Asphalt and Concrete for Asphalt Repairs with the Board of District No. 2. Following discussion, upon a motion duly made and seconded, the Board of District No. 2 unanimously approved the proposal. It was noted that in the next 3-5 years, sections of the street may need an overlay.

**Other District Operations** Mr. Goldhammer inquired about landscape money in the budget for tree replacement. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the replacement of trees in an amount not-to-exceed of \$6,500.

**Discuss SARIA Financing** Director Cooper provided a general update to the Boards.

**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.

Marc Cooper  
Marc Cooper (Jul 28, 2023 16:00 MDT)

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Secretary for the Meeting

The foregoing minutes were approved on the 26<sup>th</sup> day of July, 2023.