

## RECORD OF PROCEEDINGS

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**MINUTES OF A REGULAR MEETING  
OF THE BOARD OF DIRECTORS OF THE  
DENVER INTERNATIONAL BUSINESS CENTER METROPOLITAN  
DISTRICT NO. 1  
HELD  
MARCH 2, 2022**

A Regular Meeting of the Board of Directors (the “Board”) of Denver International Business Center Metropolitan District No. 1 (the “District”), City and County of Denver, Colorado, was duly posted and held on Wednesday, March 2, 2022 at 2:00 p.m. The meeting was held by video conference via Microsoft Teams. The meeting was open to the public.

### **ATTENDANCE**

#### **Directors In Attendance Were:**

Ferdinand L. Belz, III, President  
Marcia A. Lujan, Treasurer  
Mark T. Throckmorton, Secretary  
Henry “Rick” Wells, Assistant Secretary

Director Matthew Stewart was absent and excused.

#### **Also in Attendance:**

Paula Williams, Esq. and Erica Montague, Esq.; McGeady Becher P.C.  
Matt Urkoski, Shauna D’Amato, Debbie Mitchell, and Alyssa Ferreira;  
CliftonLarsonAllen LLP (“CLA”)  
Gregg Johnson; L.C. Fulenwider, Inc.

### **ADMINISTRATIVE MATTERS**

**Disclosure of Potential Conflicts of Interest:** The Board discussed the requirements of Colorado law to disclose any potential conflicts of interest or potential breaches of fiduciary duty of the Board of Directors to the Secretary of State. The members of the Board were requested to disclose any potential conflicts of interest with regard to any matters scheduled for discussion at this meeting and incorporated for the record those applicable disclosures made by the Board members prior to this meeting in accordance with statute. It was noted by Mr. Urkoski that disclosures of potential conflicts of interest were filed with the Secretary of State for all Directors, and no additional conflicts were disclosed at the meeting.

**Quorum, Location of Meeting and Posting of Meeting Notice:** The presence of a quorum was confirmed.

The Board entered into discussion regarding the requirements of Section 32-1-903(1), C.R.S., concerning the location of the District’s Board meeting. Following discussion, upon a motion duly made by Director Belz, seconded by Director Wells and, upon vote unanimously carried, the Board determined to conduct this meeting via video conference and encouraged public participation via Microsoft Teams. The

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Board further noted that notice of the time, date and Microsoft Teams access information was duly posted and that no objections or requests that the means of hosting the meeting be changed by taxpaying electors within the District's boundaries have been received.

**Designation of 24-Hour Posting Location:** Following discussion, upon motion duly made by Director Belz, seconded by Director Wells, and upon vote unanimously carried, the Board determined that notices of meetings of the District Board required pursuant to Section 24-6-402(2)(c), C.R.S., shall be posted on the District website at least 24-hours prior to each meeting, or if the website is unavailable at the following location: northwest corner of the intersection of 65th Avenue and Tower Road.

**Agenda:** Following review and discussion, upon a motion duly made by Director Belz, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the Agenda, as presented.

**Public Comment:** There was no public comment.

**Minutes of December 1, 2021 Special Meeting:** The Board reviewed the Minutes of the December 1, 2021 Special Meeting. Following discussion, upon a motion duly made by Director Belz, seconded by Director Wells and, upon vote, unanimously carried, the Board approved the Minutes of the December 1, 2021 Special Meeting.

### **FINANCIAL MATTERS**

**Payment of Claims:** Ms. Mitchell reviewed the claims with the Board. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Lujan and, upon vote unanimously carried, the Board approved and/or ratified approval of the claims in the amount of \$100,001.41.

**December 31, 2021 Unaudited Financial Statements:** Ms. Mitchell reviewed the unaudited financial statements with the Board. Following discussion, action on this matter was deferred pending further review and revision.

**Verified Districts Eligible Costs:** The Board deferred action on the following items subject to further review by the Board:

1. **Filing 10 - Engineer's Report and Certification #01, dated July 13, 2021, prepared by Ranger Engineering, LLC in the amount of \$19,546.02;**
2. **Filing 10 - Engineer's Report and Certification #02, dated July 20, 2021, prepared by Ranger Engineering, LLC in the amount of \$30,985.70;**

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3. Filing 10 - Engineer's Report and Certification #03, dated August 24, 2021, prepared by Ranger Engineering, LLC in the amount of \$34,860.41;
4. Filing 10 - Engineer's Report and Certification #04, dated September 23, 2021, prepared by Ranger Engineering, LLC in the amount of \$10,471.55;
5. Filing 10 - Engineer's Report and Certification #05, dated October 28, 2021, prepared by Ranger Engineering, LLC in the amount of \$47,556.43;
6. Filing 10 - Engineer's Report and Certification #06, dated November 22, 2021, prepared by Ranger Engineering, LLC in the amount of \$41,367.18;
7. Filing 10 - Engineer's Report and Certification #07, dated December 21, 2021, prepared by Ranger Engineering, LLC in the amount of \$13,467.78;
8. Filing 10 - Engineer's Report and Certification #08, dated January 24, 2022, prepared by Ranger Engineering, LLC in the amount of \$22,113.70;
9. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #05, dated June 28, 2021, prepared by Ranger Engineering, LLC in the amount of \$111,385.98;
10. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #06 R1, dated July 15, 2021, prepared by Ranger Engineering, LLC in the amount of \$12,877.49;
11. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #07, dated July 20, 2021, prepared by Ranger Engineering, LLC in the amount of \$15,106.66;
12. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #08, dated August 25, 2021, prepared by Ranger Engineering, LLC in the amount of \$102,545.05;
13. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #09, dated September 23, 2021, prepared by Ranger Engineering, LLC in the amount of \$6,003.46;

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14. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #10, dated October 28, 2021, prepared by Ranger Engineering, LLC in the amount of \$8,660.27;
15. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #11, dated November 22, 2021, prepared by Ranger Engineering, LLC in the amount of \$31,281.55;
16. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #12, dated December 21, 2021, prepared by Ranger Engineering, LLC in the amount of \$24,839.11;
17. Phase II: Pena Station Filing 2 / DIBC Filing 7 - Engineer's Report and Certification #13, dated February 18, 2022, prepared by Ranger Engineering, LLC in the amount of \$124,857.98;
18. LDR - Engineer's Report and Certification #01, dated December 21, 2021, prepared by Ranger Engineering, LLC in the amount of \$9,986.70; and
19. LDR - Engineer's Report and Certification #02, dated January 24, 2022, prepared by Ranger Engineering, LLC in the amount of \$16,219.48.

### LEGAL MATTERS

**May 3, 2022 Regular Election:** Attorney Williams informed the Board that the May 3, 2022 Regular Election for Directors was cancelled, as allowed by statute, because there were not more candidates than seats available on the Board. It was noted that Ferdinand Belz, Mark Throckmorton and Matthew Stewart were each deemed elected by acclamation to 3-year terms expiring in May, 2025.

**FlightSafety PILOT and Potential Land Swap:** The Board discussed the FlightSafety PILOT and potential land swap. Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Belz and, upon vote, unanimously carried, the Board authorized necessary actions in connection with the potential land swap and any related modification of the PILOT documents.

**Agreement for Legal Services by and between the District and Husch Blackwell LLP:** Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Belz and, upon vote, unanimously carried, the Board ratified approval of the Agreement for Legal Services by and between the District and Husch Blackwell LLP.

### MANAGER MATTERS

**2022 Addendum to Landscape Service Agreement between the District and Brightview Landscape Services, Inc:** Following discussion, upon a motion duly made by Director Throckmorton, seconded by Director Wells and, upon vote,

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unanimously carried, the Board ratified approval of the 2022 Addendum to Landscape Service Agreement between the District and Brightview Landscape Services, Inc.

**Other:** None.

### **CAPITAL IMPROVEMENTS**

**2022 Development/Construction Outlook:** The Board discussed the 2022 Development/Construction Outlook.

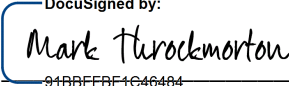
### **OTHER BUSINESS**

**Other:** None.

### **ADJOURNMENT**

There being no further business to come before the Board, Director Belz adjourned the meeting at 3:09 p.m.

Respectfully submitted,

By  91BBFFBF1C46484...  
Secretary for the Meeting

**Certificate Of Completion**

Envelope Id: C48F7B97DB34403EB5FB433C72592D41	Status: Completed
Subject: DIBC - Minutes 03-02-2022 DIBC Final.pdf	
Client Name: DIBC	
Client Number: 011-046117-OS03-2022	
Source Envelope:	
Document Pages: 5	Signatures: 1
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Envelopeld Stamping: Enabled	Kathy Suazo
Time Zone: (UTC-06:00) Central Time (US & Canada)	220 S 6th St Ste 300
	Minneapolis, MN 55402-1418
	Kathy.Suazo@claconnect.com
	IP Address: 165.225.10.178

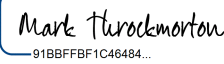
**Record Tracking**

Status: Original	Holder: Kathy Suazo	Location: DocuSign
6/6/2022 10:43:25 AM	Kathy.Suazo@claconnect.com	

**Signer Events**

Mark Throckmorton  
 mark@fulenwider.com  
 Security Level: Email, Account Authentication (None)

**Signature**

DocuSigned by:  
  
91BBFFBF1C46484...

Signature Adoption: Pre-selected Style  
 Signed by link sent to mark@fulenwider.com  
 Using IP Address: 65.132.112.218

**Timestamp**

Sent: 6/6/2022 10:44:54 AM  
 Viewed: 6/6/2022 11:19:05 AM  
 Signed: 6/6/2022 11:19:10 AM

**Electronic Record and Signature Disclosure:**  
 Accepted: 4/2/2020 10:38:39 AM  
 ID: 6799deac-ee39-486d-bebc-e0a23294735d

**In Person Signer Events**

**Signature**

**Timestamp**

**Editor Delivery Events**

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**Timestamp**

**Agent Delivery Events**

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**Timestamp**

**Intermediary Delivery Events**

**Status**

**Timestamp**

**Certified Delivery Events**

**Status**

**Timestamp**

**Carbon Copy Events**

**Status**

**Timestamp**

Jenny Pino  
 jpino@specialdistrictlaw.com  
 Security Level: Email, Account Authentication (None)

**COPIED**

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**Electronic Record and Signature Disclosure:**  
 Not Offered via DocuSign

**Witness Events**

**Signature**

**Timestamp**

**Notary Events**

**Signature**

**Timestamp**

**Envelope Summary Events**

**Status**

**Timestamps**

Envelope Sent	Hashed/Encrypted	6/6/2022 10:44:54 AM
Certified Delivered	Security Checked	6/6/2022 11:19:05 AM
Signing Complete	Security Checked	6/6/2022 11:19:10 AM

<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Completed	Security Checked	6/6/2022 11:19:11 AM
<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
<b>Electronic Record and Signature Disclosure</b>		

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