

MINUTES OF A JOINT REGULAR MEETING OF THE  
BOARDS OF DIRECTORS

OF

TRANSPORT METROPOLITAN DISTRICT NOS. 1-5

Held: Thursday, August 18, 2022 at 10:00 a.m. via teleconference

Attendance

The joint regular meeting of the Boards of Directors of Transport Metropolitan District Nos. 1-5 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, President  
Kelsey B. Hall, Secretary/Treasurer  
William Metcalf, Assistant Secretary

Also present were Zachary P. White, Esq, White Bear White Tanaka & Waldron, Attorneys at Law; Cass Aurich, CliftonLarsonAllen; Theron Skidmore, Front Range Construction Management.

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

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 items on the consent agenda were unanimously approved, ratified and adopted:

- Minutes from the June 16, 2022 Joint Special Meeting
- Joint Resolution Designating the Districts 24-Hour Posting Locations

Construction Matters

Construction Status Update Ms. Hall provided a construction status update to the Boards.

***Independent Contractor Agreements***

Consider Approval of Work Order No. 1 to Independent Contractor Agreement with Aquaworks for Effluent Reuse Evaluation

Mr. White presented Work Order No. 1 to Independent Contractor Agreement with Aquaworks for Effluent Reuse Evaluation to the Board of District No. 1. Ms. Hall updated the Board regarding the additional work to be performed. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the work order.

***Construction Contract Change Orders***

Consider Approval of Changes Orders to Construction Agreement with JHL Constructors

Ms. Hall presented the Construction Contract Change Orders to Construction Agreements with JHL Constructors listed below to the Board of District No. 1.  
PCI-05.2: Drawing Revisions from Bid Set to Current City

Reviewed Plans in the amount of \$3,248,831

PCI-22: Elimination of Box Culvert that was no longer needed in the amount of -\$382,267.10 (credit)

PCI-26: Added Cutoff Walls per City Request in the amount of \$24,440.67

PCI-07: Quail Run Easement Access Gravel Path in the amount of \$3,535

PCI-25: Erosion Control for June in the amount of \$180,132

PCI-16.1: Earthwork in Crooked Channel in the amount of \$95,289

PCI-32: Waterline Pressure Testing in the amount of \$116,180

PCI-29.1: Quail Run Roadway Section Adjustments in the amount of \$362,159

PCI-30: Quail Run Full Depth 4' Shoulder in the amount of \$32,105

PCI-34: Box Culvert Waterproofing in the amount of \$13,333.33

Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the change orders.

Legal Matters

None.

Financial Matters

Review and Consider Approval of Cost Verification Report No. 19 from Schedio Group

Ms. Aurich reviewed Cost Verification Report No. 19 from Schedio Group with the Board of District No. 1. Following discussion, upon a motion duly made and seconded, the Board of District No. 1 unanimously approved the report.

Consider 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/financials.

Other Business

Next Meeting

September 29, 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*

Kelsey Hall (Nov 11, 2022 07:49 MST)

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Secretary for the Meeting

The foregoing minutes were approved on the 20<sup>th</sup> day of October, 2022.