

MINUTES OF A JOINT REGULAR MEETING OF THE
BOARDS OF DIRECTORS

OF

TRANSPORT METROPOLITAN DISTRICT NOS. 1-4

Held: Thursday, January 20, 2021 at 10:00 a.m. via
teleconference

Attendance

The regular 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

Also present were William P. Ankele, Jr., Esq. and Zachary P. White, Esq., White Bear White Tanaka & Waldron, Attorneys at Law; Cass Aurich, CliftonLarsonAllen; and Theron Skidmore, Port Colorado.

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 amended to include authorization to make payments under easement agreements.

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.

Public Comment

No members of the public were present.

Consent Agenda

Mr. White reviewed the items on the consent agenda with the Boards. Mr. White 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 item on the consent agenda was unanimously approved or adopted:

- December 14, 2021 Joint Special Meeting Minutes
- Joint Resolution of the Board of Directors Designating the District’s 24-Hour Posting Locations

Construction Matters

Construction Status Update

Director Hernandez provided a Construction Status Update to the Boards. The permit for the JLH contract is expected soon from the City of Aurora, and construction of water construction water pond is planned to start in February.

Discussion re Bidding for ISP 2

The Boards engaged in a Discussion regarding Bidding for ISP 2 grading and erosion control. It was noted that the Invitation to Bid was published on January 20, 2022, and the bid opening will be held on February 10, 2022.

Legal Matters

Discussion regarding Intergovernmental Agreement and Vendor Set-up with the Colorado Department of Transportation

Ms. Hall reported that the Colorado Department of Transportation (CDOT) requires an entity to contract with as part of RTA discussions and related work. Transport Metropolitan District No. 1 is anticipated to be the contracting party. District No. 1 will be set up as a vendor with CDOT, and then an IGA will be prepared for execution. No action was taken.

Discussion and Consider Approval to Process Service Plan Amendment(s)

Mr. White discussed with the Boards that certain amendments to the Districts’ service plans are recommended in relation to the formation of the RTA. Once discussions with the City of Aurora progress, the Districts will be ready to proceed with amendments to the Service

Plan. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the preparation and filing of service plan amendments with the City of Aurora, in coordination with special counsel working on the RTA formation.

Financial Matters

Approval of Payables/Financials

Ms. Aurich presented the Payables and Financials to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the payables and financials, and associated project fund requisitions.

Consider Approval to make payment under easements with Western Transport, LLC

Ms. Aurich reported that District No. 1 has an annual payment due under easements with Western Transport, LLC in February and requested authorization to make the payment. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 approved the payment and associated project fund requisition.

Review and Consider Adoption of Resolution Regarding Acceptance of District Eligible Costs Incurred by Western Transport, LLC

Mr. White presented the Resolution Regarding Acceptance of District Eligible Costs Incurred by Western Transport, LLC to the Boards of District Nos. 1 & 3. Following discussion, upon a motion duly made and seconded, the Boards of District Nos. 1 & 3 unanimously adopted the resolution.

Review and Consider Approval of Cost Verification Report No. 13 from Schedio Group

Mr. White presented the Cost Verification Report No. 13 from Schedio Group to the Boards. Following discussion, upon a motion duly made and seconded, the Boards unanimously approved the report.

Other Business

Next Meeting

February 17, 2022

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

Secretary for the Meeting

The foregoing minutes were approved on the 17th day of February, 2022.