

RECORD OF PROCEEDINGS

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF HORIZON METROPOLITAN DISTRICT NOS. 1, & 3-10

HELD
July 10, 2024

The Special Meeting of the Board of Directors of Horizon Metropolitan District Nos. 1, and 3-10 was held via MS Teams and Teleconference on Wednesday, July 10, 2024, at 9:00 a.m.

ATTENDANCE

Directors in Attendance:

David Crowder Jr., President & Chairperson
Karen Voit, Vice President
Jason Rutt, Secretary
Lisa Garcia, Treasurer

Also in Attendance:

Alan Pogue and Deborah Early; Icenogle Seaver Pogue, P.C.
Kenny Parish, Wendy McFarland, Christy McCutchen, Ronnie Kenfield,
Shannon McEvoy and Andrew Kunkel; Pinnacle Consulting Group, Inc.
Chris Jorgensen; Biggs Kofford
Jason Perrin; Pacific Ventures
William Medellin and Garrett Wright; BrightView Landscaping
Several Members of the Public.

ADMINISTRATIVE ITEMS

Declaration of Quorum/Call to Order: Director Crowder Jr. noted that a quorum was present, with four out of four Directors in attendance. The Special Meeting of the Board of Directors (collectively, the “Boards”) of the Horizon Metropolitan District Nos. 1, & 3-10 (collectively, the “District”) was called to order by Director Crowder Jr. at 9:27 a.m.

Combined Meeting: The Boards determined to hold joint meetings of the Districts and to prepare joint minutes of actions taken by the Districts at such meetings. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Board of Directors of Horizon Metropolitan District No. 1, with concurrence by the Boards of Directors of Horizon Metropolitan District Nos. 3, 4, 5, 6, 7, 8, 9, and 10.

Director Qualifications/Disclosure of Potential Conflicts of Interest: All Board Members confirmed their qualifications to serve on the Boards. Mr. Pogue noted that notices of potential conflicts of interest for all Board Members were filed with the Colorado Secretary of State’s office and with the District’s Board. Mr. Pogue advised the Boards that pursuant to Colorado law, certain disclosures by the Board Members might be required prior to taking official action at a meeting. The Boards reviewed

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the agenda for the meeting, following which each Board Member present confirmed the contents of the written disclosures previously made stating the fact and summary nature of any matters as required under Colorado law to permit official action to be taken at the meeting. Additionally, the Boards determined that the participation of the members present was necessary to obtain a quorum or otherwise enable the Boards to act.

Approval of Agenda: The Boards considered the approval of the agenda. Following review and discussion, upon a motion duly made by Director Voit, seconded by Director Rutt, and upon vote, unanimously carried, it was

RESOLVED to approve the agenda, as amended to move V Financial Item C Review and Consider Approval of 2023 Audited Financial Statements for District No. 1 and District No. 3 to V Financial Item A.

Public Comment: There were no Public Comments received.

Director Comment: There were no Director Comments received.

CONSENT AGENDA

Director Crowder Jr. reviewed the items on the consent agenda with the Boards. Director Crowder Jr. 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 by Director Garcia, Seconded by Director Rutt, the following items on the consent agenda were unanimously approved, ratified and adopted:

- A. Minutes – April 3, 2024, Regular Meeting.
 - B. Contract Modifications Report.
 - C. Payment of Claims.
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DISTRICT MANAGER ITEMS

Landscape Maintenance Contractor: Mr. Medellin and Mr. Wright presented the BrightView Quality Site Assessment report to the Boards, highlighted remediation efforts, and answered questions.

District Manager's Report: Mr. Parrish presented the District Manager's Report to the Boards and answered questions.

Community Management Report: Ms. McCutchen presented the Community Management Report to the Boards, highlighted community enforcement activities, and answered questions.

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Revised Fee Schedule Form: Mr. Parrish presented the Revised Fee Schedule Form to the Boards. Director Crowder Jr. noted a needed change to the Stormwater Maintenance Fee, and Mr. Parrish responded.

CAPITAL INFRASTRUCTURE ITEMS

Resolution Accepting Capital Costs Improvements No. 5: Mr. Parrish presented the Resolution Accepting Capital Costs Improvements No. 5 to the Boards. Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Garcia, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution Accepting Capital Costs Improvements No. 5, as presented.

Resolution Accepting Capital Costs Improvements No. 6: Mr. Parrish presented the Resolution Accepting Capital Costs Improvements No. 6 to the Boards. Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Garcia, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution Accepting Capital Costs Improvements No. 6, as presented.

Resolution Accepting Capital Costs Improvements No. 7: Mr. Parrish presented the Resolution Accepting Capital Costs Improvements No. 7 to the Boards. Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Garcia, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution Accepting Capital Costs Improvements No. 7, as presented.

Resolution Accepting Capital Costs Improvements No. 8: Mr. Parrish presented the Resolution Accepting Capital Costs Improvements No. 8 to the Boards. Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Garcia, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution Accepting Capital Costs Improvements No. 8, as presented.

FINANCIAL ITEMS

2023 Audit for District No. 1 and District No. 3: Mr. Jorgensen reviewed the 2023 Audit for District No. 1 and District No. 3 with the Boards. Mr. Jorgensen reported that the audit received a clean unmodified opinion.

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Following review and discussion, upon a motion duly made by Director Garcia, seconded by Director Rutt, and upon vote, unanimously carried, it was

RESOLVED to approve the 2023 Audit for District No. 1 and District No. 3, as presented.

Finance Manager's Report: Ms. McFarland presented the Finance Manager's Report to the Boards and answered questions.

Financial Statements: Ms. McFarland reviewed the unaudited Financial Statements for the period ending March 31, 2024, with the Boards and answered questions. Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Voit, and upon vote, unanimously carried, it was

RESOLVED to accept the unaudited Financial Statements for the period ending March 31, 2024, as presented.

2023
AMENDED
BUDGET HEARING

Director Crowder Jr. opened the 2023 Amended Budget Hearing for Horizon Metropolitan District No. 1. Ms. McFarland reported that notice of the budget hearing was published in accordance with state budget law. There being no public input, the public portion of the budget hearing was closed. Ms. McFarland reviewed the amended budget in detail and answered questions. The amended budget for the District is as follows:

District No. 1
General Fund: \$800,863

Following review and discussion, upon a motion duly made by Director Crowder Jr., seconded by Director Voit, and upon vote, unanimously carried, it was

RESOLVED to approve the Resolution to Adopt the 2023 Amended Budget and appropriate funds for Horizon Metropolitan District No. 1 and authorize such further actions of the officers and consultants necessary to sign related documents and submit and file such documents required to finalize the amended budget.

FINANCIAL
ITEMS CONT.

2025 Budget Planning Update: Ms. McFarland provided the 2025 Budget Planning Update to the Boards and answered questions.

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LEGAL ITEMS

Disclosures to Purchasers for District Nos. 1 – 10: Ms. Early presented the Disclosures to Purchasers for District Nos. 1 – 10 to the Boards. Following review and discussion, upon a motion duly made by Director Garcia, seconded by Director Rutt, and upon vote, unanimously carried, it was

RESOLVED to approve the Disclosures to Purchasers for District Nos. 1 – 10, as presented.

Project Management Services Agreement with Horizon Uptown (Denver) SPV, LLC: Ms. Early updated the Boards on the current status of the Project Management Services Agreement with Horizon Uptown (Denver) SPV, LLC.

DIRECTOR COMMENTS

There were no Director Comments received.

EXECUTIVE SESSION

Executive session, pursuant to § 24-6-402(4)(b), C.R.S., for the purpose of receiving legal advice from general counsel related to District contracts.

Mr. Pogue advised the Boards that it was permitted, upon compliance with requisite statutory procedures under the Colorado Open Meetings Law, for the Boards to convene an executive session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to District contracts. Upon a motion duly made by Director Crowder Jr., seconded by Director Voit, and upon vote, unanimously carried, it was

RESOLVED to convene an Executive Session, pursuant to § 24-6-402(4)(b), C.R.S., to conference with an attorney for the purpose of receiving legal advice from general counsel related to District contracts.

The Boards returned from Executive Session at 11:52 a.m. No decisions or actions were taken in the Executive Session.

ADJOURNMENT

There being no further business to come before the Boards, the meeting was adjourned at 11:53 a.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

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Respectfully submitted,



Andrew Kunkel, Recording Secretary for the Meeting