

RECORD OF PROCEEDINGS

**MINUTES OF A REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
DENVER INTERNATIONAL BUSINESS CENTER
METROPOLITAN DISTRICT NO. 1
HELD
SEPTEMBER 6, 2023**

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, September 6, 2023, at 2:51 p.m. The District Board meeting was held by video conference via Microsoft Teams. The meeting was open to the public.

ATTENDANCE

Directors In Attendance Were:

Ferdinand Belz, III, President
Henry “Rick” Wells, Assistant Secretary
Matthew Stewart, Treasurer

The absence of Director Throckmorton was excused.

Also in Attendance:

Paula Williams, Esq. and Emily Murphy, Esq.; McGeady Becher P.C.
Matt Ruhland, Esq.; Cockrel Ela Glense Greher & Ruhland, P.C.
Matt Urkoski, Alyssa Ferreira, Paul Goluskin and Rachel Alles; CliftonLarsonAllen LLP (“CLA”)
Blake Fulenwider; HM Metropolitan District Nos. 1 and 2
Gregg Johnson and Erik Prakop; L.C. Fulenwider, Inc.

ADMINISTRATIVE MATTERS

Disclosure of Potential Conflicts of Interest: The Board discussed the requirements pursuant to the Colorado Revised Statutes to disclose any potential conflicts of interest or potential breaches of fiduciary duty to the Board of Directors and to the Secretary of State. Attorney Williams requested that members of the Board disclose any potential conflicts of interest regarding 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 the statute. No new disclosures were made. Attorney Williams noted that all Directors’ Disclosure Statements were filed.

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 motion duly made by Director Belz, seconded by Director Stewart and, upon vote unanimously carried, the Board determined to conduct this meeting

RECORD OF PROCEEDINGS

via video conference and encouraged public participation via Microsoft Teams. The 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.

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

Public Comment: There were no public comments.

June 7, 2023 Regular Meeting Minutes: Following review, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board approved the June 7, 2023 Regular Meeting Minutes.

FINANCIAL MATTERS

Claims: Ms. Ferreira reviewed the claims with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board approved and/or ratified approval of the payment of claims in the amount of \$986,264.73.

July 31, 2023 Unaudited Financial Statements: Ms. Ferreira reviewed the July 31, 2023 Unaudited Financial Statements with the Board. Following discussion, upon a motion duly made by Director Stewart, seconded by Director Wells and, upon vote unanimously carried, the Board accepted the July 31, 2023 Unaudited Financial Statements.

Filing 10 Engineer's Report and Certification #25, dated June 20, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #25 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **Filing 10** Engineer's Report and Certification #25, dated June 20, 2023, prepared by Ranger Engineering, LLC in the amount of \$10,864.45.

Filing 10 Engineer's Report and Certification #26, dated July 25, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #26 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **Filing 10** Engineer's Report and Certification #26, dated July 25, 2023, prepared by Ranger Engineering, LLC in the amount of \$178,516.65.

Filing 10 Engineer's Report and Certification #27, dated August 21, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #27 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously

RECORD OF PROCEEDINGS

carried, the Board accepted **Filing 10 Engineer's Report and Certification #27**, dated August 21, 2023, prepared by Ranger Engineering, LLC in the amount of \$613,932.80.

LDR Engineer's Report and Certification #18, dated June 20, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #18 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **LDR Engineer's Report and Certification #18**, dated June 20, 2023, prepared by Ranger Engineering, LLC in the amount of \$3,167.72.

LDR Engineer's Report and Certification #19, dated July 25, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #19 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **LDR Engineer's Report and Certification #19**, dated July 25, 2023, prepared by Ranger Engineering, LLC in the amount of \$19,460.36.

LDR Engineer's Report and Certification #20, dated August 21, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #20 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **LDR Engineer's Report and Certification #20**, dated August 21, 2023, prepared by Ranger Engineering, LLC in the amount of \$8,042.49.

Yampa & 71st Street Improvements Engineer's Report and Certification #05, dated June 20, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #05 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **Yampa & 71st Street Improvements Engineer's Report and Certification #05**, dated June 20, 2023, prepared by Ranger Engineering, LLC in the amount of \$2,424.00.

Yampa & 71st Street Improvements Engineer's Report and Certification #06, dated July 25, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #06 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz and, upon vote unanimously carried, the Board accepted **Yampa & 71st Street Improvements Engineer's Report and Certification #06**, dated July 25, 2023, prepared by Ranger Engineering, LLC in the amount of \$39,372.50.

Yampa & 71st Street Improvements Engineer's Report and Certification #07, dated August 21, 2023, prepared by Ranger Engineering, LLC: Ms. Ferreira reviewed Engineer's Report and Certification #07 with the Board. Following discussion, upon a motion duly made by Director Wells, seconded by Director Belz

RECORD OF PROCEEDINGS

and, upon vote unanimously carried, the Board accepted **Yampa & 71st Street Improvements** Engineer's Report and Certification #07, dated August 21, 2023, prepared by Ranger Engineering, LLC in the amount of \$22,250.00.

LEGAL MATTERS

Legislative Changes / Annual Meeting Requirement: Attorney Williams provided an update on recent legislative changes, noting that an Annual Meeting is required because there are registered voters within the District. The Annual Meeting is anticipated to be scheduled to be held immediately preceding the budget hearing.

MANAGER MATTERS

Work Order No. 01 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) by and between the District and M.A. Mortenson Company: Following discussion, upon a motion duly made by Director Stewart, seconded by Director Belz and, upon vote unanimously carried, the Board ratified approval of Work Order No. 01 to Standard Agreement and General Conditions between Owner and Construction Manager (Where the CM is At-Risk) by and between the District and M.A. Mortenson Company, in the amount of \$7,409,117.00.

CAPITAL IMPROVEMENTS

None.

OTHER BUSINESS

Board Vacancies: The Board discussed the vacant seat on the Board of Directors and directed District General Counsel to publish a Notice of Vacancy relative to same.

ADJOURNMENT

There being no further business to come before the Board, upon motion duly made by Director Belz, the Board adjourned the meeting.

Respectfully submitted,

DocuSigned by:
By Mark Throckmorton
91BBFFBFC46484...
Secretary for the Meeting

Certificate Of Completion

Envelope Id: 62C95E013BFC40C386B200D79C98D867	Status: Completed
Subject: DIBC : Resolution Amending CORA Policy - DIBC (01116355).pdf, Resolution re. 2...	
Client Name: DIBCMD1	
Client Number: A179437	
Source Envelope:	
Document Pages: 28	Signatures: 12
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
Enveloped 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: 24.9.186.151

Record Tracking

Status: Original	Holder: Kathy Suazo	Location: DocuSign
12/20/2023 7:41:22 PM	Kathy.Suazo@claconnect.com	

Signer Events

Ferdinand Belz
 ferd@fulenwider.com
 President
 Security Level: Email, Account Authentication (None)

Signature

DocuSigned by:


 2A0B30132C20499...
 Signature Adoption: Pre-selected Style
 Using IP Address: 65.132.112.218

Timestamp

Sent: 12/20/2023 7:45:56 PM
 Viewed: 12/21/2023 9:37:31 AM
 Signed: 12/21/2023 9:38:18 AM

Electronic Record and Signature Disclosure:
 Accepted: 12/21/2023 9:37:31 AM
 ID: f6f1d837-be2d-49a8-979b-6d518504a10c

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

DocuSigned by:

 91BBFFBF1C46484...
 Signature Adoption: Pre-selected Style
 Using IP Address: 75.70.98.156

Sent: 12/21/2023 9:38:21 AM
 Viewed: 12/23/2023 4:07:46 PM
 Signed: 12/23/2023 4:08:05 PM

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	Status	Timestamp
Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp

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

COPIED

Sent: 12/23/2023 4:08:07 PM

Electronic Record and Signature Disclosure:
 Not Offered via DocuSign

Carbon Copy Events	Status	Timestamp
Record Retention SDRecordsRetention@claconnect.com Security Level: Email, Account Authentication (None)	COPIED	Sent: 12/23/2023 4:08:08 PM Viewed: 12/29/2023 12:39:06 PM
Electronic Record and Signature Disclosure: Accepted: 10/5/2023 9:27:44 AM ID: 2eeab7cf-9041-488d-bed0-8baedf289723		

Witness Events	Signature	Timestamp
----------------	-----------	-----------

Notary Events	Signature	Timestamp
---------------	-----------	-----------

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	12/20/2023 7:45:56 PM
Certified Delivered	Security Checked	12/23/2023 4:07:46 PM
Signing Complete	Security Checked	12/23/2023 4:08:05 PM
Completed	Security Checked	12/23/2023 4:08:08 PM

Payment Events	Status	Timestamps
----------------	--------	------------

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, CliftonLarsonAllen LLP (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact CliftonLarsonAllen LLP:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: BusinessTechnology@CLAconnect.com

To advise CliftonLarsonAllen LLP of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at BusinessTechnology@CLAconnect.com and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from CliftonLarsonAllen LLP

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with CliftonLarsonAllen LLP

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to BusinessTechnology@CLAconnect.com and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to ‘I agree to use electronic records and signatures’ before clicking ‘CONTINUE’ within the DocuSign system.

By selecting the check-box next to ‘I agree to use electronic records and signatures’, you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify CliftonLarsonAllen LLP as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by CliftonLarsonAllen LLP during the course of your relationship with CliftonLarsonAllen LLP.