

MINUTES OF A SPECIAL MEETING OF THE BOARDS OF DIRECTORS

OF

TRANSPORT METROPOLITAN DISTRICT NOS. 1-4

Held: Thursday, August 19, 2021 at 10:00 a.m. via teleconference

*Due to the risks posed by COVID-19, this meeting was held via teleconference.*

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.

Attendance

The special meeting of the Boards of Directors of Transport Metropolitan District Nos. 1-4 was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, have confirmed their qualifications to serve, were in attendance via teleconference:

Nick Hernandez  
Kelsey B. Hall  
Richard Montgomery

Also present were Zachary P. White, Esq., White Bear White Tanaka & Waldron, Attorneys at Law; Jason Carroll, CliftonLarsonAllen; Theron Skidmore (Construction Manager); and Jim Brodie, Complex Partners.

Call to Order/Declaration of Quorum

It was noted that a quorum of the Boards was present and Director Hernandez called the meeting to order.

Conflict of Interest Disclosures

Mr. White advised the Boards that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Mr. White reported that disclosures for those directors with 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. White noted that a quorum

was present and 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. Director Hall noted her affiliation with Western Transport, LLC as Senior Land and Project Manager. Director Hernandez noted his affiliation with Western Transport, LLC as CEO. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Approval of Agenda

Mr. White presented the proposed agenda to the Boards for consideration. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the agenda as presented.

Joint Meetings

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Approval of Minutes from July 15, 2021, Joint Special meeting

Mr. White presented the Minutes from the July 15, 2021 Joint Special meeting to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the minutes as presented.

Public Comment

No members of the public were present.

Construction Matters

Construction Status Update

Mr. Skidmore Updated the Status of Construction with the Boards.

Consider Approval of Proposal from Newterra for Wastewater Treatment Plant Phase II

Mr. White presented a Proposal from Newterra for Wastewater Treatment Plant, Phase II, to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the proposal.

Review and Consider Approval of Change Order No. 1 from Dufrane Construction for Design Services

Mr. White Reviewed Change Order No. 1 from Dufrane Construction for Design Services with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the proposal.

Review and Consider Approval of Proposal from Corvus Environmental

Mr. White Reviewed the Proposal from Corvus Environmental Consulting LLC for Planting Plan and Vegetation Management and Monitoring Plan with the Boards. Corvus will be doing site visits and

Consulting LLC for Planting Plan and Vegetation Management and Monitoring Plan

vegetation design, monitoring erosion control, and natural seed mixes. These services were requested by the City of Aurora and the Mile High Flood District related to the channel improvements. Kelly trucking will be implementing the plans created by Corvus Environmental Consulting, LLC. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the proposal.

Discussion re Well #3 and Well #4 Testing and Equipping

The Boards engaged in a Discussion regarding Well #3 and Well #4 Testing and Equipping. Bother wells have been drilled. Testing will commence soon and equipment will need to be ordered.

Discussions re Status of Sub-Area 1, Filing 1 Road and Utility Construction Bids

The Boards engaged in a Discussion regarding the Status of Sub-Area 1, Filing 1 Road and Utility Construction Bids. The Construction Manager met with the top three bidders to discuss their bids, and proposals are being evaluated with some updates and clarifications. The Construction Manager plans to make a recommendation at the September regular meeting.

#### Legal Matters

Consider Adoption of Joint Resolution of the BOD Designating the Location of Meetings of the BOD

Mr. White presented the Joint Resolution of the Board of Directors Designating the Location of Meetings of the Board of Directors to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously adopted the resolution.

#### Financial Matters

Review and Approval Verification Report No. 8 from Schedio Group

Mr. White reviewed Verification Report No. 8 from Schedio Group with the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the report.

Approval of Payables/Financials

Mr. Carroll presented the Payables and Financials to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the payables.

#### Other Business

Next Meeting

September 16, 2021.

#### Adjourn

There being no further business to come before the Boards, and following discussion and upon a 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.

*Kelsey Hall*

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Secretary for the Meeting

The foregoing minutes were approved on the 16<sup>th</sup> day of September, 2021.